FIRST DAY - JANUARY 7, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 7, 2015

PRAYER

The prayer was offered by Senator Davis.

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska Army and Air National Guard.

ROLL CALL

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Fourth Legislature, First Session of the Legislature of Nebraska, assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:00 a.m., on Wednesday, January 7, 2015, and was called to order by President Nelson.

The roll was called and the following members were present:

Baker, Roy E.  Hadley, Galen  Morfeld, Adam
Bloomfield, Dave  Hansen, Matt  Murante, John
Bolz, Kate  Harr, Burke J.  Nordquist, Jeremy
Brasch, Lydia  Hilkemann, Robert  Pansing Brooks, Patty
Campbell, Kathy  Howard, Sara  Riepe, Merv
Chambers, Ernie  Hughes, Dan  Scheer, Jim
Coash, Colby  Johnson, Jerry  Schilz, Ken
Cook, Tanya  Kintner, Bill  Schnoor, David A.
Craighead, Joni  Kolowski, Rick  Schumacher, Paul
Crawford, Sue  Kolterman, Mark A.  Seiler, Les
Davis, Al  Krist, Bob  Smith, Jim
Ebke, Laura  Kuehn, John L.  Stinner, John P.
Friesen, Curt  Larson, Tyson  Sullivan, Kate
Garrett, Tommy L.  Lindstrom, Brett  Watermeier, Dan
Gloor, Mike  McCollister, John S.  Williams, Matt
Groene, Mike  McCoy, Beau
Haar, Ken  Mello, Heath
MOTION - Temporary Clerk and Sergeant at Arms

Senator Krist moved to appoint Mr. Patrick J. O'Donnell as temporary Clerk of the Legislature and Mr. Ron Witkowski as temporary Sergeant at Arms.

The motion prevailed.

RESIGNATION

September 9, 2014

Governor Dave Heineman
Office of the Governor
State Capitol, Room 2316
P.O. Box 94848
Lincoln, NE 68509-4848

Dear Governor Heineman:

I hereby resign my position as Lieutenant Governor of Nebraska, effective immediately.

Sincerely,

(Signed) Lavon Heidemann
Lieutenant Governor

cc: Greg Adams
   Speaker, Nebraska Legislature

MESSAGE FROM THE GOVERNOR

September 9, 2014

Lavon Heidemann
Lieutenant Governor
State Capitol, Room 2311
P.O. Box 94863
Lincoln, NE 68509-4863

Dear Lieutenant Governor Heidemann:

I hereby accept your resignation as Lieutenant Governor of Nebraska, effective immediately.

Sincerely,

(Signed) Dave Heineman
Governor

cc: Greg Adams
Speaker, Nebraska Legislature

RESIGNATION

September 29, 2014

The Honorable Dave Heineman
Governor, State of Nebraska
State Capitol -- P.O. Box 94848
Lincoln, NE 68509-4848

Re: Resignation from Nebraska State Legislature

Dear Governor Heineman:

It has been my great privilege and blessing to serve nearly two terms in the Nebraska Unicameral, representing constituents in my legislative district and citizens throughout the great state of Nebraska to the best of my ability.

In order to accept appointment to the office of Lieutenant Governor, I hereby resign from the office of Senator for the Sixth Legislative District, State of Nebraska, said resignation to become effective at twelve o'clock noon this date, September 29, 2014.

Respectfully,
(Signed) John E. Nelson

MESSAGE FROM THE GOVERNOR

September 29, 2014

Senator John E. Nelson
6289 Glenwood Road
Omaha, NE 68132

Dear Senator Nelson:

Your resignation as a member of the Nebraska Legislature effective September 29, 2014, at 12:00 PM has been received and is accepted. Your service as a member of the Nebraska Legislature is greatly appreciated.

Best wishes in your future endeavors.

(Signed) Dave Heineman
Governor

cc: Speaker Adams
    Clerk of the Legislature
MESSAGE FROM THE GOVERNOR

September 29, 2014

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

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

I appointed John E. Nelson as Lieutenant Governor effective Monday, September 29, 2014, at 1:30 PM. Attached is a copy of his oath of office.

Sincerely,

(Signed) Dave Heineman
Governor

Enclosure

MESSAGE FROM THE GOVERNOR

September 29, 2014

John E. Nelson
6289 Glenwood Road
Omaha, NE 68132

Dear John:

Enclosed is your certificate for appointment as the Lieutenant Governor effective at 1:30 PM on September 29, 2014. Please know that your willingness to serve in this capacity is greatly appreciated.

Congratulations and best wishes.

Sincerely,

(Signed) Dave Heineman
Governor

Enclosure

GUBERNATORIAL APPOINTMENT

Greetings To All Who Shall See These Presents Know Ye, that I Dave Heineman, on behalf of the State of Nebraska and as Governor, do hereby appoint John E. Nelson as the Lieutenant Governor of the State of Nebraska.
Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law:
This appointment shall take effect on September 29, 2014, and continue until January 7, 2015, provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Dave Heineman
Governor

(Signed) John. A Gale
Secretary of State

OFFICIAL OATH

STATE OF NEBRASKA )
) ss.
County of Lancaster )

"I, John E. Nelson, do solemnly swear (or affirm) that I will support the constitution of the United States, and the constitution of the State of Nebraska, and will faithfully discharge the duties of Lieutenant Governor according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote may give or withhold on any bill, resolution, or appropriation)."

(Signed) John E. Nelson

Subscribed in my presence and sworn to before me this 29th day of September 2014.

(SEAL) (Signed) John A. Gale
Secretary of State

*Constitution of the State of Nebraska, Article XV, Section One.
For Executive, Judicial Officers and Members of the Legislature.

RESIGNATION

November 6, 2014

Governor Dave Heineman
Nebraska State Capitol
1445 K St, Lincoln, NE 68508
Dear Governor Heineman:

I have decided to resign from my position as state senator for legislative
district 18 effective at 5:00 PM on November 6, 2014. It has been an honor
to serve the state of Nebraska these last 7 years.

Sincerely,

(Signed) Scott Lautenbaugh

RESIGNATION

December 11, 2014

The Honorable Dave Heineman
Governor of Nebraska
P.O. Box 94848
Lincoln, NE 68509-4848

Dear Governor Heineman,

With my election to the office of Auditor of Public Accounts this past
November, and the ongoing transition to that office, I am submitting my
resignation as the member of the Legislature from the fifteenth legislative
district effective December 11, 2014.

It has been my sincere pleasure to serve my state and community in this
capacity for the past six years with you as our Governor.

I look forward to continuing my service to our state in the role of Auditor of
Public Accounts and working with Governor-elect Pete Ricketts.

I wish you all the best in the future and ask that you accept my resignation.

Sincerely,

(Signed) Charlie Janssen

cc: Patrick O'Donnell, Clerk of the Legislature
Senator Greg Adams, Speaker of the Legislature

MESSAGE FROM THE GOVERNOR

December 11, 2014

Senator Charlie Janssen
1234 Bristolwood Drive
Fremont, NE 68025

Dear Senator Janssen:
Your resignation as a member of the Nebraska Legislature has been received and is accepted effective December 11, 2014. The time and effort you shared during your term in the Legislature is greatly appreciated.

Sincerely,
(Signed) Dave Heineman
Governor

cc: Patrick O'Donnell, Clerk of the Legislature

MESSAGE FROM THE GOVERNOR

December 12, 2014

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

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

I hereby appoint David A. Schnoor to fill the vacancy in the 15th Legislative District created by the resignation of Senator Charlie Janssen. This appointment takes effect on December 12, 2014.

Sincerely,
(Signed) Dave Heineman
Governor

GUBERNATORIAL APPOINTMENT

Greetings To All Who Shall See These Presents Know Ye, that I Dave Heineman, on behalf of the State of Nebraska and as Governor, do hereby appoint David A. Schnoor as a member of the Nebraska Legislature representing District 15.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law:
This appointment shall take effect on December 12, 2014, and continue until January 3, 2017, provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Dave Heineman
Governor

(Signed) John. A Gale
Secretary of State
OFFICIAL OATH

STATE OF NEBRASKA  )
County of Lancaster  ) ss.

"I, David A. Schnoor, do solemnly swear (or affirm) that I will support the constitution of the United States, and the constitution of the State of Nebraska, and will faithfully discharge the duties of Member of the Legislature, District 15 according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote may give or withhold on any bill, resolution, or appropriation).”*

(Signed) David A. Schnoor

Subscribed in my presence and sworn to before me this 12th day of December 2014.

(SEAL) (Signed) John A. Gale
Secretary of State

*Constitution of the State of Nebraska, Article XV, Section One.
For Executive, Judicial Officers and Members of the Legislature.

MOTION - Committee on Credentials

Senator Seiler moved that we proceed to the election of five persons to serve as the Committee on Credentials, who will forthwith report to the Legislature on the credentials of those claiming to be elected to the Legislature in the General Election in November 2014.

The motion prevailed.

Senator Smith moved to elect the following five members of the Legislature to serve on the Committee on Credentials: Senators Chambers, Coash, Hadley, Schilz, and Nordquist.

The motion prevailed.

REPORT OF COMMITTEE ON CREDENTIALS

State of Nebraska

United States of America,  ) ss.  Secretary of State
State of Nebraska

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the One Hundred Fourth Legislature, First Session, 2015.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Fourth Legislature, First Session, 2015.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Seventh day of January in the year of our Lord, two thousand and Fifteen.

(SEAL)  (Signed) John A. Gale
Secretary of State

<table>
<thead>
<tr>
<th>DISTRICT/NAME</th>
<th>ELECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Dan Watermeier</td>
<td>November 6, 2012</td>
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<tr>
<td>2 Bill Kintner</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>3 Tommy Garrett</td>
<td>November 4, 2014</td>
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<tr>
<td>4 Robert Bob Hilkemann</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>5 Heath Mello</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>6 Joni Craighead</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>7 Jeremiah Nordquist</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>8 Burke J. Harr</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>9 Sara Howard</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>10 Bob Krist</td>
<td>November 4, 2014</td>
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<tr>
<td>11 Ernie Chambers</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>12 Merv Riepe</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>13 Tanya Cook</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>14 Jim Smith</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>15 David A. Schnoor - Appointed</td>
<td>December 12, 2014</td>
</tr>
<tr>
<td>16 Lydia Brasch</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>17 Dave Bloomfield</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>18 Brett Lindstrom</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>19 Jim Scheer</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>20 John S. McCollister</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>21 Ken Haar</td>
<td>November 6, 2012</td>
</tr>
<tr>
<td>22 Paul Schumacher</td>
<td>November 4, 2014</td>
</tr>
<tr>
<td>23 Jerry Johnson</td>
<td>November 6, 2012</td>
</tr>
</tbody>
</table>
MOTION - Credentials Committee Report

Senator Coash moved to approve the Committee on Credentials Report as certified and presented by the Secretary of State.

The motion prevailed.

MOTION - Escort Chief Justice

Senator Scheer moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the members of the Legislature.

The motion prevailed.

The Chair appointed Senators Seiler, Davis, Johnson, Crawford, and Schumacher to serve on said committee.

MEMBERS' OATH OF OFFICE

STATE OF NEBRASKA )
LANCASTER COUNTY

Do you and each of you solemnly swear (or affirm) that you will support the constitution of the United States, and the constitution of the State of Nebraska, and will faithfully discharge the duties of members of the Legislature according to the best of your ability, and that at the election at which you were chosen to fill said office, you have not improperly influenced in any way the vote of any elector, and have not accepted, nor will you accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote you may give or withhold on any bill, resolution, or appropriation).

Baker, Roy Brush, Lydia Craighead, Joni Ebke, Laura Friesen, Curt Garrett, Tommy Groene, Michael Hansen, Matt Harr, Burke J.
Hilkemann, Robert Hughes, Dan Kintner, Bill Koltermann, Mark A. Krist, Bob Kuehn, John L. Larson, Tyson Lindstrom, Brett McCollister, John S.
Morfeld, Adam Pansing Brooks, Patty Riepe, Merv Schumacher, Paul Smith, Jim Stinner, John P. Williams, Matt

The committee escorted the Chief Justice from the Chamber.

MOTION - Adopt Temporary Rules

Senator Garrett moved that the rules, as now in our possession, be adopted for today only, Wednesday, January 7, 2015.

The motion prevailed.

MOTION - Election of Officers

Senator Krist moved that the following officers, recommended by the Executive Board, be elected to serve for the One Hundred Fourth Legislature:

Clerk of the Legislature Assistant Clerk of the Legislature Sergeant at Arms
Patrick J. O'Donnell Richard K. Brown Ron Witkowski

The motion prevailed.

MOTION - Election of Speaker

Senator Mello moved to proceed to the election of the Speaker of the Legislature.
The motion prevailed.

Senator Coash placed his name in nomination.

Senator Hadley placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators McCoy, Sullivan, and Schumacher as tellers.

Senator Coash 19
Senator Hadley 30
49

Senator Hadley was duly elected Speaker of the Legislature.

**MOTION - Escort Chief Justice**

Senator Bloomfield moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the officers of the Legislature.

The motion prevailed.

The Chair appointed Senators Seiler, Davis, Schumacher, Johnson, and Crawford to serve on said committee.

**OFFICERS' OATH OF OFFICE**

STATE OF NEBRASKA )
) ss.
LANCASTER COUNTY )

We, and each of us, do solemnly swear (or affirm) that we will support the constitution of the United States, the constitution of the State of Nebraska, and will faithfully discharge the duties of our respective offices to the best of our ability.

Speaker Galen Hadley
Clerk of the Legislature Patrick J. O'Donnell
Assistant Clerk of the Legislature Richard K. Brown
Sergeant at Arms Ron Witkowski

The committee escorted the Chief Justice from the Chamber.

**MOTION - Chairperson of Committee on Committees**

Senator Hadley moved to proceed to the election of the Chairperson of the
Committee on Committees.

The motion prevailed.

Senator McCoy placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator McCoy.

The motion prevailed.

Senator McCoy was duly elected Chairperson of the Committee on Committees.

**MOTION - Committee on Committees Members**

Senator Sullivan moved to proceed to the election of the remaining twelve members of the Committee on Committees, and that we authorize the members residing within each of the three districts, as enumerated in Rule 3, Sec. 2, to nominate four members to be elected by the legislative body to serve on the Committee on Committees.

The motion prevailed.

Senators Campbell, Coash, Garrett, and Schumacher were nominated from District 1.

Senators Krist, Mello, Smith, and B. Harr were nominated from District 2.

Senators Bloomfield, Schilz, Hadley, and Watermeier were nominated from District 3.

Senator Campbell moved the approval of the nominees to the Committee on Committees.

The motion prevailed.

The Chair declared the nominees duly elected.

**MOTION - Chairperson of Executive Board**

Senator K. Haar moved to proceed to the election of the Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Krist placed his name in nomination.

Senator Bloomfield placed his name in nomination.
The Chair declared the nominations closed.

The Chair appointed Senators Schilz, Seiler, and Crawford as tellers.

Senator Krist 32
Senator Bloomfield 17

Senator Krist was duly elected Chairperson of the Executive Board.

**MOTION - Vice Chairperson of Executive Board**

Senator Schumacher moved to proceed to the election of the Vice Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Kolowski placed his name in nomination.

Senator Watermeier placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Gloor, Murante, and Cook as tellers.

Senator Kolowski 16
Senator Watermeier 33

Senator Watermeier was duly elected Vice Chairperson of the Executive Board.

**MOTION - Executive Board Members**

Senator Larson moved to proceed to the election of the other six members of the Executive Board of the Legislative Council as outlined in 50-401.01.

The motion prevailed.

Senators Campbell and Coash were nominated from District 1.

Senators Chambers and Murante were nominated from District 2.

Senators Larson and Hughes were nominated from District 3.

Senator Bolz moved the approval of the nominees to the Executive Board of the Legislative Council.
The motion prevailed.
The Chair declared the nominees duly elected.

**MOTION - Standing Committee Chairpersons**

Senator Watermeier moved to proceed to the election of the standing committee chairpersons, by secret ballot, in accordance with Rule 3, Sec. 8(a).

The motion prevailed.

**CHAIRPERSON - Agriculture**

Senator Brasch placed her name in nomination.

Senator Johnson placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Bolz, Smith, and K. Haar as tellers.

<table>
<thead>
<tr>
<th>Name</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brasch</td>
<td>24</td>
</tr>
<tr>
<td>Johnson</td>
<td>25</td>
</tr>
<tr>
<td>Total</td>
<td>49</td>
</tr>
</tbody>
</table>

Senator Johnson was duly elected Chairperson of the Agriculture Committee.

**CHAIRPERSON - Appropriations**

Senator Mello placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Mello.

The motion prevailed.

Senator Mello was duly elected Chairperson of the Appropriations Committee.

**CHAIRPERSON - Banking, Commerce and Insurance**

Senator Scheer placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Scheer.

The motion prevailed.
Senator Scheer was duly elected Chairperson of the Banking, Commerce and Insurance Committee.

**CHAIRPERSON - Business and Labor**

Senator B. Harr placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator B. Harr.

The motion prevailed.

Senator B. Harr was duly elected Chairperson of the Business and Labor Committee.

**CHAIRPERSON - Education**

Senator Sullivan placed her name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Sullivan.

The motion prevailed.

Senator Sullivan was duly elected Chairperson of the Education Committee.

**CHAIRPERSON - General Affairs**

Senator Larson placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Larson.

The motion prevailed.

Senator Larson was duly elected Chairperson of the General Affairs Committee.

**CHAIRPERSON - Government, Military and Veterans Affairs**

Senator Murante placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Murante.

The motion prevailed.

Senator Murante was duly elected Chairperson of the Government, Military and Veterans Affairs Committee.
CHAIRPERSON - Health and Human Services

Senator Campbell placed her name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Campbell.

The motion prevailed.

Senator Campbell was duly elected Chairperson of the Health and Human Services Committee.

CHAIRPERSON - Judiciary

Senator Seiler placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Seiler.

The motion prevailed.

Senator Seiler was duly elected Chairperson of the Judiciary Committee.

CHAIRPERSON - Natural Resources

Senator Schilz placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Schilz.

The motion prevailed.

Senator Schilz was duly elected Chairperson of the Natural Resources Committee.

CHAIRPERSON - Nebraska Retirement Systems

Senator Lindstrom placed his name in nomination.

Senator Nordquist placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Bloomfield, Garrett, and Mello as tellers.

<table>
<thead>
<tr>
<th>Senator Lindstrom</th>
<th>24</th>
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<tbody>
<tr>
<td>Senator Nordquist</td>
<td>25</td>
</tr>
<tr>
<td>49</td>
<td></td>
</tr>
</tbody>
</table>
Senator Nordquist was duly elected Chairperson of the Nebraska Retirement Systems Committee.

CHAIRPERSON - Revenue

Senator Gloor placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Gloor.

The motion prevailed.

Senator Gloor was duly elected Chairperson of the Revenue Committee.

CHAIRPERSON - Transportation and Telecommunications

Senator Smith placed his name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Smith.

The motion prevailed.

Senator Smith was duly elected Chairperson of the Transportation and Telecommunications Committee.

CHAIRPERSON - Urban Affairs

Senator Crawford placed her name in nomination.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Crawford.

The motion prevailed.

Senator Crawford was duly elected Chairperson of the Urban Affairs Committee.

MOTION - Special and Select Committee Chairpersons

Senator Howard moved to proceed to the election of the special and select committee chairpersons, by secret ballot.

The motion prevailed.
Senator Garrett placed his name in nomination.

Senator Howard moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Garrett.

The motion prevailed.

Senator Garrett was duly elected Chairperson of the Rules Committee.

Senator Murante nominated Senator Hansen.

Senator Garrett moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Hansen.

The motion prevailed.

Senator Hansen was duly elected Chairperson of the Enrollment and Review Committee.

Senator Nordquist moved that a committee of three be appointed to escort the Secretary of State to the Chamber to deliver the election returns of the General Election of November 2014.

The motion prevailed.

The Chair appointed Senators Murante, Watermeier, and Bloomfield to serve on said committee.

The committee escorted Secretary of State, John A. Gale, to the rostrum where he delivered the following report.

REPORT FROM THE SECRETARY OF STATE

January 7, 2015

Speaker of the Legislature
One Hundred Fourth Legislature, First Session 2014
State Capitol
Lincoln, Nebraska

Honorable Speaker:

In accordance with Article IV, Section 4 of the constitution of the State of
Nebraska, I have the honor of herewith delivering to you, under Seal, the abstract of votes cast in the ninety-three counties of the State of Nebraska at the General Election held on November 4, 2014, for the offices of Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Supreme Court Judges, Court of Appeals Judges and Nebraska Workers Compensation Judges which votes are required by law to be canvassed by the Nebraska State Legislature, pursuant to Section 32-1039 R.S. Nebraska 1943, Reissue of 2008 as submitted to me for delivery to the Honorable Speaker of the Legislature.

I also deliver to you, under Seal, the list of candidates receiving the highest vote for each particular office enumerated. The certificate of the Secretary of State accompanies this list.

The original abstract sheets containing the tabulation of votes from the ninety-three counties with reference to an Initiative Measure that is on file in this office. A certification of these returns is also attached.

Inasmuch as these canvass sheets are part of the records of the Office of Secretary of State, we respectfully request that they be returned to our office files immediately upon the completion of your official canvass.

Respectfully submitted,

(Signed) John A. Gale
Secretary of State

CERTIFICATE

State of Nebraska
United States of America, )
) ss. Secretary of State
State of Nebraska )

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct list of the candidates for the offices of Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Attorney General, Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Supreme Court Judge, Court of Appeals Judges and Nebraska Workers Compensation Judges receiving the highest number of votes cast at the General Election in the State of Nebraska held on November 4, 2014.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Seventh day of January in the year of our Lord, two thousand and Fifteen.
Governor - Pete Ricketts
Lieutenant Governor - Mike Foley
Secretary of State - John A. Gale
Auditor of Public Accounts - Charlie Janssen
State Treasurer - Don Stenberg
Attorney General - Doug Peterson
Public Service Commission, District 2 - Crystal Rhoades
Board of Regents of the University of Nebraska, Dist 1 - Tim Clare
Board of Regents of the University of Nebraska, Dist 2 - Howard Hawks
Board of Regents of the University of Nebraska, Dist 5 - Rob Schafer
State Board of Education - Dist 5 - Patricia H. Timm
State Board of Education - Dist 6 - Maureen Nickels
State Board of Education - Dist 7 - Molly O'Holleran
State Board of Education - Dist 8 - Patrick J. McPherson
Supreme Court Judge, District 2 - Lindsey Miller-Lerman
Court of Appeals Judge, District 2 - Michael W. Pirtle
Court of Appeals Judge, District 4 - John F. Irwin
Nebraska Workers Compensation Judge - Thomas E. Stine
Nebraska Workers Compensation Judge - Laureen Van Normant
Nebraska Workers Compensation Judge - Michael K. High

CERTIFICATE

State of Nebraska

United States of America, )
                          ) ss. Secretary of State
State of Nebraska        )

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct listing of the Statutory Measure proposed by the Initiative Process showing the number of votes cast for and against at the General Election held on November 4, 2014.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Seventh day of January in the year of our Lord, two thousand and Fifteen.

(SEAL) (Signed) John A. Gale
Secretary of State
Initiative Measure 425

An initiative measure to amend Nebraska statute to increase the minimum wage.

For 311,401
Against 212,215

Senator Kolowski moved pursuant to Article IV, Section 4, to approve the report of the Secretary of State and the candidates stated therein be declared duly elected.

The motion prevailed.

The Secretary of State was escorted from the Chamber.

MOTION - Inaugural Ceremonies

Senator Gloor moved to arrange to hold the inaugural ceremonies for the newly elected state officials on Thursday, January 8, 2015, at 1:30 p.m.

The motion prevailed.

ADJOURNMENT

At 12:59 p.m., on a motion by Senator Sullivan, the Legislature adjourned until 10:00 a.m., Thursday, January 8, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
SECOND DAY - JANUARY 8, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 8, 2015

PRAYER

The prayer was offered by Pastor Todd Hilkemann, Cragmor Christian Reformed Church, Colorado Springs, Colorado.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hadley presiding.

The roll was called and all members were present except Senators McCoy, Mello, and Smith who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

MOTION - Adopt Temporary Rules

Senator Garrett moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the twelfth legislative day.

The motion prevailed.

MESSAGES FROM THE GOVERNOR

April 24, 2014

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

Dear Mr. President, Speaker Adams and Members of the Legislature:
Contingent upon your approval, the following individual is being appointed to the Nebraska Educational Telecommunications Commission:

Patricia M. Kircher, 15715 California Street, Omaha, NE 68118

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

Sincerely,

(Signed) Dave Heineman
Governor

Enclosures

May 15, 2014

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

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

Contingent upon your approval, the following individuals are being appointed to the Nebraska Natural Resources Commission:

Brian Barels, 6375 Country Club Drive, Columbus, NE 68601
Donald P. Batie, 43590 Road 761, Lexington, NE 68850
Joel G. Christensen, 5909 South 115th Street, Omaha, NE 68137
Steven Huggenberger, 2286 S. 120 Street, Walton, NE 68461
Henry H. (Hod) Kosman, 190498 County Road G, Scottsbluff, NE 69361
Don Kraus, 2019 Spalding Drive, Holdrege, NE 68949
Owen A. Palm, 2975 Country Club Road, Gering, NE 69341
Tom Palmertree, 1114 Jefferson Avenue, Hebron, NE 68370
Scott Smathers, 6140 South Richland Circle, Lincoln, NE 68516
Lindsey Smith, 941 North 10th Street, Broken Bow, NE 68822
Walter Dennis Strauch, 50189 Hilyard Drive, Mitchell, NE 69357

Contingent upon your approval, the following individuals are being reappointed to an extended term to the Nebraska Natural Resources Commission:

Stan Clouse, 4907 Linden Drive Place, Kearney, NE 68847
Richard Mercer, 5815 4th Avenue, Kearney, NE 68845
Thomas Knutson, 102 Custer, St. Paul, NE 68873

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.
June 18, 2014

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

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

Contingent upon your approval, the following individual is being appointed to the Commission for the Deaf and Hard of Hearing:

Frank R. Turk, 1833 N. 132 Avenue Circle, Omaha, NE 68154

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

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

June 23, 2014

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

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

Contingent upon your approval, the following individual is being reappointed to the Crime Victim's Reparations Committee:

Michelle Schindler, 4630 Sugar Creek Court, Lincoln, NE 68516

Contingent upon your approval, the following individual is being appointed to the Crime Victim's Reparations Committee:

Gerard A. (Fred) Ruiz, 3203 Kennedy Way, Grand Island, NE 68803

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

Sincerely,
(Signed)  Dave Heineman
Governor

Enclosures

June 23, 2014

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

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

Contingent upon your approval, the following individual is being appointed to the State Personnel Board:

Christopher Waddle, 735 N. Derby Avenue, Giltner, NE 68841

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

Sincerely,
(Signed)  Dave Heineman
Governor

Enclosures

July 21, 2014

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

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

Contingent upon your approval, the following individual is being reappointed to the State Personnel Board:

Samuel Seever, 6425 Lone Tree Drive, Lincoln, NE 68512

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.
Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

July 31, 2014

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

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

Contingent upon your approval, the following individuals are being reappointed to the State Electrical Board:

James S. Brummer, 1823 Imperial Road, Norfolk, NE 68701
Tom Ourada, 1130 East 13 Street, Crete, NE 68333

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

Sincerely,
(Signed) Dave Heineman
Governor

August 5, 2014

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

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

This letter is to inform you that the request for confirmation of the appointment of Richard Mercer as a member of the Nebraska Natural Resources Commission is respectfully withdrawn.

Sincerely,
(Signed) Dave Heineman
Governor

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

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

Contingent upon your approval, the following individuals are being reappointed to the State Board of Health:

Dr. Russell Hopp, 5610 Farnam, Omaha, NE 68132
Shane Fleming, RN, 3363 Prairie Lane, Columbus, NE 68601

Contingent upon your approval, the following individuals are being appointed to the State Board of Health:

Dr. Travis James Teetor, 19309 Briggs Street, Omaha, NE 68130
Dr. Kevin Borcher, 15204 Summerwood Drive, Omaha, NE 68137
Dr. Heidi J. Stark, 2108 The Knolls, Lincoln, NE 68512

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

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 19, 2014

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

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

Contingent upon your approval, the following individual is being appointed to the Coordinating Commission for Postsecondary Education:

John Bernthal, 5251 Troon Drive, Lincoln, NE 68526

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.
Mr. President, Speaker Adams and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Technical Advisory Committee for Statewide Assessment:

Dr. Richard Sawyer, ACT, P.O. Box 168, Iowa City, IA 52243

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

Sincerely,

(Signed) Dave Heineman
Governor

Enclosures

September 8, 2014

Mr. President, Speaker Adams and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Natural Resources Commission:

Loren Taylor, 1119 S. 3rd Avenue, Broken Bow, NE 68822

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

Sincerely,

(Signed) Dave Heineman
Governor
Dear Mr. President, Speaker Adams and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Technical Advisory Committee for Statewide Assessment:

Dr. Brian Gong, National Center of Improvement in Education Assessment,  
P.O. Box 351, Dover, NH 03821  
Linda Poole, 5054 South 171 Avenue, Omaha, NE 68135

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

Sincerely,

(Signed) Dave Heineman  
Governor

Enclosures
September 8, 2014

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

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

Contingent upon your approval, the following individual is being appointed to the Oil and Gas Conservation Commission:

Thomas D. Oliver, 618 "O" Street, Bridgeport, NE 69336

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

Sincerely,

(Signed) Dave Heineman
Governor

Enclosures

September 24, 2014

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

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

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

Glenn R. Wilson Jr., 3103 Brentwood Circle, Grand Island, NE 68802

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

Sincerely,

(Signed) Dave Heineman
Governor

Enclosures
October 14, 2014

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

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

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

Tim Hofbauer, 2328 34 Street, Columbus, NE 68601
Dana Miller, 110 21 Street, Gering, NE 69341
Keith Hansen, 10700 Dawn Avenue, Lincoln, NE 68516

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

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

October 27, 2014

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

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

Contingent upon your approval, the following individual is being appointed to the Child Abuse Prevention Fund Board:

Todd Bartee, 5715 Avenue Q, Kearney, NE 68847

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

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures
November 12, 2014

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska Investment Council:

John Dinkel, 2206 Koenigstein Avenue, Norfolk, NE 68701

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

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

November 14, 2014

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

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

Contingent upon your approval, the following individual is being appointed to the State Board of Health:

Teresa Konda, 6211 N. 131 Street, Omaha, NE 68164

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

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures
November 17, 2014

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska State Fair Board:

William Marshall III, 712 Grand Avenue, Grand Island, NE 68801

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

Sincerely,

(Signed) Dave Heineman
Governor

Enclosures

November 19, 2014

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

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

Please withdraw the following individual from consideration for confirmation of appointment to the State Board of Health:

Dr. Heidi J. Stark, 2018 The Knolls, Lincoln, NE 68512

Dr. Heidi Stark has resigned from the State Board of Health.

Thank you.

Sincerely,

(Signed) Dave Heineman
Governor
Mr. President, Speaker Adams
and Members of the Legislature
State Capitol
Lincoln, NE 68509

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

Contingent upon your approval, the following individual is being appointed
to the Nebraska Tourism Commission:

Carol E. Schlegel, 37785 Road 721, Culbertson, NE 69024

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

Sincerely,

(Signed) Dave Heineman
Governor

Enclosures

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

2014 INTERIM REPORT
ON THE DISPOSITION OF
INTERIM STUDY RESOLUTIONS

<table>
<thead>
<tr>
<th>LR</th>
<th>Subject</th>
<th>Completed Report Issued</th>
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<tbody>
<tr>
<td>531</td>
<td>Examine regulation of non-profit distributors under Plant Protection</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td></td>
<td>and Plant Pest Act</td>
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<tr>
<td>545</td>
<td>Examine efforts to stimulate local food networks</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>558</td>
<td>Examine state and local means to stimulate community gardens</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>560</td>
<td>Interim study to receive dairy industry report pursuant to LB941</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Examine role of private veterinarians in assisting law enforcement officers in livestock animal cruelty investigations</td>
<td>X</td>
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<tr>
<td>562</td>
<td>Examine revenue supporting implementation and enforcement of Dog and Cat Operator Inspection Act</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>563</td>
<td>Examine vertical coordination in the pork industry</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>564</td>
<td>Examine producer welfare and regulations governing packer procurement of swine through marketing and contract production</td>
<td>X</td>
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</table>

### Appropriations

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<tr>
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<tbody>
<tr>
<td>529</td>
<td>Interim study to examine the adequacy of provider rates to meet the needs of Nebraskans with disabilities and the providers of services</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>535</td>
<td>Interim study to conduct a comprehensive review of the structure of health and human services functions currently administered by the Department of Health and Human Services</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>544</td>
<td>Interim study to examine the fiscal impacts of unfunded mandates</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>549</td>
<td>Interim study to examine issues relating to Game and Parks Commission funding</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>567</td>
<td>Interim study to examine potential funding sources for the Great Plains Black History Museum, Science and Technology Center in Omaha, Nebraska</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
### Banking, Commerce and Insurance

<table>
<thead>
<tr>
<th>LR</th>
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</thead>
<tbody>
<tr>
<td>498</td>
<td>Interim study to further examine the updating of Nebraska's business entity statutes</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>499</td>
<td>Interim study to examine whether the Nebraska Real Property Appraiser Act should be updated</td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td>501</td>
<td>Interim study to examine whether the Nebraska Appraisal Management Company Registration Act should be updated</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>497</td>
<td>Interim study to examine whether Nebraska should amend its insurance statutes to authorize property and casualty to provide electronic delivery of insurance notices and documents and Internet posting of certain insurance policies</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>506</td>
<td>Interim study to examine whether changes in the electronic payments market rendering section 8-157.01 unworkable and inapplicable to financial institutions</td>
<td></td>
<td>X</td>
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</table>

### Business and Labor

<table>
<thead>
<tr>
<th>LR</th>
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<tbody>
<tr>
<td>547</td>
<td>Interim study to examine issues surrounding labor shortage areas in the state and opportunities available to Nebraska's future workforce</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>551</td>
<td>Interim study to examine enforcement under the Employee Classification Act and the effect misclassification has on facets of business and labor in Nebraska</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>554</td>
<td>Interim study to gather information and study the possible existence and extent of labor trafficking in the State of Nebraska</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>LR</td>
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<tr>
<td>508</td>
<td>Interim study to examine issues surrounding the Nebraska P-16 Initiative organized and managed by the University of Nebraska</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>519</td>
<td>Interim study to evaluate current course offering for high school students in Nebraska</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>525</td>
<td>Interim study to examine the skills gap in Nebraska's workforce and to identify options for workforce education</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>526</td>
<td>Interim study to examine options to provide incentives for professional growth and development of teachers as the means to increased student achievement and success in Nebraska public schools</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>532</td>
<td>Interim study to examine utilization of federal school breakfast and lunch programs and the impact of new federal options on Nebraska</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>546</td>
<td>Interim study to review existing state and local programs and policies on expanded learning opportunities</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>568</td>
<td>Interim study to examine options for the creation of a Nebraska educational trust fund for the purpose of stabilizing the availability of state aid to education when there is a significant decline in state sales and income tax revenue</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>579</td>
<td>Interim study to examine the need-based financial aid program, the Nebraska Opportunity Grant Act, to determine whether the program is sufficient to meet the needs of students</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>588</td>
<td>Interim study to examine the establishment of an early childhood data governance entity</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>600</td>
<td>Interim study to examine issues surrounding the use of a foundation formula per student in the calculation of need for a school district and use of an income factor in the calculation of resources for state aid purposes</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>618</td>
<td>Interim study of issues under the jurisdiction of the Education Committee</td>
<td></td>
<td></td>
<td>X</td>
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**Executive Board**

**General Affairs**

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<tr>
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<tbody>
<tr>
<td>536</td>
<td>Interim study to examine the process of creating legislative task forces, committees, and commissions</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>577</td>
<td>Interim study to examine issues under the jurisdiction of the General Affairs Committee</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>578</td>
<td>Interim study to examine the various Nebraska agricultural products used in the production of craft beer and distilled spirits</td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**Government, Military and Veterans Affairs**

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<tr>
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<tbody>
<tr>
<td>581</td>
<td>Interim study to examine issues under the jurisdiction of the Government, Military and Veterans Affairs Committee (handicapped parking)</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>582</td>
<td>Interim study to review the work of the Task Force on Unfunded Mandates created in 1996 and to study the impacts of unfunded and underfunded mandates on counties and county governments</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LR</td>
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<tr>
<td>527</td>
<td>Interim study to examine the reasons why emergency disaster payments made by or through the Nebraska Emergency Management Agency and the Federal Emergency Management Agency are not made in a timely manner once awarded</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>557</td>
<td>Interim study to examine the need to appropriate funds to Memorial Park in Omaha, Nebraska, for improvements to the parks and to examine ways to honor our veterans</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>538</td>
<td>Interim study to examine issues surrounding the implementation of an electronic notary system in Nebraska</td>
<td></td>
<td>X</td>
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</table>

Health and Human Services

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>517</td>
<td>Examine ways to improve the quality and availability of interpreter services for Nebraskans who are deaf or hard of hearing</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>518</td>
<td>Examine the need to craft a policy to ensure that women who choose to give birth at home are adequately supported by trained health care professionals</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>530</td>
<td>Examine existing and proposed programs, policies, administrative rules, and statutes that impact the financial stability of working families in Nebraska</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>533</td>
<td>Assess the enrollment of former foster youth in the new medicaid category for youth formerly in foster care up to age 26 in Nebraska under the new federal Patient Protection and Affordable Care Act</td>
<td>Hearing Held: October 24, 2014</td>
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<td></td>
<td>Proposal Description</td>
<td>Hearing Held:</td>
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<tr>
<td>539</td>
<td>Examine whether the maximum payment rate in the Aid to Dependent Children program, is adequate to meet the goals of the Temporary Assistance for Needy Families program, including keeping children in their own home</td>
<td>October 24, 2014</td>
<td></td>
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<tr>
<td>540</td>
<td>Examine the treatment and services for people dually diagnosed with I/DD and MI or I/DD and behavioral health problems</td>
<td></td>
<td>X</td>
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<tr>
<td>541</td>
<td>Examine the implementation of educational stability plans for children in foster care under the federal Fostering Connections to Success and Increasing Adoptions Act of 2008</td>
<td></td>
<td>X</td>
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<tr>
<td>559</td>
<td>Examine issues surrounding the Medicaid Reform Council</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>565</td>
<td>Examine whether adding antidepressant, antipsychotic, and anticonvulsant drugs to the medicaid preferred drug list would be of benefit to Nebraska medicaid or Nebraska medicaid clients</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>574</td>
<td>Explore the need for fully integrated residential services for people who are deaf and hard of hearing</td>
<td>Report issued by the Introducer</td>
<td></td>
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<tr>
<td>575</td>
<td>Examine issues surrounding in-home personal services</td>
<td></td>
<td>X</td>
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<tr>
<td>576</td>
<td>Examine the current status of the sharing of electronic health records and health information exchanges in Nebraska</td>
<td></td>
<td>X</td>
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<tr>
<td>580</td>
<td>Examine the reform effort of Nebraska's behavioral health system</td>
<td></td>
<td>X</td>
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<tr>
<td>586</td>
<td>Gather information and make recommendations to craft policy to support and continue electronic health records exchanges and health information initiatives</td>
<td></td>
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<tr>
<td>587</td>
<td>Gather information and make recommendations to craft policy to support the creation of a sustainable community health workforce in Nebraska</td>
<td></td>
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<tr>
<td>592</td>
<td>Examine various methods of behavioral health workforce development</td>
<td>October 24, 2014</td>
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<tr>
<td>596</td>
<td>Evaluate the potential uses of Physician Orders for Life-Sustaining Treatment and out-of-hospital Do Not Resuscitate protocols</td>
<td>October 24, 2014</td>
<td></td>
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</tr>
<tr>
<td>601</td>
<td>Examine the impact of implementing, and the impact of failing to implement, medicaid expansion in Nebraska</td>
<td>December 2, 2014</td>
<td></td>
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<tr>
<td>624</td>
<td>Examine issues under the jurisdiction of the Health and Human Services Committee</td>
<td>X</td>
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<tr>
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<tbody>
<tr>
<td>433</td>
<td>Interim study to examine issues relating to production, possession, and use of hemp oil for the purposes of treating epileptic seizures</td>
<td>X</td>
<td></td>
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<tr>
<td>520</td>
<td>Interim study to examine the problems that law enforcement is encountering since the State of Colorado legalized the sale and recreational use of marijuana</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>534</td>
<td>Interim study to examine issues surrounding patent assertion entities, commonly referred to as &quot;patent trolls&quot;</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>542</td>
<td>Interim study to examine issues regarding the current guardian ad litem system</td>
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<tr>
<td>543</td>
<td>Interim study to examine issues under the jurisdiction of the Judiciary Committee</td>
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<tr>
<td>548</td>
<td>Interim study to assess how the State of Nebraska can improve the coordination and provision of child welfare services for Native American children and families</td>
<td></td>
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<tr>
<td>552</td>
<td>Interim study to examine Nebraska's juvenile courts, especially juvenile courts within Douglas County</td>
<td>X</td>
<td></td>
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<tr>
<td>553</td>
<td>Interim study to examine the issue of drivers' licenses for young Nebraskans who have been granted Deferred Action for Childhood Arrivals by the Department of Homeland Security</td>
<td></td>
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<td>X</td>
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<tr>
<td>569</td>
<td>Interim study to examine the professional development of forensic science in Nebraska</td>
<td></td>
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<tr>
<td>584</td>
<td>Interim study to examine issues relating to changing recreational liability provisions</td>
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<tr>
<td>591</td>
<td>Interim study to review issues surrounding child custody proceedings and parenting time determinations as they pertain to families of divorce</td>
<td></td>
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Natural Resources Committee

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<tr>
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<tbody>
<tr>
<td>491</td>
<td>Interim study to examine the need to clarify and expand application of LB985 (2014), which provided standing to natural resources districts and requirements for water appropriations</td>
<td>X</td>
<td></td>
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<tr>
<td>597</td>
<td>Interim study to examine methods by which to find balance between water resources and water uses in areas under interstate compacts, cooperative agreements, or decrees</td>
<td></td>
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<td>X</td>
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<tr>
<td>590</td>
<td>Interim study to examine the organizational structure of public power</td>
<td></td>
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<td>X</td>
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<tr>
<td>589</td>
<td>Interim study to evaluate the local and statewide health impacts of burning coal</td>
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<td>LR</td>
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<tr>
<td>628</td>
<td>Interim study to examine the role of Nebraska state government in establishing and implementing standards of performance for existing carbon dioxide emissions from public power plants within the state</td>
<td>X</td>
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<tr>
<td>521</td>
<td>Interim study to examine the public employees retirement systems administered by the Public Employees Retirement Board</td>
<td></td>
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<tr>
<td>571</td>
<td>State Income Tax Changes</td>
<td>12-12-14</td>
<td></td>
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<td>566</td>
<td>Ag Land Valuation Changes</td>
<td>12-12-14</td>
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<td>573</td>
<td>State Aid to Political Subdivisions</td>
<td>12-31-14</td>
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<td>572</td>
<td>Expansions of Sales Tax Base</td>
<td>12-12-14</td>
<td></td>
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<tr>
<td>598</td>
<td>Federal Mandate for Remote Sellers: Sales Tax</td>
<td>12-12-14</td>
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<tr>
<td>570</td>
<td>Tax Incentive Programs</td>
<td>X</td>
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<tr>
<td>594</td>
<td>Constitutional Limits on Property Tax Relief</td>
<td></td>
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<td>X</td>
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<tr>
<td>556</td>
<td>Local Use of Property Tax: Schools and Justice System</td>
<td>X</td>
<td></td>
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<tr>
<td>510</td>
<td>Use of Offshore Tax Shelters</td>
<td>X</td>
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<tr>
<td>522</td>
<td>Interim study to examine the U.S. Dept. of Transportation's Maritime Administration's designation of the Missouri River from South Sioux City, Nebraska, south to Kansas City, Missouri, as the M-29 Marine Highway Connector</td>
<td></td>
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<tr>
<td>523</td>
<td>Interim study to examine alternative transportation options and recommended potential changes to Nebraska's statutes</td>
<td>X</td>
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<tr>
<td>528</td>
<td>Interim study to examine issues surrounding financing the maintenance and replacement of county bridges</td>
<td>X</td>
<td></td>
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<tr>
<td>537</td>
<td>Interim study to examine implementation, management, operation, and ongoing development of Next Generation 911 service in Nebraska</td>
<td></td>
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**Urban Affairs**

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<tr>
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<tbody>
<tr>
<td>555</td>
<td>Interim study to examine how cities and villages provide services to residents located in the extraterritorial jurisdiction or sanitary improvement districts of such cities and villages</td>
<td>X</td>
<td></td>
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<tr>
<td>585</td>
<td>Interim study to examine the Nebraska statutes relating to cities of the first class</td>
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<td>X</td>
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<tr>
<td>593</td>
<td>Interim study to examine issues under the jurisdiction of the Urban Affairs Committee</td>
<td></td>
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<tr>
<td>595</td>
<td>Interim study to examine the impact of Nebraska changing to a home rule state in matters of local concern</td>
<td></td>
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<tr>
<td>599</td>
<td>Interim study to examine issues surrounding the use of tax increment financing under the Community Development Law in Nebraska</td>
<td></td>
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</tbody>
</table>

**COMMUNICATIONS**

Received a copy of House Joint Resolution No. 22 from the state of Alaska, requesting the United States Congress to call a convention of the states to propose an amendment to the United States Constitution that imposes fiscal restraints on the federal government, limits the power and jurisdiction of the federal government, and limits the terms of office of federal government officials.
Received a copy of Senate Resolution 371 from the state of Georgia calling for a convention of the states under Article V of the United States Constitution for the purpose of proposing a balanced budget amendment.

Received a copy of Senate Resolution 736 from the state of Georgia calling for a convention of the states under Article V of the United States Constitution for the limited purpose of proposing amendments to the Constitution of the United States relating to fiscal restraints, and limitation on terms of office for members of Congress.

Received a copy of House Concurrent Resolution No. 70 from the state of Louisiana relating to a balanced budget amendment to the United States Constitution.

Received a copy of House Joint Resolution No. 548 from the state of Tennessee to make application to the Congress of the United States pursuant to Article V of the United States Constitution to call a constitutional convention for the sole purpose of proposing a balanced budget amendment and other related fiscal restraints.

ANNOUNCEMENT(S)

Committee on Committees elected Senator Coash as Vice Chairperson.

COMMITTEE ON COMMITTEES PRELIMINARY REPORT

Senator McCoy offered the following Committee on Committees report:

**Agriculture (8)**
Rm. 2102 - Tuesday  
Johnson (C), Bloomfield, Chambers, Harr, B., Kolterman, Larson, Riepe, Schilz

**Appropriations (9)**
Rm. 1524 - Monday & Tuesday  
Rm. 1003 - Wednesday, Thursday, & Friday  
Mello (C), Bolz, Haar, K., Hilkemann, Kintner, Kuehn, Nordquist, Stinner, Watermeier

**Banking, Commerce and Insurance (8)**
Rm. 1507 - Monday & Tuesday  
Scheer (C), Campbell, Craighead, Gloor, Howard, Lindstrom, Schumacher, Williams

**Business and Labor (7)**
Rm. 2102 - Monday  
Harr, B. (C), Bloomfield, Chambers, Crawford, Ebke, Johnson, McCollister
Education (8)  
Rm. 1525 - Monday & Tuesday  
Sullivan (C), Baker, Cook, Groene, Kolowski, Morfeld, Pansing Brooks, Schnoor

General Affairs (8)  
Rm. 1510 - Monday  
Larson (C), Coash, Hansen, Hughes, Kolterman, Krist, Riepe, Schilz

Government, Military and Veterans Affairs (8)  
Rm. 1507 - Wednesday, Thursday, & Friday  
Murante (C), Bloomfield, Craighead, Garrett, Groene, Hansen, Larson, McCoy

Health and Human Services (7)  
Rm. 1510 - Wednesday, Thursday, & Friday  
Campbell (C), Baker, Cook, Crawford, Howard, Kolterman, Riepe

Judiciary (8)  
Rm. 1113 - Wednesday, Thursday, & Friday  
Seiler (C), Chambers, Coash, Ebke, Krist, Morfeld, Pansing Brooks, Williams

Natural Resources (8)  
Rm. 1525 - Wednesday, Thursday, & Friday  
Schilz (C), Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schnoor

Nebraska Retirement Systems (6)  
Rm. 1525 - At call of Chair  
Nordquist (C), Davis, Groene, Kolowski, Kolterman, Mello

Revenue (8)  
Rm. 1524 - Wednesday, Thursday, & Friday  
Gloor (C), Brasch, Davis, Harr, B., Scheer, Schumacher, Smith, Sullivan

Transportation and Telecommunications (8)  
Rm. 1113 - Monday & Tuesday  
Smith (C), Brasch, Davis, Friesen, Garrett, McCoy, Murante, Seiler

Urban Affairs (7)  
Rm. 1510 - Tuesday  
Crawford (C), Coash, Ebke, Hansen, Hughes, Krist, McCollister
Committee on Committees (13)
McCoy (C)
District 1:            District 2:            District 3:
Campbell              Harr, B.               Bloomfield
Coash (VC)            Krist                  Hadley
Garrett               Mello                  Schilz
Schumacher            Smith                  Watermeier

Enrollment and Review (1)
Hansen (C)

Reference (9)
Krist (C), Watermeier (VC), Campbell, Chambers, Coash, Hadley, Hughes, Larson, Murante, Mello (nonvoting ex officio)

Rules (6)
Garrett (C), Bloomfield, Krist, Nordquist, Schumacher, Hadley (ex officio)

Executive Board of the Legislative Council (9)
Krist (C), Watermeier (VC), Campbell, Chambers, Coash, Hadley, Hughes, Larson, Murante, Mello (nonvoting ex officio)

BILLS ON FIRST READING

The following bills were read for the first time by title:

**LEGISLATIVE BILL 1.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to a transfer of property; to eliminate a provision relating to transfer of property taking place in 1994; and to outright repeal section 83-1,100.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 2.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to correctional facilities; to eliminate provisions relating to design and location of certain correctional facilities done in 1970's; and to outright repeal section 83-954, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 3.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Cumulative Supplement, 2014; to repeal provisions relating to tax credits that terminated January 1, 2010; to harmonize provisions; to repeal the original section; and to outright repeal sections 77-27,228, 77-27,229, 77-27,230, 77-27,231, 77-27,232, 77-27,233,
and 77-27,234, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 4.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Opportunity Zone Act; to repeal provisions that terminated December 31, 2010; and to outright repeal sections 81-12,117, 81-12,118, 81-12,119, 81-12,120, 81-12,121, 81-12,123, and 81-12,124, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 5.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Innovation and High Wage Employment Act; to repeal provisions that terminated January 1, 2011; and to outright repeal sections 48-2801, 48-2802, 48-2803, 48-2804, and 48-2805, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 6.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to prenatal services; to repeal a provision that terminated June 30, 2011; and to outright repeal section 68-721, Revised Statutes Cumulative Supplement, 2014.

**LEGISLATIVE BILL 7.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to the Lead-Based Paint Hazard Control Program; to repeal a provision that terminated June 30, 2011; and to outright repeal section 81-1212, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 8.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to the Children's Behavioral Health Oversight Committee of the Legislature; to amend section 71-821, Reissue Revised Statutes of Nebraska, and section 50-424, Revised Statutes Cumulative Supplement, 2014; to repeal provisions that terminated on December 31, 2012; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-827, Revised Statutes Cumulative Supplement, 2014.

**LEGISLATIVE BILL 9.** Introduced by Executive Board: Krist, 10, Chairperson.

A BILL FOR AN ACT relating to the Republican River Basin Water Sustainability Task Force; to repeal provisions that terminated on June 30, 2012; to repeal a fund that is no longer needed; and to outright repeal

**LEGISLATIVE BILL 10.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to presidential electors; to amend section 32-1038, Reissue Revised Statutes of Nebraska, and sections 32-710, 32-713, and 32-714, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to ballots cast by presidential electors; and to repeal the original sections.

**LEGISLATIVE BILL 11.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Managed Care Plan Network Adequacy Act; to amend section 44-7105, Reissue Revised Statutes of Nebraska; to prohibit rules proscribing participation by or reimbursement to a provider with a familial relationship to the covered person receiving services; to provide a requirement for access plans; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 12.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to medicaid; to provide for suspension of medical assistance for inmates of public institutions as prescribed; and to provide duties for state and local agencies as prescribed.

**LEGISLATIVE BILL 13.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Juvenile Services Act; to amend section 43-2404.02, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Community-based Juvenile Services Aid Program; and to repeal the original sections.

**LEGISLATIVE BILL 14.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101, 28-1201, and 28-1351, Revised Statutes Cumulative Supplement, 2014; to create the offense of use of a facsimile firearm or nonfunctioning firearm to commit a felony; to provide a penalty; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 15.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to juveniles; to amend section 43-272.01, Revised Statutes Cumulative Supplement, 2014; to provide additional powers and duties for guardians ad litem; to define terms; to harmonize provisions; and to repeal the original section.
LEGISLATIVE BILL 16. Introduced by Krist, 10.

A BILL FOR AN ACT relating to government purchasing; to amend sections 81-159, 81-1118, and 83-145, Reissue Revised Statutes of Nebraska, and section 73-507, Revised Statutes Cumulative Supplement, 2014; to adopt the Purchasing from Persons with Disabilities Act; to change requirements for bidding and purchases by state and local governments; and to repeal the original sections.

LEGISLATIVE BILL 17. Introduced by Krist, 10.

A BILL FOR AN ACT relating to gambling; to amend sections 9-1, 101, 9-831, and 9-1006, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to transfers to the Compulsive Gamblers Assistance Fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 18. Introduced by Krist, 10.

A BILL FOR AN ACT relating to schools; to amend section 79-217, Reissue Revised Statutes of Nebraska; to change provisions relating to immunizations; and to repeal the original section.

LEGISLATIVE BILL 19. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Nebraska Safe Drinking Water Act; to amend section 71-5306, Reissue Revised Statutes of Nebraska; to change provisions relating to certification of laboratories as prescribed; and to repeal the original section.

LEGISLATIVE BILL 20. Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to income tax exemptions for social security benefits and military retirement benefits; and to repeal the original section.


A BILL FOR AN ACT relating to behavioral health services; to amend sections 71-801, 71-806, and 71-831, Revised Statutes Cumulative Supplement, 2014; to provide requirements for rate increases for providers; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 22. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Engineers and Architects Regulation Act; to amend section 81-3401, Reissue Revised Statutes of Nebraska; to
provide immunity to architects and professional engineers for certain professional services performed during an emergency; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 23. Introduced by Krist, 10.

A BILL FOR AN ACT relating to engineers and architects; to amend sections 81-3401, 81-3402, 81-3403, 81-3404, 81-3405.01, 81-3407, 81-3408, 81-3409, 81-3411, 81-3412, 81-3414, 81-3415, 81-3416, 81-3418, 81-3420, 81-3421, 81-3422, 81-3422.01, 81-3423, 81-3425, 81-3427, 81-3428, 81-3429, 81-3430, 81-3432, 81-3432.01, 81-3433, 81-3434, 81-3435, 81-3436, 81-3437, 81-3438, 81-3441, 81-3442, 81-3443, 81-3444, 81-3446, 81-3448, 81-3449, 81-3450, 81-3451, 81-3453, and 81-3454, Reissue Revised Statutes of Nebraska; to change the Engineers and Architects Regulation Act; to eliminate certain defined terms and provisions on examinations; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-3406, 81-3410, 81-3413, 81-3417, 81-3419, 81-3424, and 81-3452, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 24. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Nebraska Capitol Commission; to amend sections 72-2204, 72-2211.01, 72-2213, and 81-1108.38, Reissue Revised Statutes of Nebraska; to change provisions relating to the appointment and qualifications of the State Capitol Administrator; to change provisions of the Capitol Commission Revolving Fund; to provide and change powers and duties for the Nebraska Capitol Commission and the Office of the Nebraska Capitol Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 25. Introduced by Krist, 10.

A BILL FOR AN ACT relating to courts; to amend sections 29-1816, 43-245, 43-246.01, 43-247, and 43-2,129, Revised Statutes Cumulative Supplement, 2014; to change court jurisdiction as prescribed; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 26. Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-801.01, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2014; to adopt the Choice for the Advancement of Nebraska Children in Education Act; to provide for tax credits; to harmonize provisions; to provide an operative date; to provide for severability; and to repeal the original sections.

LEGISLATIVE BILL 27. Introduced by Krist, 10.

A BILL FOR AN ACT relating to vital statistics; to amend section 71-615,
Revised Statutes Cumulative Supplement, 2014; to create a reporting requirement when parenting time is established or modified; and to repeal the original section.

**LEGISLATIVE BILL 28.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to radon; to adopt the Radon Resistant New Construction Act; to require radon resistant new construction as prescribed; to provide powers and duties for the Department of Health and Human Services; and to create a task force.

**LEGISLATIVE BILL 29.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to schools; to amend section 79-248, Reissue Revised Statutes of Nebraska; to change provisions relating to health inspections as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 30.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to firearms; to prohibit disclosure of any applicant or permitholder information regarding firearms registration, possession, sale, or use as prescribed.

**LEGISLATIVE BILL 31.** Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to motorcycles and mopeds; to amend section 60-4,182, Revised Statutes Cumulative Supplement, 2014; to eliminate motorcycle and moped helmet requirements; to harmonize provisions; to repeal the original section; and to outright repeal sections 60-6,278, 60-6,279, 60-6,280, 60-6,281, and 60-6,282, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 32.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to agency budgeting; to provide strategic duties for the Department of Correctional Services.

**LEGISLATIVE BILL 33.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to state budgeting; to amend section 77-2715.01, Revised Statutes Cumulative Supplement, 2014; to require revenue volatility reporting as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 34.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to real estate; to amend section 76-2,120, Revised Statutes Cumulative Supplement, 2014; to adopt the Carbon
Monoxide Safety Act; to require information relating to compliance with the act on disclosure statements for sales of real estate; to provide a duty for the State Real Estate Commission; and to repeal the original section.

**LEGISLATIVE BILL 35.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to corporations; to amend Laws 2014, LB 749, section 295; and sections 21-402, 21-403, 21-404, 21-405, 21-407, 21-408, 21-409, 21-410, 21-412, 21-414, and 70-1903, Revised Statutes Cumulative Supplement, 2014; to change the Nebraska Model Business Corporation Act operative date; to change Business Corporation Act references in the Nebraska Benefit Corporation Act and the Rural Community-based Energy Development Act; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 36.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to community colleges; to amend section 85-1539, Reissue Revised Statutes of Nebraska; to adopt the Community College Gap Assistance Program Act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 37.** Introduced by Krist, 10; Campbell, 25; Cook, 13; Crawford, 45; Gloor, 35; Howard, 9; Mello, 5; Watermeier, 1.


**LEGISLATIVE BILL 38.** Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 28-101 and 28-306, Revised Statutes Cumulative Supplement, 2014; to change penalties for motor vehicle homicide; to provide penalties for causing serious bodily injury to vulnerable road users; to define a term; to harmonize
provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,317, Reissue Revised Statutes of Nebraska, and sections 60-601 and 60-6,133, Revised Statutes Cumulative Supplement, 2014; to provide and change requirements for overtaking and passing bicycles; to provide and eliminate requirements for persons operating bicycles; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 40. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2305.01, 24-704.01, 79-904.01, 81-2019.01, 84-1305.02, and 84-1503, Reissue Revised Statutes of Nebraska; to grant the Public Employees Retirement Board certain investigative powers; and to repeal the original sections.

LEGISLATIVE BILL 41. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend sections 23-1118 and 23-2301, Revised Statutes Cumulative Supplement, 2014; to redefine county for purposes of the county employees retirement; and to repeal the original sections.

LEGISLATIVE BILL 42. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend section 13-2402, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to annual reports; and to repeal the original section.

LEGISLATIVE BILL 43. Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Nebraska Probate Code; to amend sections 30-2619, 30-3002, 30-3003, 30-3004, and 30-3005, Reissue Revised Statutes of Nebraska, and section 30-2201, Revised Statutes Cumulative Supplement, 2014; to provide for appointment of standby guardians for incapacitated persons; to transfer and change provisions regarding recovery of estate assets; to provide for recovery of assets of wards as prescribed; to provide enforcement procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 44. Introduced by Coash, 27.

A BILL FOR AN ACT relating to infants; to amend section 43-104.02, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to Notice of Objection to Adoption and Intent to Obtain Custody; and to repeal the original section.
LEGISLATIVE BILL 45. Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,104, Revised Statutes Cumulative Supplement, 2014; to eliminate provisions regarding film vehicles; to harmonize provisions; to repeal the original section; and to outright repeal sections 60-327 and 60-383, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 46. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Statewide Trauma System Act; to amend sections 71-8201, 71-8203, 71-8204, 71-8206, 71-8212, 71-8217, 71-8229, 71-8230, 71-8240, 71-8244, 71-8245, and 71-8248, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to rehabilitation centers and trauma centers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 47. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-494, Reissue Revised Statutes of Nebraska, and sections 60-484 and 60-4,144, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to applications and anatomical gifts; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 48. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to insurance; to amend section 44-1525, Reissue Revised Statutes of Nebraska; to designate certain acts by insurers as unfair trade practices; and to repeal the original section.

LEGISLATIVE BILL 49. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to schools; to require formation of allied systems as prescribed.

LEGISLATIVE BILL 50. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 43-2511 and 68-911, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to covered services; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 51. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to the Intergovernmental Risk Management Act; to amend sections 44-4301 and 44-4309, Reissue Revised Statutes of Nebraska; to require certain disclosures prior to joining a risk management
LEGISLATIVE BILL 52. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.15, Revised Statutes Cumulative Supplement, 2014; to exempt sanitary drainage districts from sales and use taxes; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 53. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,100, Revised Statutes Cumulative Supplement, 2014; to provide for issuance of one license plate for passenger cars as prescribed; to provide a fee; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 54. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to universities and colleges; to amend section 85-1413, Reissue Revised Statutes of Nebraska; to change provisions relating to statewide transfer-of-credit policies; and to repeal the original sections.

LEGISLATIVE BILL 55. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to the Emergency Management Act; to amend section 81-829.42, Reissue Revised Statutes of Nebraska; to provide authority to the Adjutant General to make emergency expenditures as prescribed; and to repeal the original section.

LEGISLATIVE BILL 56. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to state property; to provide procedures for donations of real property to the Northeast Community College Area; and to declare an emergency.

LEGISLATIVE BILL 57. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Administrative Services to demolish certain buildings; and to declare an emergency.

LEGISLATIVE BILL 58. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001 and 79-1022, Reissue Revised Statutes of Nebraska; to provide for distribution of certain funds as described; to harmonize provisions; to repeal the original sections;
and to declare an emergency.

**LEGISLATIVE BILL 59.** Introduced by Scheer, 19.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1016, Reissue Revised Statutes of Nebraska; to change provisions relating to valuation; and to repeal the original section.

**LEGISLATIVE BILL 60.** Introduced by Kintner, 2; Craighead, 6; Ebke, 32; Garrett, 3; Schnoor, 15.

A BILL FOR AN ACT relating to firearms; to authorize possession of firearms as prescribed.

**LEGISLATIVE BILL 61.** Introduced by Bolz, 29; Campbell, 25.

A BILL FOR AN ACT relating to public assistance; to amend section 68-130, Revised Statutes Cumulative Supplement, 2014; to change funding for county offices; to provide an operative date; to repeal the original section; and to outright repeal section 81-1139.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 62.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to provide an income tax deduction for loan principal payments for graduate degrees as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 63.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to provide an income tax deduction to certain taxpayers for the amount of income subjected to federal social security taxes as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 64.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to provide an income tax deduction for the income earned from second jobs; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 65.** Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to counties; to amend section 23-2,100, Reissue Revised Statutes of Nebraska; to change provisions relating to
termination of township boards; and to repeal the original section.

LEGISLATIVE BILL 66. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to bonds; to amend section 13-928, Reissue Revised Statutes of Nebraska; to require disclosure statements as prescribed; to provide for joint and several liability; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 67. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Nebraska Governmental Unit Security Interest Act; to amend sections 10-1101, 10-1102, 10-1103, 10-1104, 10-1105, 10-1106, and 70-1813, Reissue Revised Statutes of Nebraska; to rename the act; to define and redefine terms; to provide for governmental unit bond priority; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 68. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2716 and 77-27,132, Revised Statutes Cumulative Supplement, 2014; to eliminate step-up basis for real estate located in this state for determination of capital gains; to provide for use of funds; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 69. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07 and 77-2734.03, Revised Statutes Cumulative Supplement, 2014; to provide an income tax credit for corporate income taxes paid as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 70. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Mechanical Amusement Device Tax Act; to amend sections 77-3004, 77-3005, 77-3006, 77-3007, 77-3008, 77-3009, 77-3010, and 77-3011, Reissue Revised Statutes of Nebraska; to authorize cities, villages, and counties to impose occupation taxes on certain mechanical amusement devices; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 71. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Agricultural Property Tax Credit Act; and to provide a property tax credit for agricultural land and horticultural land as prescribed.
LEGISLATIVE BILL 72. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to medicaid; to amend sections 30-3880, 30-3881, 30-3882, and 77-2018.02, Reissue Revised Statutes of Nebraska, and section 68-901, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the powers of trustees; to provide a lien for medicaid reimbursement as prescribed; to require a notice of inheritance tax petitions; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 73. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Modern Tax Act; to impose a tax on the interest paid on certain loans; and to provide an operative date.

LEGISLATIVE BILL 74. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2703 and 77-2708, Revised Statutes Cumulative Supplement, 2014; to change the sales and use tax collection fees; and to repeal the original sections.

LEGISLATIVE BILL 75. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 39-2703, 77-2701, and 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to adopt the Taxpayer Investment Program; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 76. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3504, Reissue Revised Statutes of Nebraska, and section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the earned income tax credit; to redefine household income for purposes of the homestead exemption; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 77. Introduced by Nordquist, 7; Campbell, 25; Cook, 13; Haar, K., 21; Hansen, 26; Howard, 9; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Cumulative Supplement, 2014; to require a state plan amendment relating to coverage for family planning services; to state intent relating to appropriations; to repeal the original section; and to declare an emergency.
LEGISLATIVE BILL 78. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Intergovernmental Risk Management Act; to amend section 44-4304, Reissue Revised Statutes of Nebraska; to change provisions relating to the public agencies authorized to enter into agreements; and to repeal the original section.

LEGISLATIVE BILL 79. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to insurance; to require coverage for renewals of prescription eye drops as prescribed.

LEGISLATIVE BILL 80. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend sections 38-1101, 38-1102, 38-1108, 38-1112, 38-1113, 38-1137, 38-1138, 38-1139, 38-1140, 38-1141, 38-1142, 38-1143, 38-1144, 38-1145, 38-1146, 38-1147, and 38-1148, Reissue Revised Statutes of Nebraska; to provide, change, and eliminate requirements for permits for anesthesia, analgesia, and sedation as prescribed; to provide, change, and eliminate definitions; to provide requirements for sedation; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 81. Introduced by Cook, 13.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to eligibility for assistance; and to repeal the original section.

LEGISLATIVE BILL 82. Introduced by Cook, 13.

A BILL FOR AN ACT relating to appropriations; to state intent relating to support of dental services.

LEGISLATIVE BILL 83. Introduced by Cook, 13.

A BILL FOR AN ACT relating to the Nebraska Wage Payment and Collection Act; to amend section 48-1228, Revised Statutes Cumulative Supplement, 2014; to provide certain protections for employees relating to wage disclosure; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 84. Introduced by Davis, 43.

A BILL FOR AN ACT relating to public meetings; to amend section 84-1411, Reissue Revised Statutes of Nebraska; to provide for a public body to use telephone conferencing or videoconferencing as prescribed; and to repeal the original section.
LEGISLATIVE BILL 85. Introduced by Davis, 43.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend section 54-1,108, Revised Statutes Cumulative Supplement, 2014; to increase the brand inspection fee; and to repeal the original section.

LEGISLATIVE BILL 86. Introduced by Davis, 43.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend sections 37-101, 37-102, and 37-104, Reissue Revised Statutes of Nebraska; to provide for a ninth district and a tenth member; to change quorum requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 87. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Nebraska Children's Commission; to amend sections 43-4202 and 43-4207, Revised Statutes Cumulative Supplement, 2014; to change membership on the commission; to change a reporting deadline; to repeal the original sections.

LEGISLATIVE BILL 88. Introduced by Campbell, 25.

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.

LEGISLATIVE BILL 89. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to public assistance; to amend section 43-513, Reissue Revised Statutes of Nebraska, and sections 43-512, 68-1713, and 68-1726, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to aid to dependent children; to change provisions related to an earned income disregard; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 90. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Nebraska Regulation of Health Professions Act; to amend sections 71-6207.02 and 71-6223.02, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions regarding initiation of a directed review; and to repeal the original sections.

LEGISLATIVE BILL 91. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to livestock; to repeal provisions regarding scabies, diseased swine, and hog cholera; to repeal the Hog Cholera Control and Eradication Act; and to outright repeal sections 54-724.01, 54-724.02, 54-726.04, 54-1401, 54-1402, 54-1403, 54-1404, 54-1405, 54-1406,
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LEGISLATIVE BILL 92. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to the Agricultural Liming Materials Act; to amend sections 2-4323, 2-4324, 2-4326, and 2-4327, Reissue Revised Statutes of Nebraska; to change requirements for annual report filing and report publication; to change provisions relating to enforcement; to provide for seizure and disposal of noncompliant agricultural liming materials; to change penalties; to provide a duty for the Attorney General and local county attorneys; to remove an obsolete provision; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 93. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to the Nebraska Commercial Fertilizer and Soil Conditioner Act; to amend sections 81-2,162.02, 81-2,162.04, 81-2,162.05, 81-2,162.06, 81-2,162.07, 81-2,162.08, 81-2,162.11, 81-2,162.23, and 81-2,162.27, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change commercial fertilizer labeling requirements; to change penalties; to change requirements for publishing sales information; to remove a license application requirement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 94. Introduced by Smith, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-165.01, Reissue Revised Statutes of Nebraska; to provide for issuance of a printed certificate of title to a nonresident as prescribed; to eliminate obsolete provisions; and to repeal the original section.

LEGISLATIVE BILL 95. Introduced by Smith, 14.

A BILL FOR AN ACT relating to bicycles; to amend sections 28-109, 39-101, 60-122, 60-338, 60-611, 60-637, 60-638, and 60-640, Reissue Revised Statutes of Nebraska, and sections 60-123, 60-339, 60-471, 60-4,182, and 60-501, Revised Statutes Cumulative Supplement, 2014; to redefine bicycle to include certain electric-powered bicycles; to exclude bicycles from certain definitions of motor vehicle; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 96. Introduced by Smith, 14.

A BILL FOR AN ACT relating to schools; to amend sections 79-528, 79-1007.18, 79-1008.02, 79-1022, 79-1036, 79-1041, 79-10,120, 79-10,126, 79-2104, 79-2111, and 79-2404, Reissue Revised Statutes of Nebraska, and
sections 70-651.04, 77-1736.06, and 77-3442, Revised Statutes Cumulative Supplement, 2014; to eliminate certain taxing authority of learning communities; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-1073, 79-1073.01, and 79-10,126.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 97.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to license plates; to amend sections 60-3,122 and 60-3,124, Reissue Revised Statutes of Nebraska; to eliminate additional fees for Pearl Harbor and disabled veteran plates; and to repeal the original sections.

**LEGISLATIVE BILL 98.** Introduced by Bolz, 29; Gloor, 35.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Department of Health and Human Services for tobacco use prevention control.

**LEGISLATIVE BILL 99.** Introduced by Sullivan, 41; Cook, 13; Kolowski, 31.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-1429, Reissue Revised Statutes of Nebraska; to eliminate a duty for the Education Committee of the Legislature as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 100.** Introduced by Sullivan, 41; Cook, 13; Kolowski, 31.

A BILL FOR AN ACT relating to the Community College Aid Act; to amend sections 85-1503 and 85-2234, Reissue Revised Statutes of Nebraska; to provide for allocation of state aid amounts to tribally controlled community colleges; and to repeal the original sections.

**LEGISLATIVE BILL 101.** Introduced by Sullivan, 41; Cook, 13; Kolowski, 31.

A BILL FOR AN ACT relating to education; to amend section 79-760.03, Reissue Revised Statutes of Nebraska; to change provisions relating to a statewide assessment and reporting system; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 102.** Introduced by Sullivan, 41; Cook, 13; Crawford, 45; Kolowski, 31.

A BILL FOR AN ACT relating to postsecondary education; to amend sections 85-1412, 85-2101, 85-2102, 85-2104, 85-2106, and 85-2108, Reissue Revised Statutes of Nebraska; to rename and change provisions
relating to the Access College Early Scholarship Program Act; to create a
scholarship program; to provide for eligibility; to harmonize provisions; and
to repeal the original sections.

LEGISLATIVE BILL 103. Introduced by Kintner, 2.

A BILL FOR AN ACT relating to schools; to amend section 79-2,136,
Reissue Revised Statutes of Nebraska; to change provisions relating to
participation in school-sponsored athletic activities; and to repeal the
original section.

LEGISLATIVE BILL 104. Introduced by Krist, 10.

A BILL FOR AN ACT relating to utility service; to amend section 70-1605,
Revised Statutes Cumulative Supplement, 2014; to change provisions
relating to notice of discontinuance of service; and to repeal the original
section.

LEGISLATIVE BILL 105. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to county government; to amend sections
23-1801, 23-1822, 33-139, and 48-135, Reissue Revised Statutes of
Nebraska, and section 33-138, Revised Statutes Cumulative Supplement,
2014; to change provisions relating to the payment of fees and costs
associated with the deaths of incarcerated persons and grand juries; to
harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 106. Introduced by Watermeier, 1; Johnson, 23;
Murante, 49.

A BILL FOR AN ACT relating to livestock; to amend section 23-114,
Reissue Revised Statutes of Nebraska; to adopt the Livestock Operation
Siting and Expansion Act; to change powers of counties relating to certain
zoning actions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 107. Introduced by Crawford, 45; Campbell, 25;
Cook, 13; Groene, 42; Howard, 9; Koltermann, 24; Krist, 10; Kuehn, 38;
Riepe, 12; Watermeier, 1.

A BILL FOR AN ACT relating to nurses; to amend sections 38-206,
38-2302, 38-2310, 38-2322, and 38-2323, Reissue Revised Statutes of
Nebraska, and sections 38-2301 and 38-2315, Revised Statutes Cumulative
Supplement, 2014; to eliminate requirements for integrated practice
agreements for nurse practitioners; to provide for transition-to-practice
agreements; to change provisions relating to credentialing and regulation; to
harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 108. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska to fund behavioral health internships.

LEGISLATIVE BILL 109. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-502.01, Reissue Revised Statutes of Nebraska; to change residency requirements for veterans; to change applicability with respect to veterans; to remove a reference to a federal law; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 110. Introduced by Larson, 40; Mello, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for pediatric cancer specialists.

LEGISLATIVE BILL 111. Introduced by Larson, 40; Brasch, 16; Ebke, 32; Kintner, 2; Schilz, 47.

A BILL FOR AN ACT relating to elections; to amend sections 32-110.02, 32-311.01, 32-914, 32-938, and 32-1027, Reissue Revised Statutes of Nebraska, and sections 32-321, 32-902, 32-915, 32-947, 32-953, 32-1002, 60-4,115, and 60-4,181, Revised Statutes Cumulative Supplement, 2014; to require presentation of a government-issued photographic identification document to vote; to provide exceptions; to provide for provisional ballots; to change requirements for identification for certain first-time voters; to change provisions for issuance of state identification cards; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-318.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 112. Introduced by Larson, 40; Schilz, 47.

A BILL FOR AN ACT relating to presidential elections; to adopt the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote.

LEGISLATIVE BILL 113. Introduced by Larson, 40; Kintner, 2.

A BILL FOR AN ACT relating to correctional services; to amend sections 47-701, 47-704, and 83-1,135, Reissue Revised Statutes of Nebraska; to provide for a copayment for health care services; to provide exemptions; to harmonize provisions; and to repeal the original sections.
WHEREAS, Dr. Thomas Ediger was born in York, Nebraska and grew up in Aurora, Nebraska; and
WHEREAS, Dr. Ediger earned a bachelor's degree in music education from the University of Nebraska, a master's degree in piano performance, and a doctorate in theory and composition from the University of Northern Colorado; and
WHEREAS, Dr. Ediger joined the Peru State College's faculty in 1979, serving as director of the concert choir and madrigal singers, and taught courses in music theory, music history, music education, and piano; and
WHEREAS, Dr. Ediger founded Peru State College's Piano Extravaganza in 1990, coordinated the college's annual High School Show Choir Festival and Choral Festival Honor Choir, and directed and produced the annual Holiday Madrigal Dinner; and
WHEREAS, in 2009, Dr. Ediger was awarded the Music Teachers National Association's (MTNA) Foundation Fellow Award in recognition of his service and leadership; and
WHEREAS, Dr. Ediger was a three-time winner of the Peru State College Teacher Excellence Award; and
WHEREAS, during his 35 years at Peru State College, Dr. Ediger positively influenced the lives of thousands of students; and
WHEREAS, Dr. Ediger passed away on August 20, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature honor the memory of Dr. Thomas Ediger, an accomplished musician, whose talent, kindness, and commitment to Peru State College and his students will be greatly missed.
2. That the Legislature express and extend its sympathy and condolences at the passing of Dr. Ediger.
3. That a copy of this resolution be sent to the School of Arts and Sciences at Peru State College.

Laid over.

LEGISLATIVE RESOLUTION 2. Introduced by Davis, 43.

WHEREAS, Chadron High School was ranked 433rd out of the 500 schools on Newsweek's 2014 America's Top High Schools list; and
WHEREAS, Chadron High School was one of only three Nebraska schools that made the list; and
WHEREAS, Newsweek's rankings aim to identify the public high schools in the United States that do the best job of preparing students for college and overcoming the obstacles posed by socio-economic inequality; and
WHEREAS, despite a 33% poverty rate, Chadron High School ranked in the 71st percentile in college readiness, the 62nd percentile in college-bound students, and the 95th percentile in graduation rate; and
WHEREAS, in April 2014, Chadron High School was ranked the #2 Best High School in Nebraska by U.S. News and World Report; and
WHEREAS, Chadron High School is the only Nebraska school to be named to both lists for 2014.

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

1. That the Legislature congratulates the students, faculty, and staff of Chadron High School on their admirable rankings and applauds their dedication to a high standard of education.
2. That the Legislature recognizes the superior administration of Dr. Caroline Winchester, superintendent, and Jerry Mack, principal, and thanks them for their commitment to their students.
3. That a copy of this resolution be sent to Chadron Public Schools superintendent Dr. Caroline Winchester and principal Jerry Mack.

Laid over.

LEGISLATIVE RESOLUTION 3. Introduced by Davis, 43.

WHEREAS, Hay Springs High School was ranked 133rd out of the 500 schools on Newsweek’s 2014 America’s Top High Schools list; and
WHEREAS, Hay Springs High School was the highest of only three Nebraska schools that made the list; and
WHEREAS, Newsweek’s rankings aim to identify the public high schools in the United States that do the best job of preparing students for college and overcoming the obstacles posed by socio-economic inequality; and
WHEREAS, despite a 44% poverty rate, Hay Springs High School ranked in the 91st percentile in college readiness, the 71st percentile in college-bound students, and the 81st percentile in graduation rate; and
WHEREAS, this ranking is a testament to the dedication of the students, as well as the commitment of the faculty and staff to ensuring the best educational opportunities for the students at Hay Springs, a school that has struggled in the past; and
WHEREAS, over the last five years, Hay Springs High School has progressed from being a persistently low-achieving school to reaching a 100% graduation rate and being recognized nationally for its success at college preparation.

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

1. That the Legislature congratulates the students, faculty, and staff of Hay Springs High School on their admirable ranking and applauds their whole-hearted commitment to a high standard of education.
2. That the Legislature congratulates Steve Pummel, superintendent and principal, on the vast improvement to the school over his six years as superintendent, and thanks him for his dedicated leadership.
3. That a copy of this resolution be sent to Steve Pummel, Hay Springs superintendent and principal.

Laid over.

LEGISLATIVE RESOLUTION 4. Introduced by Davis, 43.

WHEREAS, the Hemingford High School football team won the 2014 Class D-1 Football Championship by defeating Bruning-Davenport-Shickley by a score of 52-8; and
WHEREAS, the Hemingford High School football team lost the 2013 D-1 Championship by two points to Exeter-Milligan; and
WHEREAS, the win gave the Hemingford High School their first football championship and the first championship for a Nebraska panhandle team since 1986; and
WHEREAS, the Hemingford High School football team ended their 2014 season with a record of 13-0; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Hemingford High School football team on its undefeated season and winning the 2014 Class D-1 Football Championship.
2. That a copy of this resolution be sent to the Hemingford High School football team and Coach Jordan Haas.

Laid over.

LEGISLATIVE RESOLUTION 5. Introduced by Davis, 43.

WHEREAS, the original Modisett Ball Park was built in 1939 with $12,000 given to Rushville by the Modisettes, a Sheridan County ranching family, for the express purpose of building a community ballpark; and
WHEREAS, over the last 70 years, the park, which was rated the second-best baseball field in Nebraska at one time, had fallen into severe disrepair with little funding for upkeep and maintenance; and
WHEREAS, last year, in response to a donation request to help renovate the dilapidated ballpark, Rushville natives John and Carmen Gottschalk pledged $250,000 toward a complete rebuilding of the ballpark if the town could raise $100,000, which the town met and exceeded by the deadline of March 2014; and
WHEREAS, the half-million dollar project included rebuilding the grandstand, laying new sod, installing an underground sprinkler system, new
detached restrooms, bleachers for additional seating, light poles, below grade dugouts, and an original sculpture by George Lundeen; and

WHEREAS, on August 30, 2014, Rushville and the surrounding community celebrated the grand-reopening of Modisett Ball Park with festivities and a fireworks show for a crowd of over 500. John Gottschalk threw out the first pitch in what would be a 7-4 win for Rushville over Chadron.

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

1. That the Legislature congratulate the community of Rushville and the project's many donors on bringing Modisett Ball Park back to life and renewing this spectacular historic place for everyone, young and old, to enjoy baseball.
2. That the Legislature express its gratitude to John and Carmen Gottschalk for their generosity to the Rushville community.
3. That a copy of this resolution be sent to Chris Heiser, mayor of Rushville, to the Sheridan County Journal Star, and to John and Carmen Gottschalk.

Laid over.

LEGISLATIVE RESOLUTION 6. Introduced by Davis, 43.

WHEREAS, Hyannis High School won the 2014 Class D-2 One-Act Play State Championship with their performance of "Schubert's Last Serenade"; and

WHEREAS, this is Hyannis High School's second Class D-2 One-Act Play State Championship in a row; and

WHEREAS, Gabe Haney was named outstanding male performer, and Isabel Safarik was named outstanding female performer; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Hyannis High School for winning the 2014 Class D-2 One-Act Play State Championship, applauds the performance of Gabe Haney and Isabel Safarik, and recognizes the work of director Jeanne Gentry and assistant director Amanda Macy.
2. That a copy of this resolution be sent to the Hyannis High School One-Act team and to Jeanne Gentry and Amanda Macy.

Laid over.
ANNOUNCEMENT(S)

The Nebraska Retirement Systems Committee elected Senator Davis as Vice Chairperson.

Senator Sullivan announced the Education Committee will meet Friday, January 9, 2015, at 9:00 a.m. in Room 2022.

MOTION - Escort Committees

Senator Watermeier moved that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administering their oaths of office.

The motion prevailed.

RECESS

At 11:18 a.m., on a motion by Senator McCoy, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Hadley presiding.

ROLL CALL

The roll was called and all members were present.

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska Army and Air National Guard.

INAUGURAL CEREMONIES

Chief Justice Michael G. Heavican, administered the Oath of Office to the newly elected state officials.

Governor Pete Ricketts delivered the following inaugural address:

“We can grow Nebraska.”

President Foley, Speaker Hadley, Chief Justice Heavican, Members of the Legislature, distinguished guests, family, and fellow Nebraskans.

Congratulations on beginning the 104th Nebraska Legislature. I am humbled and honored to serve you as the 40th Governor of the great State of Nebraska.

Welcome to the new members of the Unicameral and my fellow constitutional officers. I look forward to working with each and every one of you.
Today, as is with all inauguration days, is a time of new beginning for the state of Nebraska. As I look into the future, I’m optimistic about the road that lies ahead. We have a great state, filled with opportunity.

It is also a time to take stock. We’ve turned the calendar to 2015. In a little over two years, we will celebrate Nebraska’s 150th anniversary of statehood.

Our rich history is deeply rooted in freedom, opportunity, liberty, and the hope for a better life for future generations.

A few years before statehood in 1862, the Homestead Act was signed into law by President Abraham Lincoln, who also selected Nebraska to be a crossroads for a great transcontinental railroad.

The first Homesteaders were citizens, immigrants, and freed slaves. They traveled hundreds of miles to Nebraska by foot, wagon train and railroad seeking a better life.

A special incentive was provided for the patriots who served in the Union Army. One of the first Homesteaders, Daniel Freeman, was one such soldier. He claimed a piece of land at Cub Creek near Beatrice. Another veteran, Robert Ball Anderson, was a former slave who earned his freedom in the Union Army. In 1870, he became the first freed African-American Homesteader.

Today we gather in Lincoln, our state capital, named for one of the greatest of American presidents who shaped the destiny of our state. We continue to welcome all those who value freedom and are in search of a better life. We welcome people from all over the world, who study at our great Universities or work at our businesses, farms and ranches. And as our forefathers did a century and a half ago, we honor the veterans—the men and women who sacrificed and served our country.

Folks, we have a beautiful state filled with tremendous opportunity from the Missouri River to the Sandhills to the Pine Ridge.

Nebraska is what America is supposed to be.

The strength of our state lies in our people. Nebraskans are engaged in their communities, their schools, and their churches. And when we have problems, we find ways to work together despite our differences.

The future of our state continues to depend on our ability to pull together, to solve problems, and to grow Nebraska. I am excited to work together in a spirit of collaboration to move our great state forward.

To create the futures that Nebraska families want and deserve we must work toward four goals.
First, we must strengthen our economy and create jobs. These priorities go hand in hand. We must create more and better paying jobs for our kids and grandkids and attract kids from across the country. We must create the 21st century infrastructure and pro-growth policies that foster investment by business and productivity for our farms and ranches.

However, there’s a major barrier to growing jobs in our state: Nebraska’s high taxes. We must cut taxes.

Whether you’re a homeowner, farmer, rancher, or small business owner, everyone feels the burden of high taxes.

Nebraskans from Alliance to Syracuse have expressed their strong interest in finding a pathway to property tax relief. That is my number one priority this year.

At the same time, we must act responsibly. It is our constitutional duty to balance our budget while funding the priorities that the people of Nebraska care about most.

Next, we must reduce regulatory burdens. Whether it’s a livestock producer in Bridgeport or a manufacturer in Deshler, business owners bear the burden of oppressive over regulation.

As governor, I will stand up to the excessive regulation forced on us by Washington. At the state level, I will work to ensure our regulatory process is fair, transparent, and more efficient.

In addition, we must strengthen our education system. We must make sure our young people have the skills they need to compete in a 21st century global economy and in particular career and vocational training. Every manufacturer I’ve spoken to has told me they can’t find enough skilled labor, and it’s a barrier to them expanding in our state.

In the coming weeks, I will continue to meet with members of the legislature to build relationships so that we can Grow Nebraska.

As we work together, you will have other ideas on how to reach our goals. You may have other concerns you are hearing from your constituents. I promise I will listen closely and with an open mind.

Nebraskans want government to work. They hold us to high standards. I will work hard each and every day to meet those standards and safeguard the public’s trust. I urge Nebraskans everywhere to stay engaged: You are the second house. Hold us accountable for what we achieve and help us Grow Nebraska.

In the words of Virginia Smith, the only woman to represent Nebraska in the
U.S. House of Representatives, “There is no excellence without great labor.”

On behalf of my wife Susanne and our entire family, thank you very much, and God Bless the people of this great state.

The Governor, Lt. Governor, their families, and other newly elected state officials were escorted from the Chamber.

**VISITOR**

The Doctor of the Day was Dr. Dale Michels from Lincoln.

**ADJOURNMENT**

At 2:51 p.m., on a motion by Senator Cook, the Legislature adjourned until 10:00 a.m., Friday, January 9, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature
THIRD DAY - JANUARY 9, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 9, 2015

PRAYER

The prayer was offered by Senator Krist.

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 Cook and Nordquist who were excused; and Senator Kintner who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the second day was approved.

ANNOUNCEMENT(S)

The Revenue Committee elected Senator Schumacher as Vice Chairperson.

Senator Garrett announced the Rules Committee will meet Tuesday, January 13, 2015, at 1:30 p.m. in Room 1113.

The Chair announced the birthday of Senator Bloomfield.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 114. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend sections 71-405 and 71-416, Reissue Revised Statutes of Nebraska; to redefine ambulatory surgical center and health clinic; and to repeal the original sections.
LEGISLATIVE BILL 115. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to social security numbers; to define a term; to prohibit certain actions; and to provide exceptions.

LEGISLATIVE BILL 116. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735.06, Reissue Revised Statutes of Nebraska, and section 31-735, Revised Statutes Cumulative Supplement, 2014; to change election procedures and membership for certain boards of trustees as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 117. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to energy; to amend sections 66-1062, 66-1064, 66-1065, and 66-1066, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to energy financing contracts between energy service companies and governmental units; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 118. Introduced by Larson, 40; Krist, 10.

A BILL FOR AN ACT relating to cigar shops; to amend sections 53-103.08 and 53-1,120.01, Reissue Revised Statutes of Nebraska, and sections 28-1429.03, 53-131, and 71-5730, Revised Statutes Cumulative Supplement, 2014; to define cigar shop; to permit certain sales as prescribed; to provide for a nonrefundable application fee and requirements for certain Class C liquor license applications; to preempt county resolutions and city ordinances relating to smoking in cigar shops; to state intent; to exempt cigar shops from the Nebraska Clean Indoor Air Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 119. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-105, Revised Statutes Cumulative Supplement, 2014; to change where certain sentences of imprisonment may be served; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 120. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,167, Reissue Revised Statutes of Nebraska; to provide for the seizure of license plates of certain uninsured motor vehicles or trailers as prescribed; and to repeal the original section.
LEGISLATIVE BILL 121. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to elections; to amend sections 32-103, 32-202, 32-813, 32-914, 32-916, 32-936, 32-949, 32-950, 32-954, 32-1006, 32-1027, and 32-1030, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-809, 32-816, 32-902, 32-915, 32-942, 32-947, 32-953, 32-957, and 32-1002, Revised Statutes Cumulative Supplement, 2014; to require voter identification for purposes of voting as prescribed; to require secret-ballot envelopes for certain ballots; to change provisions relating to voting and counting votes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 122. Introduced by Schumacher, 22.

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.

LEGISLATIVE BILL 123. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to warrants; to amend sections 77-2206 and 77-2214, Reissue Revised Statutes of Nebraska; to change provisions relating to the payment of warrants; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 124. Introduced by Nordquist, 7; Howard, 9.

A BILL FOR AN ACT relating to insurance; to provide requirements for insurers relating to copayments, coinsurance, and deductibles; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 125. Introduced by Nordquist, 7; Campbell, 25; Cook, 13; Crawford, 45; Gloor, 35; Mello, 5.

A BILL FOR AN ACT relating to health and human services; to create a fund; and to provide funds for federally qualified health centers as prescribed.

LEGISLATIVE BILL 126. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend section 23-1118, Revised Statutes Cumulative Supplement, 2014; to change a combined contribution rate as prescribed; and to repeal the original section.

LEGISLATIVE BILL 127. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-452, Revised Statutes Cumulative Supplement, 2014; to eliminate provisions
relating to the hunting of mountain lions; to repeal the original section; to outright repeal sections 37-472 and 37-473, Revised Statutes Cumulative Supplement, 2014; and to declare an emergency.

**LEGISLATIVE BILL 128.** Introduced by Chambers, 11.

A BILL FOR AN ACT relating to prairie dogs; to amend section 81-2,236, Reissue Revised Statutes of Nebraska; to repeal the Black-Tailed Prairie Dog Management Act; to harmonize provisions; to repeal the original section; and to outright repeal sections 23-3801, 23-3802, 23-3803, 23-3804, 23-3805, 23-3806, 23-3807, 23-3808, 23-3809, and 23-3810, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 129.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-131, Revised Statutes Cumulative Supplement, 2014; to require criminal background checks for certain applicants for a license to practice as a nurse; and to repeal the original section.

**COMMITTEE ON COMMITTEES FINAL REPORT**

Senator McCoy moved to approve the following final Committee on Committees report:

**Agriculture (8)**
Rm. 2102 - Tuesday
Johnson (C), Bloomfield, Chambers, Harr, B., Kolterman, Larson, Riepe, Schilz

**Appropriations (9)**
Rm. 1524 - Monday & Tuesday
Rm. 1003 - Wednesday, Thursday, & Friday
Mello (C), Bolz, Haar, K., Hilkemann, Kintner, Kuehn, Nordquist, Stinner, Watermeier

**Banking, Commerce and Insurance (8)**
Rm. 1507 - Monday & Tuesday
Scheer (C), Campbell, Craighead, Gloor, Howard, Lindstrom, Schumacher, Williams

**Business and Labor (7)**
Rm. 2102 - Monday
Harr, B. (C), Bloomfield, Chambers, Crawford, Ebke, Johnson, McCollister

**Education (8)**
Rm. 1525 - Monday & Tuesday
Sullivan (C), Baker, Cook, Groene, Kolowski, Morfeld, Pansing Brooks, Schnoor
General Affairs (8)
Rm. 1510 - Monday
Larson (C), Coash, Hansen, Hughes, Kolterman, Krist, Riepe, Schilz

Government, Military and Veterans Affairs (8)
Rm. 1507 - Wednesday, Thursday, & Friday
Murante (C), Bloomfield, Craighead, Garrett, Groene, Hansen, Larson, McCoy

Health and Human Services (7)
Rm. 1510 - Wednesday, Thursday, & Friday
Campbell (C), Baker, Cook, Crawford, Howard, Kolterman, Riepe

Judiciary (8)
Rm. 1113 - Wednesday, Thursday, & Friday
Seiler (C), Chambers, Coash, Ebke, Krist, Morfeld, Pansing Brooks, Williams

Natural Resources (8)
Rm. 1525 - Wednesday, Thursday, & Friday
Schilz (C), Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schnoor

Nebraska Retirement Systems (6)
Rm. 1525 - At call of Chair
Nordquist (C), Davis, Groene, Kolowski, Kolterman, Mello

Revenue (8)
Rm. 1524 - Wednesday, Thursday, & Friday
Gloor (C), Brasch, Davis, Harr, B., Scheer, Schumacher, Smith, Sullivan

Transportation and Telecommunications (8)
Rm. 1113 - Monday & Tuesday
Smith (C), Brasch, Davis, Friesen, Garrett, McCoy, Murante, Seiler

Urban Affairs (7)
Rm. 1510 - Tuesday
Crawford (C), Coash, Ebke, Hansen, Hughes, Krist, McCollister

Committee on Committees (13)
McCoy (C)

District 1: District 2: District 3:
Campbell Harr, B. Bloomfield
Coash (VC) Krist Hadley
Garrett Mello Schilz
Schumacher Smith Watermeier

Enrollment and Review (1)
Hansen (C)
The Committee on Committees report was approved with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 130.** Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-1507, 2-1508, and 2-1509, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to funding from the Water Sustainability Fund for projects as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 131.** Introduced by Craighead, 6; Crawford, 45; Davis, 43; Harr, B., 8; Howard, 9; Mello, 5; Riepe, 12.

A BILL FOR AN ACT relating to annexation; to amend sections 14-117, 15-104, 16-117, 16-130, 17-405, 01, 17-407, and 31-763, Reissue Revised Statutes of Nebraska; to prohibit sanitary and improvement districts from spending assets after receiving a notice of proposed annexation; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 132.** Introduced by Ebke, 32; Coash, 27.

A BILL FOR AN ACT relating to the Joint Public Agency Act; to amend section 13-2530, Reissue Revised Statutes of Nebraska; to change the power of and procedures for joint public agencies to issue bonds as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 133.** Introduced by Ebke, 32.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-125, Revised Statutes Cumulative Supplement, 2014; to change interest rate provisions on certain compensation court awards; and to repeal the original section.
LEGISLATIVE BILL 134. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-144.01, Reissue Revised Statutes of Nebraska; to change provisions relating to first injury reports; and to repeal the original section.

LEGISLATIVE BILL 135. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to county government and officers; to amend section 23-2,100, Reissue Revised Statutes of Nebraska; to change provisions relating to termination of a township board; and to repeal the original section.

LEGISLATIVE BILL 136. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2014; to prohibit flying lanterns; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 137. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1212.04, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to discharge of a firearm; and to repeal the original section.

LEGISLATIVE BILL 138. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to land surveyors; to amend sections 23-1901, 23-1908, 23-1911, 39-1311.02, 81-8,108, 81-8,109, 81-8,110.01, 81-8,110.07, 81-8,118, 81-8,119.01, 81-8,120, 81-8,122.01, 81-8,123, 81-8,126, and 81-8,127, Reissue Revised Statutes of Nebraska; to name the Land Surveyors Regulation Act; to provide for a code of practice for land surveyors; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 139. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to real property; to amend sections 76-2204, 76-2205, 76-2205.01, 76-2208, 76-2210, 76-2210.01, 76-2210.02, 76-2211.02, 76-2212, 76-2215, 76-2217, 76-2218, 76-2219, 76-2220, 76-2222, 76-2239, 76-2242, 76-2243, 76-2244, 76-2245, 76-2246, 76-2247.01, and 76-2250, Reissue Revised Statutes of Nebraska, and sections 76-2201, 76-2202, 76-2203, 76-2206, 76-2210.03, 76-2211, 76-2212.01, 76-2212.02, 76-2212.03, 76-2213, 76-2213.01, 76-2216, 76-2217.04, 76-2221, 76-2223, 76-2227, 76-2228, 76-2228.01, 76-2228.02, 76-2229, 76-2230, 76-2231.01, 76-2232, 76-2233, 76-2233.01, 76-2233.02, 76-2236, 76-2237, 76-2238, 76-2241, 76-2249, 76-3202, 76-3204, 76-3208, 76-3213, and 76-3215, Revised Statutes Cumulative Supplement, 2014; to
change and eliminate provisions relating to the Real Property Appraiser Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 76-2211.01 and 76-2217.01, Reissue Revised Statutes of Nebraska, and section 76-2229.01, Revised Statutes Cumulative Supplement, 2014.

LEGISLATIVE BILL 140. Introduced by Davis, 43.

A BILL FOR AN ACT relating to elections; to amend sections 22-412, 32-517, 32-518, 32-520, 32-521, 32-522, 32-523, 32-526, 32-528, 32-529, 32-611, 32-612, 32-721, 32-810, 32-813, 32-814, 32-912, and 32-1033, Reissue Revised Statutes of Nebraska, and sections 32-12, 32-519, 32-524, 32-525, 32-602, 32-610, 32-615, 32-616, 32-623, 32-627, 32-702, 32-809, and 32-811, Revised Statutes Cumulative Supplement, 2014; to change provisions for voting for partisan county offices in primary elections in certain counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 141. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Public Entities Mandated Project Charges Act; to amend sections 70-1801, 70-1802, 70-1803, 70-1806, 70-1812, and 70-1813, Reissue Revised Statutes of Nebraska; to define a term; to provide for creation of mandated project bond issuers and to provide powers and duties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 142. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-1220, Reissue Revised Statutes of Nebraska, and sections 37-201, 37-1214, 37-1215, and 37-1219, Revised Statutes Cumulative Supplement, 2014; to create the Aquatic Invasive Species Program; to provide funding; to create a fee and stamp; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 143. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the environment; to amend section 81-15,123, Reissue Revised Statutes of Nebraska, and section 66-1519, Revised Statutes Cumulative Supplement, 2014; to change permitted uses of a fund; to change a provision relating to rules and regulations for training requirements; to provide for payment of certain training costs; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 144. Introduced by Davis, 43.

A BILL FOR AN ACT relating to community colleges; to amend sections 85-1517 and 85-2234, Reissue Revised Statutes of Nebraska; to reduce the levy authority of community college areas as prescribed; to increase the
amount of state aid to community colleges under the Community College Aid Act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 145. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-139 and 8-157, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to executive officers of banks and to eliminate a license requirement; to provide for the suspension of executive officers by the Department of Banking and Finance as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 146. Introduced by Crawford, 45; Bloomfield, 17; Hansen, 26.

A BILL FOR AN ACT relating to the Cremation of Human Remains Act; to amend sections 71-1355, 71-1382, and 80-104, Reissue Revised Statutes of Nebraska, and section 71-1356, Revised Statutes Cumulative Supplement, 2014; to define and redefine terms; to provide for disposition of certain unclaimed cremated remains in a veteran cemetery as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 147. Introduced by Crawford, 45; Campbell, 25; Cook, 13; Howard, 9; Kolowski, 31.

A BILL FOR AN ACT relating to public assistance; to amend sections 43-512, 68-915, 68-1017.02, 68-1713, and 68-1726, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to asset limitations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 148. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 68-901, 68-911, and 68-915, Revised Statutes Cumulative Supplement, 2014; to provide coverage for certain individuals formerly in foster care as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 149. Introduced by Urban Affairs Committee: Crawford, 45, Chairperson; Coash, 27; Ebke, 32; Hansen, 26; Hughes, 44; Krist, 10; McCollister, 20.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735, Revised Statutes Cumulative Supplement, 2014; to change election procedures; and to repeal the original section.
LEGISLATIVE BILL 150. Introduced by Urban Affairs Committee: Crawford, 45, Chairperson; Coash, 27; Ebke, 32; Hansen, 26; Hughes, 44; Krist, 10; McCollister, 20.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2709, Reissue Revised Statutes of Nebraska, and section 18-2705, Revised Statutes Cumulative Supplement, 2014; to redefine terms; and to repeal the original sections.

LEGISLATIVE BILL 151. Introduced by Urban Affairs Committee: Crawford, 45, Chairperson; Coash, 27; Ebke, 32; Hansen, 26; Hughes, 44; Krist, 10; McCollister, 20.

A BILL FOR AN ACT relating to real property; to amend sections 25-2142, 76-1006, and 76-1012, Reissue Revised Statutes of Nebraska; to provide for a person designated to accept city or village notices in cases of mortgaged property or trust deed default; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 152. Introduced by Urban Affairs Committee: Crawford, 45, Chairperson; Coash, 27; Ebke, 32; Hansen, 26; Hughes, 44; Krist, 10; McCollister, 20.

A BILL FOR AN ACT relating to cities and villages; to authorize cities and villages to borrow from state-chartered or federally chartered financial institutions as prescribed; and to provide a duty for the Revisor of Statutes.


A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2014; to exempt college textbooks from sales and use taxes; to define a term; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 154. Introduced by Hadley, 37; Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Board of Regents of the University of Nebraska for economic competitiveness initiatives that seek to advance strategic, multicampus initiatives that serve Nebraskans; and to declare an emergency.

LEGISLATIVE BILL 155. Introduced by Williams, 36; Stinner, 48.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-116, 8-128, and 8-153, Reissue Revised Statutes of Nebraska, and section 8-1402, Revised Statutes Cumulative Supplement, 2014; to change amounts of and notice requirements for capital stock requirements; to change provisions relating to the clearing and settlement of checks; to change
provisions relating to disclosure of confidential records; and to repeal the original sections.

LEGISLATIVE BILL 156. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-6306, Revised Statutes Cumulative Supplement, 2014; to change the amount of tax credits allowed under the Angel Investment Tax Credit Act; and to repeal the original section.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 7CA. Introduced by Schumacher, 22.

THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2016 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, sections 7 and 12:

III-7 At the general election to be held in November 2020 and every six years thereafter, members of the Legislature representing odd-numbered districts shall be elected for six-year terms, with the manner of such election to be determined by the Legislature. At the general election in November 2022 and every six years thereafter, members of the Legislature representing even-numbered districts shall be elected to terms of six years, with the manner of such election to be determined by the Legislature. Until the general election to be held in November 19642020 and November 2022, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years in November of every even-numbered year, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

III-12 (1) No person shall be eligible to serve as a member of the Legislature for foursix years next after the expiration of two consecutive
terms regardless of the district represented. This section applies to consecutive four-year terms, consecutive six-year terms, and consecutive terms of four years and six years.

(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.

(3) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:
A constitutional amendment to limit the service of members of the Legislature to two consecutive six-year terms and provide for implementation of six-year terms.
For
Against.

LEGISLATIVE RESOLUTION 8. Introduced by Johnson, 23.

WHEREAS, the David City Aquinas Catholic High School football team won the 2014 Class C-2 State Football Championship by defeating Hartington Cedar Catholic by a score of 40-6; and
WHEREAS, this is the seventh state championship for the David City Aquinas Catholic High School football team, as the team also won championships in 1980, 1993, 1994, 1997, 2011, and 2012; and
WHEREAS, the David City Aquinas Catholic High School football team has appeared in the state-title game ten times; and
WHEREAS, the David City Aquinas Catholic High School football team ended their 2014 season with a record of 12-1; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the David City Aquinas Catholic High School football team on winning the 2014 Class C-2 State Football Championship.
2. That a copy of this resolution be sent to the David City Aquinas Catholic High School football team.

Laid over.

LEGISLATIVE RESOLUTION 9. Introduced by Gloor, 35; Friesen, 34.

WHEREAS, Hornady Manufacturing in Grand Island was named the 2014 Nebraska Manufacturer of the Year; and
WHEREAS, Hornady Manufacturing was created out of Joyce Hornady's love for hunting and competitive shooting; and
WHEREAS, Hornady Manufacturing's first products were hand-crafted by Joyce Hornady and his original partner Vernon Speer; and
WHEREAS, in 1949, Joyce Hornady used a garage in Grand Island to produce his own 30 caliber bullet; and
WHEREAS, Hornady Manufacturing has been managed and expanded by the hard work and passion of the Hornady family; and
WHEREAS, Hornady Manufacturing is today an industry leader in the development and innovation of ammunition, independent components, and machinery for manufacturing these products.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Hornady Manufacturing on being named the 2014 Nebraska Manufacturer of the Year and commends the Hornady family on their achievements.
2. That a copy of this resolution be sent to Hornady Manufacturing and Steve Hornady, president of Hornady Manufacturing.

Laid over.

ANNOUNCEMENT(S)
The Transportation and Telecommunications Committee elected Senator Brasch as Vice Chairperson.
The Education Committee elected Senator Kolowski as Vice Chairperson.

VISITOR
The Doctor of the Day was Dr. Rob Rhodes from Lincoln.

ADJOURNMENT
At 10:56 a.m., on a motion by Senator Crawford, the Legislature adjourned until 10:00 a.m., Monday, January 12, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
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 Senator Nordquist who was excused; and Senator Pansing Brooks who was excused until she arrives.

PRAYER

The prayer was offered by Pastor Philip Hale, St. Paul Lutheran Church of Bancroft and St. John Lutheran Church of Lyons.

CORRECTIONS FOR THE JOURNAL

The Journal for the third day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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Barels, Brian - Nebraska Natural Resources Commission - Natural Resources
Bartee, Todd - Nebraska Child Abuse Prevention Fund Board - Health and Human Services
Batie, Donald P. - Nebraska Natural Resources Commission - Natural Resources
Bernthal, John - Coordinating Commission for Postsecondary Education - Education
Borcher, Kevin - State Board of Health - Health and Human Services
Brummer, James S. - State Electrical Board - General Affairs
Christensen, Joel G. - Nebraska Natural Resources Commission - Natural Resources
Clouse, Stan - Nebraska Natural Resources Commission - Natural Resources
Dinkel, John - Nebraska Investment Council - Nebraska Retirement Systems
Fleming, Shane - State Board of Health - Health and Human Services
Flood, Mary Fran - Nebraska Child Abuse Prevention Fund Board - Health and Human Services
Gong, Brian - Technical Advisory Committee for Statewide Assessment - Education
Hansen, Keith - State Emergency Response Commission - Government, Military and Veterans Affairs
Hofbauer, Tim - State Emergency Response Commission - Government, Military and Veterans Affairs
Hopp, Russell - State Board of Health - Health and Human Services
Huggenberger, Steven - Nebraska Natural Resources Commission - Natural Resources
Kircher, Patricia M. - Nebraska Educational Telecommunications Commission - Education
Knutson, Thomas - Nebraska Natural Resources Commission - Natural Resources
Konda, Teresa - State Board of Health - Health and Human Services
Kosman, Henry H. (Hod) - Nebraska Natural Resources Commission - Natural Resources
Kraus, Don - Nebraska Natural Resources Commission - Natural Resources
Marshall, William, III - Nebraska State Fair Board - Agriculture
Miller, Dana - State Emergency Response Commission - Government, Military and Veterans Affairs
Oliver, Thomas D. - Nebraska Oil and Gas Conservation Commission - Natural Resources
Ourada, Tom - State Electrical Board - General Affairs
Palm, Owen A. - Nebraska Natural Resources Commission - Natural Resources
Palmetree, Tom - Nebraska Natural Resources Commission - Natural Resources
Poole, Linda - Technical Advisory Committee for Statewide Assessment - Education
Ruiz, Gerard A. (Fred) - Crime Victim's Reparations Committee - Judiciary
Sawyer, Richard - Technical Advisory Committee for Statewide Assessment - Education
Schindler, Michelle - Crime Victim's Reparations Committee - Judiciary
Schlegel, Carol E. - Nebraska Tourism Commission - Government, Military and Veterans Affairs
Seever, Samuel - State Personnel Board - Government, Military and Veterans Affairs
Smathers, Scott - Nebraska Natural Resources Commission - Natural Resources
Smith, Lindsey - Nebraska Natural Resources Commission - Natural Resources
Strauch, Walter Dennis - Nebraska Natural Resources Commission - Natural Resources
Taylor, Loren - Nebraska Natural Resources Commission - Natural Resources
Teetor, Travis James - State Board of Health - Health and Human Services
Turk, Frank R. - Commission for the Deaf and Hard of Hearing - Health and Human Services
Waddle, Christopher - State Personnel Board - Government, Military and Veterans Affairs
Wilson, Glenn R., Jr. - Board of Educational Lands and Funds - Education

(Signed) Bob Krist, Chairperson
Executive Board

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 11, 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

Abboud, Chris - Public Affairs Group
Manheims Omaha Auto Auction
Monsanto
Omaha Police Officers Association
Vehicle and Truck Cleaning Tax Association
Adair, Peggy
League of Women Voters of Greater Omaha
League of Women Voters of Nebraska
Alston, Garth R.
Altria Client Services Inc. and its Affiliates
Amack, Angela K.
Center for People in Need
Grand Island Public Schools
International Brotherhood of Electrical Workers (IBEW)
Nebraska Professional Fire Fighters Association (NPFFA)
American Communications Group, Inc.
American Cancer Society Cancer Action Network
American Heart Association
Association of Surgical Technologists
Autism Speaks
Big Red Keno aka EHPV Lottery Services, LLC
Center for Rural Affairs
Empyrean Brewing Company
Friends of Public Health in Nebraska
Goodwill Association of Iowa/Nebraska
Health Center Association of Nebraska
Nebraska Academy of Physician Assistants
Nebraska Association of Behavioral Health Organizations
Nebraska Association of Public Employees NAPE/AFSCME Local 61
Nebraska Board of Engineers and Architects
Nebraska Chapter of the American Physical Therapy Association
Nebraska Child Healthcare Alliance
Nebraska Dental Assistants Association
Nebraska Emergency Medical Services Association
Nebraska Psychological Association
Nebraska Society for Respiratory Care
Nebraska Speech-Language-Hearing Association (NSLHA)
North Central States Regional Council of Carpenters Regions II and V
Research Nebraska!
Teamsters Local Union 554
Vigilnet America LLC
Wind Coalition, The
YMCA's of Nebraska
Andersen, Robert C.
Nebraska Cooperative Council
Anderson, Benjamin
First Five Nebraska
Anderson, Stacy R.
Nebraskans For Alternatives to the Death Penalty
Baack, Dennis G.
Nebraska Community College Association
Babcock, Marsha L.
Mechanical Contractors Association of Omaha, Inc.
Badeer, Debra A.
Nebraska Christian Home Educators Association
Baier, Richard J.
Nebraska Bankers Association
Bailey, Jon M.
Center for Rural Affairs
Barrett, John R.
Great Plains Communications, Inc.
Becker, Jill
Black Hills Energy
Becker, Timothy A.  
Heartland Strategy Group, LLC  
Beermann, Allen J.  
Nebraska Press Association  
Belka, Matt  
Nebraska Association of School Boards  
Bell, David  
Loup River Public Power District  
Benjamin, Melody  
Nebraska Cattlemen, Inc.  
Beyer, Nolan  
Millard Public Schools  
Boddy, Heath  
Nebraska Health Care Association, Inc.  
Bohrer, Bruce J.  
Lincoln Chamber of Commerce  
Bonaiuto, John A.  
Nebraska Association of School Boards  
Borgeson, Robert A.  
United Transportation Union  
Bowen, Steven S.  
Nebraska Occupational Therapy Association  
Bowling, Karen  
Nebraska Family Alliance  
Bradford, Jonathan  
Kissel/E&S Associates, LLC  
Brandt, Horan, Hallstrom and Stilmock  
National Federation of Independent Business (NFIB)  
Nebraska Bankers Association  
Nebraska Bankers Insurance and Services Company (NBISCO)  
Nebraska Fire Chiefs' Association  
Nebraska Pharmacists Association  
Nebraska State Volunteer Firefighters' Association  
Nebraskans for Workers' Compensation Equity and Fairness  
NetWorks, Inc.  
Breed, Roger D.  
RDB - LLC  
Bruning, Deonne  
U.S. Cellular  
Windstream Communications  
Buettner, Jeffrey J.  
Central Nebraska Public Power and Irrigation  
Byers, Thomas L.  
Magellan Midstream Partners  
Carritt, Nicole  
Project Extra Mile  
Carstenson, Eric B.  
Nebraska Telecommunications Association
Cavanaugh Law Firm, P.C., L.L.O.
Explore Information Services
Independent Insurance Agents of Nebraska
Cavanaugh, James P.
Cavanaugh Law Firm, P.C., L.L.O.
Chaffee, Meghan
Nebraska Hospital Association
Cheloha, John A.
City of Omaha
Chittenden, Michael J.
Arc of Nebraska, The
Clark, Dick
Nebraska Firearms Owners Association (NFOA)
Cole, Jeff
Nebraska Children and Families Foundation
Cover, Joni
Nebraska Pharmacists Association
Crawford, Brittany
Heartland Strategy Group, LLC
Creager, Jennifer
Greater Omaha Chamber
Cunningham, Douglas
Affiliated Foods Midwest
Cunningham, James R.
Nebraska Catholic Conference
Davis, Jeffrey N.
Burlington Northern Sante Fe (BNSF) Railway Company
Davison-Rippey, Erin
Planned Parenthood of the Heartland
Dibbern, Chris
Nebraska Municipal Power Pool
Dittmer, Judy
AARP Nebraska
Dix, Larry J.
Nebraska Association of County Officials
Dobler, James B.
Nebraska Insurance Information Service
Professional Insurance Agents of Nebraska
Driscoll, Jim
Pfizer, Inc.
Dubas, Annette
Nebraska Association of Behavioral Health Organizations
Dudley, William H.
Aflac
Dulaney, Michael S.
Nebraska Council of School Administrators
Dunning, Eric
Blue Cross and Blue Shield of Nebraska
Edson, Dean E.  
   Nebraska Association of Resources Districts  
Edwards, Jon  
   Nowka and Edwards  
Eppler, Robert  
   AARP Nebraska  
Erb, Matthew  
   Lincoln Education Association  
Erickson, Julie S.  
   American Communications, Inc.  
Ernst, Dan E.  
   Nebraska Council of School Administrators  
Falk, W. Jarad  
   Time Warner Cable  
Faustman, Nick  
   Licensed Practical Nurse Association of Nebraska (LPNAN)  
   Nebraska Health Care Association, Inc.  
Ferrell, Beth Bazyn  
   Nebraska Association of County Officials  
Field, Laura  
   Nebraska Cattlemen, Inc.  
Fraizer, Theodore D. (Tad)/Fraizer & Fraizer  
   American Insurance Association  
   Mutual of Omaha  
Freeman, Clayton  
   Alzheimer's Association Nebraska Chapter  
Frohman, Ann M.  
   Nebraska Medical Association  
Fry, Renee  
   OpenSky Policy Institute  
Gay, Tim  
   Husch Blackwell LLP  
Geis, Gavin Lawrence  
   Common Cause National  
Gerrard, Eric  
   American Communications, Inc.  
   City of Lincoln  
Gilbertson, Korby M.  
   Radcliffe, Walter H. of Radcliffe and Associates  
Goettemoeller, Jennifer M.  
   First Five Nebraska  
Gokie, Mark T.  
   Farmers Mutual of Nebraska  
Goodman, Joshua  
   Pew Charitable Trusts, The  
Goitsdiner, Kathryn  
   Kelley & Jerram, PC, LLO  
Gottschalk, Kristen  
   Nebraska Rural Electric Association
Gould, John 'Jack'
    Common Cause National
    Common Cause Nebraska
Grasz, Steve
    Husch Blackwell LLP
Habben, Jon
    Nebraska Rural Community Schools Association
Hack, Mace A.
    Nature Conservancy, The
Hallstrom, Robert J.
    Brandt, Horan, Hallstrom and Stilmock
Hansen, John K.
    Nebraska Farmers Union
Hartmann, William
    Nebraska One-Call Notification Center
Harvey, William F.
    Big Red Keno aka EHPV Lottery Services, LLC
    Vigilnet America LLC
Hassebrook, Kristen
    Nebraska Cattlemen, Inc.
Hayes, Jason W.
    Nebraska State Education Association
Heartland Strategy Group, LLC
    Bennington Public Schools
    Blue Cross and Blue Shield of Nebraska
    Community Alliance, Inc.
    Consumer Electronics Association
    Lamar Outdoor Advertising Company
    Nebraska Coalition of Agricultural Manufacturers
    Nebraska Collectors Association
    Nebraska Credit Union League
    Nebraska School Activities Association
    Omaha Police Officers Association
    Omaha Professional Firefighters Association
Heidemann, Lavon L
    Nebraska Farm Bureau Federation
Herzog, Frank
    AARP Nebraska
Higgins, Shirley
    Nebraska Public Power District
Hoffman, Scott J.
    ABATE of Nebraska, Inc.
Hollingshead, Andrew
    Nebraska Organ Recovery System, Inc.
Holmquist, David
    American Cancer Society Cancer Action Network
Hurst, Elisabeth
    Nebraska Hospital Association
Husch Blackwell LLP
Ash Grove Cement Company
Blue Cross and Blue Shield of Nebraska
Home Instead, Inc.
Invenergy LLC
Koch Companies Public Sector, LLC and Affiliates
KVC Health Systems, Inc.
Nebraska Chiropractic Physicians Association
Nebraska Indoor Tanning Association
NextEra Energy Resources, LLC
Papillion - La Vista School District
Papio-Missouri River Natural Resources District
Sarpy County Board of Commissioners
Waste Management, Inc.
Intermill, Mark
AARP Nebraska
Irsik, Ryan
Wal-Mart Stores, Inc.
Jarecke, David A.
Nebraska Rural Electric Association
Jarecke, Kate Kulesher
Novartis Pharmaceuticals Corporation
Jeffers, Thomas E.
Nebraska Cooperative Council
Jensen Rogert Associates, Inc.
ABATE of Nebraska, Inc.
Altria Client Services Inc. and its Affiliates
Children's Respite Care Center
CNSI
Eli Lilly and Company
Industrial Energy Users of Nebraska
LeadingAge Nebraska
Learning Community of Douglas and Sarpy Counties
Magellan Health, Inc.
Mosaic
National Rifle Association
Nebraska Association of Nurse Anesthetists
Nebraska Dental Hygienists' Association
Nebraska Intellectual Disabilities Services Providers
Nebraska Optometric Association
Nebraska Podiatric Medical Association
Statewide Property Owners' Association
Jensen, Ronald L.
Jensen Rogert Associates, Inc.
Joekel, Tiffany
Coalition for a Strong Nebraska
Johnson, Kevin
AstraZeneca Pharmaceuticals
Johnson, Larry
  Nebraska Trucking Association

Johnson, Mary A.
  Mueller Robak, LLC

Jorgensen, Jennifer
  Nebraska Association of School Boards

Junge, Jolanda J.
  We Support Agriculture

Karl, Jamie
  Nebraska Chamber of Commerce & Industry

Karnes, David K.
  Big Red Keno aka EHPV Lottery Services, LLC
  Vigilnet America LLC

Kay, Sara A.
  American Institute of Architects - AIA Nebraska

Keigher & Associates, LLC
  Credit Management Services
  Iowa-Nebraska Equipment Dealers Association
  Luxottica Retail North America (formerly LensCrafters)
  MillerCoors, LLC
  National Guard Association of Nebraska
  Nebraska AirBoat Association
  Nebraska Aviation Trade Association
  Nebraska Community College Association
  Nebraska Land Improvement Contractors Association
  Professional Towers Association of Nebraska

Keigher, Timothy P.
  Keigher & Associates, LLC
  Nebraska Petroleum Marketers & Convenience Store Association

Kelley & Jerram, PC, LLO
  Cigar Association of America, Inc.
  Daily Record, The
  Douglas County, Nebraska
  Eastern Nebraska Human Services Agency
  Elevator Industry Work Preservation Fund
  Guardian Tax Partners
  Johnson Brothers of Nebraska
  Nebraska Coalition for Capital
  Nebraska State Lodge of the Fraternal Order of Police
  Westside Community Schools

Kelley Governmental Relations, LLC
  Creighton University
  Metro Area Transit (O-Metro)
  No Do Zest Operating, LLC
  Omaha Airport Authority

Kelley, Michael A.
  Kelley & Jerram, PC, LLO
  Kelley Governmental Relations, LLC
Kelley, Sean
Kelley & Jerram, PC, LLO
Kelley Governmental Relations, LLC
Kennedy, Barry L.
Nebraska Chamber of Commerce & Industry
Kenny, Timothy R.
Nebraska Investment Finance Authority
Kevil, G. Bruce
Associated Builders and Contractors, Inc.
Kilgarin, Karen
Nebraska State Education Association
Kissel, Gordon
Kissel/E&S Associates, LLC
Kissel/E&S Associates, LLC
Aksamit Resource Management
American Petroleum Institute
AmeriHealth Caritas
Associated Beverage Distributors of Nebraska
Boys & Girls Clubs Alliance of Nebraska
Burlington Northern Santa Fe (BNSF) Railway Company
Erickson & Sederstrom, PC
Heartland Strategy Group, LLC
Lancaster County Board of Commissioners
March of Dimes
Metropolitan Area Planning Agency
Nebraska Association of Regional Administrators
Nebraska CASA Association
Nebraska Cooperative Council
Nebraska County Court Association
Nebraska Golf Alliance
Nebraska Municipal Power Pool
Nebraska State Historical Society Foundation
Professional Engineers Coalition
Ralston Public School District
Rave Mobile Safety
Spectra Energy
Telecare Corporation
TransCanada
United Cities of Sarpy County
Kohout, Joseph D.
Kissel/E&S Associates, LLC
Kolterman, Jessica A.
Nebraska Farm Bureau Federation
Kopperud, Anna
National Rifle Association
Krannawitter, Brian
American Heart Association
Krumland, Gary G.
League of Nebraska Municipalities
Kubat, Rick
   Metropolitan Utilities District
Lamon, Steve
   AARP Nebraska
Landwehr, Susan M.
   Eli Lilly and Company
Langston, Charles (Chuck)
   Nebraska Family Alliance
Larsen, Mary
   March of Dimes
Lautenbaugh, Scott
   Nebraska Premium Tobacco
Levy, David C.
   Bluestem Energy Solutions
   Immanuel Retirement Communities
   Lyft, Inc.
   Northeast Nebraska Public Power District
   Sandhills Wind Energy, LLC
Licht, Andrew W.
   Capitol Management Group
Likes, Steven C.
   Nebraska Investment Finance Authority
Lindsay, John C.
   O'Hara Lindsay & Associates, Inc.
Loeffler, Michael T.
   Northern Natural Gas
Logsdon, Robert R.
   Cox Communications
Lombardi, Richard A.
   American Communications, Inc.
Loontjer, Pat
   Gambling with the Good Life
Lostroh, David L.
   Nebraska Christian Home Educators Association
Ludwig, David M
   Educational Service Unit Coordinating Council
Luetkenhaus, Brandon
   Nebraska Credit Union League
Lyons, Liz
   Children's Hospital & Medical Center
Mach, Coby
   Lincoln Independent Business Association (LIBA)
Mack, Michelle D.
   Express Scripts Holding Co.
Mallett, Rochelle A.
   O'Hara Lindsay & Associates, Inc.
Mancuso, Aubrey
   Voices for Children in Nebraska
Martinez, Larry M.
GlaxoSmithKline

Marvin, Michael
Nebraska Association of Public Employees NAPE/AFSCME Local 61

McBride, David S.
National Association of Insurance and Financial Advisors (NAIFA)
Nebraska Optometric Association

McClure, Jeanne L.
CHI Health

McClure, John C.
Nebraska Public Power District

McClymont, Pete
Nebraska Cattlemen, Inc.

McCullough, Jacqueline K.
American Council of Engineering Companies/Nebraska
Nebraska County Attorneys Association

McDonald, Vickie
Nebraska Association of Former State Legislators

McGuire, Mark D.
Cameco Resources

McKenzie, Janis M.
Nebraska Association for the Gifted
Nebraska Insurance Federation

McLarty, Brianna
Nebraskans for Civic Reform

Menzel, Elaine
Nebraska Association of County Officials

Merritt, Scott
Automotive Recycling Industry of Nebraska
Capitol Management Group
Nebraska Agri-Business Association
Nebraska Auctioneers Association
Nebraska Hotel & Motel Association, Inc.
Nebraska State Pest Control Association

Meurrens, Bradley
Disability Rights Nebraska

Meyer, Les
American Life and Security

Meyer, Patricia
American Life and Security

Mikkelsen, Brian
Nebraska State Education Association

Mines, Mick
3M COMPANY
Cameco Resources
Cargill
Diageo North America, Inc.
Johnson & Johnson
Mark Anthony Brands
National Association of Insurance and Financial Advisors (NAIFA)
Nebraska Agri-Business Association
Nebraska Auctioneers Association
Nebraska Corn Growers Association
Nebraska Grocery Industry Association
Nebraska Hotel & Motel Association, Inc.
Nebraska Humane Society
Papio Valley Preservation Association, Inc.
Syngenta
Mischo, Craig
Bayer Corporation
Moeller, Rodney
Nebraska Firearms Owners Association (NFOA)
Moon, Virginia
Nebraska Council of School Administrators
Moore, Robert
Planned Parenthood of the Heartland
Moylan, James H.
Nebraska Licensed Beverage Association
RAI Services Co. (Reynolds American Inc.)
Mueller Robak
American Express Travel Related Services, Inc.
Associated General Contractors of America, Nebraska Chapter
Association of Independent Colleges and Universities of Nebraska (AICUN)
AT&T, Inc.
Better Nebraska Association
Bio Nebraska Life Sciences Association
Chief Industries, Inc.
Children and Family Coalition of Nebraska
COPIC Insurance Company
Ducks Unlimited, Inc.
Duncan Aviation, Inc.
Eastern Nebraska Development Council
eBay, Inc.
First Data Corporation
Frenchman Cambridge Irrigation District
Human Rights Campaign
Innocence Project, The
Integrated Life Choices
Lincoln Airport Authority
M+R Strategic Services, Inc.
Madonna Rehabilitation Hospital
Millard Public Schools
Nebraska Academy of Eye Physicians and Surgeons
Nebraska Association of Airport Officials
Nebraska Association of Commercial Property Owners
Nebraska Court Reporters Association
Nebraska Dental Association
Nebraska Dermatology Society
Nebraska District Court Judges Association
Nebraska Interactive
Nebraska Land Title Association
Nebraska Machinery Company
Nebraska Methodist Health Systems
Nebraska Press Association
Nebraska Society of Independent Accountants
Nebraska State Bar Association
Nebraska Veterinary Medical Association
Nebraskans for Civic Reform
Pharmaceutical Research and Manufacturers of America
Smithfield Foods, Inc.
State Troopers Association of Nebraska, Inc.
Uber Technologies, Inc.
United Services Automobile Association
Viaero Wireless
Mueller, William J.
Mueller Robak, LLC
Nathan, Robbie
AARP Nebraska
Neal, John P.
Lincoln Public Schools
Neeman, Gary
ABATE of Nebraska, Inc.
Nelson, Stephen D.
Nebraska Farm Bureau Federation
Neuhaus, Joe
Nebraska Family Alliance
Neville, Brennan S.
National Indemnity Company
Nickerson, Jocelyn S.
Humane Society of the United States, The
Nielsen, Coleen J.
Express Scripts Holding Co.
Merck Sharp and Dohme Corp.
Nebraska Criminal Defense Attorneys Association
Nebraska Insurance Information Service
Nebraska State Athletic Trainers Association
State Farm Insurance Companies
Nolan, Michael J.
League of Nebraska Municipalities
Nowka & Edwards
Adams Central Public Schools
Anheuser-Busch Companies
Bryan Health
Digital Gaming Solutions, Inc.
Elkhorn Public Schools
Grand Island Northwest Public Schools
Lakeview Community Schools
Metropolitan Utilities District
National Multiple Sclerosis Society
National Utility Contractors Association of Nebraska, Inc.
Nebraska Academy of Family Physicians
Nebraska Academy of Nutrition and Dietetics
Nebraska Association of Area Agencies on Aging
Nebraska Association of County Officials
Nebraska Association of Home and Community Health Agencies
(NAHCHA)
Nebraska Association of Resources Districts
Nebraska County Attorneys Association
Nebraska Funeral Directors Association
Nebraska Pork Producers Association
Nebraska Poultry Industries, Inc.
Nebraska Public Power District
Nebraska Rural Community Schools Association
Nebraska Sheriffs’ Association
Nebraska Society of Radiologic Technologists
Nebraska State College System
Nebraska State Dairy Association
Nebraska Water Coalition
NET Foundation for Television
Pfizer, Inc.
Southern Public Power District
Union Pacific Railroad
US Assets
Nowka, Trent
Nowka and Edwards
O’Brien, Kelli Erin
Union Pacific Railroad
O’Hara Lindsay & Associates, Inc.
Alliance of Automobile Manufacturers
Alter Trading Corporation
Black Hills Energy
Blue Cross and Blue Shield of Nebraska
Cabelas, Inc.
Center Pivot Manufacturers Association
City of Hastings
City of Kearney
City of Lexington
City of Lincoln
Elio Motors
First National of Nebraska, Inc.
Humanities Nebraska
Institute of Scrap Recycling Industries, Inc., Northwest Chapter
Motorola Solutions, Inc.
National Association of Housing and Redevelopment Officials, Nebraska Chapter
Nebraska Association of Independent Ambulatory Centers
Nebraska Association of Trial Attorneys
Nebraska Beverage Association
Nebraska County Judges Association
Nebraska Nurses Association
Nebraska Rural Broadband Coalition
Nebraskans For Alternatives to the Death Penalty
Nebraskans for Rate Equity
Northern Natural Gas
Nucor Corporation
Omaha Public Power District
Omaha Public Schools
SourceGas Distribution, LLC
Teradata
Winnebago Tribe of Nebraska
O'Neill, Thomas, Jr.
   Association of Independent Colleges and Universities of Nebraska
   (AICUN)
Orton, Leroy W.
   Nebraska Onsite Waste Water Association
   Nebraska State Irrigation Association
   Nebraska Well Drillers Association
Othmer, Mark F.
   Iowa-Nebraska Equipment Dealers Association
Otto, James A.
   Nebraska Restaurant Association
   Nebraska Retail Federation
   Nebraska Winery and Grape Growers Association (NWGGA)
Otto, Richard J. dba Advocacy-Legislation-Leadership
   Nebraska Winery and Grape Growers Association (NWGGA)
Pack, Mary M.
   Radcliffe, Walter H. of Radcliffe and Associates
Paden, Nicholas K.
   Cambridge Telephone Company
   Consolidated Telephone Company
   Great Plains Communications, Inc.
   Hamilton Telecommunications
   Hartelco
   Hershey Coop Telephone Co.
   HunTel, Inc. dba American Broadband Neb., Inc.
   K & M Telephone Company
   LifeSafer, Inc.
   Nebraska Broadband Coalition
   Nebraska Central Telephone Company
   Northeast Nebraska Telephone Co.
   Stanton Telecom, Inc.
   Three River Telco
Parker, David R.
   Great West Casualty Company
Parr, Ann L.  
Farmers Mutual of Nebraska

Partington, Jim  
Nebraska Restaurant Association

Pearce, Denise K.  
City of Lincoln

Peetz & Company  
Advocates for Behavioral Health  
Aetna  
CHI Health  
Children's Hospital & Medical Center  
Cox Communications  
First Five Nebraska  
Friends of Nebraska Agriculture and International Trade  
Kiewit Corporation  
Metropolitan Entertainment & Convention Authority  
Microsoft Corporation  
Nebraska Nurse Practitioners  
Omaha Zoological Society  
Tenaska  
Tetrad Property Group  
TradeWind Energy  
Yahoo, Inc.

Peetz, Jack  
Peetz & Company

Peetz, Natalie  
Peetz & Company

Peterson, Alan E.  
ACLU Nebraska

Peterson, Chris  
CP Strategies LLC

Peterson, Patricia Schuett  
Nebraska Investment Finance Authority

Petsch, Jean  
Associated General Contractors - Nebraska Building Chapter

Pfeifer, Pat  
Nebraska State Legislative Board - Brotherhood of Locomotive Engineers and Trainmen

Pitts, Kathleen  
Nebraska Appleseed

Plucker, Julia  
Heartland Strategy Group, LLC

Pollock, Andy  
DirecTV  
DISH Network LLC  
National Popular Vote  
Nebraska Defense Counsel Association  
Nebraska Energy Export Association  
Nebraska Rural Telecommunications Coalition  
Nebraska Transportation Association
Nebraska Travel Association (NETA)
NorthWestern Energy
Pillen Family Farms (formerly Progressive Swine Technologies)
United Healthcare Services, Inc. & Affiliates
Waste Connections of Nebraska, Inc.
Post, Ann
  Lincoln Independent Business Association (LIBA)
Prenda, Amy
  Nebraska Cable Communications Association
  Nebraska Sheriffs’ Association
  Nebraska Water Resources Association
Prockish, Ann
  CenturyLink
Prokop, Matthew
  American Cancer Society Cancer Action Network
Propes, Margaret
  Sunovion Pharmaceuticals Inc.
Quick, Kim A.
  Nebraska Labor Unity Council c/o Teamsters Local 554
Radcliffe, Walter H. of Radcliffe and Associates
  Advance America c/o MultiState Associates, Inc.
  Altria Client Services Inc. and its Affiliates
  Bellevue Public Schools
  Enterprise Rent-A-Car
  Father Flanagan's Boys' Home aka Boys Town
  Father Flanagan's Boys' Home dba Boys Town National Research Hospital
  Friends of Nebraska Parks
  HBAL/MOBA Coalition
  Ho-Chunk, Inc.
  Hy-Vee
  League of Nebraska Municipalities
  Lincoln Public Schools
  Media of Nebraska, Inc.
  Metropolitan Community College
  Motion Picture Association of America
  National Council on Compensation Insurance (NCCI)
  Nebraska Association of Health Underwriters (NAHU)
  Nebraska Broadcasters Association
  Nebraska Cable Communications Association
  Nebraska Cultural Endowment (formerly NE Arts Action Fund)
  Nebraska Expressways for Economic Development (NEED)
  Nebraska Health Care Association, Inc.
  Nebraska Liquor Wholesalers
  Nebraska Optometric Association
  Nebraska Organ Recovery System, Inc.
  Nebraska Pyrotechnics Association
  Nebraska Realtors Association
  Nebraska Society of Certified Public Accountants
Nebraska State Cemetery Association
Nebraska State Fair Board
Nebraska Telecommunications Association
Pinnacle Bank
Property Casualty Insurers Association of America
Tyson Foods, Inc.
University of Nebraska
Redoutey, Laura J.
Nebraska Hospital Association
Reigenborn, Alan
AARP Nebraska
Reiser, Richard S.
Nebraska Trucking Association
Rempe, Jay E.
Nebraska Farm Bureau Federation
Renner, Shawn D.
Media of Nebraska, Inc.
Rex, L. Lynn
League of Nebraska Municipalities
Richards, Thomas
Omaha Public Power District
Rickert, Sheri
Nebraska Catholic Conference
Rieker, Bruce R.
Nebraska Hospital Association
Riley, Christopher T.
Archer Daniels Midland Company
Riskowski, Al
Nebraska Family Alliance
Robak, Kim M.
Mueller Robak, LLC
Robino, Steven
Aetna
Rogert, Kent
Jensen Rogert Associates, Inc.
Root, David
Prime Therapeutics, LLC
Rubin, Barry R.
Heartland Strategy Group, LLC
Sahling-Zart, Shelley R.
Lincoln Electric System
Sankey, Harvey
Printing Industry Midwest (PIM)
Sanne, Richard D.
Nebraska Grain and Feed Association
Schaefer, Matthew T.
Mueller Robak, LLC
Scherer, Larry
Nebraska State Education Association
Schleppenbach, Greg
   Nebraska Catholic Conference
Schmit, Loran of Schmit Industries, Inc.
   Association of Nebraska Ethanol Producers
Schmit-Albin, Julie
   Nebraska Right to Life
Schrader, Cora
   Peetz & Company
Schubauer, Tyler
   Ameritas Life Insurance Corp.
Schuller, Lynne
   Nebraska Horsemens's Benevolent and Protective Association
   Nebraska Propane Gas Association
Sears, Jay
   Nebraska State Education Association
Sedlacek, Ronald J.
   Husch Blackwell LLP
   Nebraska Chamber of Commerce & Industry
Seelhoff, Janet
   Nebraska Association of Home and Community Health Agencies
   (NAHCHA)
   NUCA of Nebraska, Inc.
Siefken, Kathy
   Nebraska Grocery Industry Association
   SHAZAM
Sobotta, Russell
   Sanofi US
Spatz, John
   Nebraska Association of School Boards
Stilmock, Gerald M.
   Brandt, Horan, Hallstrom and Stilmock
Stitt, Carol
   League of Nebraska Municipalities
Sullivan, J. Scott
   Nebraska Credit Union League
Summers, Juliet
   Voices for Children in Nebraska
Tiedeman, Cynthia
   League of Women Voters of Nebraska
Todd, A. Loy, Jr.
   Nebraska New Car & Truck Dealers Association
Uhe, Fred J.
   Sarpy County Board of Commissioners
Ullstrom, Galen F.
   Mutual of Omaha
Valentin, Michaela
   Home Instead, Inc.
Van Deun, Bryan J.
   Nebraska Firearms Owners Association (NFOA)
Vlcek, Rodney  
Nebraska State AFL-CIO

Vodvarka, Dan
  Nebraska Society of Certified Public Accountants

Vokal, James D., Jr.
  Platte Institute for Economic Research

Ward, Kathryn
  AARP Nebraska

Ward, Tammy J.
  Tabitha

Warth, Terry
  Nebraska Public Power District

Weatherford, Holly
  Bristol-Myers Squibb Co.

Weber, Rocky
  Nebraska Cooperative Council

Werner, Terry
  Nebraska Chapter of the National Association of Social Workers

Wesely, Don
  O’Hara Lindsay & Associates, Inc.

Whitaker, George
  CNH Industrial America LLC

White, Rosemary
  AAA Nebraska and The Auto Club Group

Wickman-Byrd, Barbara J.
  Nebraska State Home Builders Association

Wightman, Anna Castner
  First National of Nebraska, Inc.

Williams, David M.
  Ameritas Life Insurance Corp.

Wimmer, J. Kent
  Western Sugar Cooperative (CO)

Wininger, Dwight R.
  Pinpoint Holdings, Inc.

Winston, Kenneth C.
  Nebraska Chapter of the Sierra Club
  Nebraska Library Association

Wolf, Ron
  Nebraska State Irrigation Association

Wright, Sheryl L.
  League of Women Voters of Nebraska

Wurster, Donald F.
  National Indemnity Company

Yost, Kurt T.
  Central Nebraska Public Power and Irrigation
  MM Finance, LLC
  Nebraska Financial Services Association
  Nebraska Independent Community Bankers

Young, Joseph
  Cox Communications
ANNOUNCEMENT(S)

The Agriculture Committee elected Senator Kolterman as Vice Chairperson.

The Banking, Commerce and Insurance Committee elected Senator Williams as Vice Chairperson.

BILLS ON FIRST READING

The following bills were read for the first time by title:


A BILL FOR AN ACT relating to corporations; to amend sections 21-245, 21-2,127, 21-2,128, 21-2,133, 21-2,134, 21-2,143, 21-2,145, 21-2,230, and 21-2,231, Revised Statutes Cumulative Supplement, 2014, and Laws 2014, LB 749, section 295; to change operative date provisions relating to the Nebraska Model Business Corporation Act; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 158. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Nebraska Workers’ Compensation Act; to amend section 48-1,110, Revised Statutes Cumulative Supplement, 2014; to deny compensation in situations of false representation; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 159. Introduced by Hadley, 37; Stinner, 48.

A BILL FOR AN ACT relating to the Public Accountancy Act; to amend sections 1-105 and 1-106, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide for peer review; and to repeal the original sections.

LEGISLATIVE BILL 160. Introduced by Larson, 40.

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.
LEGISLATIVE BILL 161. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to economic development; to amend section 84-612, Reissue Revised Statutes of Nebraska, and sections 8-1108.01, 8-1111, and 8-1118, Revised Statutes Cumulative Supplement, 2014; to adopt the Pairing Equity to Enterprises Act; to change provisions of the Securities Act of Nebraska; to transfer funds; and to repeal the original sections.

LEGISLATIVE BILL 162. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1859, Reissue Revised Statutes of Nebraska, and sections 19-5217, 77-1807, 77-1812, 77-1824, 77-1825, and 77-1831, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to sales of real property for nonpayment of taxes; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 163. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Emergency Management Act; to amend sections 81-829.36 and 81-829.41, Reissue Revised Statutes of Nebraska; to provide for an emergency management registry allowing for public-provided data; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 164. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to natural resources districts; to amend sections 13-503 and 13-504, Revised Statutes Cumulative Supplement, 2014; to provide for biennial budgeting; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 165. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to change income tax provisions relating to Social Security benefits; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 166. Introduced by Crawford, 45; Chambers, 11.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1446.01 and 49-1462, Reissue Revised Statutes of Nebraska, and sections 49-1446, 49-1459, 49-14,123, and 49-14,126, Revised Statutes Cumulative Supplement, 2014; to require certain committees to file statements from financial institutions as prescribed; to prohibit candidate committees from making loans of money; to change provisions relating to campaign statements; to change the amount
authorized for civil penalties; to authorize an order of restitution; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 167. Introduced by Mello, 5.

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 to the Legislature; to change goals for priority funding; and to repeal the original section.

LEGISLATIVE BILL 168. Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Business Improvement District Act; to amend sections 19-4015, 19-4016, 19-4017, 19-4017.01, 19-4020, 19-4021, 19-4025, 19-4026, 19-4027, 49-4028, 19-4029, 19-4030, 19-4033, 19-4037, and 19-4038, Reissue Revised Statutes of Nebraska; to authorize expansion of existing district boundaries; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 19-4024, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 169. Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Reissue Revised Statutes of Nebraska; to delete obsolete provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 170. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Sports Arena Facility Support Fund; to amend section 13-3108, Revised Statutes Cumulative Supplement, 2014; to change distribution provisions; and to repeal the original section.

LEGISLATIVE BILL 171. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 49-801.01, Revised Statutes Cumulative Supplement, 2014; to update references to the Internal Revenue Code; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 172. Introduced by Chambers, 11; Campbell, 25; Coash, 27; Davis, 43; Harr, B., 8; Howard, 9; Kolowski, 31; Krist, 10; Schilz, 47; Schumacher, 22; Seiler, 33; Smith, 14.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 83-1,105.01, Reissue Revised Statutes of Nebraska, and sections 28-105 and 29-2204, Revised Statutes Cumulative Supplement, 2014; to eliminate certain mandatory minimum penalties; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 173. Introduced by Chambers, 11; Campbell, 25; Coash, 27; Davis, 43; Howard, 9; Kolowski, 31; Krist, 10; Schilz, 47; Schumacher, 22; Seiler, 33; Smith, 14.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 29-2221, Reissue Revised Statutes of Nebraska; to change provisions relating to habitual criminals; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 174. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Wastewater Treatment Facilities Construction Assistance Act; to amend section 81-15,149, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 175. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to agriculture; to amend sections 54-2801, 54-2802, and 77-27,188, Reissue Revised Statutes of Nebraska, and section 77-27,187.02, Revised Statutes Cumulative Supplement, 2014; to adopt the Livestock Growth Act; to transfer funds; to change dollar limits for applications and credits under the Nebraska Advantage Rural Development Act; to change application procedures; and to repeal the original sections.

LEGISLATIVE BILL 176. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Competitive Livestock Markets Act; to amend sections 54-2602, 54-2604, and 54-2627.01, Reissue Revised Statutes of Nebraska; to define terms; to change provisions relating to prohibited acts; to change and eliminate provisions relating to legislative findings; to repeal the original sections; and to outright repeal section 54-2603, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 177. Introduced by Haar, K., 21.

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; and to repeal the original section.

LEGISLATIVE BILL 178. Introduced by Watermeier, 1; Brasch, 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201, 77-5023, and 79-1016, Reissue Revised Statutes of Nebraska; to change valuation of agricultural land and horticultural land; to harmonize school aid provisions; to provide an operative date; and to repeal the original sections.
LEGISLATIVE BILL 179. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the State Electrical Act; to amend sections 81-2104, 81-2113, 81-2117.01, and 81-2118, Reissue Revised Statutes of Nebraska; to require apprentices to complete continuing education; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 180. Introduced by Scheer, 19.

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.

LEGISLATIVE BILL 181. Introduced by Smith, 14.

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.

ANNOUNCEMENT(S)

The Chair announced the birthday of Senator Crawford.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 182. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to education; to state findings; to create the School Funding and Educational Outcomes Review Committee; and to provide powers and duties.

LEGISLATIVE BILL 183. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to the Grain Dealer Act; to amend sections 75-902, 75-903, 75-904, 75-905, and 75-908, Reissue Revised Statutes of Nebraska; to redefine a term, change licensure and receipt requirements, and change enforcement provisions; and to repeal the original sections.

LEGISLATIVE BILL 184. Introduced by Ebke, 32; Craighead, 6; Lindstrom, 18; Schnoor, 15.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2441, Reissue Revised Statutes of Nebraska; to change provisions relating to prohibited locations to carry a concealed handgun; and to repeal the original section.
LEGISLATIVE BILL 185. Introduced by Bolz, 29; Kolowski, 31.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to implement the Master Teacher Program Act.

LEGISLATIVE BILL 186. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to adopt the Property Tax Circuit Breaker Act; to provide income tax credits; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 187. Introduced by Kintner, 2; Bloomfield, 17; Brasch, 16; Craighead, 6; Ebke, 32; Friesen, 34; Garrett, 3; Groene, 42; Hilkemann, 4; Johnson, 23; Lindstrom, 18; Riepe, 12; Schnoor, 15; Smith, 14.

A BILL FOR AN ACT relating to health care facilities; to amend section 71-401, Revised Statutes Cumulative Supplement, 2014; to require the Department of Health and Human Services and health care facilities to provide information regarding abortion; to require the posting of signs regarding abortion; to provide penalties; to harmonize provisions; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 188. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to vehicular pursuit; to amend sections 13-911 and 81-8,215.01, Reissue Revised Statutes of Nebraska; to change provisions relating to innocent third parties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 189. Introduced by Davis, 43.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-439, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-401.01, 28-405, 28-416, and 28-1354, Revised Statutes Cumulative Supplement, 2014; to alphabetize definitions; to provide, change, and eliminate definitions; to change certain provisions and penalties relating to marijuana; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 190. Introduced by Bloomfield, 17; Bolz, 29; Brasch, 16; Coash, 27; Crawford, 45; Ebke, 32; Friesen, 34; Garrett, 3; Gloor, 35; Groene, 42; Harr, B., 8; Howard, 9; Hughes, 44; Johnson, 23; Kintner, 2; Kolterman, 24; Krist, 10; Larson, 40; Lindstrom, 18; McCollister, 20; McCoy, 39; Murante, 49; Schilz, 47; Schumacher, 22; Sullivan, 41.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2433, Revised Statutes Cumulative Supplement, 2014; to change application provisions regarding members of the United States Armed Forces to include spouses of such members; and to repeal the original section.

LEGISLATIVE BILL 191. Introduced by Bloomfield, 17; Brasch, 16; Garrett, 3; Kintner, 2; Krist, 10; Lindstrom, 18; McCoy, 39; Murante, 49; Schnoor, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.10, Revised Statutes Cumulative Supplement, 2014; to exempt food sold by veterans service organizations from sales and use tax as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 192. Introduced by Davis, 43; Groene, 42; Haar, K., 21; Howard, 9; Kolowski, 31; Kuehn, 38; Stinner, 48.

A BILL FOR AN ACT relating to railroads; to require a train crew of at least two individuals as prescribed; to provide fines; and to provide duties for the Public Service Commission.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 10CA. Introduced by Schumacher, 22.

THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2016, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 24:

III-24 (1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services, or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.
(3)(a) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for the following purposes, as directed by the Legislature:

(i) The first five hundred thousand dollars after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund;

(ii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;

(iii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education as the Legislature may direct;

(iv) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

(v) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund.

(b) No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of the Legislature.

(4) Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

(5) The Legislature may authorize and regulate any other game of chance, lottery, or gift enterprise.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:
A constitutional amendment to permit the Legislature to authorize and regulate any game of chance, lottery, or gift enterprise.

For
Against.

LEGISLATIVE RESOLUTION 11. Introduced by Larson, 40.

WHEREAS, Hartington-Newcastle High School won the 2014 Class C-1 One-Act Play State Championship with their performance of "Evil Dead: The Musical"; and
WHEREAS, Hartington-Newcastle High School won the 2014 Class C-1 One-Act Play State Championship with a perfect score of 180 points; and
WHEREAS, Tanner Fischer from Hartington-Newcastle High School was named the Class C-1 outstanding male performer; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Hartington-Newcastle High School for winning the 2014 Class C-1 One-Act Play State Championship.
2. That a copy of this resolution be sent to the Hartington-Newcastle High School one-act team.

Laid over.

LEGISLATIVE RESOLUTION 12. Introduced by Larson, 40.

WHEREAS, Wausa High School won the 2014 Class D-1 One-Act Play State Championship with their performance of "Nowhere to Hide"; and
WHEREAS, Wausa High School won the 2014 Class D-1 One-Act Play State Championship with a perfect score of 180 points; and
WHEREAS, Claire Vanness from Wausa High School was named the Class D-1 outstanding female performer; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Wausa High School for winning the 2014 Class D-1 One-Act Play State Championship.
2. That a copy of this resolution be sent to the Wausa High School one-act team.

Laid over.
LEGISLATIVE RESOLUTION 13. Introduced by Larson, 40.

WHEREAS, Kyle Young, a member of Troop 149 from Bloomfield, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Kyle has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Kyle documented the cemetery and built a directory at his church, Golgotha Lutheran in rural Wausa; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Kyle, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Kyle Young on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Kyle Young.

Laid over.


WHEREAS, Garrett Gleason, a member of Troop 245 from O'Neil, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Garrett has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Garrett constructed three large animal kennels for the local animal shelter. Garrett helped to build and
install the new kennels. Because of Garrett's project, the animal shelter is now able to house more large dogs and have a larger area outside for dogs to run and exercise; and
WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and
WHEREAS, Garrett, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Garrett Gleason on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Garrett Gleason.

Laid over.

LEGISLATIVE RESOLUTION 15. Introduced by Larson, 40.

WHEREAS, the St. Mary's High School girls volleyball team of O'Neill won the 2014 Class D-1 Girls State Volleyball Championship over Ansley-Litchfield; and
WHEREAS, the St. Mary's Lady Cardinals took home their second state championship for the school in Class D-1 girls volleyball; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the St. Mary's High School girls volleyball team on winning the 2014 Class D-1 Girls State Volleyball Championship.
2. That a copy of this resolution be sent to the St. Mary's Lady Cardinals volleyball team and coaches McKenzie Connot, Amber Ginter, and Kelsey Sibbel.

Laid over.

LEGISLATIVE RESOLUTION 16. Introduced by Brasch, 16.

WHEREAS, Tyler English, son of Jeff and Betty English, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star,
Life, and finally Eagle Scout. Throughout his scouting experience, Tyler has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Tyler built and installed benches on the Wilderness Park sledding hill in West Point, Nebraska; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Tyler, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes; and

WHEREAS, Tyler graduated from West Point-Beemer high school in May 2014 and is currently attending the University of Nebraska in Omaha.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Tyler English on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Tyler English.

Laid over.

LEGISLATIVE RESOLUTION 17. Introduced by Brasch, 16.

WHEREAS, Tyler Simpson, as a senior at Arlington High School, won gold medals in the Class C finals of the 200 meter dash and 400 meter dash at the 2014 Boys State Track and Field Championships; and

WHEREAS, Tyler won first place in the 200 meter dash with a time of 22.10 seconds and first place in the 400 meter dash with a time of 49.63 seconds; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Tyler Simpson on his outstanding performance at the 2014 Class C Boys State Track and Field Championships.
2. That a copy of this resolution be sent to Tyler Simpson.

Laid over.

LEGISLATIVE RESOLUTION 18. Introduced by Brasch, 16.

WHEREAS, the Guardian Angels Central Catholic girls softball team won the 2014 Class C State Softball Championship; and
WHEREAS, the Guardian Angels Central Catholic girls softball team defeated Ashland-Greenwood in the final two games of the championship series by scores of 10-6 and 4-2; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Guardian Angels Central Catholic girls softball team on winning the 2014 Class C State Softball Championship.
2. That a copy of this resolution be sent to the Guardian Angels Central Catholic girls softball team.

Laid over.

LEGISLATIVE RESOLUTION 19. Introduced by Brasch, 16.

WHEREAS, the Arlington High School boys track and field team placed first in the Class C 1600-meter relay finals at the 2014 Boys State Track and Field Championships; and
WHEREAS, team members Samuel Farber, Ethan Gubbels, Tyler Simpson, and Christopher Smith finished the race with a time of 3:30.13; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Arlington High School boys track and field team members for their outstanding accomplishments in the 2014 Boys State Track and Field Championships.
2. That a copy of this resolution be sent to the Arlington High School boys track and field team.

Laid over.

LEGISLATIVE RESOLUTION 20. Introduced by Brasch, 16.

WHEREAS, the Bancroft-Rosalie High School boys golf team placed third in the 2014 Class D Boys State Golf Championship; and
WHEREAS, the Bancroft-Rosalie golf team members were Auston Darnell, Preston Peters, Nicholas Sjuts, Seth Steinneyer, and Drew Zitek; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Bancroft-Rosalie High School boys golf team on placing third at the 2014 Class D Boys State Golf Championship.

2. That a copy of this resolution be sent to the Bancroft-Rosalie High School boys golf team.

Laid over.

LEGISLATIVE RESOLUTION 21. Introduced by McCoy, 39.

WHEREAS, an omphalocele is a birth defect that occurs early in pregnancy in which the abdominal wall does not close properly and some or most of the abdominal organs protrude into the umbilical cord; and

WHEREAS, it is estimated that a small omphalocele occurs in about 1 out of every 5,000 pregnancies and a large or giant omphalocele occurs in about 1 out of every 10,000 pregnancies; and

WHEREAS, an omphalocele may be isolated or may be associated with other defects or chromosomal abnormalities; and

WHEREAS, despite the challenges a baby born with an omphalocele may face, many babies who are born with an omphalocele survive and go on to live happy, healthy lives; and

WHEREAS, Mothers of Omphaloceles (MOO) is a group of over 1,400 parents from around the world that was created to provide hope and information to families with babies diagnosed with an omphalocele.

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

1. That the Legislature recognizes Mothers of Omphaloceles for their courageous efforts to advocate for their children and raise awareness that an omphalocele is a treatable condition.

2. That the Legislature recognizes International Omphalocele Awareness Day celebrated annually on January 31 as part of Birth Defects Prevention Month.

3. That a copy of this resolution be sent to Mothers of Omphaloceles.

Laid over.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Tuesday, January 20, 2015 1:30 p.m.

LB54
LB99
LB100
LB101
LB103

(Signed) Kate Sullivan, Chairperson
ANNOUNCEMENT(S)

The Urban Affairs Committee elected Senator McCollister as Vice Chairperson.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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UNANIMOUS CONSENT - Add Cointroducer(s)

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

Coash - LB156 and LB118
Kolterman - LB105

VISITOR

The Doctor of the Day was Dr. Dorothy Zink from Omaha.

ADJOURNMENT

At 11:09 a.m., on a motion by Speaker Hadley, the Legislature adjourned until 10:00 a.m., Tuesday, January 13, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
FIFTH DAY - JANUARY 13, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 13, 2015

PRAYER

The prayer was offered by Senator Bloomfield.

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 Morfeld, Pansing Brooks, and Stinner who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

ANNOUNCEMENT(S)

The Business and Labor Committee elected Senator Bloomfield as Vice Chairperson.

The General Affairs Committee elected Senator Coash as Vice Chairperson.

The Natural Resources Committee elected Senator Friesen as Vice Chairperson.

NOTICE OF COMMITTEE HEARING(S)

Agriculture

Room 2102

Tuesday, January 20, 2015 1:30 p.m.

LB91
LB92
LB93

(Signed) Jerry Johnson, Chairperson
Banking, Commerce and Insurance
Room 1507

Tuesday, January 20, 2015 1:30 p.m.

LB145
LB35
LB115
LB155

(Signed) Jim Scheer, Chairperson
Judiciary
Room 1113

Wednesday, January 21, 2015 1:30 p.m.

LB88
LB66
LB72
LB43
LB22

(Signed) Les Seiler, Chairperson
Nebraska Retirement Systems
Room 1524

Tuesday, January 20, 2015 12:00 p.m.

LB41
LB42
LB126

(Signed) Jeremy Nordquist, Chairperson
Health and Human Services
Room 1510

Wednesday, January 21, 2015 1:30 p.m.

LB27
LB37
LB87
Thursday, January 22, 2015 1:30 p.m.

Briefing on Nebraska Children’s Commission Annual Report
Briefing on the Foster Care Review Office Annual Report
Briefing on the Child and Maternal Death Review Team Annual Report

LB107

(Signed) Kathy Campbell, Chairperson

MESSAGE(S) FROM THE GOVERNOR

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the State Fire Marshal - Nebraska State Fire Marshal's Office:

Jim Heine, 21911 Woodland Hills Circle, Eagle, NE 68347

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Property Tax Administrator:

Ruth A. Sorensen, 11419 Links Drive, Lincoln, NE 68526
The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Aeronautics:

Ronnie Mitchell, 306 Martin Drive North, Bellevue, NE 68005

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Adjutant General for the State of Nebraska:

Major General Daryl L. Bohac, 10231 N. 143 Street, Lincoln, NE 68462

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are
January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Agriculture:

Greg Ibach, 44670 Road 767, Sumner, NE 68878

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Insurance:

Bruce Ramge, 9329 Krug Avenue, Omaha, NE 68124

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

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

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

Contingent upon your approval, the following individual is being appointed
as the Commissioner of the Department of Labor:

John Albin, 2200 Franklin Street, Lincoln, NE 68502

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed
as the Executive Director of the Nebraska Commission on Law Enforcement
and Criminal Justice:

Darrell E. Fisher, 510 W. Chanceler Drive, Lincoln, NE 68521

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure
Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Motor Vehicles:

Rhonda K. Lahm, 20216 North Shore Drive, Eagle, NE 68347

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the State Energy Office:

David Bracht, 16240 Burt Street, Omaha, NE 68118

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure
January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Banking and Finance:

Mark Quandhl, 16729 Leavenworth, Omaha, NE 68118

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Chief Medical Officer and Director of the Division of Public Health in the Department of Health and Human Services:

Dr. Joseph Acierno, 4134 South 175 Street, Omaha, NE 68135

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

Sincerely,

(Signed) Pete Ricketts
Governor

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Division of Veterans' Homes in the Department of Health and Human Services:

John Hilgert, 15672 Marcy Street, Omaha, NE 68118

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Veterans' Affairs:

John Hilgert, 15672 Marcy Street, Omaha, NE 68118

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure
MOTION - Print in Journal

Senator McCoy filed the following motion to LR10CA:
MO1
Indefinitely postpone.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 193. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to electronic payment transactions; to prohibit the collection of interchange fees on specified taxes and fees; and to provide penalties.

LEGISLATIVE BILL 194. Introduced by Seiler, 33.

A BILL FOR AN ACT relating to the Supreme Court; to create the Supreme Court Attorney Services Cash Fund; and to provide for the use of the fund.

LEGISLATIVE BILL 195. Introduced by Seiler, 33.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1010 and 25-1056, Reissue Revised Statutes of Nebraska; to change provisions relating to summons and orders of garnishment on financial institutions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 196. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend sections 71-5650, 71-5652, 71-5653, 71-5662, and 71-5663, Reissue Revised Statutes of Nebraska, and sections 71-5661, 71-5666, 71-5667, and 71-5668, Revised Statutes Cumulative Supplement, 2014; to provide for a medical resident incentive program; to change provisions relating to student loans and loan repayment; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 197. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-727, Reissue Revised Statutes of Nebraska; to provide additional powers for certain districts subject to municipal approval; and to repeal the original section.

LEGISLATIVE BILL 198. Introduced by Williams, 36.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3904, 44-3909, 44-4049, 44-4054, and 44-4055, Reissue Revised Statutes of
Nebraska; to change prelicensing and continuing education requirements; to authorize licenses for limited line pre-need funeral insurance; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 199.** Introduced by Howard, 9; Campbell, 25; Cook, 13; Crawford, 45.

A BILL FOR AN ACT relating to child welfare services; to provide for stipends for social work students as prescribed; and to provide duties for the Department of Health and Human Services and governing boards of Nebraska public colleges and universities.

**LEGISLATIVE BILL 200.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Revised Statutes Cumulative Supplement, 2014; to provide duties for the Department of Revenue; to change the distribution of sales and use tax revenue; and to repeal the original section.

**LEGISLATIVE BILL 201.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 57-1201, 57-1202, 57-1203, 57-1204, 57-1205, 57-1207, 57-1208, 57-1209, 57-1214, and 81-1607.01, Reissue Revised Statutes of Nebraska; to change provisions relating to uranium severance taxes; to change the distribution of uranium severance tax revenue; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 202.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to elections; to amend section 32-912, Reissue Revised Statutes of Nebraska, and section 32-312, Revised Statutes Cumulative Supplement, 2014; to provide for partisan ballots at primary elections for unaffiliated voters; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 203.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-706, Reissue Revised Statutes of Nebraska; to change provisions relating to a game refuge as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 204.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-101, Revised Statutes Cumulative Supplement, 2014; to provide a tax credit for certain beer manufacturers as prescribed; to harmonize provisions; and to repeal the original section.
LEGISLATIVE BILL 205. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to towers; to regulate certain towers as prescribed.

LEGISLATIVE BILL 206. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Erosion and Sediment Control Act; to amend sections 2-4603, 2-4604, 2-4605, 2-4608, 2-4610, 2-4612, and 2-4613, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to the state erosion and sediment control program; to provide for an order to cease and desist as prescribed; to eliminate certain exemptions as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 207. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Chemigation Act; to amend sections 46-1139, 46-1140, 46-1141, 46-1142, and 46-1143, Reissue Revised Statutes of Nebraska; to change provisions relating to civil penalties; to provide for recovery of costs in certain actions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 208. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to water storage reservoirs; to amend sections 46-242 and 46-2,119, Reissue Revised Statutes of Nebraska, and section 46-241, Revised Statutes Cumulative Supplement, 2014; to provide a permit application exemption; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 209. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to dispute resolution; to adopt the Political Subdivisions Mandatory Mediation Act.

LEGISLATIVE BILL 210. Introduced by Ebke, 32; Craighead, 6.

A BILL FOR AN ACT relating to housing agencies; to amend sections 71-1575, 71-1590, and 71-15,124, Reissue Revised Statutes of Nebraska; to change provisions relating to taxation of mixed-use developments; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 211. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-214, Reissue Revised Statutes of Nebraska; to change provisions relating to preadmission physical and visual examinations; and to repeal the original section.
LEGISLATIVE BILL 212. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-2,129, Revised Statutes Cumulative Supplement, 2014; to prohibit the use of restraints in juvenile court; and to repeal the original section.

LEGISLATIVE BILL 213. Introduced by Schumacher, 22; Seiler, 33.

A BILL FOR AN ACT relating to insurance; to provide for the withholding of insurance proceeds for the demolition of real property as prescribed.

LEGISLATIVE BILL 214. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to elections; to amend section 32-1403, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2014; to provide for electronic signatures on initiative and referendum petitions; to provide powers and duties; to provide fees; to create a fund; to provide penalties; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 215. Introduced by Craighead, 6; Ebke, 32; Groene, 42; Lindstrom, 18.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-511.01 and 28-518, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to theft; and to repeal the original sections.

LEGISLATIVE BILL 216. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2712.03, Revised Statutes Cumulative Supplement, 2014; to correct provisions relating to the streamlined sales and use tax agreement; and to repeal the original section.

LEGISLATIVE BILL 217. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-918, Revised Statutes Cumulative Supplement, 2014; to recodify provisions; and to repeal the original section.

LEGISLATIVE BILL 218. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to correct references to a federal act; and to repeal the original section.
LEGISLATIVE BILL 219. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to child custody and visitation; to amend sections 43-2922 and 43-2929, Revised Statutes Cumulative Supplement, 2014; to adopt the Uniform Deployed Parents Custody and Visitation Act; to change and eliminate provisions relating to military parents; to provide an operative date; to repeal the original sections; and to outright repeal section 43-2929.01, Revised Statutes Cumulative Supplement, 2014.

LEGISLATIVE BILL 220. Introduced by Smith, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 81-8,310 and 82-108.02, Reissue Revised Statutes of Nebraska, and sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2014; to provide for Nebraska 150 Sesquicentennial Plates; to create a fund; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 221. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to landlord and tenants; to amend sections 69-2303, 76-1414, 76-1441, and 76-1446, Reissue Revised Statutes of Nebraska; to provide for disposition of personal property upon the death of a tenant; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 222. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to veterans memorials; to amend section 80-201, Reissue Revised Statutes of Nebraska; to change a provision relating to the erection of statues, monuments, and memorials; to create a commission; to authorize grants; and to repeal the original section.

LEGISLATIVE BILL 223. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Insured Homeowners Protection Act; to amend sections 44-8601, 44-8602, 44-8603, and 44-8604, Revised Statutes Cumulative Supplement, 2014; to define a term; to change provisions relating to contractor duties and prohibited acts; to provide for notice of contract obligations and rights as prescribed; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 224. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to electioneering; to amend section 32-1524, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2014; to require the marking of areas near polling places for purposes of electioneering restrictions as prescribed; to change restrictions on electioneering; to prohibit removal of or refusal to display electioneering materials as prescribed; to harmonize provisions; and to
repeal the original sections.

LEGISLATIVE BILL 225. Introduced by Schnoor, 15; Bloomfield, 17; Ebke, 32; Garrett, 3; Groene, 42; Lindstrom, 18.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1204.04, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to unlawful possession of a firearm at a school; and to repeal the original section.

LEGISLATIVE BILL 226. Introduced by Coash, 27; Larson, 40.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend section 8-1111, Revised Statutes Cumulative Supplement, 2014; to authorize crowdfunding as prescribed and to exempt crowdfunding from registration; and to repeal the original section.

LEGISLATIVE BILL 227. Introduced by Hansen, 26; Bolz, 29; Mello, 5; Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend sections 79-1191, 79-1194, and 79-1196, Reissue Revised Statutes of Nebraska; to change provisions relating to appropriations for bridge programs; to require reports; to change a termination date; and to repeal the original sections.

LEGISLATIVE BILL 228. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2734.02, Revised Statutes Cumulative Supplement, 2014; to change corporate income tax rates; and to repeal the original section.

LEGISLATIVE BILL 229. Introduced by Watermeier, 1; Nordquist, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Supreme Court for court appointed special advocate state aid.

LEGISLATIVE BILL 230. Introduced by Mello, 5.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-2170.01 and 25-2190, Reissue Revised Statutes of Nebraska; to change provisions relating to the parties that may compel partition and the payment of encumbrances in partition actions; and to repeal the original sections.

LEGISLATIVE BILL 231. Introduced by Smith, 14; Watermeier, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-7703, 60-124, 60-340, 60-376, 60-3,118, 60-3,153, 60-4,123, 60-4,123.01, 60-639, 60-6,219, 60-6,226, 60-6,265, 60-6,266, 60-6,270, 60-6,272, 60-6,273, 60-1401.02, and 60-1401.28, Reissue Revised Statutes
of Nebraska, and sections 60-101, 60-102, 60-301, 60-302, 60-3,100, 60-3,104, 60-3,113, 60-3,135.01, 60-3,187, 60-3,190, 60-462, 60-463, 60-4,114, 60-4,124, 60-4,182, 60-601, 60-605, 60-6,267, 60-1401, 60-2121, and 71-1907, Revised Statutes Cumulative Supplement, 2014; to define and redefine terms; to provide for certificates of title, registration, and operating and dealership regulations for autocycles; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 232.** Introduced by Nordquist, 7; Bolz, 29; Crawford, 45; Gloor, 35; Howard, 9; Kolowski, 31; Kolterman, 24; Larson, 40.

A BILL FOR AN ACT relating to universities and colleges; to amend section 85-1412, Reissue Revised Statutes of Nebraska; to adopt the College Choice Grant Program Act; to provide duties for the Coordinating Commission for Postsecondary Education; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 233.** Introduced by Howard, 9; Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

**LEGISLATIVE BILL 234.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to insurance; to amend section 44-322, Reissue Revised Statutes of Nebraska; to change provisions relating to filing requirements of insurance companies; and to repeal the original section.

**LEGISLATIVE BILL 235.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Consumer Protection in Eye Care Act.

**NOTICE OF COMMITTEE HEARING(S)**

**Education**

Room 1525

Tuesday, January 20, 2015 1:30 p.m.

LB54 (cancel)

Tuesday, January 20, 2015 1:30 p.m.

LB18

(Signed) Kate Sullivan, Chairperson
FIFTH DAY - JANUARY 13, 2015

Urban Affairs

Room 1510

Tuesday, January 20, 2015 1:30 p.m.

LB150
LB151
LB152

(Signed)  Sue Crawford, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, January 20, 2015 1:30 p.m.

LB39
LB95
LB97

(Signed)  Jim Smith, Chairperson

ANNOUNCEMENT(S)

The Health and Human Services Committee elected Senator Howard as Vice Chairperson.

The Government, Military and Veterans Affairs Committee elected Senator Garrett as Vice Chairperson.

CONFLICT OF INTEREST STATEMENT(S)

Pursuant to Rule 1, Sec. 19, Senator Williams 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.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 22. Introduced by Gloor, 35.

PURPOSE: Patient-centered medical home is a health care delivery process that is transforming today's medical care to a coordinated, patient-centered method of delivering health care. This care is provided in primary and certain specialty care clinics and is coordinated with other medical, dental, and behavioral health services, public health entities, and other community-based support services. The aim of patient-centered medical home is to
improve patient experience and individual health outcomes while improving population health and containing health care costs.

This systemwide transformation necessitates the cooperation and collaboration of health care providers, insurers, and administrators, federal and state governmental entities, along with self-insured businesses as purchasers of health care and health insurance, among others.

It is the purpose of this interim study for the Health and Human Services Committee of the Legislature and the Banking, Commerce and Insurance Committee of the Legislature to monitor this medical care transformation in Nebraska and the progress of the participation agreement to recognize and reform payment structures to support patient-centered medical home and to provide a legislative forum for discussion and collaboration among the many stakeholders of this health care industry and health insurance transformation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Health and Human Services Committee and Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committees shall upon the conclusion of the study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

VISITORS

Visitors to the Chamber were Michael McCabe from the Council of State Governments; and 43 fourth-grade students from Eagle.

The Doctor of the Day was Dr. Hoelting from Pender.

ADJOURNMENT

At 11:09 a.m., on a motion by Senator Krist, the Legislature adjourned until 10:00 a.m., Wednesday, January 14, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
SIXTH DAY - JANUARY 14, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 14, 2015

PRAYER

The prayer was offered by Pastor Brian High, First Baptist Church, Tekamah.

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 Craighead and Howard who were excused; and Senators Krist and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524

Wednesday, January 21, 2015 1:30 p.m.

COMMUNICATION(S)

Pursuant to 84-104.05 R.R.S. of Nebraska Governor Pete Ricketts issued a proclamation declaring January 5, 2015, as George W. Norris Day.
The following bills were read for the first time by title:

**LEGISLATIVE BILL 236.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to retirement; to amend sections 16-1019, 16-1038, 23-2322, 25-1563.01, 71-1631, 79-948, 79-9,104, 81-2032, 84-1324, 84-1505, 85-106, and 85-320, Reissue Revised Statutes of Nebraska, and sections 2-3228, 14-567, 14-2111, 19-3501, 24-710.02, and 48-1401, Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions relating to collection of judgments; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 237.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for correctional facilities.

**LEGISLATIVE BILL 238.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2107, 18-2116, and 18-2117.01, Reissue Revised Statutes of Nebraska, and sections 18-2103 and 18-2147, Revised Statutes Cumulative Supplement, 2014; to define a term; to change provisions relating to tax-increment financing; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 239.** Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to education; to amend sections 79-308, 79-309.01, 79-761, 79-1028.01, and 79-1035, Reissue Revised Statutes of Nebraska; to provide for a Coordinator for Educator Effectiveness and educator evaluation models as prescribed; to provide for grants and funding; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 240.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to behavioral health; to amend sections 71-8511 and 71-8512, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Behavioral Health Screening and Referral Pilot Program; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 241.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to cemeteries; to amend sections 15-241, 16-243, 17-941, and 17-945, Reissue Revised Statutes of Nebraska; to change provisions relating to conveyances of cemetery lots; and to repeal the original sections.
LEGISLATIVE BILL 242. Introduced by Stinner, 48; Hughes, 44.

A BILL FOR AN ACT relating to the Dry Bean Resources Act; to amend sections 2-3755, 2-3762, and 2-3763, Reissue Revised Statutes of Nebraska; to change provisions relating to fees; to change annual report requirements; to change a provision relating to collection and credit of funds; to eliminate a refund; to repeal the original sections; to outright repeal section 2-3760, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 243. Introduced by Bolz, 29; Campbell, 25; Howard, 9; Krist, 10.

A BILL FOR AN ACT relating to children; to state intent; to define terms; to create a pilot project relating to family finding services; to provide duties for the Department of Health and Human Services; to state intent relating to appropriations; and to provide for rules and regulations.

LEGISLATIVE BILL 244. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2103, Reissue Revised Statutes of Nebraska; to change provisions relating to motions for new trial based upon discovery of new evidence; and to repeal the original section.

LEGISLATIVE BILL 245. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the DNA Testing Act; to amend section 29-4120, Reissue Revised Statutes of Nebraska; to change provisions relating to DNA testing of biological material; and to repeal the original section.

LEGISLATIVE BILL 246. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Nebraska Advantage Microenterprise Tax Credit Act; to amend section 77-5903, Reissue Revised Statutes of Nebraska; to redefine microbusiness; and to repeal the original section.

LEGISLATIVE BILL 247. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Uniform Partnership Act of 1998; to amend section 67-405, Reissue Revised Statutes of Nebraska; to change an interest rate specification reference; and to repeal the original section.

LEGISLATIVE BILL 248. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to schools; to amend section 79-609, Reissue Revised Statutes of Nebraska; to prohibit use of interactive wireless communication devices by school bus drivers as prescribed; and to repeal
the original section.

LEGISLATIVE BILL 249. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2014; to exempt horses from sales and use taxes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 250. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend section 9-607, Reissue Revised Statutes of Nebraska; to change restrictions on keno; and to repeal the original section.

LEGISLATIVE BILL 251. Introduced by Nordquist, 7; Crawford, 45; Garrett, 3; Morfeld, 46; Schnoor, 15.

A BILL FOR AN ACT relating to labor; to adopt the Veterans Subsidized Training and Employment Act.

LEGISLATIVE BILL 252. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend section 8-1106, Reissue Revised Statutes of Nebraska, and section 8-1108.02, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to registration by coordination and federal covered securities; and to repeal the original sections.

LEGISLATIVE BILL 253. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to homesteads; to amend section 40-104, Reissue Revised Statutes of Nebraska; to provide when acknowledgment is not required; and to repeal the original section.

LEGISLATIVE BILL 254. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to unsworn declarations; to amend section 28-915, Reissue Revised Statutes of Nebraska, and section 28-915.01, Revised Statutes Cumulative Supplement, 2014; to adopt the Uniform Unsworn Foreign Declarations Act; to change provisions relating to perjury; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 255. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2014; to provide income tax credits for apprenticeships as prescribed; to harmonize provisions; and to repeal the
original sections.

**LEGISLATIVE BILL 256.** Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska, and sections 77-27,132 and 77-4212, Revised Statutes Cumulative Supplement, 2014; to change the sales tax rate; to change the distribution of sales and use tax revenue; to provide funding for property tax relief; and to repeal the original sections.

**LEGISLATIVE BILL 257.** Introduced by Nordquist, 7; Campbell, 25; Gloor, 35.

A BILL FOR AN ACT relating to insurance; to require insurers to provide descriptions relating to telehealth and telemonitoring as prescribed.

**LEGISLATIVE BILL 258.** Introduced by Nordquist, 7; Campbell, 25; Gloor, 35.

A BILL FOR AN ACT relating to health care; to amend sections 38-2028 and 38-2034, Reissue Revised Statutes of Nebraska; to adopt the Interstate Medical Licensure Compact; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 259.** Introduced by Gloor, 35.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-518, Reissue Revised Statutes of Nebraska, and sections 77-202 and 77-5007, Revised Statutes Cumulative Supplement, 2014; to adopt the Personal Property Tax Relief Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 260.** Introduced by Gloor, 35.

A BILL FOR AN ACT relating to revenue and taxation; to authorize the Property Tax Administrator to correct errors as prescribed; and to declare an emergency.

**LEGISLATIVE BILL 261.** Introduced by Gloor, 35.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-519, 13-520, 77-115, 77-376, and 77-1248, Reissue Revised Statutes of Nebraska, and sections 23-2306, 69-2708, 70-1903, 77-1342, 77-2604, 77-2604.01, 77-27,235, 77-2904, and 77-3442, Revised Statutes Cumulative Supplement, 2014; to eliminate obsolete provisions relating to transferring the assessment function to counties; to change provisions relating to the sharing of tax information; to redefine qualified owner under the Rural Community-Based Energy Development Act; to change provisions relating to the valuation of flight equipment of air carriers; to disallow interest on
LEGISLATIVE BILL 262. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to the Dairy Industry Development Act; to amend sections 2-3949, 2-3957, and 2-3959, Reissue Revised Statutes of Nebraska; to define a term; to eliminate provisions relating to refunds; to change powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 263. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Nebraska State Historical Society.

LEGISLATIVE BILL 264. Introduced by Morfeld, 46; Crawford, 45; Garrett, 3; Kolowski, 31; Nordquist, 7.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-126, Reissue Revised Statutes of Nebraska, and section 38-101, Revised Statutes Cumulative Supplement, 2014; to provide for issuance of credentials based on military education, training, or service; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 265. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to juveniles; to amend section 29-1926, Reissue Revised Statutes of Nebraska, and sections 43-272.01, 43-285, 43-297.01, 43-2,108, 43-1301, 43-1302, 43-1303, 43-1304, 43-1308, 43-1309, 43-1313, 43-1318, 43-3001, and 43-4318, Revised Statutes Cumulative Supplement, 2014; to change powers and duties for guardians ad litem, the Office of Probation Administration, the Foster Care Review Office, and the office of Inspector General of Nebraska Child Welfare; to define terms; to provide for confidentiality of certain information; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 266. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to municipalities; to amend sections 14-102, 14-103, 15-211, 15-268, 16-207, 16-240, 17-123, 17-123.01, 17-207, and 17-555, Reissue Revised Statutes of Nebraska, and sections 16-230 and 17-563, Revised Statutes Cumulative Supplement, 2014; to change provisions regarding jurisdiction for municipalities to enforce ordinances; to change nuisance ordinance provisions as prescribed; and to repeal the original sections.
LEGISLATIVE BILL 267. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to change the income tax exemption for military retirement income as prescribed; and to repeal the original section.

LEGISLATIVE BILL 268. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 23-3406, 24-1106, 25-1140.09, 28-104, 28-303, 29-1602, 29-1822, 29-2004, 29-2005, 29-2006, 29-2020, 29-2027, 29-2282, 29-2407, 29-2519, 29-2521, 29-2523, 29-2801, 29-3205, 29-3920, 29-3928, 29-3929, 29-3930, 55-480, 83-1,110.02, and 83-4,143, Reissue Revised Statutes of Nebraska, and sections 28-105, 29-1603, 29-2204, 29-2522, and 29-3922, Revised Statutes Cumulative Supplement, 2014; to state findings and intent; to change provisions relating to murder in the first degree; to change a penalty from death to life imprisonment without possibility of parole; to eliminate a homicide-case report, provisions on capital punishment, proportionality review provisions, and obsolete provisions; to provide for retroactive applicability of a penalty change; to change provisions relating to restitution; to harmonize provisions; to repeal the original sections; and to outright repeal sections 24-1105, 29-2521.01, 29-2521.03, 29-2521.04, 29-2524.01, 29-2524.02, 29-2525, 29-2527, 29-2528, 29-2811, 83-1,105.01, 83-1,132, 83-964, 83-965, 83-966, 83-967, 83-968, 83-969, 83-970, 83-971, and 83-972, Reissue Revised Statutes of Nebraska, and sections 28-105.01, 29-2521.02, 29-2524, 29-2537, 29-2539, 29-2540, 29-2541, 29-2542, 29-2543, and 29-2546, Revised Statutes Cumulative Supplement, 2014.

LEGISLATIVE BILL 269. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Abstracters Act; to amend section 76-550, Revised Statutes Cumulative Supplement, 2014; to eliminate a requirement to prepare and distribute a roster of all registered abstracters; and to repeal the original section.

LEGISLATIVE BILL 270. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to labor; to amend sections 48-1706, 48-2107, and 48-2710, Reissue Revised Statutes of Nebraska; to create and eliminate funds; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 48-1707 and 48-2115, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 271. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to labor; to amend sections 48-602, 48-603, 48-603.01, 48-605, 48-625, 48-648, 48-648.01, 48-654, 48-660.01, and
48-669, Reissue Revised Statutes of Nebraska, and section 48-663.01, Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions of the Employment Security Law; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 272.** Introduced by Crawford, 45; Garrett, 3; Morfeld, 46; Nordquist, 7.

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

**LEGISLATIVE BILL 273.** Introduced by Sullivan, 41; Hughes, 44.

A BILL FOR AN ACT relating to elections; to amend sections 32-517, 32-518, 32-520, 32-521, 32-522, 32-523, 32-526, 32-528, and 32-529, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-519, 32-524, and 32-525, Revised Statutes Cumulative Supplement, 2014; to authorize voters to vote regarding partisan or nonpartisan ballots for nomination and election of county officers in certain counties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 274.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Department of Education for mentor teacher programs in local systems.

**LEGISLATIVE BILL 275.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,197.06, Reissue Revised Statutes of Nebraska; to change penalties for operating a motor vehicle during a revocation period; and to repeal the original section.

**LEGISLATIVE BILL 276.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-106 and 48-116, Reissue Revised Statutes of Nebraska, and section 48-1,110, Revised Statutes Cumulative Supplement, 2014; to provide for certified independent contractors and exempt such persons from the act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 277.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1838 and 77-1842, Reissue Revised Statutes of Nebraska; to change a provision relating to tax deed lien priority; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 278. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.14, Reissue Revised Statutes of Nebraska, and section 77-2701.16, Revised Statutes Cumulative Supplement, 2014; to exempt motor vehicle washing and waxing services from sales and use tax; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 279. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to business entities; to amend sections 21-152, 21-1905, 21-19,139, 21-19,159, 21-2005, 21-20,160, 21-20,180.01, and 21-2995, Reissue Revised Statutes of Nebraska, and sections 21-192, 21-205, 21-2,195, 21-2,219, 21-323.01, 21-325.01, and 21-414, Revised Statutes Cumulative Supplement, 2014; to change provisions and fees relating to reinstatement; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 21-2005, 21-20,160, and 21-20,180.01, Reissue Revised Statutes of Nebraska, as amended by this legislative bill; and to declare an emergency.

LEGISLATIVE BILL 280. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 79-1001, 79-1003, 79-1007.11, 79-1007.18, 79-1008.02, 79-1015.01, 79-1016, 79-1017.01, and 79-1023, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2014; to authorize a school-funding surtax; to reduce the levy authority for school districts and learning communities; to change the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507

Wednesday, January 21, 2015 1:30 p.m.

LB84
LB65
LB135
LB177

(Signed) John Murante, Chairperson
LEGISLATIVE RESOLUTION 23. Introduced by Riepe, 12.

WHEREAS, veterans have earned and deserve high-quality, safe, consistent, and accessible health care services; and
WHEREAS, veterans in Nebraska often travel long distances to receive health care at a United States Department of Veterans Affairs facility, especially hospital care; and
WHEREAS, veterans deserve access to health care services closer to where they reside, including access to personal physicians, local hospitals, and other health care facilities and services; and
WHEREAS, the retention and recruitment of physicians and other health care professionals will promote stronger community-based health care services to veterans and the surrounding communities, and reduce needless duplication of health care services; and
WHEREAS, continuity of care and promotion of the medical home will be improved with veterans having access to local physicians and local hospitals; and
WHEREAS, the economies of local communities will benefit from veterans accessing all components of the community's health care resources; and
WHEREAS, money and time will be saved by allowing veterans to access local community health care services for their health care needs; and
WHEREAS, expanding health care options for veterans will increase access for veterans, especially in rural areas.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature urges the United States Department of Veterans Affairs to provide veterans with direct access to health care services in each local community in Nebraska.
2. That a copy of this resolution be sent to the Secretary and Under Secretary of Health of the United States Department of Veterans Affairs and to each member of Nebraska's delegation to the United States Congress.

Laid over.
LEGISLATIVE JOURNAL

LEGISLATIVE RESOLUTION 24. Introduced by Murante, 49.

WHEREAS, Gretna High School won the 2014 Class A One-Act Play State Championship with their performance of "Young Frankenstein"; and
WHEREAS, this is Gretna High School's sixth Class A one-act play state championship since 2008; and
WHEREAS, Gretna High School's performance is a wonderful example of successful collaboration between directors, actors, and crew; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Gretna High School for winning the 2014 Class A One-Act Play State Championship.
2. That a copy of this resolution be sent to the Gretna High School one-act team.

Laid over.

LEGISLATIVE RESOLUTION 25. Introduced by Coash, 27.

WHEREAS, Kadynce Mullins is the 2014 National American Miss Nebraska Princess; and
WHEREAS, Kadynce is the daughter of Kevin and Brenna Mullins and a second grader at Northside Elementary School in Nebraska City; and
WHEREAS, because Kadynce has been hospitalized for seizure episodes, she chose the Children's Miracle Network (CMN) for her summer project and started a nonprofit called "Lollipop Limo" which raises funds for CMN; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Kadynce Mullins for being crowned the 2014 National American Miss Nebraska Princess.
2. That a copy of this resolution be sent to Kadynce Mullins.

Laid over.

PROPOSED RULES CHANGES

The Rules Committee offered the following proposed rules changes:

Rule 5, Sec. 5. Scheduling of Bills, Priority Bills.
(d) The State-Tribal Relations Committee may designate one bill consistent with the committee's jurisdiction as a priority bill but the principal
introducer must concur with the designation as a priority bill, and with the withdrawal of the designation once made.

(d)(e) The Speaker may designate up to 25 additional priority bills.

(e)(f) Priority bill designations may be made at any time prior to the annual designation deadline which shall be set each year by the Speaker. The designation deadline shall be prior to the 45th legislative day in the ninety-day session and prior to the 30th legislative day in the sixty-day session.

(g)(f) A senator or committee may withdraw a priority designation at any time, but will not be allowed to designate another bill as a priority bill in its place. The Speaker may withdraw a priority designation made by the Speaker.

(h)(g) All committees shall schedule priority bills for public hearing ahead of all unscheduled, nonpriority bills unless the person or committee making the priority designation shall otherwise agree.

(i)(h) All bills not designated as priority bills shall be heard on General File in the order in which they are reported to the floor by the committees, unless the introducer of the bill and the Speaker agree to delay the hearing of a particular bill. This provision shall not be construed to prevent the Speaker from placing bills reported out of committee with no dissenting votes on a consent calendar.

(j)(i) Priority bills shall generally be considered ahead of all other bills at each stage of debate, except as provided for in Rule 1, Section 17. Priority bills requiring the expenditure of appropriated funds shall be held on Final Reading until such time as the annual appropriations bills have been passed. A priority bill which fails to advance after two votes on General File, or after one vote on Select File, shall return to nonpriority status.

(k)(j) No priority bill designated under this rule shall have priority over appropriations bills.

Rule 7, Sec. 3. Motion, in Writing, Withdrawal.

(e) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. Once a division is ordered by the presiding officer, each component shall be treated as a separate and distinct proposition. For purposes of germaneness, even if a question is germane prior to a request for division, each and every other component or proposition of the divided question will be subject to germaneness rulings. Once a vote or change has occurred on any of the divisible questions, the remaining divided sections may not be withdrawn without a majority of those voting or without
unanimous consent. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert. Such call for division shall not be allowed when considering motions under Rule 6, Section 6. Such a call for division shall not be allowed for the mainline budget bill, the deficit bill, the capital construction bill, the constitutional officers salary bill, and the funds transfer bill.

The Rules Committee indefinitely postponed the following proposed rules changes:

**Rule 1, Sec. 1. Officers to be Elected.**

(a) At the commencement of each regular session in odd-numbered years the Legislature shall nominate from the floor and elect by secret ballot roll call vote with each member indicating the candidate he/she is supporting the following officers:

Speaker  
Chairperson of Committee on Committees  
Chairperson of Executive Board  
Vice Chairperson of Executive Board  
6 Members of Executive Board (See footnote)

If the election is not contested, the presiding officer may accept a motion to declare the nominations closed, and declare the nominee elected by acclamation.

Before the ballot vote is taken each person so nominated may make a public statement to the Legislature indicating what the Legislature may expect from him or her in the area of the responsibility of such office. The officers so elected shall hold such office for a period of two years.

At the end of the roll call vote but prior to the presiding officer declaring a winner, the clerk shall verify how each member voted and the result shall be entered into the legislative journal.

The Legislature elects two from Legislative Districts 2, 3, 15, 16, 19, 21 through 29, 45, and 46; two from Legislative Districts 4 through 14, 18, 20, 31, 39, and 49; and two from Legislative Districts 1, 17, 30, 32 through 38, 40 through 44, 47, and 48. Speaker is member of Board; Chairperson of Appropriations is nonvoting member. RRS 50-401.01.

(b) In the event a vacancy occurs on the Executive Board, the following shall apply:

(i) The Vice Chairperson shall serve as acting Chairperson upon the resignation or death of the Chairperson until the commencing of the next regular session of the Legislature, at which time the Legislature shall
nominate from the floor and elect by secret ballot a Chairperson of the Executive Board for the balance of the original term.

(ii) Upon the resignation or death of the Speaker, during the interim, said position shall remain vacant until the next regular session or special session the Legislature convenes, at which time a Speaker shall be nominated from the floor and elected by secret ballot for the balance of the original term.

Upon the resignation or death of the Speaker during the session, a Speaker shall immediately be nominated from the floor and elected by secret ballot for the balance of the term.

(iii) In the event there is a vacancy of the Vice Chairperson of the Executive Board during the interim, said vacancy shall be filled pursuant to Rule 3, Section 8(c) until the commencing of the next regular session of the Legislature at which time the Legislature shall nominate from the floor and elect by secret ballot a Vice Chairperson of the Executive Board for the balance of the original term.

(iv) During session, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Legislature. The individual so selected shall serve for the balance of the original term.

During the interim, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Executive Board. The individual so selected shall serve for the balance of the original term.

Rule 3, Sec. 8. Chairperson, Vice Chairperson.

(a) The chairperson of each standing and select committee shall be selected by secret ballot roll call vote with each member indicating the candidate he/she is supporting.

(b) At the end of the roll call vote but prior to the presiding officer declaring a winner, the clerk shall verify how each member voted and the result shall be entered into the legislative journal.

If the election is not contested, the presiding officer may accept a motion to declare the nominations closed, and declare the nominee elected by acclamation.

(b)(c) The chairperson of a special committee shall be selected in the manner provided by the act authorizing the committee, or if not specified, by the Executive Board.

(c)(d) Each committee shall elect from its membership a vice chairperson to serve in the absence of the chairperson.

(d)(e) The chairperson may, at his or her discretion, assume the title of chairman, chairwoman, or chair for legislative purposes.
The Rules Committee held the following proposed rules changes:

**Rule 3, Sec. 11. Conduct During Committee Hearings.**

(a) The use of any mobile, portable, or wireless communication device, other than those authorized by the Legislative Council is prohibited in legislative hearing rooms during a meeting of a legislative committee, unless allowed by the committee chairperson.

(b) **Electronic Submission of Documents**

(i) Copies of any additional testimony and/or exhibits being presented may be done electronically to the committee clerk for access by members choosing to use electronic data, as allowed by the committee chairperson.

(ii) These document submissions may occur via electronic mail, disk, or portable drive and shall be placed in an electronic file by the committee clerk.

**Rule 7, Sec. 5. Call of the House.**

(a) A call of the house may be made by any member in the manner following: "I move for a call of the house." The presiding officer shall direct that the board be cleared and the members shall then vote on placing themselves under call. If a majority of the senators present and voting, vote in favor of such a motion, then the Legislature shall be deemed to be under call. Each member present shall indicate his or her presence upon the electric roll call system and shall remain in his or her seat except when excused by the President during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members then present, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members elected. The President may declare a motion to place the house under call out of order if all of the absentees were to vote on one side of the question and if their combined vote would be insufficient to change a result of the vote.

**Rule 2, Sec. 3. Chamber, Guests, Distribution of Material.**

(h) Members shall remain in their seats or within the immediate vicinity of their seats during the final reading of a bill and until the vote thereon has been announced, except when excused by the President. During discussion of amendments or motions offered pursuant to Rule 6, Section 8, officers and employees of the Legislature shall be permitted on the floor of the Legislature and members may move about the legislative environs subject to a quorum call request by any member pursuant to Rule 7, Section 5. For purposes of this rule, legislative environs shall mean the Legislative Chamber, the Senate Lounge, and the hallway connecting those areas.
Rule 3, Sec. 2. Appointment of Committees.

(b) Immediately following chairmanship and Committee on Committees membership elections, the Committee shall meet and, by a majority vote of all its members, submit electronically to the Legislature and all Senators a preliminary report of appointments to the remaining standing and select committees, each with the number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. On the following day the Committee on Committees shall meet and, by a majority vote of all its members, submit to the Legislature a final report for its approval, appointments to the standing and select committees, each with a number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. Once the final report is presented to the Legislature, no amendments shall be considered. If the Legislature, by majority of the elected members, fails to adopt the final report of the Committee on Committees, such report shall be returned to the Committee for further action.

ANNOUNCEMENT(S)

The Rules Committee elected Senator Bloomfield as Vice Chairperson.

MOTION - Print in Journal

Senator Scheer filed the following motion to LB59:
MO2
Withdraw bill.

ADJOURNMENT

At 11:09 a.m., on a motion by Senator Brasch, the Legislature adjourned until 9:00 a.m., Thursday, January 15, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
SEVENTH DAY - JANUARY 15, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 15, 2015

PRAYER

The prayer was offered by Pastor John Hogue, Falls City Methodist Church, Falls City.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Gloor presiding.

The roll was called and all members were present except Senators Bolz and B. Harr who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 98, line 36, strike "Heidmann" and insert "Heidemann".
The Journal for the fourth day was approved as corrected.

The Journal for the sixth day was approved.

NOTICE OF COMMITTEE HEARING(S)

Judiciary
Room 1113
Thursday, January 22, 2015 1:30 p.m.

LB60
LB137
LB190
LB184

(Signed) Les Seiler, Chairperson
CORRECTED MESSAGE FROM THE GOVERNOR

January 8, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Banking and Finance:

Mark Quandahl, 16729 Leavenworth, Omaha, NE 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are
SEVENTH DAY - JANUARY 15, 2015

included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

ANNOUNCEMENT(S)

The Appropriations Committee elected Senator Hilkemann as Vice Chairperson.

BILLS ON FIRST READING

The following bills were read for the first time by title:


A BILL FOR AN ACT relating to education; to amend section 85-1806, Reissue Revised Statutes of Nebraska; to adopt the Child Support for College Savings Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 282. Introduced by Baker, 30.

A BILL FOR AN ACT relating to public meetings; to amend section 84-1410, Reissue Revised Statutes of Nebraska; to change provisions relating to closed sessions of a public body as prescribed; and to repeal the original section.

LEGISLATIVE BILL 283. Introduced by Baker, 30.

A BILL FOR AN ACT relating to the Emergency Management Act; to amend sections 81-829.49 and 81-829.51, Reissue Revised Statutes of Nebraska; to allow school districts and educational service units to make emergency expenditures as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 284. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend section 13-3102, Reissue Revised Statutes of Nebraska, and section 13-3108, Revised Statutes Cumulative Supplement, 2014; to redefine terms; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 285. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend section 13-3102, Reissue Revised Statutes of
Nebraska; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 286.** Introduced by Craighead, 6.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-1,140, 8-355, and 21-17,115, Revised Statutes Cumulative Supplement, 2014; to revise powers of state-chartered banks, building and loan associations, and credit unions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 287.** Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to civil rights; to amend sections 20-150, 20-151, 20-156, and 20-159, Reissue Revised Statutes of Nebraska, and section 71-4728, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to licensure of interpreters for deaf and hard of hearing persons; to provide for video remote interpreting services; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 288.** Introduced by Ebke, 32.

A BILL FOR AN ACT relating to public employers; to prohibit certain provisions in collective-bargaining agreements; and to prohibit certain deductions from wages.

**LEGISLATIVE BILL 289.** Introduced by Ebke, 32.

A BILL FOR AN ACT relating to firearms; to amend sections 14-102, 15-255, 16-227, 17-556, and 18-1703, Reissue Revised Statutes of Nebraska; to prohibit certain regulation of firearms, ammunition, and firearm accessories by cities and villages as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 290.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to criminal law; to amend sections 29-4001.01, 29-4002, and 29-4007, Revised Statutes Cumulative Supplement, 2014; to eliminate certain notification requirements under the Sex Offender Registration Act; to eliminate the offense of unlawful use of the Internet by a prohibited sex offender; to repeal the original sections; and to outright repeal section 28-322.05, Revised Statutes Cumulative Supplement, 2014.

**LEGISLATIVE BILL 291.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to the State Athletic Commissioner; to amend sections 81-8,129, 81-8,130.01, 81-8,132, 81-8,133, 81-8,133.01, 81-8,135, and 81-8,139, Reissue Revised Statutes of Nebraska; to remove professional wrestling from the commissioner's jurisdiction; and to repeal
the original sections.

**LEGISLATIVE BILL 292.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Child Protection and Family Safety Act; to amend sections 28-713.01, 28-720, 28-720.01, and 28-721, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the central registry of child protection cases; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 293.** Introduced by Schnoor, 15; Friesen, 34; Johnson, 23; Kolterman, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201, 77-5023, and 79-1016, Reissue Revised Statutes of Nebraska; to change valuation of agricultural land and horticultural land; to harmonize school aid provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 294.** Introduced by Scheer, 19.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 21-20,177, 29-812, 29-815, 86-2,108, and 86-2,112, Reissue Revised Statutes of Nebraska, and sections 21-2,212, 27-413, 28-801, 28-801.01, 28-802, 28-804, 28-831, 43-246.01, 43-247, 43-248, 43-250, 43-251, 43-251.01, 43-254, 43-258, 43-286, and 43-2,108.01, Revised Statutes Cumulative Supplement, 2014; to adopt the Human Trafficking Victims Civil Remedy Act; to change certain service of process provisions; to redefine offense of sexual assault; to change penalties and provisions relating to prostitution, solicitation of prostitution, pandering, keeping a place of prostitution, and human trafficking; to change provisions relating to search warrants; to change provisions relating to juvenile court jurisdiction and temporary custody requirements; to change provisions relating to intercepted communications; to provide for forfeiture of assets for persons engaged in human trafficking; to create a fund; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 21-20,177, Reissue Revised Statutes of Nebraska, as amended by this legislative bill.

**LEGISLATIVE BILL 295.** Introduced by Scheer, 19.

A BILL FOR AN ACT relating to municipalities; to amend sections 14-102.01, 15-237, 16-246, and 17-505, Reissue Revised Statutes of Nebraska; to require approval of a county board before enforcing ordinances in an extraterritorial zoning jurisdiction; and to repeal the original sections.
LEGISLATIVE BILL 296. Introduced by Kolterman, 24; Campbell, 25; Coash, 27; Ebke, 32; Friesen, 34; Kuehn, 38; Morfeld, 46.

A BILL FOR AN ACT relating to foster care; to amend sections 43-1311.01 and 43-1311.02, Revised Statutes Cumulative Supplement, 2014; to provide notification after removal of a child as prescribed; to define a term; and to repeal the original sections.

LEGISLATIVE BILL 297. Introduced by Seiler, 33; Chambers, 11; Ebke, 32; Krist, 10; Morfeld, 46; Pansing Brooks, 28; Williams, 36.

A BILL FOR AN ACT relating to judges' salaries; to amend section 24-201.01, Revised Statutes Cumulative Supplement, 2014; to change the salary of Supreme Court judges; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 298. Introduced by Schumacher, 22.

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 to repeal the original sections.

LEGISLATIVE BILL 299. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1927, Reissue Revised Statutes of Nebraska; to change provisions relating to admission of evidence of alibi; and to repeal the original section.

LEGISLATIVE BILL 300. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-733, Reissue Revised Statutes of Nebraska; to provide for enforcement of ordinances by imposing penalties; and to repeal the original section.

LEGISLATIVE BILL 301. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to courts; to amend sections 24-107, 24-209, 24-212, 85-176, and 85-177, Reissue Revised Statutes of Nebraska; to change provisions relating to format and distribution of court opinions; and to repeal the original sections.

LEGISLATIVE BILL 302. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2014; to create the offense of rehoming a child; to provide a penalty; to harmonize provisions; and to repeal the original section.
LEGISLATIVE BILL 303. Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to child sexual abuse; to authorize schools to adopt a child sexual abuse policy as prescribed.

LEGISLATIVE BILL 304. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to cities and villages; to adopt the Municipal Custodianship for Dissolved Homeowners Associations Act; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 305. Introduced by Schnoor, 15; Crawford, 45; Garrett, 3; Morfeld, 46; Nordquist, 7.

A BILL FOR AN ACT relating to veterans aid; to amend section 80-403, Reissue Revised Statutes of Nebraska; to allow the veterans aid fund to be used for transportation costs for veterans; and to repeal the original section.

LEGISLATIVE BILL 306. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to conveyances; to amend sections 48-2503, 48-2504, 48-2507, 48-2508, 48-2512, and 48-2529, Reissue Revised Statutes of Nebraska; to change the Conveyance Safety Act; to change the membership and powers of a committee; to harmonize provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-311.02 and 28-311.03, Reissue Revised Statutes of Nebraska, and section 28-323, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to stalking and domestic assault; and to repeal the original sections.

LEGISLATIVE BILL 308. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to elections; to amend sections 32-301, 32-311.01, 32-318.01, 32-320, 32-326, 60-4,130, and 60-4,130.02, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-308, 32-310, 32-311, 32-312, 32-312.05, and 60-484, Revised Statutes Cumulative Supplement, 2014; to provide for certain sixteen-year-olds and seventeen-year-olds to preregister to vote; to provide procedures; to change and provide powers and duties; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 309. Introduced by Davis, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate additional funds to the Property Tax Credit Cash Fund.
LEGISLATIVE BILL 310. Introduced by Davis, 43.

A BILL FOR AN ACT relating to the Niobrara Scenic River Act; to amend section 72-2007, Reissue Revised Statutes of Nebraska; to change membership of the Niobrara Council; and to repeal the original section.

LEGISLATIVE BILL 311. Introduced by Transportation and Telecommunications Committee: Smith, 14, Chairperson; Brasch, 16; Davis, 43; Friesen, 34; Garrett, 3; McCoy, 39; Murante, 49; Seiler, 33.

A BILL FOR AN ACT relating to motor vehicle operators' licenses; to amend section 60-469, Reissue Revised Statutes of Nebraska, and sections 60-462, 60-463, 60-4,142, 60-4,144, 60-4,168, and 75-362, Revised Statutes Cumulative Supplement, 2014; to define and redefine terms; to change provisions relating to CLP-commercial learner's permit issuance and applications for commercial drivers' licenses; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 312. Introduced by Transportation and Telecommunications Committee: Smith, 14, Chairperson; Brasch, 16; Davis, 43; Friesen, 34; Garrett, 3; McCoy, 39; Murante, 49; Seiler, 33.

A BILL FOR AN ACT relating to highways and bridges; to amend sections 39-1348, 39-1349, 39-1350, 39-1351, 39-1352, 39-1353, and 81-1701, Reissue Revised Statutes of Nebraska; to change provisions relating to the letting of construction contracts; to provide an exemption from the Nebraska Consultants' Competitive Negotiation Act; and to repeal the original sections.

LEGISLATIVE BILL 313. Introduced by Transportation and Telecommunications Committee: Smith, 14, Chairperson; Brasch, 16; Davis, 43; Friesen, 34; Garrett, 3; McCoy, 39; Murante, 49; Seiler, 33.

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 update certain references to federal regulations regarding motor vehicles and motor carriers; and to repeal the original sections.


A BILL FOR AN ACT relating to county courts; to amend section 24-517, Revised Statutes Cumulative Supplement, 2014; to state matters subject to the jurisdiction of county courts; and to repeal the original section.

LEGISLATIVE BILL 315. Introduced by Howard, 9; Kolterman, 24.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend
section 68-974, Revised Statutes Cumulative Supplement, 2014; to change and add provisions relating to recovery audit contractors; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 316. Introduced by Kintner, 2; Bloomfield, 17; Ebke, 32; Garrett, 3; Groene, 42; Schnoor, 15.

A BILL FOR AN ACT relating to interstate compacts; to prohibit joining certain interstate compacts and the sharing of red light camera and speed camera information with other compact members as prescribed; and to define terms.

LEGISLATIVE BILL 317. Introduced by Kintner, 2; Bloomfield, 17; Groene, 42.

A BILL FOR AN ACT relating to railroads; to withdraw from and repeal the Midwest Interstate Passenger Rail Compact; and to outright repeal sections 74-1601, 74-1602, and 74-1603, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 318. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to planning and development regions; to state intent related to funding.

NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525

Thursday, January 22, 2015 1:30 p.m.
LB174

Friday, January 23, 2015 1:30 p.m.
LB86

(Signed) Ken Schilz, Chairperson

MOTION - Withdraw LB59

Senator Scheer offered his motion, MO2, found on page 163, to withdraw LB59.

The Scheer motion to withdraw the bill prevailed with 40 ayes, 0 nays, and 9 present and not voting.
The following bills were read for the first time by title:

**LEGISLATIVE BILL 319.** Introduced by Smith, 14; Morfeld, 46.

A BILL FOR AN ACT relating to elections; to amend section 32-952, Reissue Revised Statutes of Nebraska, and sections 32-953 and 32-960, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to elections conducted by mail; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 320.** Introduced by Bolz, 29; Campbell, 25; Davis, 43.

A BILL FOR AN ACT relating to long-term care; to adopt the Aging and Disability Resource Center Act.

**LEGISLATIVE BILL 321.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to job training; to amend sections 77-2756 and 77-3442, Revised Statutes Cumulative Supplement, 2014; to adopt the Nebraska Industrial New Job-training Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 322.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to increase child and dependent care tax credits as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 323.** Introduced by Davis, 43; Baker, 30; Kolowski, 31.

A BILL FOR AN ACT relating to schools; to create and provide duties for the School Financing Review Commission; to state intent relating to appropriations; and to declare an emergency.

**LEGISLATIVE BILL 324.** Introduced by McCollister, 20; Coash, 27; Craighead, 6; Crawford, 45; Ebke, 32; Hughes, 44.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-727, 31-729, and 31-740, Reissue Revised Statutes of Nebraska; to provide authorization to contract for solid waste collection services; and to repeal the original sections.
LEGISLATIVE BILL 325. Introduced by Davis, 43; Schilz, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-303, 13-2809, 35-508, 35-509, 35-514.02, 35-517, and 77-3443, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2014; to change levy provisions for rural and suburban fire protection districts; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 326. Introduced by Williams, 36.

A BILL FOR AN ACT relating to controlled substances; to amend section 28-439, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405, 28-416, and 28-1354, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to marijuana, amphetamine, and methamphetamine; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 327. Introduced by Williams, 36.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1010, 25-1027, 25-1028, 25-1030.02, and 25-1056, Reissue Revised Statutes of Nebraska; to change provisions relating to garnishment; and to repeal the original sections.

LEGISLATIVE BILL 328. Introduced by Schilz, 47; Davis, 43.

A BILL FOR AN ACT relating to the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act; to amend sections 81-15,237, 81-15,247, and 81-15,248.01, Reissue Revised Statutes of Nebraska; to change provisions relating to use of professionals and fees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 329. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to tourism; to adopt the Nebraska Agritourism Promotion Act.

LEGISLATIVE BILL 330. Introduced by Larson, 40.

A BILL FOR AN ACT relating to alcoholic liquor; to amend sections 53-103.01, 53-103.02, 53-130, 53-135, 53-167.02, 53-167.03, 53-1,107, 53-1,111, and 53-1,113, Reissue Revised Statutes of Nebraska, and sections 53-101, 53-103, 53-103.03, 53-123.15, 53-123.17, 53-133, and 53-177, Revised Statutes Cumulative Supplement, 2014; to define and redefine terms; to change and eliminate provisions relating to hours for the conduct of lotteries and alcoholic liquor sales, shipping licenses, renewal of licenses, location of licensees, keg sales, and disposition of seized alcoholic liquor; to state intent relating to appropriations; to harmonize provisions; to repeal the
original sections; and to outright repeal section 9-647, Reissue Revised Statutes of Nebraska, and section 53-179, Revised Statutes Cumulative Supplement, 2014.

LEGISLATIVE BILL 331. Introduced by Nordquist, 7; Davis, 43; Mello, 5; Schilz, 47; Williams, 36.

A BILL FOR AN ACT relating to economic development; to amend sections 49-801.01, 77-202, 77-2711, and 77-27,119, Revised Statutes Cumulative Supplement, 2014; to adopt the Bioscience Impact Opportunity Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 332. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services for the statewide prescription drug disposal project.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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LB264 Health and Human Services
Acierno, Joseph - Chief Medical Officer and Director, Division of Public Health - Department of Health and Human Services - Health and Human Services
Albin, John - Commissioner, Department of Labor - Business and Labor
Bohac, Daryl L. - Adjutant General, Military Department - Government, Military and Veterans Affairs
Bracht, David - Director, State Energy Office - Natural Resources
Fisher, Darrell E. - Executive Director, Nebraska Commission on Law Enforcement and Criminal Justice - Judiciary
Heine, Jim - State Fire Marshal - Government, Military and Veterans Affairs
Hilgert, John - Director, Department of Veterans Affairs - Government, Military and Veterans Affairs
Hilgert, John - Director, Division of Veterans Homes - Department of Health and Human Services - Health and Human Services
Ibach, Greg - Director, Department of Agriculture - Agriculture
Lahm, Rhonda K. - Director, Department of Motor Vehicles - Transportation and Telecommunications
Mitchell, Ronnie - Director, Department of Aeronautics - Government, Military and Veterans Affairs
Quandahl, Mark - Director, Department of Banking and Finance - Banking, Commerce and Insurance
Ramge, Bruce - Director, Department of Insurance - Banking, Commerce and Insurance
Sorensen, Ruth A. - Property Tax Administrator, Department of Revenue - Revenue

(Signed) Bob Krist, Chairperson
Executive Board
NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510

Friday, January 23, 2015 1:30 p.m.
Todd Bartee - Nebraska Child Abuse Prevention Fund Board
Mary Fran Flood - Nebraska Child Abuse Prevention Fund Board
LB23
LB90

Wednesday, January 28, 2015 1:30 p.m.
LB12
LB129
LB77

(Signed) Kathy Campbell, Chairperson

SPEAKER HADLEY PRESIDING

MOTION - Adopt Permanent Rules

Senator Garrett moved to adopt the permanent rules for the One Hundred Fourth Legislature, First Session, and any special sessions held during the 2015 calendar year.

The Rules Committee offered the proposed rules change, found on page 158, to Rule 5, Sec. 5.

Senator Chambers requested a roll call vote on the proposed rules change.

The Rules Committee's proposed rules change to Rule 5, Sec. 5, was adopted with 41 ayes, 2 nays, and 6 present and not voting.

The Rules Committee offered the proposed rules change, found on page 159, to Rule 7, Sec. 3.

Senator Chambers offered the following amendment to the proposed rules change:
Amend Rule 7, Sec. 3.
Strike from the amendment to Rule 7, Sec. 3 the language "the constitutional officers salary bill".

The Chambers amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.
The Rules Committee's proposed rules change, as amended, to Rule 7, Sec. 3., was adopted with 35 ayes, 8 nays, 4 present and not voting, and 2 excused and not voting.

Senator Kintner offered the following proposed rules changes:

**Rule 1, Sec. 1. Officers to be Elected.**

(a) At the commencement of each regular session in odd-numbered years the Legislature shall nominate from the floor and elect by secret ballot roll call vote with each member indicating the candidate he/she is supporting the following officers:

- **Speaker**
- Chairperson of Committee on Committees
- Chairperson of Executive Board
- Vice Chairperson of Executive Board
- 6 Members of Executive Board (See footnote)

If the election is not contested, the presiding officer may accept a motion to declare the nominations closed, and declare the nominee elected by acclamation.

Before the ballot roll call vote is taken each person so nominated may make a public statement to the Legislature indicating what the Legislature may expect from him or her in the area of the responsibility of such office. The officers so elected shall hold such office for a period of two years.

At the end of the roll call vote but prior to the presiding officer declaring a winner, the clerk shall verify how each member voted and the result shall be entered into the legislative journal.

*The Legislature elects two from Legislative Districts 2, 3, 15, 16, 19, 21 through 29, 45, and 46; two from Legislative Districts 4 through 14, 18, 20, 31, 39, and 49; and two from Legislative Districts 1, 17, 30, 32 through 38, 40 through 44, 47, and 48. Speaker is member of Board; Chairperson of Appropriations is nonvoting member. RRS 50-401.01.*

(b) In the event a vacancy occurs on the Executive Board, the following shall apply:

(i) The Vice Chairperson shall serve as acting Chairperson upon the resignation or death of the Chairperson until the commencing of the next regular session of the Legislature, at which time the Legislature shall nominate from the floor and elect by secret ballot roll call vote a Chairperson of the Executive Board for the balance of the original term.

(ii) Upon the resignation or death of the Speaker, during the interim, said position shall remain vacant until the next regular session or special session the Legislature convenes, at which time a Speaker shall be nominated from
the floor and elected by secret ballot roll call vote for the balance of the original term.

Upon the resignation or death of the Speaker during the session, a Speaker shall immediately be nominated from the floor and elected by secret ballot roll call vote for the balance of the term.

(iii) In the event there is a vacancy of the Vice Chairperson of the Executive Board during the interim, said vacancy shall be filled pursuant to Rule 3, Section 8(c) until the commencing of the next regular session of the Legislature at which time the Legislature shall nominate from the floor and elect by secret ballot roll call vote a Vice Chairperson of the Executive Board for the balance of the original term.

(iv) During session, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Legislature. The individual so selected shall serve for the balance of the original term.

During the interim, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Executive Board. The individual so selected shall serve for the balance of the original term.

Rule 3, Sec. 8. Chairperson, Vice Chairperson.

(a) The chairperson of each standing and select committee shall be selected by secret ballot roll call vote with each member indicating the candidate he/she is supporting.

(b) At the end of the roll call vote but prior to the presiding officer declaring a winner, the clerk shall verify how each member voted and the result shall be entered into the legislative journal.

If the election is not contested, the presiding officer may accept a motion to declare the nominations closed, and declare the nominee elected by acclamation.

(b)(c) The chairperson of a special committee shall be selected in the manner provided by the act authorizing the committee, or if not specified, by the Executive Board.

(c)(d) Each committee shall elect from its membership a vice chairperson to serve in the absence of the chairperson.

(d)(e) The chairperson may, at his or her discretion, assume the title of chairman, chairwoman, or chair for legislative purposes.

Pending.
The following bills were read for the first time by title:

**LEGISLATIVE BILL 333.** Introduced by Gloor, 35; Campbell, 25; Crawford, 45; Ebke, 32; Friesen, 34; Howard, 9; Morfeld, 46; Nordquist, 7; Pansing Brooks, 28; Scheer, 19; Schumacher, 22; Seiler, 33; Williams, 36.

A BILL FOR AN ACT relating to health care; to adopt the Health Care Services Transformation Act.

**LEGISLATIVE BILL 334.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to labor; to amend section 81-401, Reissue Revised Statutes of Nebraska; to eliminate the Nebraska Workforce Investment Act and the Nebraska Workforce Investment Board; to harmonize provisions; to repeal the original section; and to outright repeal sections 48-1616, 48-1618, 48-1619, 48-1620, 48-1621, 48-1622, 48-1626, and 48-1627, Reissue Revised Statutes of Nebraska, and sections 48-1617, 48-1623, 48-1624, and 48-1625, Revised Statutes Cumulative Supplement, 2014.

**LEGISLATIVE BILL 335.** Introduced by Mello, 5; Campbell, 25; Cook, 13; Howard, 9; Krist, 10; McCollister, 20; Nordquist, 7.

A BILL FOR AN ACT relating to public health and welfare; to create and provide duties for the Intergenerational Poverty Task Force.

**LEGISLATIVE BILL 336.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to real property; to amend sections 76-854, 76-855, 76-870, and 76-871, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Condominium Act; and to repeal the original sections.

**LEGISLATIVE BILL 337.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to energy conservation; to amend sections 66-1013, 66-1017, 66-1018, and 66-1019, Reissue Revised Statutes of Nebraska, and sections 66-1012, 66-1014, 66-1015, 66-1016, and 66-1019.01, Revised Statutes Cumulative Supplement, 2014; to rename and change the Low-Income Home Energy Conservation Act as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 338.** Introduced by Brasch, 16; Campbell, 25; Coash, 27; Howard, 9; Kuehn, 38.

A BILL FOR AN ACT relating to docket fees; to provide a docket fee for a
paternity determination or parental support proceeding.

**LEGISLATIVE BILL 339.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Commission; to amend sections 53-1,115 and 84-914, Reissue Revised Statutes of Nebraska; to change provisions relating to payment of costs for certain proceedings before the commission as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 340.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2429, Reissue Revised Statutes of Nebraska, and section 69-2427, Revised Statutes Cumulative Supplement, 2014; to define a term; to provide signage requirements and duties for the Nebraska State Patrol; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 341.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to insurance; to provide requirements relating to health benefit plans and coverage of insureds in jail custody.

**LEGISLATIVE BILL 342.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to insurers; to permit contracts for pharmacist professional services.

**LEGISLATIVE BILL 343.** Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to education; to state intent; to define terms; to provide for funding for schools implementing and offering courses and programs as prescribed; to create a fund; and to declare an emergency.

**LEGISLATIVE BILL 344.** Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3226, Reissue Revised Statutes of Nebraska; to provide for issuance of general obligation bonds; and to repeal the original section.

**LEGISLATIVE BILL 345.** Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 14-554, Reissue Revised Statutes of Nebraska; to adopt the Property Tax Relief Act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 346.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend
section 68-911, Revised Statutes Cumulative Supplement, 2014; to provide for coverage for children's day health services; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 347. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the office of Inspector General of Nebraska Child Welfare; to amend sections 43-4301, 43-4302, 43-4303, 43-4304, 43-4316, 43-4318, 43-4320, 43-4321, 43-4324, 43-4325, 43-4326, 43-4327, 43-4328, 43-4330, and 43-4331, Revised Statutes Cumulative Supplement, 2014; to authorize investigations and reviews of the juvenile justice system; to define terms; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 348. Introduced by Krist, 10.

A BILL FOR AN ACT relating to banks and banking; to amend section 8-101, Reissue Revised Statutes of Nebraska, and sections 8-157.01 and 28-636, Revised Statutes Cumulative Supplement, 2014; to redefine a term; to change provisions relating to automatic teller machines and point-of-sale terminals; to change and eliminate provisions relating to branch banking; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 349. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the state building division; to amend section 81-1108.33, Reissue Revised Statutes of Nebraska; to change provisions relating to acquisitions of real property; and to repeal the original section.

LEGISLATIVE BILL 350. Introduced by Brasch, 16; Bloomfield, 17; Groene, 42; Hilkemann, 4; Johnson, 23; Kolterman, 24; Kuehn, 38; Lindstrom, 18; McCoy, 39; Schilz, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201, 77-5023, and 79-1016, Reissue Revised Statutes of Nebraska; to change valuation of agricultural land and horticultural land; to harmonize school aid provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 351. Introduced by Brasch, 16; Bloomfield, 17; Hilkemann, 4; Johnson, 23; Kolterman, 24; Kuehn, 38; Lindstrom, 18; Schilz, 47; Smith, 14.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003, 79-1005.01, and 79-1008.02, Reissue Revised Statutes of Nebraska; to change provisions relating to allocated income tax funds; to harmonize provisions; and to
repeal the original sections.

LEGISLATIVE BILL 352. Introduced by Scheer, 19.

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 recordkeeping by licensees; and to repeal the original sections.

LEGISLATIVE BILL 353. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Nursing Home Administrator Practice Act; to amend sections 38-2408, 38-2412, 38-2421, and 38-2422, Reissue Revised Statutes of Nebraska, and sections 38-2401, 38-2402, 38-2419, and 38-2420, Revised Statutes Cumulative Supplement, 2014; to change provisions regarding educational requirements for and licensure of nursing home administrators; to change and eliminate definitions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 38-2403, 38-2409, 38-2410, 38-2413, 38-2415, and 38-2416, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 354. Introduced by McCollister, 20; Bolz, 29; Pansing Brooks, 28.

A BILL FOR AN ACT relating to crime victims and witnesses; to amend sections 81-1802, 81-1803, 81-1807, 81-1823, and 81-1848, Reissue Revised Statutes of Nebraska; to add a member to the Crime Victim's Reparations Committee; to eliminate obsolete provisions; to change provisions relating to compensation from the Victim's Compensation Fund; to change the rights of victims and witnesses of crimes as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 355. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to education funds; to amend section 85-1920, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Nebraska Education Improvement Fund and the Nebraska Opportunity Grant Fund as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 356. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1333, Reissue Revised Statutes of Nebraska, and section 77-5007, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the assessment of certain rent-restricted housing projects; to create a committee; to provide powers and duties; to change provisions
relating to the Tax Equalization and Review Commission; and to repeal the original sections.

LEGISLATIVE BILL 357. Introduced by Smith, 14; Brasch, 16; Craighead, 6; Hilkemann, 4; Johnson, 23; Kolterman, 24; Larson, 40; McCollister, 20; Murante, 49; Schilz, 47; Schnoor, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 84-612, Reissue Revised Statutes of Nebraska, and sections 77-2715.03 and 77-2734.02, Revised Statutes Cumulative Supplement, 2014; to change individual and corporate income tax rates; to transfer funds from the Cash Reserve Fund to the Property Tax Credit Cash Fund and the General Fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 358. Introduced by Garrett, 3; Bloomfield, 17; Brasch, 16; Groene, 42; Johnson, 23; Kintner, 2.

A BILL FOR AN ACT relating to sexual assault; to amend sections 43-292.02 and 43-2933, Reissue Revised Statutes of Nebraska, and sections 43-254, 43-283.01, and 43-1411.01, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to paternity of a child conceived as a result of sexual assault; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 359. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to dogs; to amend section 54-603, Reissue Revised Statutes of Nebraska; to change a fee relating to licensure as prescribed; and to repeal the original section.

LEGISLATIVE BILL 360. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to the Commercial Dog and Cat Operator Inspection Act; to amend sections 54-626 and 54-627, Revised Statutes Cumulative Supplement, 2014; to define a term; to change license requirements; to change provisions relating to fees and inspections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 361. Introduced by Harr, B., 8.

Statutes Cumulative Supplement, 2014; to clarify that certain assessments
levied by a sanitary drainage district, sanitary and improvement district,
special improvement district, reclamation district, county, city, or village are
levied and collected as special assessments; and to repeal the original
sections.

LEGISLATIVE BILL 362. Introduced by Krist, 10.

A BILL FOR AN ACT relating to schools; to amend section 79-1096,
Reissue Revised Statutes of Nebraska; to change provisions relating to
eminent domain takings; and to repeal the original section.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 26CA. Introduced by Larson, 40.

THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE
OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2016 the following
proposed amendment to the Constitution of Nebraska shall be submitted to
the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 8, Article IV, section 2, and Article V,
section 7:

III-8 A No person is shall be eligible for to the office of member of the
Legislature if, unless on the date of the general election at which such
person he is elected, or on the date of his or her appointment, such person
he is a registered voter, has attained the federal voting age, of twenty-one
years, and has resided within the district from which he or she is elected or
appointed for the term of one year next before his or her election or
appointment unless such person has , unless he shall have been absent on the
public business of the United States or of this State. A And no person
elected or appointed to the office of member of the Legislature as aforesaid
shall not hold such his office after he or she has shall have removed from
such district.

IV-2 A person shall be eligible to any public office, whether elected or
appointed, if such person has attained the federal voting age, subject to
qualifications, other than age, established by law. A No person shall be
eligible to the office of Governor, or Lieutenant Governor if he or she has,
who shall not have attained the age of thirty years, and who shall not have
been for five years next preceding his or her election a resident and citizen
of this state and a citizen of the United States. Any None of the appointive
officers mentioned in this article shall not be eligible to any other state
office during the period for which they have been appointed.

V-7 A person shall be eligible to any public office, whether elected or
appointed, if such person has attained the federal voting age, subject to
qualifications, other than age, established by law. A No person shall be
eligible to the office of Chief Justice or Judge of the Supreme Court if such
person is unless he shall be at least thirty years of age, and a citizen of the
United States, and has shall have resided in this state at least three years next
preceding his or her selection; and nor, in the case of a Judge of the Supreme Court selected from a Supreme Court judicial district, if unless he or she is shall be a resident and elector of the district from which selected.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:
A constitutional amendment to provide and change eligibility requirements for public office.
  For
  Against.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR23 was referred to the Reference Committee.

NOTICE OF COMMITTEE HEARING(S)
Agriculture
Room 2102

Tuesday, January 27, 2015 1:30 p.m.
Greg Ibach - Department of Agriculture
LB85
LB183

(Signed) Jerry Johnson, Chairperson

Health and Human Services
Room 1510

Thursday, January 29, 2015 1:30 p.m.
LB46
LB34
LB146

(Signed) Kathy Campbell, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.
Garrett - LB97 and LB146
Pansing Brooks - LB107
Stinner - LB320
Mello - LB255, LB202, and LB226
VISITORS

Visitors to the Chamber were Daren Buettner and Karl Barfus from Norfolk; and 25 members of Leadership Nebraska from across the state.

RECESS

At 11:53 a.m., on a motion by Senator Sullivan, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Hadley presiding.

ROLL CALL

The roll was called and all members were present except Senators B. Harr, McCoy, and Seiler who were excused; and Senator Schilz who was excused until he arrives.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 363. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-125, Revised Statutes Cumulative Supplement, 2014; to provide time limits and penalties for late payment of medical payments; and to repeal the original section.

LEGISLATIVE BILL 364. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to appropriations; to provide for transfers to the Property Tax Credit Cash Fund; and to provide for appropriations.

LEGISLATIVE BILL 365. Introduced by Baker, 30.

A BILL FOR AN ACT relating to public records; to amend section 84-1413, Reissue Revised Statutes of Nebraska; to allow school districts and educational service units to keep electronic records; and to repeal the original section.

LEGISLATIVE BILL 366. Introduced by Pansing Brooks, 28; Campbell, 25; Coash, 27.

A BILL FOR AN ACT relating to social services; to amend section 68-1006.01, Revised Statutes Cumulative Supplement, 2014; to change the personal needs allowance under the Medical Assistance Act; and to repeal
the original section.

**LEGISLATIVE BILL 367.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to petition circulators; to amend sections 32-630 and 32-1404, Reissue Revised Statutes of Nebraska; to eliminate a restriction on paying petition circulators as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 368.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to petition circulators; to amend sections 32-630 and 32-1546, Reissue Revised Statutes of Nebraska; to prohibit certain activities interfering with a circulator; to provide a penalty; and to repeal the original sections.

**LEGISLATIVE BILL 369.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-1,106, 38-1,110, 38-1,111, and 38-1,113, Reissue Revised Statutes of Nebraska, and section 38-1,126, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to proceedings regarding impaired professionals; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 370.** Introduced by Riepe, 12; Krist, 10.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-911, Revised Statutes Cumulative Supplement, 2014; to provide a duty for the Department of Health and Human Services relating to a waiver to provide coverage for treatment of dyslexia; and to repeal the original section.

**LEGISLATIVE BILL 371.** Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to create the Nebraska Council for Educational Success; and to provide powers and duties.

**MESSAGES FROM THE GOVERNOR**

January 15, 2015

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

Dear Mr. President, Speaker Hadley and Members of the Legislature:
Contingent upon your approval, the following individual is being appointed to the Board of Emergency Medical Services:

Laura A. Scholl, 910 Donnie Lane, Lincoln, NE 68522

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

January 15, 2015

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

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

Contingent upon your approval, the following individual is being appointed to the Nebraska Rural Health Advisory Commission:

John A. E. Craig, 5737 S. 190 Terrace, Omaha, NE 68135

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

MOTION - Adopt Permanent Rules

The Garrett motion to adopt the permanent rules for the One Hundred Fourth Legislature, First Session, and any special sessions held during the 2015 calendar year, found in this day's Journal, was renewed.

The Kintner proposed rules change, found in this day's Journal, to Rule 1, Sec. 1, and Rule 3, Sec. 8., was renewed.

Senator Kintner moved for a call of the house. The motion prevailed with 45 ayes, 0 nays, and 4 not voting.
Senator Kintner requested a roll call vote, in reverse order, on his proposed rules change.

Voting in the affirmative, 12:

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Voting in the negative, 33:

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<td>Cook</td>
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Excused and not voting, 4:

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The Kintner proposed rules change lost with 12 ayes, 33 nays, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers requested a roll call vote on the adoption of the permanent rules, as amended.

The Garrett motion to adopt permanent rules, as amended, prevailed with 34 ayes, 8 nays, 3 present and not voting, and 4 excused and not voting.

**SENATOR KRIST PRESIDING**

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 372.** Introduced by Craighead, 6; Kolterman, 24; Lindstrom, 18.

A BILL FOR AN ACT relating to first-time home buyers; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to adopt the First-time Home Buyer Savings Plan Act; to provide income tax adjustments as prescribed; and to repeal the original section.
LEGISLATIVE BILL 373. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to school buses; to amend sections 79-601 and 79-609, Reissue Revised Statutes of Nebraska; to require lap-shoulder belts as prescribed; to require instruction regarding use of certain belts; to require the use of certain belts; to state intent regarding liability; and to repeal the original sections.

LEGISLATIVE BILL 374. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to road funding; to amend section 39-1390, Revised Statutes Cumulative Supplement, 2014; to require transfers from the State Recreation Road Fund as prescribed; and to repeal the original section.

LEGISLATIVE BILL 375. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend sections 81-885.01 and 81-885.16, Reissue Revised Statutes of Nebraska; to change provisions relating to broker's price opinions and comparative market analyses; and to repeal the original sections.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 27. Introduced by Ebke, 32.

WHEREAS, the Exeter-Milligan High School football team won the 2014 Class D-2 State Football Championship; and
WHEREAS, the Exeter-Milligan High School football team ended their 2014 season with a record of 13-0; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Exeter-Milligan High School football team on their undefeated season and winning the 2014 Class D-2 State Football Championship.
2. That a copy of this resolution be sent to the Exeter-Milligan High School football team.

Laid over.
NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510

Friday, January 30, 2015 1:30 p.m.

John Hilgert - Division of Veterans Homes-Department of Health and Human Services
Joseph Acierno - Division of Public Health-Department of Health and Human Services
LB19
LB148

(Signed) Kathy Campbell, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Pansing Brooks - LB89
Mello - LB371

VISITOR

Visitor to the Chamber was Jamshed Merchant the Consulate General of Canada.

ADJOURNMENT

At 3:13 p.m., on a motion by Senator K. Haar, the Legislature adjourned until 9:00 a.m., Friday, January 16, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper
EIGHTH DAY - JANUARY 16, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 16, 2015

PRAYER

The prayer was offered by Senator Williams.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator McCoy who was excused; and Senators Davis, K. Haar, B. Harr, Kolowski, Mello, Nordquist, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 15, 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

Bartee, Robert D.
   University of Nebraska
Becker, Timothy A.
   Friends of Nebraska Agriculture and International Trade
Bromm, Curt/Bromm & Associates
   Aflac
   Douglas County West Community Schools
   Nebraska Cable Communications Association
   Nebraska Medical Center
   Springfield Platteview Community Schools
   Verizon Communications, Inc.
Brown, Jill
   University of Nebraska
Chaffee, Meghan
   Nebraska Hospital Association (Withdrawn 01/12/2015)
Conrad, Danielle
   ACLU Nebraska
CP Strategies LLC
   American Coalition for Clean Coal Electricity
Keigher & Associates, LLC
   National Guard Association of Nebraska (Withdrawn 01/14/2015)
Luebbe, Lori
   Nebraska Soybean Association
Miller, Amy A.
   ACLU Nebraska
O'Hara Lindsay & Associates, Inc.
   4 Lanes 4 Nebraska
Pappas, James E.
   UNO Chapter of the AAUP
Pickering, Barbara
   University of Nebraska
Ptacek, Patrick J.
   Schmit Industries, Inc.
Radcliffe, Walter H. of Radcliffe and Associates
   Educators Health Alliance of Nebraska
   Farm Credit Services of America
   Friends of Nebraska Agriculture and International Trade
   Housing Policy Network
   Nebraskans For Alternatives to the Death Penalty
   United States Travel Insurance Association (UStiA)
   Woodmen of the World Life Insurance Society and Subordinate Entities
Ristow, James L.
   Nebraska Chamber of Commerce & Industry
Waite, Michelle
   University of Nebraska
Wickersham, William R.
   Nebraska Association of Former State Legislators
Withem, Ronald E.
   University of Nebraska

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
NOTICE OF COMMITTEE HEARING(S)
Revenue
Room 1524

Friday, January 23, 2015 1:30 p.m.
Ruth A. Sorensen - Department of Revenue
LB260
LB261
LB52
LB70
LB74

(Signed) Mike Gloor, Chairperson
Nebraska Retirement Systems
Room 1525

Tuesday, January 27, 2015 12:00 p.m.
LB40
LB236

(Signed) Jeremy Nordquist, Chairperson
Business and Labor
Room 2102

Monday, January 26, 2015 1:30 p.m.
John Albin - Department of Labor
LB83
LB270
LB271

(Signed) Burke Harr, Chairperson
Monday, January 26, 2015 1:30 p.m.

Rhonda K. Lahm - Department of Motor Vehicles
LB45
LB47
LB220
LB181

(Signed) Jim Smith, Chairperson

ANNOUNCEMENT(S)

The Judiciary Committee elected Senator Coash as Vice Chairperson.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 376. Introduced by Hansen, 26; Coash, 27; Morfeld, 46.

A BILL FOR AN ACT relating to the Deferred Building Renewal Act; to amend sections 81-173, 81-174, 81-176, 81-177, 81-179, 81-180, 81-181, 81-182, 81-185, 81-186, 81-188, and 81-188.01, Reissue Revised Statutes of Nebraska; to provide that public charitable corporations are subject to the act; to harmonize provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to the Commercial Dog and Cat Operator Inspection Act; to amend section 54-633, Reissue Revised Statutes of Nebraska, and section 54-625, Revised Statutes Cumulative Supplement, 2014; to change provisions and procedures relating to the disposition, care, custody, and costs associated with the impoundment of dogs or cats; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 378. Introduced by Groene, 42; Ebke, 32; Schnoor, 15.

A BILL FOR AN ACT relating to public improvements; to amend section 16-697.02, Reissue Revised Statutes of Nebraska; to change requirements for electoral approval of borrowing money by a first-class city for parks, recreational facilities, and public grounds; and to repeal the original section.
LEGISLATIVE BILL 379. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to education; to adopt the Expanded Learning Opportunity Grant Program Act.

LEGISLATIVE BILL 380. Introduced by Morfeld, 46; Hansen, 26.

A BILL FOR AN ACT relating to postsecondary education; to create and provide duties for the Higher Education Affordability Commission.

LEGISLATIVE BILL 381. Introduced by Cook, 13.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Department of Health and Human Services to provide housing services as prescribed.

LEGISLATIVE BILL 382. Introduced by Cook, 13.

A BILL FOR AN ACT relating to the Diploma of High School Equivalency Assistance Act; to amend sections 79-2306 and 81-1201.21, Reissue Revised Statutes of Nebraska; to change provisions relating to grants; to provide a fund; to state intent relating to transfers; to harmonize provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to elections; to amend sections 32-202, 32-314, 32-929, 32-935, 32-936, 32-1530, and 32-1532, Reissue Revised Statutes of Nebraska, and sections 32-329, 32-915, 32-933, and 32-1002, Revised Statutes Cumulative Supplement, 2014; to provide duties for the Secretary of State; to change provisions relating to voter registration and provisional ballots; to authorize provisional ballots for registered voters changing residence within Nebraska; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 384. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to provide for reclassification of agricultural land and horticultural land as prescribed; and to provide an operative date.


A BILL FOR AN ACT relating to real property; to amend sections 25-21,220, 76-1431, and 76-1441, Reissue Revised Statutes of Nebraska; to change provisions relating to forcible entry and detainer and the Uniform Residential Landlord and Tenant Act; and to repeal the original sections.
LEGISLATIVE BILL 386. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.36, Revised Statutes Cumulative Supplement, 2014; to change a sales tax exemption for agricultural machinery and equipment; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 387. Introduced by Schnoor, 15.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Reissue Revised Statutes of Nebraska; to transfer funds to the Property Tax Credit Cash Fund; and to repeal the original section.

LEGISLATIVE BILL 388. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-121, Reissue Revised Statutes of Nebraska; to provide annual adjustments for total disability income benefits; and to repeal the original section.

LEGISLATIVE BILL 389. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to the Commercial Dog and Cat Operator Inspection Act; to amend section 54-628, Reissue Revised Statutes of Nebraska, and section 54-627, Revised Statutes Cumulative Supplement, 2014; to change license and inspection fees as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 390. Introduced by Crawford, 45; Bloomfield, 17; Chambers, 11; Coash, 27; Davis, 43; Garrett, 3; Howard, 9; Pansing Brooks, 28; Scheer, 19; Watermeier, 1.

A BILL FOR AN ACT relating to marijuana; to amend sections 28-101, 28-401, and 28-401.01, Revised Statutes Cumulative Supplement, 2014; to provide for the medical use of cannabidiol as prescribed; to create the Medical Cannabidiol Pilot Study; to provide powers and duties for the Department of Health and Human Services and the University of Nebraska Medical Center; to define and redefine terms; to change provisions of the Uniform Controlled Substances Act; to harmonize provisions; to provide a termination date; and to repeal the original sections.

LEGISLATIVE BILL 391. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2703, Revised Statutes Cumulative Supplement, 2014; to change sales tax collection fees for motor vehicles as prescribed; and to repeal the original section.
LEGISLATIVE BILL 392. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to education; to amend sections 79-413, 79-528, 79-1007.18, 79-1008.02, 79-1022, 79-1036, 79-1041, 79-10,120, 79-10,126, 79-1241.03, 79-2104, 79-2104.02, 79-2107, 79-2111, and 79-2404, Reissue Revised Statutes of Nebraska, and sections 70-651.04, 77-1736.06, and 77-3442, Revised Statutes Cumulative Supplement, 2014; to provide and eliminate certain taxing authority of learning communities as prescribed; to change provisions relating to distribution of core services funds as prescribed; to change provisions relating to state aid calculations; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 79-1073, 79-1073.01, and 79-10,126.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 393. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Livestock Animal Welfare Act; to amend sections 54-903 and 54-909, Reissue Revised Statutes of Nebraska, and sections 54-901 and 54-902, Revised Statutes Cumulative Supplement, 2014; to redefine terms; to change criminal penalties; to provide for animal cruelty investigation agents as prescribed; to provide powers and duties for the Director of Agriculture; to provide fees; and to repeal the original sections.

LEGISLATIVE BILL 394. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-564 and 37-568, Reissue Revised Statutes of Nebraska; to change provisions relating to interference with a person hunting, trapping, or fishing; and to repeal the original sections.

LEGISLATIVE BILL 395. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to economic development; to adopt the Nebraska Enterprise Act; and to authorize the awarding of grants for economic development as prescribed.

LEGISLATIVE BILL 396. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to allow an income tax credit for certain long-term care insurance policy premiums; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 397. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to appropriations; to state intent relating to funding for a lead-based paint hazard reduction grant; and to authorize a grant.
LEGISLATIVE BILL 398. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2014; to exempt all tangible personal property from property tax; and to repeal the original section.

LEGISLATIVE BILL 399. Introduced by Smith, 14.

A BILL FOR AN ACT relating to transportation; to amend sections 75-301 and 75-304, Reissue Revised Statutes of Nebraska, and section 75-302, Revised Statutes Cumulative Supplement, 2014; to define a term; to restate intent; to provide powers and duties for the Public Service Commission relating to transportation network service; and to repeal the original sections.

LEGISLATIVE BILL 400. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1493 and 49-1494, Reissue Revised Statutes of Nebraska; to change requirements for statements of financial interest; and to repeal the original sections.

LEGISLATIVE BILL 401. Introduced by Kolterman, 24; Brasch, 16; Ebke, 32; Groene, 42; Howard, 9; Kuehn, 38; Nordquist, 7.

A BILL FOR AN ACT relating to universities and colleges; to amend section 85-1412, Reissue Revised Statutes of Nebraska; to adopt the College Tuition Equalization Grant Program Act; to provide duties for the Coordinating Commission for Postsecondary Education; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 402. Introduced by Baker, 30; Davis, 43; Kuehn, 38; Schilz, 47.

A BILL FOR AN ACT relating to education; to amend sections 79-1336 and 79-1337, Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions relating to distance education incentives; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 403. Introduced by Davis, 43.

A BILL FOR AN ACT relating to elections; to amend section 32-960, Revised Statutes Cumulative Supplement, 2014; to change provisions regarding elections conducted by mail; and to repeal the original section.

LEGISLATIVE BILL 404. Introduced by Davis, 43.

A BILL FOR AN ACT relating to water; to amend section 46-233, Reissue
Revised Statutes of Nebraska; to provide for evidentiary hearings relating to applications as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 405.** Introduced by Davis, 43; Howard, 9.

A BILL FOR AN ACT relating to Alzheimer's and related disorders; to create a work group; to provide a termination date; to provide powers and duties; and to declare an emergency.

**LEGISLATIVE BILL 406.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-202, Reissue Revised Statutes of Nebraska; to change provisions relating to actions for the recovery of vacant, platted, and subdivided real property as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 407.** Introduced by Haar, K., 21; Davis, 43; Kolowski, 31; Nordquist, 7.

A BILL FOR AN ACT relating to public power; to amend sections 70-1001.01 and 70-1014.02, Revised Statutes Cumulative Supplement, 2014; to eliminate provisions relating to criteria for approval of certain facilities as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal section 70-1028, Revised Statutes Cumulative Supplement, 2014.

**LEGISLATIVE BILL 408.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1726, Reissue Revised Statutes of Nebraska; to change a penalty for failure to pay taxes; and to repeal the original section.

**LEGISLATIVE BILL 409.** Introduced by McCollister, 20; Morfeld, 46; Pansing Brooks, 28; Schnoor, 15.

A BILL FOR AN ACT relating to landlords and tenants; to amend sections 76-1410 and 76-1416, Reissue Revised Statutes of Nebraska; to redefine the term tenant; to change the maximum pet deposit; and to repeal the original sections.

**LEGISLATIVE BILL 410.** Introduced by Sullivan, 41; Davis, 43; Gloor, 35; Haar, K., 21; Hansen, 26; Kolowski, 31; Morfeld, 46; Pansing Brooks, 28; Scheer, 19.

A BILL FOR AN ACT relating to the Access College Early Scholarship Program Act; to amend sections 85-2102 and 85-2104, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to eligibility; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 411. Introduced by Cook, 13.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Supplemental Nutrition Assistance Program; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 412. Introduced by Mello, 5.

A BILL FOR AN ACT relating to Rural Community-Based Energy Development Act; to amend sections 70-1907, Reissue Revised Statutes of Nebraska, and 70-1903, Revised Statutes Cumulative Supplement, 2014; to redefine a term; to change requirements for project developers; and to repeal the original sections.

LEGISLATIVE BILL 413. Introduced by Mello, 5.

A BILL FOR AN ACT relating to environmental protection; to amend sections 81-1504, 81-1505, 81-1532, and 81-15,153, Reissue Revised Statutes of Nebraska; to provide powers and duties for the Department of Environmental Quality; to provide for an evaluation as prescribed when issuing permits to political subdivisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 414. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 44-1095, Reissue Revised Statutes of Nebraska, and section 77-202, Revised Statutes Cumulative Supplement, 2014; to provide a property tax exemption for fraternal benefit societies; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 415. Introduced by Pansing Brooks, 28; Schumacher, 22.

A BILL FOR AN ACT relating to the Uniform Interstate Family Support Act; to amend sections 42-701, 42-702, 42-703, 42-704, 42-705, 42-707, 42-708, 42-710, 42-711, 42-712, 42-713, 42-713.01, 42-713.02, 42-714, 42-717, 42-718, 42-719, 42-720, 42-721, 42-723, 42-724, 42-726, 42-729, 42-730, 42-731, 42-732, 42-733, 42-734.03, 42-734.04, 42-734.05, 42-735, 42-736, 42-737, 42-738, 42-739, 42-740, 42-741, 42-742, 42-743, 42-744, 42-745, 42-746, 42-747.01, and 42-747.03, Reissue Revised Statutes of Nebraska; to define, redefine, and eliminate terms; to provide for and change provisions relating to tribunals, proceedings, enforcement, support orders, payment, pleadings and documents, parentage of children, registration of orders, choice of law, procedures to contest, confirmation, and modification of support orders; to provide for proceedings under the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance as prescribed; to harmonize provisions; to
provide for applicability; to provide severability; to repeal the original sections; and to outright repeal section 42-748, Reissue Revised Statutes of Nebraska.


A BILL FOR AN ACT relating to property; to amend sections 30-2333, 30-2353, 30-2723, 30-2742, and 30-3854, Reissue Revised Statutes of Nebraska, and sections 30-2354, 30-2715, 30-2715.01, and 76-3415, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to transfer of property upon death; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 417. Introduced by Nordquist, 7; Mello, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska for pediatric cancer research.

LEGISLATIVE BILL 418. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 71-7611 and 77-2602, Revised Statutes Cumulative Supplement, 2014; to change the distribution of cigarette tax proceeds; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 419. Introduced by Mello, 5; Craighead, 6; Davis, 43; Haar, K., 21; Harr, B., 8; Krist, 10; Morfeld, 46; Nordquist, 7; Pansing Brooks, 28; Schilz, 47; Schumacher, 22; Smith, 14; Stinner, 48; Watermeier, 1; Williams, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2014; to exempt sales and purchases by zoos and aquariums from sales and use taxes as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 420. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-727.03, Reissue Revised Statutes of Nebraska; to require acknowledgments from purchasers of real estate as prescribed; and to repeal the original section.

LEGISLATIVE BILL 421. Introduced by Kintner, 2; Brasch, 16; Ebke, 32; Garrett, 3; Murante, 49; Schnoor, 15; Smith, 14.

LEGISLATIVE BILL 422. Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Nebraska Probate Code; to amend section 30-2201, Revised Statutes Cumulative Supplement, 2014; to provide for reasonable fees and costs for proceedings involving a minor as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 423. Introduced by Nordquist, 7; Davis, 43; Haar, K., 21; Kolowski, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,235, Revised Statutes Cumulative Supplement, 2014; to change a renewable energy tax credit; and to repeal the original section.

LEGISLATIVE BILL 424. Introduced by Davis, 43; Haar, K., 21; Kolowski, 31; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-518, Reissue Revised Statutes of Nebraska, and sections 77-105, 77-202, 77-6201, 77-6202, 77-6203, and 77-6204, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the nameplate capacity tax; to redefine terms; to change a property tax exemption; to harmonize provisions; to provide an operative date; and to repeal the original sections.
LEGISLATIVE BILL 425. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Department of Correctional Services; to amend sections 29-3803, 29-3804, 29-4014, 47-123, 81-1850, 83-170, 83-1,107, 83-1,108, 83-1,109, 83-1,110, 83-1,118, 83-1,122, 83-1,123, 83-1,125, 83-4,111, 83-4,122, and 83-4,123, Reissue Revised Statutes of Nebraska, and section 29-2204, Revised Statutes Cumulative Supplement, 2014; to provide for earned time; to discontinue the use of good time as prescribed; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 426. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend sections 83-170, 83-173.01, 83-184, 83-1,100, 83-1,102, 83-1,110, 83-1,116, and 83-1,119, Reissue Revised Statutes of Nebraska; to define a term; to provide for violent offenders; to provide powers and duties for the Director of Correctional Services, the Parole Administrator, the Board of Parole, and parole officers; and to repeal the original sections.

LEGISLATIVE BILL 427. Introduced by Groene, 42; Davis, 43; Garrett, 3.

A BILL FOR AN ACT relating to probation; to amend sections 25-2407 and 43-2,113, Reissue Revised Statutes of Nebraska, and section 29-2259, Revised Statutes Cumulative Supplement, 2014; to provide for state payment of probation services; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 428. Introduced by Garrett, 3; Schnoor, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 60-3,185, Reissue Revised Statutes of Nebraska, and section 60-3,189, Revised Statutes Cumulative Supplement, 2014; to provide an exemption from motor vehicle taxation for certain veterans and their surviving spouses as prescribed; to provide for reimbursement of political subdivisions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 429. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Nebraska Workers’ Compensation Act; to amend section 48-134.01, Reissue Revised Statutes of Nebraska, and section 48-1,110, Revised Statutes Cumulative Supplement, 2014; to provide for medical utilization and treatment guidelines; to change provisions relating to independent medical examiners; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 430. Introduced by Mello, 5.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2013, LB530A, section 1; to appropriate funds; to repeal the original section; and to declare an emergency.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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Craig, John A. E. - Nebraska Rural Health Advisory Commission - Health and Human Services
Scholl, Laura A. - Board of Emergency Medical Services - Health and Human Services

(Signed) Bob Krist, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Monday, January 26, 2015 1:30 p.m.

LB109
LB239
LB54
LB144

(Signed) Kate Sullivan, Chairperson

Urban Affairs

Room 1510

Tuesday, January 27, 2015 1:30 p.m.

LB168
LB116
LB131
LB149

(Signed) Sue Crawford, Chairperson
Monday, January 26, 2015 1:30 p.m.

LB159
LB157
LB279
LB247

(Signed) Jim Scheer, Chairperson

Judiciary
Room 1113

Friday, January 23, 2015 1:30 p.m.

LB44
LB188
LB209
LB219

(Signed) Les Seiler, Chairperson

Banking, Commerce and Insurance
Room 1507

Tuesday, January 27, 2015 1:30 p.m.

Mark Quandahl - Department of Banking and Finance
Bruce Ramge - Department of Insurance
LB269
LB198
LB139

(Signed) Jim Scheer, Chairperson
General Affairs
Room 1510

Monday, January 26, 2015 1:30 p.m.

LB250
LB17
LB118
LB241
LB179
LB160
LR10CA
LB330

(Signed) Tyson Larson, Chairperson

AMENDMENT(S) - Print in Journal

Senator Sullivan filed the following amendment to LB273:
AM9
1. On page 2, line 13 strike "ten" and insert "twenty".

WITHDRAW - Cointroducer

Senator Krist withdrew his name as cointroducer to LB118.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Watermeier - LB272

VISITOR

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

ADJOURNMENT

At 10:33 a.m., on a motion by Senator Kolowski, the Legislature adjourned until 11:00 a.m., Tuesday, January 20, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
NINTH DAY - JANUARY 20, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 20, 2015

PRAYER

The prayer was offered by Senator Campbell.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator McCoy who was excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighth day was approved.

REFERENCE COMMITTEE REPORT

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LB427 Government, Military and Veterans Affairs
LB428 Revenue
LB429 Business and Labor
LB430 Appropriations

(Signed) Bob Krist, Chairperson
Executive Board
NOTICE OF COMMITTEE HEARING(S)

Agriculture

Room 2102

Tuesday, January 27, 2015 1:30 p.m.

William Marshall III - Nebraska State Fair Board

(Signed) Jerry Johnson, Chairperson

Judiciary

Room 1113

Wednesday, January 28, 2015 1:30 p.m.

LB38
LB120
LB215
LB167
LB189

(Signed) Les Seiler, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, January 27, 2015 1:30 p.m.

LB122
LB275
LB94

(Signed) Jim Smith, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21.
BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 431. Introduced by Baker, 30.

A BILL FOR AN ACT relating to public lettings; to amend section 73-106, Reissue Revised Statutes of Nebraska; to change provisions relating to public school district construction; and to repeal the original section.

LEGISLATIVE BILL 432. Introduced by Baker, 30.

A BILL FOR AN ACT relating to public records; to amend section 84-712, Reissue Revised Statutes of Nebraska; to change provisions relating to access to and copying of public records; and to repeal the original section.

LEGISLATIVE BILL 433. Introduced by Baker, 30.

A BILL FOR AN ACT relating to motor vehicles; to amend section 28-101, Revised Statutes Cumulative Supplement, 2014; to establish the offense of false presentation of proof of liability insurance; to provide penalties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 434. Introduced by Cook, 13.

A BILL FOR AN ACT relating to personal property; to amend sections 69-401, 69-407, 69-408, and 69-409, Revised Statutes Cumulative Supplement, 2014; to require law enforcement agencies to use theft notification web sites as prescribed; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 435. Introduced by Cook, 13.

A BILL FOR AN ACT relating to education; to adopt the Time to Teach and Time to Learn Act; and to provide operative dates.

LEGISLATIVE BILL 436. Introduced by Cook, 13.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate funds for pediatric oral health services.

LEGISLATIVE BILL 437. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to the Parenting Act; to amend section 43-2921, Reissue Revised Statutes of Nebraska, and sections 43-2923 and 43-2929, Revised Statutes Cumulative Supplement, 2014; to provide for legislative findings; to codify provisions relating to best interests of the child; to change provisions relating to parenting plans created by the court; and to repeal the original sections.
LEGISLATIVE BILL 438. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Revised Statutes Cumulative Supplement, 2014; to change the distribution of sales and use tax revenue; to create a fund; to provide funding for schools; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 439. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-181, Reissue Revised Statutes of Nebraska, and section 53-180.05, Revised Statutes Cumulative Supplement, 2014; to change penalty provisions for certain violations relating to or committed by minors or persons who are mentally incompetent; and to repeal the original sections.

LEGISLATIVE BILL 440. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2014; to provide for a study of rates for care provided by an Alzheimer's special care unit as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 441. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to state wards; to amend sections 43-284.02, 43-285, 43-905, 43-1312.01, 43-4501, 43-4503, 43-4504, 43-4505, 43-4506, 43-4508, 43-4511, 43-4512, 43-4513, 43-4514, and 71-824, Revised Statutes Cumulative Supplement, 2014; to require juvenile court to hold an independence hearing; to provide for health care and medical assistance as prescribed; to redefine bridge to independence program; to provide for kinship guardian assistance agreements and extended adoption assistance agreements as prescribed; to provide duties for the Department of Health and Human Services; to require certain documents and proceedings to be confidential; to provide duties for the Nebraska Children's Commission; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 442. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate additional funds to the Property Tax Credit Cash Fund.

LEGISLATIVE BILL 443. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Special Education Act; to amend section 79-1125.01, Reissue Revised Statutes of Nebraska; to redefine the term support services; and to repeal the original section.
LEGISLATIVE BILL 444. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003, 79-1005.01, 79-1008.01, and 79-1017.01, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to a minimum levy adjustment; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-1008.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 445. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2117.01, Reissue Revised Statutes of Nebraska; to authorize the Department of Revenue to audit redevelopment plans involving tax-increment financing; to change provisions relating to reporting; and to repeal the original section.

LEGISLATIVE BILL 446. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to school employees retirement; to amend sections 79-902, 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; and to repeal the original sections.

LEGISLATIVE BILL 447. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Act; to amend sections 79-978, 79-980, 79-981, 79-982, 79-983, 79-984, 79-985, 79-986, 79-987, 79-989, 79-990, 79-991, 79-992, 79-996, 79-998, 79-9,102, 79-9,103, 79-9,105, 79-9,107, 79-9,108, 79-9,109, 79-9,111, 79-9,113, 79-9,115, and 79-9,117, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change membership of the board of trustees; to change provisions relating to administration of the retirement system and the services and benefits provided by the system; to provide a penalty; to provide immunity from liability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 448. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to school employees retirement; to amend sections 79-901, 79-902, 79-910, 79-916, 79-918, 79-942, 79-978, 79-979, and 79-988, Reissue Revised Statutes of Nebraska; to make Class V school employees members of the School Employees Retirement Act; to end current and new employee participation in the Class V retirement system; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 449. Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,162 and 81-12,163, Reissue Revised Statutes of Nebraska; to change provisions relating to microloans and funding; to harmonize provisions; to repeal the original sections; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 450. Introduced by Mello, 5.

A BILL FOR AN ACT relating to tourism; to amend sections 81-3701, 81-3711, and 81-3714, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Tourism Commission; to authorize grants; to change provisions relating to use of funds; to create a fund; to state intent; to harmonize provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to insurance; to amend sections 44-6410 and 44-6411, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to stacking of coverage; and to repeal the original sections.

LEGISLATIVE BILL 452. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-124, Reissue Revised Statutes of Nebraska, and section 38-178, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to advertisement by credential holders; to provide for disciplinary action; and to repeal the original sections.

LEGISLATIVE BILL 453. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-395, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to motor vehicle fees and taxes; and to repeal the original section.

LEGISLATIVE BILL 454. Introduced by Garrett, 3; Craighead, 6; Schnoor, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the taxation of military retirement benefits; and to repeal the original section.

LEGISLATIVE BILL 455. Introduced by Gloor, 35; Crawford, 45.

A BILL FOR AN ACT relating to cities of the first class; to amend section
16-222.02, Reissue Revised Statutes of Nebraska; to change provisions relating to employment of a full-time fire chief; and to repeal the original section.

**LEGISLATIVE BILL 456.** Introduced by Gloor, 35; Groene, 42; Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Exchange Transparency Act; to amend section 44-8704, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to meetings of a commission; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 457.** Introduced by Gloor, 35; Scheer, 19.

A BILL FOR AN ACT relating to economic development; to amend sections 81-1213, 81-12,146, and 81-12,147, Reissue Revised Statutes of Nebraska, and section 58-708, Revised Statutes Cumulative Supplement, 2014; to terminate a fund; to change the Site and Building Development Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 458.** Introduced by Kolterman, 24; Howard, 9.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3903, 44-3910, 44-4047, and 44-4052, Reissue Revised Statutes of Nebraska; to authorize limited lines travel insurance producer licenses; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 459.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1917, Revised Statutes Cumulative Supplement, 2014; to provide for depositions of a child victim or child witness; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 460.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-117.07, 53-125, and 53-130, Reissue Revised Statutes of Nebraska, and sections 53-101, 53-103, 53-117, 53-123, 53-124, and 53-124.01, Revised Statutes Cumulative Supplement, 2014; to provide for licensure for charter bus services, limousine services, and pedal-pub vehicles; to define a term; to provide for procedures and fees; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 461.** Introduced by Pansing Brooks, 28; Davis, 43.

A BILL FOR AN ACT relating to the Nebraska Tree Recovery Program; to amend section 72-1902, Reissue Revised Statutes of Nebraska; to change legislative intent relating to appropriations; and to repeal the original
LEGISLATIVE BILL 462. Introduced by Seiler, 33; Kuehn, 38.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-14,101.02, 49-14,101.03, and 49-14,114, Reissue Revised Statutes of Nebraska; to define a term; to change restrictions on campaigning by certain public officials and public employees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 463. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to fiduciaries; to adopt the Technology Information Management Act; and to provide severability.

LEGISLATIVE BILL 464. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to liens; to amend sections 52-1307, 52-1312, and 52-1317, Reissue Revised Statutes of Nebraska; to change provisions relating to information provided on effective financing statements as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 465. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to notaries public; to adopt the Electronic Notary Public Act.

LEGISLATIVE BILL 466. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,144, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to deductions of municipal sales and use tax refunds; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 467. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend sections 81-2014.01, 81-2017, 81-2026, 81-2027.08, and 81-2041, Reissue Revised Statutes of Nebraska; to redefine a term; to change benefit calculation and adjustment; to eliminate certain state contributions as prescribed; to change DROP requirements; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 468. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend sections 24-701, 24-701.01, 24-703, and 24-710.13, Revised Statutes Cumulative Supplement, 2014; to redefine a term; to change cost-of-living adjustments for judges as prescribed; to change provisions relating to...
contributions by judges; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 469.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to the environment; to define terms; and to provide powers and duties to the Department of Environmental Quality relating to the development of a state plan for regulating carbon dioxide emissions.

**LEGISLATIVE BILL 470.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to provide an income tax credit for caregivers as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 471.** Introduced by Howard, 9; Lindstrom, 18; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to health and human services; to amend sections 71-2454, 71-2455, and 71-2456, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to prescription drug monitoring; to state intent relating to appropriations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 472.** Introduced by Campbell, 25; Crawford, 45; Howard, 9; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to medical assistance; to amend sections 44-4225, 68-901, 68-906, 68-908, and 68-909, Revised Statutes Cumulative Supplement, 2014; to adopt the Medicaid Redesign Act; to change provisions relating to the Comprehensive Health Insurance Pool Distributive Fund; to create a fund; to adopt by reference changes to federal law; to eliminate the Medicaid Reform Council and obsolete provisions; to harmonize provisions; to provide severability; to repeal the original sections; to outright repeal sections 68-948 and 68-949, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 473.** Introduced by Chambers, 11.

A BILL FOR AN ACT relating to eminent domain; to amend sections 57-1101 and 57-1408, Revised Statutes Cumulative Supplement, 2014; to eliminate the power of eminent domain for certain pipelines; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 474.** Introduced by Chambers, 11.

A BILL FOR AN ACT relating to motor vehicles; to amend sections
37-201, 60-301, 60-303, 60-305, 60-306, 60-310, 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2014; to provide for Mountain Lion Protection Plates; to create the Game and Parks Commission Educational Fund and provide for its use; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 475. Introduced by Davis, 43.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1012, Reissue Revised Statutes of Nebraska; to change a provision relating to the construction or acquisition of certain electric generation facilities; and to repeal the original section.

LEGISLATIVE BILL 476. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to provide duties for county assessors and the Property Tax Administrator relating to tax-exempt real property.

LEGISLATIVE BILL 477. Introduced by Davis, 43.

A BILL FOR AN ACT relating to schools; to amend section 79-499, Reissue Revised Statutes of Nebraska; to change provisions relating to a district maintaining the only public high school in a county as prescribed; and to repeal the original section.

LEGISLATIVE BILL 478. Introduced by Baker, 30.

A BILL FOR AN ACT relating to educational service units; to amend section 79-1223, Reissue Revised Statutes of Nebraska; to provide for bonding; and to repeal the original section.

LEGISLATIVE BILL 479. Introduced by Bloomfield, 17; Brasch, 16; Coash, 27; Crawford, 45; Davis, 43; Garrett, 3; Groene, 42; Kintner, 2; Krist, 10; Morfeld, 46; Schnoor, 15.

A BILL FOR AN ACT relating to veterans; to amend section 80-201, Reissue Revised Statutes of Nebraska; to change provisions relating to memorials of veterans; and to repeal the original section.

LEGISLATIVE BILL 480. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-119, Reissue Revised Statutes of Nebraska; to change provisions relating to computing compensation; and to repeal the original section.
LEGISLATIVE BILL 481. Introduced by Kintner, 2; Craighead, 6; Ebke, 32; Garrett, 3; Lindstrom, 18; Murante, 49; Scheer, 19; Schnoor, 15.

A BILL FOR AN ACT relating to learning communities; to amend section 79-2102, Reissue Revised Statutes of Nebraska, and section 32-546.01, Revised Statutes Cumulative Supplement, 2014; to permit school districts to opt out of a learning community as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 482. Introduced by Krist, 10.

A BILL FOR AN ACT relating to juveniles; to amend section 43-252, Reissue Revised Statutes of Nebraska, and sections 43-251.01, 43-276, and 43-2,129, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to placements, commitments, fingerprints, and petitions; to provide for assistance for certain juveniles; to prohibit the use of instruments of restraint as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 483. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 83-1,105.01, Reissue Revised Statutes of Nebraska, and section 29-2204, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to indeterminate sentencing; and to repeal the original sections.

LEGISLATIVE BILL 484. Introduced by Nordquist, 7; Garrett, 3; Smith, 14.

A BILL FOR AN ACT relating to county employees retirement; to amend section 23-2308, Reissue Revised Statutes of Nebraska, and section 23-2307, Revised Statutes Cumulative Supplement, 2014; to change employee and county contribution rates as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 485. Introduced by Stinner, 48; Bolz, 29; Davis, 43; Harr, B., 8; Hilkemann, 4; Howard, 9; Nordquist, 7.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Department of Health and Human Services for child welfare; and to declare an emergency.

LEGISLATIVE BILL 486. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-123.14, Revised Statutes Cumulative Supplement, 2014; to provide for a limited bottling endorsement; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 487. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Reissue Revised Statutes of Nebraska; to change the duties of the Auditor of Public Accounts as prescribed; to define a term; and to repeal the original section.

LEGISLATIVE BILL 488. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to insurance; to adopt the Transportation Network Insurance Act.

LEGISLATIVE BILL 489. Introduced by Sullivan, 41; Brasch, 16; Campbell, 25; Cook, 13; Johnson, 23; Kolowski, 31; Pansing Brooks, 28; Scheer, 19; Stinner, 48.

A BILL FOR AN ACT relating to early childhood education; to amend section 79-1104.02, Reissue Revised Statutes of Nebraska; to provide requirements for grant recipients as prescribed; and to repeal the original section.

LEGISLATIVE BILL 490. Introduced by Watermeier, 1; Craighead, 6.

A BILL FOR AN ACT relating to medical care; to adopt the Provider Orders for Life-Sustaining Treatment Act.

LEGISLATIVE BILL 491. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to elections; to amend sections 32-107, 32-108, 32-114, 32-115, 32-221, 32-302, 32-306, 32-307, 32-311.01, 32-314, 32-807, 32-813, 32-901, 32-904, 32-906, 32-907, 32-910, 32-912, 32-913, 32-914, 32-916, 32-917, 32-918, 32-919, 32-920, 32-921, 32-922, 32-923, 32-925, 32-927, 32-929, 32-938, 32-940, 32-945, 32-952, 32-1001, 32-1041, 32-1302, 32-1307, 32-1403, 32-1502, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519, 32-1528, 32-1530, 32-1531, and 32-1532, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-308, 32-310, 32-311, 32-321, 32-325, 32-816, 32-902, 32-915, 32-933, 32-941, and 32-1002, Revised Statutes Cumulative Supplement, 2014; to provide for an election day voter registration pilot project as prescribed; to create a task force; to change provisions relating to registration, voting, and penalty provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 492. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to register of deeds document recording fees; to amend sections 25-2154, 33-109, 52-1004, and 77-3903, Revised Statutes Cumulative Supplement, 2014; to allow additional uses of fees charged by the register of deeds office for preservation and maintenance of records; to harmonize provisions; to change fees; and to repeal the original
sections.

LEGISLATIVE BILL 493. Introduced by Nordquist, 7; Crawford, 45; Haar, K., 21; Hansen, 26; Howard, 9; Kolowski, 31; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to labor; to adopt the Healthy and Safe Families and Workplaces Act; and to provide severability.

LEGISLATIVE BILL 494. Introduced by Nordquist, 7; Crawford, 45; Haar, K., 21; Hansen, 26; Howard, 9; Kolowski, 31; Mello, 5; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to labor; to amend section 48-1205, Reissue Revised Statutes of Nebraska, and section 48-1203, Reissue Revised Statutes of Nebraska, as amended by section 1, Initiative Law 2014, No. 425; to change the minimum wage for persons compensated by way of gratuities; to provide duties for the Commissioner of Labor; and to repeal the original sections.

LEGISLATIVE BILL 495. Introduced by Pansing Brooks, 28; Campbell, 25; Crawford, 45; Davis, 43; Hansen, 26; Howard, 9; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to increase the earned income tax credit; and to repeal the original section.

LEGISLATIVE BILL 496. Introduced by Kuehn, 38; Watermeier, 1; Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Board of Regents for the Yeutter Institute for International Trade and Finance.

MOTION - Print in Journal

Senator Davis filed the following motion to LB201: MO3 Withdraw bill.
NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Tuesday, January 27, 2015 1:30 p.m.

John Bernthal - Coordinating Commission for Postsecondary Education
LB303
LB371
LB49

(Signed) Kate Sullivan, Chairperson

EXECUTIVE BOARD REPORT

Senator Krist, Chairperson of the Executive Board, reported the appointments of the following members of the Legislature to the following special committees:

Building Maintenance
Senator Hughes (Chairperson)
Senator Craighead
Senator Kolterman
Senator Mello
Senator Stinner
Senator Watermeier

Education Commission of the States
Senator Baker
Senator Scheer
Senator Sullivan

Homeland Security Policy Group
Senator Craighead
Senator Kuehn

Interstate Compact for Adult Offender Supervision
Senator Bolz

Legislative Performance Audit
Speaker Hadley
Senator Krist
Senator Kuehn
Senator Larson
Senator Mello
Senator Scheer
Senator Watermeier
WHEREAS, Nicholas Weber, a member of Troop 28 from Aurora, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Nicholas has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Nicholas removed the existing landscape and installed new landscaping around the Farr Building at the Hamilton County Fairgrounds in Aurora; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Nicholas, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Nicholas Weber on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Nicholas Weber.

Laid over.

LEGISLATIVE RESOLUTION 29. Introduced by Friesen, 34.

WHEREAS, Trevor Alber, a member of Troop 28 from Aurora, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Trevor has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Trevor built new support structures for the rabbit and poultry cages for the Hamilton County Fairgrounds in Aurora; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and
WHEREAS, Trevor, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Trevor Alber on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Trevor Alber.

Laid over.

LEGISLATIVE RESOLUTION 30. Introduced by Friesen, 34.

WHEREAS, Blake Vaught, a member of Troop 28 from Aurora, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Blake has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Blake built five new planters with benches for the Hamilton County Fairgrounds in Aurora; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Blake, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Blake Vaught on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Blake Vaught.

Laid over.

LEGISLATIVE RESOLUTION 31CA. Introduced by Bloomfield, 17; Brasch, 16; Coash, 27; Groene, 42; Kintner, 2; Krist, 10; Morfeld, 46.

THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:
Section 1. At the general election in November 2016, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 12:

III-12 (1) No person shall be eligible to serve as a member of the Legislature for four years next after the expiration of two consecutive full terms regardless of the district represented.

(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.

(3) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the limit on terms of members of the Legislature to two consecutive full terms.

For

Against.

LEGISLATIVE RESOLUTION 32. Introduced by Krist, 10.

WHEREAS, the One Hundredth Legislature, Second Session, 2008, adopted Legislative Resolution 283 to establish the Developmental Disabilities Special Investigative Committee of the Legislature. The committee was then reauthorized by the One Hundred First Legislature, First Session, 2009, in Legislative Resolution 11, by the One Hundred Second Legislature, First Session, 2011, in Legislative Resolution 47, by the One Hundred Second Legislature, Second Session, 2012, in Legislative Resolution 365, and by the One Hundred Third Legislature, First Session, 2013, in Legislative Resolution 20. The committee was authorized to study the quality of care and related staffing issues at the Beatrice State Developmental Center, investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, and determine how and why such services to the developmentally disabled were permitted to decline to the level documented in the United States Department of Justice report.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the Developmental Disabilities Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the executive board. The executive board shall appoint the chairperson and vice-chairperson of the committee. The executive board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board is also
authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.

2. The Developmental Disabilities Special Investigative Committee of the Legislature shall provide oversight to ensure that the terms of the United States Department of Justice Consent Decree and the recommendations from the Report of the Developmental Disabilities Special Investigative Committee dated December 15, 2008, are implemented in a timely fashion.

3. The Developmental Disabilities Special Investigative Committee of the Legislature is hereby authorized to continue to study the quality of care and related staffing issues at the Beatrice State Developmental Center. The committee shall also continue to investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, including the determination of whether adequate funding and capacity exists for persons to be served in the community, options for service provisions for current residents of the Beatrice State Developmental Center at other twenty-four-hour care facilities in the state, and the staffing practices at twenty-four-hour care facilities and the relationship of those practices to the quality of care provided to the developmentally disabled. The committee shall also review the processes of how the Division of Developmental Disabilities of the Department of Health and Human Services determines eligibility for services for individuals who are in need of services, as well as the processes utilized by the division to determine when individuals who have received services by the division are no longer eligible for such services.

4. The Developmental Disabilities Special Investigative Committee of the Legislature shall issue a report with its findings as the circumstances warrant.

5. The Developmental Disabilities Special Investigative Committee of the Legislature is hereby authorized to continue its work until the beginning of the One Hundred Fifth Legislature, First Session.

Laid over.

LEGISLATIVE RESOLUTION 33. Introduced by Krist, 10.

WHEREAS, in 2008, the Department of Health and Human Services (DHHS) began to develop the ACCESSNebraska system. ACCESSNebraska is a system that is intended to efficiently determine public assistance eligibility and provide service delivery. Since the implementation of this system, the Legislature has conducted several hearings on bills and resolutions related to ACCESSNebraska. In these hearings, the realities and problems faced by clients navigating the ACCESSNebraska system were revealed, including long call wait times, lost documentation, erroneous public assistance decisions, and a general difficulty for clients to get the assistance they needed in a timely manner; and

WHEREAS, the One Hundred Third Legislature, Second Session, adopted Legislative Resolution 400, which created the ACCESSNebraska Special
WHEREAS, on December 15, 2014, the committee issued a report and recommendations related to ACCESSNebraska. The committee found the ACCESSNebraska system has been and continues to be plagued with problems. The committee also found ACCESSNebraska front-line workers have not been given the proper tools to complete daunting work loads; and

WHEREAS, the committee recommended among other things that the ACCESSNebraska Special Investigative Committee be continued to provide ongoing oversight for the ACCESSNebraska system.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the ACCESSNebraska Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the Executive Board. The committee shall elect a chairperson and vice-chairperson from the membership of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.

2. The ACCESSNebraska Special Investigative Committee of the Legislature is hereby authorized to study the adequacy of staffing and training of DHHS employees working within the ACCESSNebraska system, including the number of employees for local offices, the number of employees for call centers and document imaging centers, the type and amount of training received, the education levels and years of experience of employees, client access to employees, and the need for and availability of dedicated caseworkers for clients. The scope of the committee's investigation shall include, but not be limited to, the adequacy of technology used within the ACCESSNebraska system, including telephone systems, computer software, case management, information technology, and use of and access to databases to allow for data matching. The committee shall also investigate the effectiveness of processes and structures used by the ACCESSNebraska system, including system design, management structure, and system goals. The committee shall also investigate the need for new or additional data collection to determine system effectiveness. The committee shall analyze the experiences of clients and their family members and examine customer service experience, access to benefits, and responses to changing family needs. The committee shall utilize existing studies and reports and legislation developed to address the current conditions. The committee shall not be limited to such studies, reports, or legislation. The committee shall issue a report with its findings and recommendations to the

Laid over.

**LEGISLATIVE RESOLUTION 34.** Introduced by Krist, 10.

WHEREAS, the Department of Correctional Services Special Investigative Committee of the Legislature was created in LR424, One Hundred Third Legislature, Second Session; and

WHEREAS, the committee, having completed its work and issued its report on December 15, 2014, discovered additional problems within the Department of Correctional Services during the course of its LR424 study; and

WHEREAS, the Legislature believes that further study and oversight of the department is necessary in order to prevent additional mistakes and to correct inadequate department procedures and policies.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and reappoint the Department of Correctional Services Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the Executive Board. The committee shall elect a chairperson and vice-chairperson from the membership of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as deemed necessary by the committee.

2. That the Department of Correctional Services Special Investigative Committee of the Legislature is hereby authorized to study the following with respect to the Department of Correctional Services:
   (a) The adequacy of programs designed to rehabilitate inmates;
   (b) The funding history of programs designed to rehabilitate inmates;
   (c) The availability of mental health care and the policies and procedures in place to ensure that inmates receive appropriate mental health care or confinement through the civil commitment process;
   (d) The policies relating to the solitary confinement, segregation, or other isolation of inmates;
   (e) The transition of inmates from incarceration to the community at large;
   (f) The administration of good time laws;
   (g) Any evaluation or study made of the department's policies and practices, whether or not any recommendations were adopted as a result of the evaluation or study, and the reasons if any recommendations were not adopted; and
(b) Whether or not an office of Inspector General of the Nebraska Correctional System should be created for oversight of the department.

3. That the committee shall issue a report with its findings and recommendations to the Legislature no later than December 15, 2015.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Garrett - LB222, LB278, and LR23
Pansing Brooks - LB423, LB424, and LB407

VISITOR

The Doctor of the Day was Dr. Lanik from Geneva.

ADJOURNMENT

At 12:08 p.m., on a motion by Senator Schilz, the Legislature adjourned until 10:00 a.m., Wednesday, January 21, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TENTH DAY - JANUARY 21, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 21, 2015

PRAYER

The prayer was offered by Senator Kolterman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hadley presiding.

The roll was called and all members were present except Senator McCoy who was excused; and Senators Cook, Pansing Brooks, and Schumacher who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

SPEAKER'S ANNOUNCEMENT(S)

Pursuant to Rule 4, Section 8, LR32, LR33, and LR34 were referred to the Reference Committee.

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Wednesday, January 28, 2015 1:30 p.m.

LB63
LB165
LB267
Thursday, January 29, 2015 1:30 p.m.

LB162
LB186
LB178
LB259

Friday, January 30, 2015 1:30 p.m.

LB216
LB217
LB218
LB73
LB75
LB123

(Signed) Mike Gloor, Chairperson
Government, Military and Veterans Affairs
Room 1507

Wednesday, January 28, 2015 1:30 p.m.

LB222
LB272
LB305
LR23

(Signed) John Murante, Chairperson

COMMITTEE REPORT(S)
Agriculture

LEGISLATIVE BILL 91. Placed on General File.

(Signed) Jerry Johnson, Chairperson
Nebraska Retirement Systems

LEGISLATIVE BILL 41. Placed on General File.
LEGISLATIVE BILL 42. Placed on General File.

LEGISLATIVE BILL 126. Placed on General File with amendment.
AM12
1 1. On page 2, line 19, after the first "hundred" insert "fifty" and
2 strike "three", show as stricken, and insert "five"; and in line 27
3 before the period insert ", except that an employee receiving a one
4 hundred fifty percent employer contribution under this subdivision may
irrevocably elect to switch to a one hundred percent contribution for all future contributions”.

(Signed) Jeremy Nordquist, Chairperson
Banking, Commerce and Insurance

LEGISLATIVE BILL 35. Placed on General File with amendment.
AM6
1 1. Strike original section 1.
2 2. On page 15, line 29, strike "2017" and insert "2016"; and in line
3 30 strike "Laws 2014, LB749, section 295; and".
4 3. Renumber the remaining sections accordingly.

(Signed) Jim Scheer, Chairperson
Agriculture

LEGISLATIVE BILL 92. Placed on General File with amendment.
AM25
1 1. On page 2, line 6, after "sold" insert "in Nebraska".

LEGISLATIVE BILL 93. Placed on General File with amendment.
AM26
1 1. On page 6, strike lines 18 through 22.

(Signed) Jerry Johnson, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 497. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to divorce; to amend sections 42-365 and
42-366, Reissue Revised Statutes of Nebraska; to change provisions relating
to distribution of marital assets; to harmonize provisions; and to repeal the
original sections.

LEGISLATIVE BILL 498. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections
77-2703 and 77-2708, Revised Statutes Cumulative Supplement, 2014; to
change sales and use tax provisions relating to all-terrain vehicles and
utility-type vehicles; to harmonize provisions; to provide an operative date;
and to repeal the original sections.
LEGISLATIVE BILL 499. Introduced by Krist, 10.

A BILL FOR AN ACT relating to behavioral and mental health services; to provide duties for the Department of Health and Human Services.

LEGISLATIVE BILL 500. Introduced by Howard, 9; Krist, 10.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2014; to require application for a medicaid state plan amendment for multisystemic therapy and functional family therapy; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 501. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Legislature; to provide for use of audio or visual materials of legislative proceedings produced by a public television or radio broadcasting station for a commercial purpose or political advertising; to define terms; to provide a penalty; and to provide for injunctive relief.

LEGISLATIVE BILL 502. Introduced by Krist, 10.

A BILL FOR AN ACT relating to courts; to state intent relating to the establishment of a family court pilot project.

LEGISLATIVE BILL 503. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend sections 29-2011.02, 29-2011.03, and 84-305, Reissue Revised Statutes of Nebraska; to provide authority to issue subpoenas and request court orders for testimony or information; and to repeal the original sections.

LEGISLATIVE BILL 504. Introduced by Krist, 10.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2261, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to presentence reports and examinations; and to repeal the original section.

LEGISLATIVE BILL 505. Introduced by Krist, 10.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3523, Reissue Revised Statutes of Nebraska; to change provisions relating to the Security, Privacy, and Dissemination of Criminal History Information Act; and to repeal the original section.
LEGISLATIVE BILL 506. Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to increase payments to community-based developmental disability providers.

LEGISLATIVE BILL 507. Introduced by Cook, 13.

A BILL FOR AN ACT relating to teachers; to amend sections 79-808 and 79-810, Reissue Revised Statutes of Nebraska; to require certain examinations for special education teachers as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 508. Introduced by Cook, 13.

A BILL FOR AN ACT relating to teachers; to provide minimum requirements for acceptance to teacher education programs as prescribed; and to provide for rules and regulations.

LEGISLATIVE BILL 509. Introduced by Cook, 13.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1007.06, 79-1007.07, and 79-1013, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to a poverty allowance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 510. Introduced by Cook, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2014; to provide an income tax credit to employers of recipients of certain public assistance as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 511. Introduced by Cook, 13.

A BILL FOR AN ACT relating to schools; to state findings; and to require schools to develop return to learn protocols for pediatric cancer survivors returning to school as prescribed.

LEGISLATIVE BILL 512. Introduced by Stinner, 48; Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Oil and Gas Conservation Commission; to amend sections 57-901, 57-903, 57-905, 57-911, 57-913, 57-914, 57-915, 57-916, 57-916.01, 57-917, 57-918, 57-919, 57-920, 57-921, 57-922, and 81-1531.01, Reissue Revised Statutes of Nebraska; to provide powers and duties to the commission regarding the monitoring and regulation of the disposal in Nebraska of out-of-state produced wastewater; to define terms; to charge an assessment; to create a fund; to provide funds
for road damage and new road infrastructure; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 513. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to schools; to amend section 79-10,107, Reissue Revised Statutes of Nebraska; to change provisions relating to leasing and use of school property as prescribed; and to repeal the original section.

LEGISLATIVE BILL 514. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to schools; to amend section 79-10,107, Reissue Revised Statutes of Nebraska; to change provisions relating to leasing and use of school property as prescribed; and to repeal the original section.

LEGISLATIVE BILL 515. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to elections; to amend section 32-942, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to registering to vote and requesting a ballot for early voting at the same time; and to repeal the original section.

LEGISLATIVE BILL 516. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to brain injury; to define terms; to create a council and a fund; and to provide powers and duties.

LEGISLATIVE BILL 517. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-4,182 and 60-601, Revised Statutes Cumulative Supplement, 2014; to prohibit use of an interactive wireless communication device while operating a motor vehicle as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 518. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2014; to state intent; to provide for changes to the medical assistance program; to provide powers and duties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 519. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend sections 79-1001, 79-1003, 79-1007.11, 79-1017.01, and 85-1412, Reissue Revised Statutes of
Nebraska, and section 9-812, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Nebraska Education Improvement Fund; to provide for best practices aid, grant programs, and assistance as prescribed; to provide duties for the State Board of Education, the State Department of Education, the Coordinating Commission for Postsecondary Education, and the Department of Labor; to change provisions relating to state aid to schools; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-2306, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 520. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education funding; to amend section 85-1920, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to transfers to the Nebraska Opportunity Grant Fund and the Nebraska Education Improvement Fund; to provide intent; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 521. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to state aid to education; to amend sections 77-1701, 77-4211, 79-528, 79-1001, 79-1003, 79-1003.01, 79-1005.01, 79-1007.05, 79-1007.06, 79-1007.08, 79-1007.12, 79-1007.14, 79-1007.15, 79-1007.18, 79-1008.01, 79-1008.02, 79-1009, 79-1015.01, 79-1017.01, 79-1018.01, 79-1022, 79-1035, 79-1035.02, 79-1036, 79-1073.01, 79-2104, 79-2111, and 84-612, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 77-4212, Revised Statutes Cumulative Supplement, 2014; to provide, eliminate, and change provisions relating to property tax levies and credits and state aid to schools; to provide for property tax credit funds, apportionment funds, property tax relief aid, and student support aid; to provide for a transfer from the Cash Reserve Fund; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 77-4209, 77-4210, 79-1007.04 and 79-1007.17, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 522. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to state aid to education; to amend sections 79-309.01, 79-1001, 79-1003, 79-1003.01, 79-1005.01, 79-1007.05, 79-1007.06, 79-1007.08, 79-1007.12, 79-1007.14, 79-1007.15, 79-1007.18, 79-1008.01, 79-1008.02, 79-1009, 79-1015.01, 79-1017.01, 79-1018.01, 79-1022, 79-1035, 79-1035.02, 79-1036, and 84-612, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to state aid to schools; to provide for apportionment funds and student support aid; to provide for a transfer from the Cash Reserve Fund; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-1007.04 and 79-1007.17, Reissue Revised Statutes of Nebraska.
LEGISLATIVE BILL 523. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.03 and 77-2734.02, Revised Statutes Cumulative Supplement, 2014; to state intent; to change individual and corporate income tax rates; and to repeal the original sections.

LEGISLATIVE BILL 524. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to schools; to amend sections 79-101, 79-8,137, 79-8,137.04, 79-1003, 79-1003.01, 79-1013, 79-2110, 79-2113, 79-2115, and 79-2120, Reissue Revised Statutes of Nebraska; to provide for information relating to eligibility for free or reduced-price lunches for students; to define and redefine terms; to change provisions relating to a summer school allowance, a poverty plan, a diversity plan, elementary learning centers, learning community funds, and certification of students relating to the Community Eligibility Provision as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 525. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend sections 73-106, 79-215, 79-301, 79-318, 79-420, 79-760.01, 79-760.02, 79-760.06, 79-1205, 79-1315, 79-2204, and 79-2205, Reissue Revised Statutes of Nebraska, and section 71-1962, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Nebraska Early Childhood Professional Record System, advertising for bids, admission of homeless students, the deputy commissioner of education, academic content standards, adjustment of educational service unit boundaries, and the State Council on Educational Opportunity for Military Children; to eliminate provisions relating to annual school meetings as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 526. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to schools; to amend section 79-101, Reissue Revised Statutes of Nebraska; to define a term; and to repeal the original section.

LEGISLATIVE BILL 527. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend sections 79-8,134, 79-8,137, 79-8,137.02, 79-8,137.03, 79-8,137.04, and 79-8,137.05, Reissue Revised Statutes of Nebraska; to change provisions relating to the Attracting Excellence to Teaching Program and the Enhancing Excellence in Teaching Program; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 528. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to learning communities; to amend sections 79-413, 79-4,119, 79-4,121, 79-4,122, 79-4,124, 79-4,125, 79-4,126, 79-611, 79-1003, 79-1008.02, 79-1013, 79-1014, 79-1022, 79-1241.03, 79-2104, 79-2104.02, and 79-2117, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to transfers of parcels of land as prescribed; to provide for grants for certain purposes as prescribed; to change provide and change provisions relating to transportation of students; to redefine a term; to change and eliminate provisions relating to state aid and core services funding; to change and eliminate provisions relating to coordinating councils; to eliminate an advisory committee; to provide a duty for the Revisor of Statutes; to provide operative dates; to repeal the original sections; and to outright repeal sections 79-1007.22, 79-2104.01, and 79-2104.03, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 529. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to state aid to schools; to amend sections 79-1003, 79-1007.11, 79-1008.02, 79-1022, and 79-1073, Reissue Revised Statutes of Nebraska; to redefine a term and change provisions relating to calculation of formula need, a minimum levy adjustment, and distribution of funds for purposes of the Tax Equity and Educational Opportunities Support Act; to change provisions relating to calculation of certain distributions as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 530. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend section 79-11,155, Reissue Revised Statutes of Nebraska; to require recommendations by the student achievement coordinator; and to repeal the original section.

LEGISLATIVE BILL 531. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to insurance; to provide requirements for publication of information relating to health insurance policies, health plans, and health maintenance organization subscriptions; to provide duties for the Department of Insurance; and to provide for civil penalties.

LEGISLATIVE BILL 532. Introduced by Hilkemann, 4; Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to provide for an appropriation of funds to the University of Nebraska for construction of the Global Center for Advanced Interprofessional Learning at the University of Nebraska Medical Center.
LEGISLATIVE BILL 533. Introduced by Stinner, 48; Hilkemann, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska for operation of the Global Center for Advanced Interprofessional Learning at the University of Nebraska Medical Center.

LEGISLATIVE BILL 534. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1001, Reissue Revised Statutes of Nebraska; to provide for limitations on General Fund expenditures as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 535. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Public Service Commission; to provide exclusive jurisdiction over depth requirements for underground oil and natural gas pipeline facilities as prescribed.

LEGISLATIVE BILL 536. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to public power suppliers; to provide for the filing of an annual report with the Nebraska Power Review Board.

LEGISLATIVE BILL 537. Introduced by Watermeier, 1; Schilz, 47.

A BILL FOR AN ACT relating to appropriations; to amend section 2-1588, Revised Statutes Cumulative Supplement, 2014; to appropriate funds relating to natural resources; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 538. Introduced by Legislative Performance Audit Committee: Hadley, 37; Krist, 10; Mello, 5; Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 50-1206 and 50-1212, Reissue Revised Statutes of Nebraska, and sections 50-1203, 50-1204, 50-1208, 50-1209, 50-1210, 50-1211, 77-5725, and 77-5806, Revised Statutes Cumulative Supplement, 2014; to require audits of tax incentive programs under the Legislative Performance Audit Act; to change sunset dates for certain tax incentive programs; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 539. Introduced by Watermeier, 1; Krist, 10; Larson, 40; Mello, 5.

A BILL FOR AN ACT relating to government auditing; to amend sections 50-1215, 84-305, and 84-311, Reissue Revised Statutes of Nebraska, and sections 50-1213, 50-1214, 77-2711, and 77-27,119, Revised Statutes
Cumulative Supplement, 2014; to change provisions relating to access to information by the office of Legislative Audit and Auditor of Public Accounts; to change and provide penalties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 540.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the state building code; to amend sections 71-6403 and 71-6406, Revised Statutes Cumulative Supplement, 2014; to adopt updated international building code standards; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 541.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Taxpayer Transparency Act; to amend section 84-602.02, Reissue Revised Statutes of Nebraska; to change provisions related to a data base for expired contracts; to provide for disposal of records; and to repeal the original section.

**LEGISLATIVE BILL 542.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.15, Revised Statutes Cumulative Supplement, 2014; to provide a sales tax exemption for purchases by county agricultural societies; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 543.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to public health and welfare; to amend section 38-1201, Reissue Revised Statutes of Nebraska, and sections 38-1217 and 68-901, Revised Statutes Cumulative Supplement, 2014; to provide for certification of community paramedics under the Emergency Medical Services Practice Act; to provide for a waiver under the Medical Assistance Act for payment of community paramedic services as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 544.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,147.01 and 81-2,147.05, Reissue Revised Statutes of Nebraska; to adopt the Community Gardens Act; to define and redefine terms; to provide for applicability; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 545.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101 and 28-105, Revised Statutes Cumulative Supplement, 2014; to provide for additional mandatory minimum sentencing as prescribed; to
harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 546. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend sections 28-101 and 28-401.01, Revised Statutes Cumulative Supplement, 2014; to authorize the administration of naloxone as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 547. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Quality Child Care Act; to amend section 43-2621, Reissue Revised Statutes of Nebraska; to provide for reservation of federal funds as prescribed; and to repeal the original section.

LEGISLATIVE BILL 548. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to surgical assistants; to amend section 38-2025, Reissue Revised Statutes of Nebraska, and sections 38-101, 38-121, and 38-186, Revised Statutes Cumulative Supplement, 2014; to adopt the Surgical Assistant Practice Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 549. Introduced by Campbell, 25; Gloor, 35.

A BILL FOR AN ACT relating to health care; to adopt the Health Care Transformation Act.

LEGISLATIVE BILL 550. Introduced by Harr, B., 8; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Municipal Equalization Fund; to amend section 13-2814, Reissue Revised Statutes of Nebraska, and sections 77-27,139.03 and 77-27,144, Revised Statutes Cumulative Supplement, 2014; to change funding; to eliminate collection fees; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 551. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend section 84-1501, Reissue Revised Statutes of Nebraska; to adopt the Local Government Employees Retirement Act; to change membership on the Public Employees Retirement Board; and to repeal the original section.

LEGISLATIVE BILL 552. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304.02, Reissue Revised Statutes of Nebraska; to change a requirement for preparing a written review of all audit, accounting, or financial reports; to harmonize provisions; and to repeal the original section.
LEGISLATIVE BILL 553. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to insurance; to amend section 44-3805, Reissue Revised Statutes of Nebraska, and section 44-7,105, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to dental services; and to repeal the original sections.

LEGISLATIVE BILL 554. Introduced by Business and Labor Committee: Harr, B., 8, Chairperson; Bloomfield, 17; Chambers, 11; Crawford, 45; Ebke, 32; Johnson, 23; McCollister, 20.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

LEGISLATIVE BILL 555. Introduced by Harr, B., 8; Chambers, 11.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.


A BILL FOR AN ACT relating to workers' compensation; to amend sections 48-103, 48-127, and 48-148, Reissue Revised Statutes of Nebraska; to waive workers' compensation as the exclusive remedy if an employer is willfully negligent; to harmonize provisions; and to repeal the original sections.


A BILL FOR AN ACT relating to the Nebraska Clean Indoor Air Act; to amend section 71-5724, Reissue Revised Statutes of Nebraska; to redefine place of employment; and to repeal the original section.


A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend section 81-2,245.01, Reissue Revised Statutes of Nebraska; to redefine a term; to provide an exception for certain operations preparing food for indirect sale to a consumer as prescribed; to provide a duty for the Department of Agriculture; and to repeal the original section.

SENATOR GLOOR PRESIDING

LEGISLATIVE BILL 559. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the New Markets Job Growth Investment Act; to amend section 77-1113, Revised Statutes Cumulative Supplement,
LEGISLATIVE BILL 560. Introduced by Williams, 36; Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska; and to create a fund.

LEGISLATIVE BILL 561. Introduced by Stinner, 48; Schilz, 47.

A BILL FOR AN ACT relating to irrigation districts; to amend sections 46-101, 46-102, 46-109, 46-110, 46-111, 46-115, 46-116, 46-117, 46-151, 46-179, 46-185, 46-1,145, and 46-1,160, Reissue Revised Statutes of Nebraska; to name the Irrigation District Act; to define and redefine terms; to provide procedures for determining eligibility to vote and for conducting elections by mail; to change provisions relating to elections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 562. Introduced by Morfeld, 46; Stinner, 48.

A BILL FOR AN ACT relating to tourism; to amend section 81-3711, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Treasures Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 563. Introduced by McCollister, 20; Kolowski, 31; Riepe, 12.

A BILL FOR AN ACT relating to schools; to amend section 79-1091, Reissue Revised Statutes of Nebraska; to change provisions relating to the school fiscal year; and to repeal the original section.

LEGISLATIVE BILL 564. Introduced by Lindstrom, 18; Schilz, 47.

A BILL FOR AN ACT relating to roads; to amend section 39-1811, Reissue Revised Statutes of Nebraska; to change duties and obligations relating to the mowing of weeds along county roads; and to repeal the original section.

LEGISLATIVE BILL 565. Introduced by Kuehn, 38; Nordquist, 7.

A BILL FOR AN ACT relating to appropriations; to amend section 85-1412, Reissue Revised Statutes of Nebraska, and section 71-7611, Revised Statutes Cumulative Supplement, 2014; to state intent relating to appropriations for education and training in high-need fields; to provide duties for the Coordinating Commission for Postsecondary Education; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 566. Introduced by Coash, 27; Crawford, 45; Davis, 43; Lindstrom, 18; Scheer, 19.

A BILL FOR AN ACT relating to Indian child welfare; to amend sections 43-512.04, 43-1406, 43-1501, 43-1502, 43-1504, 43-1505, 43-1506, 43-1507, 43-1508, 43-1509, and 43-1514, Reissue Revised Statutes of Nebraska, and sections 43-279.01 and 43-1503, Revised Statutes Cumulative Supplement, 2014; to require inquiry by juvenile courts regarding Indian children; to provide for recognition of tribal law in paternity determinations; to change provisions of the Nebraska Indian Child Welfare Act; to provide requirements for voluntary and involuntary proceedings under the act; to define and redefine terms; to provide powers and duties for the Department of Health and Human Services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 567. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to pharmacies; to amend sections 28-414.01 and 38-2871, Revised Statutes Cumulative Supplement, 2014; to permit transfer of prescription information between pharmacies as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 568. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-462, 60-498.02, 60-4,131, 60-4,131.01, and 60-4,132, Revised Statutes Cumulative Supplement, 2014; to change certain administrative license revocation provisions relating to commercial drivers' licenses; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 569. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,153, 81-12,157, 81-12,158, 81-12,159, 81-12,160, 81-12,161, and 81-12,166, Reissue Revised Statutes of Nebraska; to redefine a term; to change award limitations; to add provisions on confidentiality; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 570. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to golf car vehicles; to amend section 60-6,381, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the operation of golf car vehicles; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 571. Introduced by Brasch, 16; Groene, 42; Hilkemann, 4; Mello, 5; Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Tourism Commission; to
amend sections 81-3711 and 81-3714, Reissue Revised Statutes of Nebraska; to require the commission to mark significant tourism attractions; to prohibit the posting or erection of a highway tourism marker on public property; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 572. Introduced by Davis, 43.

A BILL FOR AN ACT relating to schools; to amend section 79-2,144, Reissue Revised Statutes of Nebraska; to provide duties for the state school security director relating to cyberbullying and digital citizenship issues; and to repeal the original section.

LEGISLATIVE BILL 573. Introduced by Davis, 43.

A BILL FOR AN ACT relating to health care; to amend section 84-602.02, Reissue Revised Statutes of Nebraska, and sections 49-801.01, 77-2701, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2014; to adopt the Health Enterprise Zone Act; to provide for health enterprise zone tax credits; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 574. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-105, Revised Statutes Cumulative Supplement, 2014; to adopt the Intangible Personal Property Tax Act; to redefine a term; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 575. Introduced by Murante, 49.

A BILL FOR AN ACT relating to elections; to amend sections 13-404, 23-148, 23-2,100, 32-330, 32-528, 32-569, 32-612, 32-1037, 32-1308, and 81-2901, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-567, 32-615, 32-941, and 32-947, Revised Statutes Cumulative Supplement, 2014; to transfer and change provisions relating to filling vacancies; to change a deadline for write-in candidates; to authorize electronic means for requesting ballots to vote early; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 576. Introduced by Murante, 49.

A BILL FOR AN ACT relating to political subdivisions; to amend section 79-2117, Reissue Revised Statutes of Nebraska, and sections 32-546.01 and 32-555.01, Revised Statutes Cumulative Supplement, 2014; to change the election and membership of learning community coordinating councils; to harmonize provisions; and to repeal the original sections.
LEGISLATIVE BILL 577. Introduced by Murante, 49.

A BILL FOR AN ACT relating to counties; to amend section 23-187, Reissue Revised Statutes of Nebraska; to permit counties to regulate by ordinance the operation or conduct of peddlers, hawkers, or solicitors as prescribed; and to repeal the original section.

LEGISLATIVE BILL 578. Introduced by Murante, 49.

A BILL FOR AN ACT relating to elections; to amend sections 32-227, 32-228, 32-330, 32-813, 32-952, and 32-1032, Reissue Revised Statutes of Nebraska, and sections 10-703.01, 32-208, 32-607, 32-941, and 32-1203, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to expenses of elections, election commissioners, payment and service of election workers, the voter registration register, candidate filings, statewide general election ballots, early voting, special elections by mail, and inspection of election materials; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 579. Introduced by Murante, 49.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-695 and 60-699, Reissue Revised Statutes of Nebraska; to increase the dollar amount of damage resulting from an accident required for reporting by a peace officer; to change the dollar amount of damage resulting from an accident required for reporting by an operator as prescribed; to authorize a fee for a copy of a peace officer report; and to repeal the original sections.

LEGISLATIVE BILL 580. Introduced by Murante, 49.

A BILL FOR AN ACT relating to redistricting; to amend sections 49-1493 and 49-1499.03, Reissue Revised Statutes of Nebraska; to adopt the Redistricting Act; to require statements of financial interest and conflict of interest statements as prescribed; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 581. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to motor fuels; to adopt the Nebraska Clean-burning Motor Fuel Development Act; to provide powers and duties of the State Energy Office; and to create a fund.

LEGISLATIVE BILL 582. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1007.05, Reissue Revised Statutes of Nebraska; to change provisions relating to the focus school and program allowance; and to repeal the original section.
LEGISLATIVE BILL 583. Introduced by Schilz, 47; Kolowski, 31; Mello, 5; Nordquist, 7; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the State Energy Office; to require a state energy plan; and to provide powers and duties.

LEGISLATIVE BILL 584. Introduced by Schilz, 47; Nordquist, 7; Watermeier, 1.

A BILL FOR AN ACT relating to appropriations; to amend sections 84-612 and 85-1401, Reissue Revised Statutes of Nebraska; to provide for a transfer from the Cash Reserve Fund; to state findings and intent; to create a fund; to provide powers and duties for the Coordinating Commission for Postsecondary Education; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 585. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Department of Natural Resources; to amend sections 61-201 and 61-202, Reissue Revised Statutes of Nebraska; to change provisions relating to director qualifications and employment of personnel; and to repeal the original sections.

LEGISLATIVE BILL 586. Introduced by Morfeld, 46; Haar, K., 21; Hansen, 26; Howard, 9; Nordquist, 7; Pansing Brooks, 28.

A BILL FOR AN ACT relating to discrimination; to amend sections 18-1724, 23-2525, 23-2531, 23-2541, 48-215, 48-628.01, 48-1101, 48-1104, 48-1105, 48-1106, 48-1107, 48-1111, 48-1113, 48-1115, 48-1119, 48-1122, 48-1124, 49-801, 81-1355, and 81-1356, Reissue Revised Statutes of Nebraska, and sections 29-401 and 48-1117, Revised Statutes Cumulative Supplement, 2014; to prohibit discrimination based upon sexual orientation, gender identity, sex, and disability as prescribed; to change the Nebraska Fair Employment Practice Act; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 587. Introduced by McCollister, 20; Nordquist, 7; Schnoor, 15.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,187, Revised Statutes Cumulative Supplement, 2014; to change the motor vehicle tax schedules; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 588. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to elections; to amend section 32-943, Reissue Revised Statutes of Nebraska, and sections 32-808 and 32-941, Revised Statutes Cumulative Supplement, 2014; to provide for application
for ballots to vote early on the Secretary of State's web site; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 589.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to education funding; to amend section 9-812, Revised Statutes Cumulative Supplement, 2014; to provide for allocation of the Nebraska Education Improvement Fund; and to repeal the original section.

**LEGISLATIVE BILL 590.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1016, Reissue Revised Statutes of Nebraska; to change provisions relating to the taxable value certified by county assessors; and to repeal the original section.

**LEGISLATIVE BILL 591.** Introduced by Bolz, 29; Coash, 27; Gloor, 35; Pansing Brooks, 28.

A BILL FOR AN ACT relating to individuals with disabilities; to amend section 72-1239.01, Reissue Revised Statutes of Nebraska, and sections 68-1201 and 77-2716, Revised Statutes Cumulative Supplement, 2014; to define terms; to create the achieving a better life experience program; to provide powers and duties; to provide for adjustments to taxable income; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 592.** Introduced by Bolz, 29; Chambers, 11; Krist, 10; Mello, 5; Schumacher, 22; Seiler, 33.

A BILL FOR AN ACT relating to corrections; to amend sections 71-907, 83-171, 83-173, 83-174.01, 83-180, 83-186.01, 83-188, 83-1,100, 83-1,107, 83-1,135, 83-903, 83-904, 83-922, 83-931, 83-932, 83-933, and 83-939, Reissue Revised Statutes of Nebraska; to redefine the term mentally ill and the term dangerous sex offender; to provide a duty for the Director of Correctional Services; to provide notice and change provisions regarding release of persons who are mentally ill and dangerous as prescribed; to change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Parole Administration; to rename and transfer supervision of the Division of Community-Centered Services; to authorize and mandate the Department of Correctional Services to provide mental health care and establish certain release and reentry programs for mentally ill committed offenders; to make permanent a reentry planning pilot program; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 593.** Introduced by Nordquist, 7; Campbell, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
the University of Nebraska to study current health data systems.

**LEGISLATIVE BILL 594.** Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to retirement; to amend sections 16-1005, 23-2332, and 23-2332.01, Reissue Revised Statutes of Nebraska; to change provisions relating to contribution rates for police officers in cities of the primary class and for supplement county retirement plans; and to repeal the original sections.

**LEGISLATIVE BILL 595.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to schools; to create the Task Force on School Construction Assistance; to provide duties for the task force; to provide a duty to the State Department of Education to establish a data base; and to declare an emergency.

**LEGISLATIVE BILL 596.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to economic development; to amend sections 18-2102.01, 18-2116, 18-2117.01, and 84-304, Reissue Revised Statutes of Nebraska, and sections 18-2101 and 18-2103, Revised Statutes Cumulative Supplement, 2014; to change the Community Development Law; to create the Tax-increment Financing Division of the Auditor of Public Accounts and provide duties; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 597.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to contract carriers; to amend section 75-109.01, Revised Statutes Cumulative Supplement, 2014; to adopt the Contract Carrier Safety Act; to provide civil penalties; to provide jurisdiction to the Public Service Commission; and to repeal the original section.

**LEGISLATIVE BILL 598.** Introduced by Schumacher, 22; Bolz, 29; Chambers, 11; Krist, 10; Mello, 5; Seiler, 33.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 83-173, 83-1,135, and 83-4,114, Reissue Revised Statutes of Nebraska; to provide and change powers and duties of the Director of Correctional Services and the Department of Correctional Services; to provide and change requirements regarding treatment and segregation of inmates with mental illness; to require reports; to harmonize provisions; to repeal the original sections; and to declare an emergency.
LEGISLATIVE BILL 599. Introduced by Ebke, 32; Brasch, 16; Groene, 42; Kintner, 2; Lindstrom, 18; Schnoor, 15.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203, Reissue Revised Statutes of Nebraska, as amended by section 1, Initiative Law 2014, No. 425; to provide a minimum wage for certain young student workers; and to repeal the original section.

LEGISLATIVE BILL 600. Introduced by Ebke, 32; Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-145, Reissue Revised Statutes of Nebraska; to change provisions relating to the investment of trust funds for self-insurers; and to repeal the original section.

LEGISLATIVE BILL 601. Introduced by Bloomfield, 17; Groene, 42; Haar, K., 21; Kintner, 2; Morfeld, 46.

A BILL FOR AN ACT relating to school boards; to amend section 79-544, Reissue Revised Statutes of Nebraska; to prohibit a board member and an immediate family member from being employed with the school district as prescribed; and to repeal the original section.

LEGISLATIVE BILL 602. Introduced by Nebraska Retirement Systems Committee: Nordquist, 7, Chairperson; Davis, 43; Groene, 42; Kolowski, 31; Mello, 5.

A BILL FOR AN ACT relating to retirement; to amend section 24-703, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to collection of judges retirement fees; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 603. Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to firearms; to amend section 69-2404, Reissue Revised Statutes of Nebraska, and section 69-2402, Revised Statutes Cumulative Supplement, 2014; to define terms; to provide for the processing and certification of federal firearms forms as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 604. Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to the Governor's Emergency Program; to amend section 81-829.42, Reissue Revised Statutes of Nebraska; to allow the Adjutant General to reimburse political subdivisions as prescribed; and to repeal the original section.
LEGISLATIVE BILL 605. Introduced by Mello, 5; Krist, 10; Seiler, 33.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 9-262, 9-352, 9-434, 9-652, 23-135.01, 28-204, 28-305, 28-310.01, 28-311.01, 28-311.04, 28-320, 28-322.02, 28-322.03, 28-322.04, 28-393, 28-397, 28-514, 28-519, 28-620, 28-703, 28-912, 28-1102, 28-1103, 28-1104, 28-1224, 28-1344, 28-1345, 29-2204.01, 29-2266, 29-2281, 29-2308, 29-3523, 71-2228, 71-2229, 83-182.01, 83-183.01, 83-1,100, 83-1,105.01, 83-1,119, 83-1,122, 83-1,135, and 83-1,135.01, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-106, 28-201, 28-309, 28-311, 28-323, 28-504, 28-518, 28-603, 28-604, 28-611, 28-611.01, 28-631, 28-638, 28-639, 28-802, 28-813.01, 28-831, 28-932, 28-1005, 28-1009, 28-1463.05, 29-1816, 29-2204, 29-2252.01, 29-2262, 29-4011, 43-412, 47-624, 68-1017, and 68-1017.01, Revised Statutes Cumulative Supplement, 2014; to change the classification of penalties and punishments as prescribed; to change sentencing provisions; to create a special legislative committee; to state intent relating to funding a sentencing data base; to change provisions and provide requirements relating to restitution; to change provisions and provide requirements relating to probation and parole; to authorize access to criminal records as prescribed; to provide duties for the Department of Correctional Services; to provide for applicability; to harmonize provisions; to repeal the original sections; and to outright repeal section 43-413, Revised Statutes Cumulative Supplement, 2014.

LEGISLATIVE BILL 606. Introduced by Mello, 5; Bolz, 29; Chambers, 11; Krist, 10; Schumacher, 22; Seiler, 33.

A BILL FOR AN ACT relating to state government; to amend sections 81-8,241, 81-8,244, 81-8,245, 83-1,135, 83-962, and 84-901, Reissue Revised Statutes of Nebraska; to adopt the Office of Inspector General of the Nebraska Correctional System Act; to change provisions relating to the Public Counsel; to require access to records by the Public Counsel; to mandate a declaration by the Governor of a correctional system overcrowding emergency as prescribed; to redefine a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 607. Introduced by Mello, 5; Bolz, 29; Campbell, 25; Crawford, 45; Davis, 43; Hilkemann, 4.

A BILL FOR AN ACT relating to health; to adopt the Home Care Consumer Bill of Rights Act; and to provide a penalty.

LEGISLATIVE BILL 608. Introduced by Mello, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1229, 77-1230, and 77-4105, Reissue Revised Statutes of Nebraska, and sections 77-123, 77-202, 77-1233.04, 77-1502, 77-2711, 77-27,119, and 77-5725, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to dates for personal property taxes, property tax
exemptions, sales tax record-keeping, and audits; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 609.** Introduced by Smith, 14; Watermeier, 1.

A BILL FOR AN ACT relating to bridges; to adopt the Nebraska Bridge Repair Act.

**LEGISLATIVE BILL 610.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to motor fuels; to amend sections 66-489, 66-4,105, 66-4,145, 66-4,146, 66-6,107, and 66-6,109, Reissue Revised Statutes of Nebraska; to change excise taxes as prescribed; and to repeal the original sections.

**SENATOR SULLIVAN PRESIDING**

**LEGISLATIVE BILL 611.** Introduced by Kintner, 2; Bloomfield, 17; Ebke, 32; Groene, 42; Hughes, 44; Larson, 40; Scheer, 19; Schilz, 47; Smith, 14; Watermeier, 1.

A BILL FOR AN ACT relating to employment; to amend section 4-114, Reissue Revised Statutes of Nebraska; to require private employers to use the E-Verify Program; and to repeal the original section.

**LEGISLATIVE BILL 612.** Introduced by Kintner, 2; Bloomfield, 17; Ebke, 32; Garrett, 3; Groene, 42; Hughes, 44; Schilz, 47; Schnoor, 15; Smith, 14; Watermeier, 1.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1409, Reissue Revised Statutes of Nebraska; to change provisions relating to use of force in self-protection; and to repeal the original section.

**LEGISLATIVE BILL 613.** Introduced by Kintner, 2; Bloomfield, 17; Ebke, 32; Groene, 42; Hughes, 44; Larson, 40; Lindstrom, 18; McCollister, 20; Scheer, 19; Schilz, 47; Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.03 and 77-27,132, Revised Statutes Cumulative Supplement, 2014; to provide duties for the Department of Revenue; to provide for decreased individual income tax rates; to change the distribution of sales and use tax revenue; and to repeal the original sections.

**LEGISLATIVE BILL 614.** Introduced by Kintner, 2; Bloomfield, 17; Ebke, 32; Garrett, 3; Larson, 40; Lindstrom, 18; McCollister, 20; Schilz, 47; Smith, 14; Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to change
provisions relating to the taxation of military retirement benefits; and to repeal the original section.

**LEGISLATIVE BILL 615.** Introduced by Kintner, 2; Ebke, 32; Groene, 42; Larson, 40; Lindstrom, 18; Schilz, 47; Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3507, 77-3508, and 77-3509, Revised Statutes Cumulative Supplement, 2014; to provide a property tax exemption for homesteads of certain persons; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 616.** Introduced by Larson, 40; Schilz, 47.

A BILL FOR AN ACT relating to schools; to amend sections 13-903 and 79-978, Reissue Revised Statutes of Nebraska, and section 48-801, Revised Statutes Cumulative Supplement, 2014; to adopt the Independent Public Schools Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 617.** Introduced by Larson, 40; Schilz, 47.

A BILL FOR AN ACT relating to schools; to adopt the Working to Improve Nebraska Schools Act; and to provide severability.

**LEGISLATIVE BILL 618.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-2301, 2-2304, 2-3601, 2-3611, 2-3612, 2-3615, 2-3627, 2-3629, 2-3634, 2-3635, 2-3735, 2-3745, 2-3746, and 2-3747, Reissue Revised Statutes of Nebraska; to provide for redesignation of districts of members of various commodities boards or commissions as prescribed; to provide for changing the number of at-large members; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 619.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.11, Reissue Revised Statutes of Nebraska, and sections 53-101, 53-123.14, 53-123.16, and 53-131, Revised Statutes Cumulative Supplement, 2014; to state intent; to define terms; to provide for a special designated poker license and a poker endorsement; to provide for fees and disposition of proceeds; to provide restrictions on participants; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 620.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to public petition and participation; to amend sections 25-21,242, 25-21,243, 25-21,244, 25-21,245, and 25-21,246, Reissue Revised Statutes of Nebraska; to define and redefine
terms; to change provisions relating to a motion to dismiss; and to repeal the original sections.

**LEGISLATIVE BILL 621.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-314, Reissue Revised Statutes of Nebraska; to change the qualifications of the deputy director; and to repeal the original section.

**LEGISLATIVE BILL 622.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Niobrara Scenic River Act; to amend sections 72-2006 and 72-2007, Reissue Revised Statutes of Nebraska; to redefine a term; to change membership provisions of the Niobrara Council; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 623.** Introduced by Nordquist, 7; Baker, 30; Campbell, 25; Howard, 9; Mello, 5; Schumacher, 22.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-484.04, Revised Statutes Cumulative Supplement, 2014; to state findings and intent; to change provisions relating to evidence of lawful status; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 624.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,301, Reissue Revised Statutes of Nebraska; to change provisions relating to vehicle load requirements; and to repeal the original section.

**LEGISLATIVE BILL 625.** Introduced by Krist, 10; Pansing Brooks, 28.

A BILL FOR AN ACT relating to behavioral health services; to adopt the Interstate Placement for Involuntarily Admitted Patients Agreement Act.

**LEGISLATIVE BILL 626.** Introduced by Campbell, 25.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,143 and 60-3,146, Reissue Revised Statutes of Nebraska, and sections 60-3,147, 60-3,186, 60-3,187, and 60-3,190, Revised Statutes Cumulative Supplement, 2014; to create a fund; to change motor vehicle taxes and fees and their distribution; to state intent relating to appropriations; and to repeal the original sections.
LEGISLATIVE BILL 627. Introduced by Mello, 5; Bolz, 29; Brasch, 16; Crawford, 45; Davis, 43; Gloor, 35; Hansen, 26; Harr, B., 8; Hilkemann, 4; Howard, 9; Kuehn, 38; Larson, 40; Lindstrom, 18; Morfeld, 46; Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1102, 48-1107.01, 48-1107.02, and 48-1111, Reissue Revised Statutes of Nebraska, and section 48-1117, Revised Statutes Cumulative Supplement, 2014; to redefine a term; to provide and change provisions relating to pregnancy; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 628. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to insurance; to provide procedures for electronic delivery of notices and documents and Internet posting of property and casualty insurance policies.

SENATOR KRIST PRESIDING

LEGISLATIVE BILL 629. Introduced by Mello, 5; Harr, B., 8; Howard, 9; Larson, 40; Lindstrom, 18; Nordquist, 7.

A BILL FOR AN ACT relating to transportation; to amend sections 75-304, 75-305, 75-306, 75-307, 75-309, 75-310, and 75-313, Reissue Revised Statutes of Nebraska, and sections 75-109.01, 75-302, and 75-311, Revised Statutes Cumulative Supplement, 2014; to provide for regulation of transportation network companies; to change powers and duties for the Public Service Commission; to define terms; to provide for a fee; to create a fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 630. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Security, Privacy, and Dissemination of Criminal History Information Act; to amend section 29-3517, Reissue Revised Statue of Nebraska; to provide duties for the Nebraska State Patrol regarding criminal history record information checks; and to repeal the original section.

LEGISLATIVE BILL 631. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-906, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to acceptance of and assent to certain federal laws as prescribed; and to repeal the original section.

LEGISLATIVE BILL 632. Introduced by Scheer, 19; Kolterman, 24.

A BILL FOR AN ACT relating to insurance; to prohibit employers and
associations from precluding certain contracts relating to health benefit plans; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 633. Introduced by Stinner, 48; Haar, K., 21; Nordquist, 7; Watermeier, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for state aid to municipalities and counties.

LEGISLATIVE BILL 634. Introduced by Garrett, 3; Bloomfield, 17; Schnoor, 15; Stinner, 48.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-201 and 37-405, Revised Statutes Cumulative Supplement, 2014; to provide for issuance of permits for prisoners of war as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 635. Introduced by Garrett, 3; Bloomfield, 17; Schnoor, 15.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2441, Reissue Revised Statutes of Nebraska; to change a provision relating to where a permitholder may carry a concealed handgun; and to repeal the original section.

LEGISLATIVE BILL 636. Introduced by Garrett, 3; Schnoor, 15; Stinner, 48.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-421.01, Revised Statutes Cumulative Supplement, 2014; to provide for a discounted permit for deployed military and spouses while on leave as described; and to repeal the original section.

LEGISLATIVE BILL 637. Introduced by Garrett, 3; Schnoor, 15; Stinner, 48.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-419, Reissue Revised Statutes of Nebraska; to provide for a resident permit for spouses of persons in military service as prescribed; and to repeal the original section.

LEGISLATIVE BILL 638. Introduced by Garrett, 3; Schnoor, 15; Stinner, 48.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2434, Reissue Revised Statutes of Nebraska, and section 69-2436, Revised Statutes Cumulative Supplement, 2014; to change permit expiration provisions for members of the armed forces or their spouses as prescribed; and to repeal the original sections.
LEGISLATIVE BILL 639. Introduced by Garrett, 3.

A BILL FOR AN ACT relating to road signs; to amend section 39-220, Reissue Revised Statutes of Nebraska; to provide for the issuance of permits to control vegetation obscuring advertising signage along highways as prescribed; to provide duties for the Department of Roads; and to repeal the original section.

LEGISLATIVE BILL 640. Introduced by Garrett, 3.

A BILL FOR AN ACT relating to veterans; to amend section 80-413, Reissue Revised Statutes of Nebraska; to provide for retrocession of jurisdiction for land on which the Omaha National Cemetery is located; and to repeal the original section.

LEGISLATIVE BILL 641. Introduced by Garrett, 3; Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Revised Statutes Cumulative Supplement, 2014; to provide rights and duties for a person operating a manual or motorized wheelchair or operating a bicycle on a sidewalk or across a roadway or shoulder in a crosswalk; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 642. Introduced by Garrett, 3; Stinner, 48.

A BILL FOR AN ACT relating to the Department of Motor Vehicles; to amend sections 37-1214, 37-1278, 60-144, and 60-386, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to motorboat, motor vehicle, and trailer registration and titling; and to repeal the original sections.

LEGISLATIVE BILL 643. Introduced by Garrett, 3; Craighead, 6; Ebke, 32; Pansing Brooks, 28.

A BILL FOR AN ACT relating to cannabis; to amend section 77-4303, Reissue Revised Statutes of Nebraska; to adopt the Cannabis Compassion and Care Act; to provide for taxation as prescribed; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 644. Introduced by Nordquist, 7; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to transportation; to adopt the Nebraska Transit and Rail Advisory Council Act.
LEGISLATIVE BILL 645. Introduced by Nordquist, 7; Campbell, 25; Cook, 13; Howard, 9; Kolowski, 31; Mello, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-801.01, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2014; to adopt the Early Childhood Workforce Development Opportunity Act; to provide income tax credits; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 646. Introduced by Kintner, 2; Brasch, 16; Craighead, 6; Ebke, 32; Groene, 42; Larson, 40; Lindstrom, 18; Murante, 49; Schilz, 47; Schnoor, 15.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1413, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to secret ballots; and to repeal the original section.

LEGISLATIVE BILL 647. Introduced by Nordquist, 7; Campbell, 25; Howard, 9; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to children; to amend sections 43-2,129, 43-1311.01, and 71-1902, Revised Statutes Cumulative Supplement, 2014; to prohibit discrimination relating to placement of children as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 648. Introduced by Howard, 9; Hansen, 26; Morfeld, 46; Nordquist, 7; Pansing Brooks, 28.

A BILL FOR AN ACT relating to adoption; to amend sections 43-101, 43-104.08, 43-104.13, 43-104.15, 43-104.18, 43-104.19, and 43-111, Reissue Revised Statutes of Nebraska; to provide for adoption by two adult persons jointly; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 649. Introduced by Kintner, 2; Brasch, 16; Craighead, 6; Ebke, 32; Groene, 42; Larson, 40; Lindstrom, 18; Murante, 49; Schilz, 47; Schnoor, 15.

A BILL FOR AN ACT relating to public records; to amend section 84-712.01, Reissue Revised Statutes of Nebraska; to provide that certain votes of public officials are public record; and to repeal the original section.

LEGISLATIVE BILL 650.Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to vaccinations; to amend section 71-467, Revised Statutes Cumulative Supplement, 2014; to encourage hospitals to offer vaccinations as prescribed; and to repeal the original section.
LEGISLATIVE BILL 651. Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2704 and 29-2709, Reissue Revised Statutes of Nebraska; to change liability for certain court costs as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 652. Introduced by Transportation and Telecommunications Committee: Smith, 14, Chairperson; Brasch, 16; Davis, 43; Friesen, 34; Garrett, 3; Seiler, 33.

A BILL FOR AN ACT relating to telecommunications; to amend sections 28-1311, 75-132.01, 77-2703.04, 84-712.05, 86-163, 86-435, 86-438, 86-457, 86-463, and 86-903, Reissue Revised Statutes of Nebraska, and sections 75-109.01 and 75-156, Revised Statutes Cumulative Supplement, 2014; to adopt the 911 Emergency Services Communications Act; to change the offense of interference with a public service company; to provide powers and duties for the Public Service Commission; to change provisions relating to use of funds; to terminate a certain surcharge; to change a fee; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 653. Introduced by Johnson, 23; Kolowski, 31; Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2014; to exempt certain purchases of energy star qualified products from sales and use taxes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 654. Introduced by Seiler, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Correctional Services.

LEGISLATIVE BILL 655. Introduced by Davis, 43.

A BILL FOR AN ACT relating to retirement; to amend sections 4-108, 16-1020, 84-1501, 84-1503, and 84-1511, Reissue Revised Statutes of Nebraska; to adopt the Cities of the First Class Firefighters Cash Balance Retirement Act; to create funds; to change provisions relating to the Public Employees Retirement Board; to harmonize provisions; to repeal the original sections; and to declare an emergency.
RESOLUTION(S)

LEGISLATIVE RESOLUTION 35. Introduced by Ebke, 32.

WHEREAS, the founders of our constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and
WHEREAS, the federal government has created a crushing national debt through improper and imprudent spending; and
WHEREAS, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and
WHEREAS, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and
WHEREAS, it is the solemn duty of the states to protect the liberty of our people-particularly for the generations to come-by proposing Amendments to the Constitution of the United States through a Convention of the States under Article V for the purpose of restraining these and related abuses of power.

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

1. The Legislature of the State of Nebraska hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

2. The Clerk of the Legislature shall transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives from this state, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 95. Placed on General File.

(Signed) Jim Smith, Chairperson
NOTICE OF COMMITTEE HEARING(S)
Judiciary
Room 1113

Thursday, January 29, 2015 1:30 p.m.

LB338
LB314
LB301
LB194
LB297

(Signed) Les Seiler, Chairperson
Natural Resources
Room 1525

Wednesday, January 28, 2015 1:30 p.m.

LB141
LB143

(Signed) Ken Schilz, Chairperson

ANNOUNCEMENT(S)

The Legislative Performance Audit Committee elected Senator Watermeier as Chairperson and Senator Kuehn as Vice Chairperson.

The Building Maintenance Committee elected Senator Stinner as Vice Chairperson.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Pansing Brooks - LB472
Bolz, Chambers, Mello, Schumacher, Seiler - LR34
Mello - LB580
Haar, K. - LB643

VISITOR

The Doctor of the Day was Dr. Ron Scott from Kearney.
ADJOURNMENT

At 12:21 p.m., on a motion by Senator Bloomfield, the Legislature adjourned until 9:30 a.m., Thursday, January 22, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature
ELEVENTH DAY - JANUARY 22, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 22, 2015

PRAYER

The prayer was offered by Father Ryan Lewis, St. Thomas More Church, Omaha.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:30 a.m., President Foley presiding.

The roll was called and all members were present except Senator McCoy who was excused; and Senators Hilkemann, Larson, Murante, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the tenth day was approved.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 150. Placed on General File.

LEGISLATIVE BILL 151. Placed on General File with amendment.

AM19

1 1. On page 2, line 13, after "violations" insert "of ordinances".

2 2. On page 3, line 27, strike "violation" and insert "violations".

(Signed) Sue Crawford, Chairperson

Revenue

LEGISLATIVE BILL 170. Placed on General File.

LEGISLATIVE BILL 171. Placed on General File.

(Signed) Mike Gloor, Chairperson
LEGISLATIVE BILL  99. Placed on General File.
LEGISLATIVE BILL 100. Placed on General File.

(Signed)  Kate Sullivan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 36. Introduced by Craighead, 6.

WHEREAS, the Amazing Technicolor Show Choir of Westside High School in Omaha won the 2015 Viterbo 101 show choir competition in La Crosse, Wisconsin; and
WHEREAS, in addition to being named Grand Champion of the competition, the Amazing Technicolor Show Choir also was awarded Best Vocals, Best Choreography, and Best Male Soloist; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Amazing Technicolor Show Choir of Westside High School in Omaha for winning the 2015 Viterbo 101 show choir competition.
2. That a copy of this resolution be sent to the Amazing Technicolor Show Choir of Westside High School.

Laid over.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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EXECUTIVE BOARD REPORT

The Executive Board reported the resignation of Senator Howard from the Legislature's Planning Committee and appointed Senator Cook to fill the vacancy.

(Signed) Bob Krist, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems
Room 1525
Thursday, January 29, 2015 12:00 p.m.

(Signed) Jeremy Nordquist, Chairperson

CONFLICT OF INTEREST STATEMENT(S)

Pursuant to Rule 1, Sec. 19, Senators Watermeier and Williams have filed Potential Conflict of Interest Statements under the Nebraska Political Accountability and Disclosure Act. The statements are on file in the Clerk of the Legislature's Office.

MOTION - Escort Governor

Senator Kolowski moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

The motion prevailed.

The Chair appointed Senators Kolterman, Sullivan, Scheer, Johnson, and Crawford to serve on said committee.
STATE OF THE STATE ADDRESS

"There is one consistent message I have heard in every corner of the state: property taxes are too high."
"This property tax relief will help all Nebraskans: homeowners, small business owners, and our farmers and ranchers."
"...together, we can take important steps toward providing tax relief."

President Foley, Speaker Hadley, Members of the Legislature, Tribal Chairmen, Distinguished Guests, Friends, and Fellow Nebraskans.

Congratulations once again on the commencement of the 104th Nebraska Legislature. I want to commend all of you for your willingness to serve your constituents and our great state. I recognize your personal sacrifice as well your commitment to public service, which is a high and noble calling.

I look forward to working together in a spirit of collaboration, which is of course the tradition of Nebraska’s unique non-partisan institution.

Our future success as a state depends upon our ability to work together, and I look forward to continuing to work with each and every one of you.

Speaker Hadley, it’s a pleasure to work with you and I look forward to what we can do for this state. Congratulations on being chosen to serve as Speaker. The confidence your colleagues have in you speaks volumes and Nebraska is grateful for your dedication.

I also want to take a moment to recognize the Nebraska National Guard. The role of these men and women, who are truly citizen soldiers, has never been more important, has never put more pressure on families, and has never been more difficult or dangerous. We live in a dangerous world. They not only protect us by deploying to foreign regions, but they keep us safe here at home in situations like the tornados in Pilger and Beaver Crossing. We are grateful for their service and sacrifice.

Nebraska is a special place. We are more than just lines on a map. We are bound together by more than just our common geography. It’s a culture, it’s a way of life. It’s the way we treat each other with dignity, respect, and civility.

We have a great state, built by our ancestors who made Nebraska home for themselves and for their children and grandchildren. Like our ancestors before us, we have a duty to create an even better future for our kids and grandkids. And just as our ancestors before us, we have a duty to Grow Nebraska.

I’m excited to join you to take advantage of our opportunities. I am encouraged by the discussions I have had with many of you about how we Grow Nebraska.
As citizen legislators, you bring all of your life experiences to our work. I too have outside experiences, and I promised the people of Nebraska I would put my business experience to work for the state. To that end, I have worked to develop a budget, a blueprint that slows the growth of spending, provides for property tax relief, has room to make improvements in critical areas like corrections and HHS, and also funds the essential services of state government.

Let me take a moment to talk about my philosophy on the cash reserve. My budget recommendation for the next biennium does not draw down the reserves. However, right now, we have too much money there. My belief is we should work together to return more of that to the taxpayers. The remaining reserves should only be used for emergencies or one-time critical expenses.

It is easy to view a government budget as a collection of numbers in rows and columns next to agencies and programs, but behind the numbers are people’s lives. We must be mindful that every dollar is precious. The dollars that fund our budgets are dollars earned by hardworking Nebraskans. We must also be mindful that the agencies and programs are designed to serve our citizens—and many of them are people in need.

This session, we will meet, we will debate, and we will even compromise, as we set about to fund the important services for the people we represent. That is our job and we will do it with dedication and commitment.

Today, I am privileged to report on the condition of Nebraska. It should come as no surprise that I believe the state of Nebraska to be strong.

Here in the heartland we have major military installations, academic research centers, and we are at the heart of the nation's agricultural system. Nebraska is on the front lines of bioterrorism preparedness. At the University of Nebraska Medical Center our medical professionals have made national headlines with their success responding to the Ebola outbreak. I want to recognize the members of that team who are here with us today for their success and bravery: Dr. Dan Johnson and nurses Kate Boulter and Shelly Schwedhelm. Thank you!

Our people, everyday heroes all across Nebraska, are the reason the state of our state is so strong. From teachers that prepare our kids for an ever-changing world to the medical professionals at UNMC treating Ebola patients. From the law enforcement officers and firefighters who put themselves at risk each and every day to farm families that feed the world. From the volunteers who build our communities to the crews at Offutt Air Force Base and our military families that answer the call. These Nebraskans love to serve and they make our state strong.

I have long said that Nebraska’s greatest resource is our people. I know from personal experience when you hire a Nebraskan you hire someone who
has a great work ethic, is well educated, loyal, and will help your business succeed.

As I have said before: Nebraska is what America is supposed to be.

I traveled Nebraska from Chadron to Falls City and from Norfolk to Ogallala. I have listened to the people of Nebraska. I was privileged in my travels to connect with old friends like Senators Lydia Brasch, Bob Krist, Curt Friesen, and Jim Smith.

I also appreciated new friends, who supported me like Senators Dan Hughes and John Kuehn who served on my Ag Advisory Committee, and Senator Dave Bloomfield who was supportive throughout Northeast Nebraska.

Senators Campbell and Mello were gracious to meet with me about issues, and Senator Bolz came to a Lincoln event we had with Lieutenant Governor Mike Foley.

This budget, which is informed by my discussions with many of you—and by the fact that I grew up here—represents not only the priorities of Nebraskans, but their hopes for our shared future.

I’m eager to work with you on four major priorities to Grow Nebraska: First, strengthening our economy and creating jobs; second, reducing taxes; third, ease regulatory burdens; and additionally, expanding educational opportunities. All of these priorities are interconnected and are reflected in my budget recommendation.

Because it is so important that we boost our economic engine and create jobs, one of my administration’s first steps was to conduct a national job search for a new Director of Economic Development. I’m proud to have Brenda Hicks-Sorensen, join my team. Her expertise will help us realize the untapped potential in our state, and we will be well-served with her track record of recruiting businesses. We want the world to know Nebraska welcomes business investment and has good jobs in great communities, and Brenda will help get the message out.

But creating jobs is more than just a marketing focus or incentives. We need to evaluate what we are doing to encourage small business to expand and grow. We need to have a plan to attract business investment as well as business relocations. We need to be strategic and aggressive about trade opportunities.

And there is no better place to start expanding export opportunities than with agriculture.

Our farmers and ranchers are feeding the world. According to Ronnie Green at the University of Nebraska, by 2050 there will be two billion more people on the face of this earth and because of rising standards of living, we will
have to produce one hundred percent more food. Seventy percent of that will have to come from productivity and innovation. Our farmers and ranchers are the most productive and innovative in the world. Nebraska is number one in cattle on feed, number two in ethanol production, number three in corn production, and we are the fourth largest state for overall agriculture production. And I look forward to working with Senator Johnson and the Agriculture Committee to expand upon these successes.

This budget provides additional funds for more export trade missions in both the Department of Economic Development and the Department of Agriculture, and under my administration these departments will work more closely together than ever before.

Job creation, in part, depends on a tax climate that encourages growth. We have a lot of work to do to stay competitive with neighboring states. And staying competitive is something that is often overlooked when we talk about jobs. We need to attract new individuals and families to Nebraska.

We have a great way of life and great jobs to offer. Now, we need to highlight that and invite people to make a home in Nebraska. Unemployment in Nebraska is about 3 percent, which is a blessing and a challenge. A recent State Chamber study said retaining a skilled workforce is one of the top concerns of our business leaders. We have long discussed the problem of brain drain, and I can tell you as a dad that I want all roads to lead back to Nebraska. To do that we need to remove the obstacles.

Which is just one reason why we must reduce taxes.

According to one national business news network, we are the third overall highest taxed state behind only California and New York. Think about that for a second. We can do better.

Our high tax reality does not just hit the wallets of our citizens—it creates a reputation. It discourages new business investment. Our high taxes also discourage people from choosing Nebraska as a place to live, work and raise a family.

There is one consistent message I have heard in every corner of the state: property taxes are too high. My budget adds $60 million each year to the property tax credit relief fund—an increase of nearly 43 percent—for a grand total of $400 million in property tax relief this biennium. This property tax relief will help all Nebraskans: homeowners, small business owners, and our farmers and ranchers.

An example of someone we can help is Roger Brandt. Roger is a farmer from Carroll up in Wayne County who is here with us today. Last spring, Roger showed me his tax assessments for the three pieces of property he owns. His assessments increased between 36 to nearly 50 percent for each parcel in just one year. That is not sustainable. That is why I also want to
work with you to reduce the ag land valuation. I have funded a phased in approach in my budget to reduce valuations from 75% to 65%.

We did not get to be a high tax state overnight, and we won’t get taxes down overnight either. But together, we can take important steps toward providing tax relief.

I do want to take a minute to talk about funding our priorities. One of the most important things we do in government is take care of our most vulnerable citizens. As elected officials we give a voice to the voiceless. In Nebraska, we can—we must—do better.

My administration is conducting a national job search for a new CEO of Health and Human Services. I am looking for a transformational leader to reform the culture. State government needs to work for the children who are in the care of the state, for individuals who are in state facilities, and for all those who rely on government services.

We need a culture in our state agencies that is people-centric. The people who need our help do not fit neatly into the silos we have created. We need a system that cares for the entire person, helps them reach their full potential and if possible helps them live a life free of public assistance.

There are people who will continue to need our help. We must serve them effectively and with dignity and respect. When we start getting better outcomes for people, our costs will come down too.

Many people who receive services just need a hand up to get back on their feet. We have to prevent government from getting in their way. Last year, I met Susanne Shald in McCook. Susanne is widowed and her three kids receive health insurance through Medicaid. She works hard and is intent on teaching her kids a strong work ethic like her father taught her. So when her 16-year-old daughter got a job and was informed that if she earned more than $6,000 a year, she would lose her health insurance, Susanne was infuriated. I don’t blame her. Susanne and her family have joined me here today. Susanne and her children put faces on our need for a common sense approach in government—one that does not create disincentives for people and families to work.

Next, it is time to pursue comprehensive reform in our corrections system, another department in need of a cultural change. Scott Frakes will be joining my administration as the new Director of the Department of Corrections. He brings over 32 years of experience starting as a corrections officer and working through the uniformed ranks before moving into management. I am confident that he will help chart a new course for this agency.

Inmates released early by mistake threaten not only the public safety, but also the public’s trust in their government. Nobody in corrections wanted these mistakes to occur, but they did, and we have got to do better.
Under Director Frakes, we will create a culture of accountability, common sense, and excellence. The Department of Corrections will seek to improve its rehabilitation and reentry programs to address recidivism. We will immediately evaluate our short term and long term needs and set out on a course of reform to this system.

This budget leaves room to address immediate reform needs in corrections.

Many of you here today have worked to tackle the issues in corrections. There is no branch of government that has cornered the market on good ideas or solutions for this issue. We have to work together, executive, legislative, and judicial for comprehensive reform that includes addressing sentencing and good time laws, mental health, and management of these facilities. I will work with Scott Frakes to get a full picture of what we need to do; and I look forward to sitting down with the leadership of this body to set a time table we can agree on to make substantive changes.

This budget holds the growth of our state spending to a little more than 3 percent over the next 2 years. That is a slower rate of growth than the approximately 6.5 percent in the last biennium.

We will fund our priorities, but in a way that is sustainable. We grow our revenues about 5 percent a year on average. If we can restrain government’s growth, we can afford to put money back in the pockets of taxpayers. In turn, taxpayers will be able to afford more goods and services, businesses will expand and we will Grow Nebraska.

Another way I have taken action to drive operational excellence in every corner of state agencies is a private sector solution to create the position of Chief Operating Officer. I have hired Felix Davidson, United States Marine Corps Captain and a business executive with a proven track record of success in change management and process improvement.

I have one more tax relief proposal—an important one. Like many of you, I believe we need to eliminate the state income taxes on the retirement benefits of our military families. I have left room in this budget package to work with Chairman Gloor and the Revenue Committee to give our veterans relief. Chairman Gloor, I thank you for your service in the U.S. Air Force, and I know you understand how important it is to take care of our veterans. From the crews at Offutt Air Force Base to the National Guard Armory in Scottsbluff, we cannot thank our men and women in uniform enough, and we do not want to lose these treasured individuals to other states.

Besides high taxes and lost talent, our business leaders say overregulation is a top concern. We all want clean air, clean water, and safe working conditions, but we must also apply common sense so that we do not create barriers for our businesses creating jobs.

When we get our property tax bill we can see exactly how much we are
paying. The cost of regulation, however, is hidden—but it’s a job killer all
the same. As governor, I will stand up to the overregulation forced on us by
Washington. Whether it is new health care mandates on employers, EPA
overreach on carbon emissions and the Waters of the US, or the delay of the
Keystone XL pipeline, Washington just does not get it.

I have urged Congress and President Obama to swiftly approve the
Keystone XL pipeline. It will bring much-needed tax revenue to Nebraska
counties not only during construction, but for years to come.

And back here at home, we want to set a good example. I will be asking all
of my state agency directors to make it a priority to innovate ways to reduce
regulatory burdens and bureaucratic delays. Proper regulation protects our
health and safety. Overregulation delays progress and growth. We can do
better and we will.

As we seek to create jobs, slow the growth of government, reduce taxes and
fight burdensome regulations, we must also continue to strengthen our
education system.

As we balance our budget, we must ensure we put a priority on proper
school funding and improving educational outcomes.

In particular I have talked a lot about career and vocational training. Every
manufacturer I have talked to has said they cannot find enough skilled labor,
and that is a barrier to expanding. To address this I propose an investment in
innovation.

My budget includes funding a pilot program—$250,000 each year—to form
a public-private partnership to create a career and vocational training
program. Good-paying jobs in the skilled labor force, agriculture, and
manufacturing are a great option for our young people. I visited Ash Grove
Cement in Louisville and they were telling me if you get a 2-year
electrician’s degree out of high school, you will start working for them at
$22 or $23 per hour. Stay there a year and pass 2 tests and you will be
making $28 an hour. Now think about that, that’s a 21-year-old making
$56,000 a year plus full benefits. That’s the start of a great career.

As I mentioned before, we honor the service of our national guard. My
budget recommendation also includes an additional $120,000 per year for a
total of more than $488,000 of tuition assistance for the patriots who serve
in the Nebraska National Guard. We need to help them further their
education as well.

As we work together, I want you to know about the culture we are fostering
in my administration. Every day, I want my team to ask a couple of
questions: How can I serve the people of Nebraska better today? As well as,
what can we do to make Nebraska a place people want to be?
While many of us in this chamber have differing political philosophies or come from different ends of the state, I know we are united. We are united in our desire to make Nebraska a better place for our communities and for our children and grandchildren. We are united in our desire to make Nebraska a place where people want to be.

From the Native Americans who nurtured our rich land; to the pioneer homesteaders; to the founders of our great businesses, universities, farms and ranches, our ancestors built more than a state.

They built a community that reflects the best of America. Our ancestors made sacrifices for future generations, for the greater good of Nebraska. And so we too will focus on the future.

We will harness the spirit of our UNMC heroes and all the nurses and doctors across the state.

We will call upon the dedication of police officers and firefighters in Nebraska’s cities and towns.

We will harness the determination of Roger Brandt and Nebraska’s Veterans.

And we will call upon the hard work and aspirations of Susanne Shald and her family and all of the hard working families across Nebraska.

We will work together fueled by their strength and acting on their behalf. We will Grow Nebraska.

Thank you. God Bless you and God Bless the people of this great state.

The committee escorted Governor Pete Ricketts from the Chamber.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 656.** Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2013, LB195, sections 22, 44, and 112; Laws 2013, LB530A, section 1; Laws 2014, LB905, sections 52, 54, and 59; and Laws 2014, LB907A, section 3; to define terms; to provide, change, and eliminate provisions relating to appropriations; to repeal the original sections; and to declare an emergency.
LEGISLATIVE BILL 657. Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to make appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2017; to transfer funds; to provide duties; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 658. Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of salaries of members of the Nebraska Legislature and payments to be made as provided by Chapter 68, article 6, for FY2015-16 and FY2016-17; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 659. Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of the salaries and benefits of certain state officers for FY2015-16 and FY2016-17; to define terms; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 660. Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to define terms; to appropriate funds for capital construction and property acquisition as prescribed; to state intent; to require program statements and a request for funding; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 661. Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to state government; to amend sections 13-2610 and 81-1354.05, Reissue Revised Statutes of Nebraska, and section 9-1,101, Revised Statutes Cumulative Supplement, 2014; to provide fund transfers; to create a fund; to change and provide uses of funds; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 662. Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Reissue Revised Statutes of Nebraska; to provide for transfers; to repeal the original section; and to declare an emergency.
LEGISLATIVE BILL 663. Introduced by Speaker Hadley, 37; at the request of the Governor.

A BILL FOR AN ACT relating to judges' salaries; to amend section 24-201.01, Revised Statutes Cumulative Supplement, 2014; to change the salary of Supreme Court judges; to provide an operative date; to repeal the original section; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)
Natural Resources

Room 1525

Thursday, January 29, 2015 1:30 p.m.

Brian Barels - Nebraska Natural Resources Commission
Stan Clouse - Nebraska Natural Resources Commission
Steven Huggenberger - Nebraska Natural Resources Commission
Thomas Knutson - Nebraska Natural Resources Commission
Don Kraus - Nebraska Natural Resources Commission
Tom Palmertree - Nebraska Natural Resources Commission
Scott Smathers - Nebraska Natural Resources Commission
Lindsey Smith - Nebraska Natural Resources Commission
Walter Dennis Strauch - Nebraska Natural Resources Commission
Loren Taylor - Nebraska Natural Resources Commission
LB206
LB207

Friday, January 30, 2015 1:30 p.m.

Joel G. Christensen - Nebraska Natural Resources Commission
LB164

(Signed) Ken Schilz, Chairperson

Government, Military and Veterans Affairs
Room 1507

Thursday, January 29, 2015 1:30 p.m.

LB61
LB132
LB138
LB427

(Signed) John Murante, Chairperson
ELEVENTH DAY - JANUARY 22, 2015

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 65. Placed on General File.
LEGISLATIVE BILL 177. Placed on General File.

(Signed) John Murante, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Appropriations

Room 1003

Friday, January 30, 2015 1:30 p.m.

LB430

(Signed) Heath Mello, Chairperson
Judiciary

Room 1113

Friday, January 30, 2015 1:30 p.m.

LB299
LB434
LB244
LB245

(Signed) Les Seiler, Chairperson

ANNOUNCEMENT(S)
The Legislature's Planning Committee elected Senator Cook as Chairperson.
The Legislature's Planning Committee elected Senator Schumacher as Vice Chairperson.

VISITORS
Visitors to the Chamber were 15 members from the Nebraska Cattlemen's Young Leaders.
The Doctor of the Day was Dr. George Voigtlander from Pawnee City.
ADJOURNMENT

At 10:39 a.m., on a motion by Senator Davis, the Legislature adjourned until 10:00 a.m., Friday, January 23, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWELFTH DAY - JANUARY 23, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 23, 2015

PRAYER

The prayer was offered by Senator Watermeier.

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 Kuehn and McCoy who were excused; and Senators K. Haar, B. Harr, and Kintner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eleventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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LB650  Health and Human Services
LB651  Judiciary
LB652  Transportation and Telecommunications
LB653  Revenue
LB654  Appropriations
LB655  Nebraska Retirement Systems
MESSAGE FROM THE GOVERNOR

January 22, 2015

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

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

Contingent upon your approval, the following individual is being appointed to the Board of Parole:

Randall L. Rehmeier, 705 Wildwood Lane, Nebraska City, NE 68410

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

CONFLICT OF INTEREST STATEMENT(S)

Pursuant to Rule 1, Sec. 19, Senator Nordquist 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.
REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 22, 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

Blaney, Joseph
Everytown for Gun Safety Action Fund

Bolen, Holley
Bruning Law Group

Bonilla, Chenise
Council of State Governments - Justice Center

Brady, Justin J.
Radcliffe, Walter H. of Radcliffe and Associates

Bromm, Curt/Bromm & Associates
Education Service Unit #3

Bromm, Jason
Bromm, Curt/Bromm & Associates
Bruning Law Group
TracFone Wireless, Inc.

Cookson, David D.
Bruning Law Group

Hoffman, Scott J.
ABATE of Nebraska, Inc. (Withdrawn 01/19/2015)

Jensen Rogert Associates, Inc.
Capitol Management Group

Joekel, Tiffany
Coalition for a Strong Nebraska (Withdrawn 01/16/2015)

Meyer, Trudy
Nebraska Society of Certified Public Accountants

Mueller Robak
Audubon Nebraska
Data Recognition Corporation

Nelson, John E
Nebraska Association of Former State Legislators

Overcash, James A.
Associated General Contractors - Nebraska Building Chapter

Pappas, James E.
Independent Cattlemen of Nebraska (ICON)

Pelka, Marc
Council of State Governments - Justice Center
Radcliffe, Walter H. of Radcliffe and Associates
Nebraska Operators of Music and Amusements (NOMA)
NetWorks, Inc.

Reiman, Charlene
SourceGas Distribution, LLC
Sanford, Robert A.
Nebraska Domestic Violence Sexual Assault Coalition

Spohn, Katherine J.
Bruning Law Group

Wilson-Jones, Elliott
Council of State Governments - Justice Center

Zych, Michelle
Women's Fund of Greater Omaha, Inc.

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

UNANIMOUS CONSENT - Room Change

Senator Johnson asked unanimous consent that the Agriculture Committee conduct its hearing on Tuesday, February 10, 2015, in Room 1524 instead of Room 2102. No objections. So ordered.

MOTION - Withdraw LB201

Senator Davis offered his motion, MO3, found on page 226, to withdraw LB201.

The Davis motion to withdraw the bill prevailed with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 1. Title read. Considered.

Senator Chambers offered the following motion:
MO4
Indefinitely postpone.

Senator Chambers withdrew his motion to indefinitely postpone.

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

LEGISLATIVE BILL 2. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.
LEGISLATIVE BILL 3. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 4. Title read. Considered.

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

LEGISLATIVE BILL 5. Title read. Considered.

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

LEGISLATIVE BILL 6. Title read. Considered.

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

LEGISLATIVE BILL 7. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 8. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 9. Title read. Considered.

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

RESOLUTION(S)

LEGISLATIVE RESOLUTION 37. Introduced by Seiler, 33.

WHEREAS, Luke Chamberlain, a member of Troop 192 from Hastings, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to achieve the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting
experience, Luke has learned, been tested on, and been recognized for various scouting skills; and
WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas. Luke earned 64 merit badges; and
WHEREAS, to achieve the rank of Eagle Scout, it is also necessary to complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Luke built six tables, assembled a tool shed, and planted three fruit trees for the Hastings Middle School garden, donating a total of 102 hours of community service; and
WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and
WHEREAS, Luke, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Luke Chamberlain on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Luke Chamberlain.

Laid over.

NOTICE OF COMMITTEE HEARING(S)
General Affairs
Room 1510

Monday, February 2, 2015 1:30 p.m.

LB204
LB486
LB619
LB339
LB439
LB460

(Signed) Tyson Larson, Chairperson
Government, Military and Veterans Affairs
Room 1507

Friday, January 30, 2015 2:00 p.m.

Dana Miller - State Emergency Response Commission
Tim Hofbauer - State Emergency Response Commission
Carol E. Schlegel - Nebraska Tourism Commission
Daryl L. Bohac - Military Department
John Hilgert - Department of Veterans Affairs
Jim Heine - State Fire Marshal
Samuel Seever - State Personnel Board
Christopher Waddle - State Personnel Board

(Signed) John Murante, Chairperson

Banking, Commerce and Insurance
Room 1507

Monday, February 2, 2015 1:30 p.m.

LB286
LB352
LB252
LB226

Tuesday, February 3, 2015 1:30 p.m.

LB464
LB180
LB298
LB458

(Signed) Jim Scheer, Chairperson

CONFLICT OF INTEREST STATEMENT(S)

Pursuant to Rule 1, Sec. 19, Senator Coash 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.
UNANIMOUS CONSENT - Add Cointroducer(s)

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

Pansing Brooks - LB83 and LB623
Schilz - LB423
Coash - LB329 and LB268
Howard - LB346
Kolterman - LB178
Baker, Craighead, Mello, Nordquist, Schnoor, Watermeier - LB190

VISITORS

Visitors to the Chamber were Senator Hadley's wife, Marilyn, from Kearney
and Randy and Betty Steufen, from Vermillion, SD.

The Doctor of the Day was Dr. Michael Keralis from Lincoln.

ADJOURNMENT

At 11:57 a.m., on a motion by Speaker Hadley, the Legislature adjourned
until 10:00 a.m., Monday, January 26, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTEENTH DAY - JANUARY 26, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 26, 2015

PRAYER

The prayer was offered by Pastor Russ Foust, Grace United Methodist Church, Kennard.

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 Bolz, B. Harr, Schilz, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twelfth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

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Rehmeier, Randall L. - Board of Parole - Judiciary

(Signed) Bob Krist, Chairperson
Executive Board
NOTICE OF COMMITTEE HEARING(S)
Urban Affairs
Room 1510

Tuesday, February 3, 2015 1:30 p.m.
LB295
LB304
LB266

Tuesday, February 10, 2015 1:30 p.m.
LB197
LB300
LB324
LB420

Tuesday, February 17, 2015 1:30 p.m.
LB455
LB378
LB540

Tuesday, February 24, 2015 1:30 p.m.
LB596
LB238
LB445

(Signed)  Sue Crawford, Chairperson

MOTION - Print in Journal

Senator Scheer filed the following motion to LB50:
MO5
Withdraw bill.

GENERAL FILE

LEGISLATIVE BILL 91. Title read. Considered.
Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present
and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 41. Title read. Considered.
Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present
and not voting, and 4 excused and not voting.
LEGISLATIVE BILL 42. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 126. Title read. Considered.

Committee AM12, found on page 238, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

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

LEGISLATIVE BILL 35. Title read. Considered.

Committee AM6, found on page 239, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 38.Introduced by Seiler, 33; Bolz, 29; Chambers, 11; Krist, 10; Mello, 5; Schumacher, 22.

PURPOSE: The purpose of this resolution is to examine the statutes governing prisons and parole to ensure that the Board of Parole is independent from the Department of Correctional Services. Such a review was recommended by the Department of Correctional Services Special Investigative Committee of the Legislature in its report released on December 15, 2014. This study shall include, but not be limited to, the following issues:

(1) Harmonizing and potentially amending certain statutes to ensure clarity and consistency of definitions and procedures; and

(2) Recommending consolidation and reorganization of statutory provisions concerning jail, prison, probation, parole, and other aspects of the criminal justice system to the Revisor of Statutes.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.
LEGISLATIVE RESOLUTION 39. Introduced by Seiler, 33; Bolz, 29; Chambers, 11; Krist, 10; Mello, 5; Schumacher, 22.

PURPOSE: The purpose of this resolution is to examine the Nebraska Mental Health Commitment Act, the Sex Offender Commitment Act, and the Nebraska Treatment and Corrections Act in order to ensure that the evaluation procedures regarding potentially mentally ill and dangerous inmates and potentially dangerous sex offenders are clear and consistent. Such a review was recommended by the Legislative Performance Audit Committee in its report released on November 17, 2014, entitled "Nebraska Department of Correctional Services: Disciplinary Process, Programs, and Commitment Processes." This interim study shall include the following issues:

(1) Harmonizing and potentially amending certain statutes to ensure clarity and consistency of the definitions and procedures;

(2) Examining whether the Nebraska Mental Health Commitment Act would benefit from the more formal notification processes as contained in the Sex Offender Commitment Act; and

(3) Potentially clarifying definitions to ensure that any differences are intentional and desired.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Monday, February 2, 2015 1:30 p.m.

LB351
LB590
LB58
LB444
LB522
THIRTEENTH DAY - JANUARY 26, 2015

Tuesday, February 3, 2015 1:30 p.m.

LB323
LB182
LB563
LB343
LB534

(Signed) Kate Sullivan, Chairperson
Agriculture
Room 1524

Tuesday, February 10, 2015 1:30 p.m.

LB176
LB175

(Signed) Jerry Johnson, Chairperson
Transportation and Telecommunications
Room 1113

Monday, February 2, 2015 1:30 p.m.

LB231
LB312
LB313

Tuesday, February 3, 2015 1:30 p.m.

LB642
LB624
LB53

(Signed) Jim Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 92. Title read. Considered.

Committee AM25, found on page 239, was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.
LEGISLATIVE BILL 93. Title read. Considered.

Committee AM26, found on page 239, was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

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

LEGISLATIVE BILL 95. Title read. Considered.

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

LEGISLATIVE BILL 150. Title read. Considered.

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

LEGISLATIVE BILL 151. Title read. Considered.

Committee AM19, found on page 271, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 170. Title read. Considered.

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

LEGISLATIVE BILL 171. Title read. Considered.

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

LEGISLATIVE BILL 99. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 100. Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.
LEGISLATIVE BILL 65. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1. Placed on Select File.
LEGISLATIVE BILL 2. Placed on Select File.
LEGISLATIVE BILL 3. Placed on Select File.
LEGISLATIVE BILL 4. Placed on Select File.
LEGISLATIVE BILL 5. Placed on Select File.
LEGISLATIVE BILL 6. Placed on Select File.
LEGISLATIVE BILL 7. Placed on Select File.
LEGISLATIVE BILL 8. Placed on Select File.
LEGISLATIVE BILL 9. Placed on Select File.

(Signed) Matt Hansen, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Business and Labor
Room 2102

Monday, February 2, 2015 1:30 p.m.

LB251
LB494
LB611
LB599

(Signed) Burke Harr, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 40. Introduced by Coash, 27; Bolz, 29; Campbell, 25; Haar, K., 21; Hansen, 26; Morfeld, 46; Pansing Brooks, 28.

WHEREAS, Russell D. Brehm was born in Lincoln, Nebraska, on May 31, 1921; and
WHEREAS, in 1952, Russell founded the Douglas Theatre Company which started with a single drive-in theater in Omaha and grew to a chain of 101 movie screens; and
WHEREAS, in 2000, Russell was honored by the National Theatre Owners Association as the Theatre Owner of the Year; and
WHEREAS, under Russell's leadership, the Douglas Theatre Company sponsored an annual Make-A-Wish Academy Awards event that consistently raised over $100,000 for the Make-A-Wish Foundation; and
WHEREAS, Russell started a relationship with Clinton Elementary School in Lincoln where he transported the entire student body to the theater for a Christmas party which included a movie, treats, and a gift for each student; and

WHEREAS, Russell was a life-long supporter and fan of the University of Nebraska, especially University of Nebraska football where he had been a season ticket holder since the early 1950's; and

WHEREAS, during Russell's lifetime, he only missed one home football game prior to the 2014 season due to being hospitalized; and

WHEREAS, Russell received the Clarence E. Swanson Memorial Award from the University of Nebraska-Lincoln Athletic Department in 2005, and the University of Nebraska Alumni Achievement Award in 1995; and

WHEREAS, Russell and his late wife, Louise, established a scholarship fund that awards scholarships for students to attend college and become teachers; and

WHEREAS, at age 24, Russell was the youngest man ever elected to the Lancaster County Board of Commissioners where he served for three terms; and

WHEREAS, Russell was a World War II veteran and a member of the American Legion; and

WHEREAS, Russell D. Brehm passed away on January 20, 2015.

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

1. That the Legislature recognizes the contributions of Russell D. Brehm and extends its sympathy to his family.

2. That a copy of this resolution be sent to the family of Russell D. Brehm.

Laid over.

LEGISLATIVE RESOLUTION 41. Introduced by Campbell, 25; Baker, 30; Bloomfield, 17; Bolz, 29; Brasch, 16; Coash, 27; Cook, 13; Craighead, 6; Crawford, 45; Davis, 43; Ebke, 32; Friesen, 34; Garrett, 3; Gloor, 35; Groene, 42; Haar, K., 21; Hadley, 37; Hansen, 26; Harr, B., 8; Hilkemann, 4; Howard, 9; Hughes, 44; Johnson, 23; Kintner, 2; Kolowski, 31; Kolterman, 24; Krist, 10; Kuehn, 38; Larson, 40; Lindstrom, 18; McCollister, 20; McCoy, 39; Mello, 5; Morfeld, 46; Murante, 49; Nordquist, 7; Pansing Brooks, 28; Riepe, 12; Scheer, 19; Schilz, 47; Schnoor, 15; Schumacher, 22; Seiler, 33; Smith, 14; Stinner, 48; Sullivan, 41; Watermeier, 1; Williams, 36.

WHEREAS, the clinical skill, training, educational ability, and readiness of the Nebraska Biocontainment Patient Care Unit at the University of Nebraska Medical Center (UNMC) has received national and international recognition for Nebraska as a leader in the fight against Ebola; and

WHEREAS, the United States Department of State, United States Centers for Disease Control and Prevention, United States Department of Defense, and United States Department of Health and Human Services have
identified the Nebraska Biocontainment Patient Care Unit as one of the premier facilities for treating Ebola patients; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit has been called a national asset by the United States Department of State for its readiness and expertise to treat Ebola patients; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit has responded to hundreds of requests from hospitals across the nation seeking consultations, second opinions, and requests for assistance to train their staffs to help them better prepare to deal with Ebola and other highly infectious diseases; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit is recognized across the nation as the "gold standard" in treating Ebola and in training staff to respond to highly infectious diseases in the United States and around the world; and

WHEREAS, UNMC had the vision and expertise to create the Nebraska Biocontainment Patient Care Unit in 2005 to protect and serve the state and nation against the threat of highly infectious diseases; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit's dedicated and expert staff of nurses, lab workers, respiratory therapists, pharmacists, care technicians, and physicians selflessly treat patients who have contracted a highly infectious disease to restore their health; and

WHEREAS, the members of the Nebraska Ebola Team were named 2014 Midlanders of the Year by the Omaha World-Herald for their dedication and contributions in the nation's fight against Ebola; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit is the largest unit of its kind in the nation and has worked closely with global, federal, state, and local agencies and organizations to deliver care and protect our country; and

WHEREAS, as hospitals across the nation asked the Nebraska Biocontainment Patient Care Unit to help them prepare to defend against Ebola, the unit immediately released all its treatment protocols and training materials in a timely and effective manner; and

WHEREAS, to help meet the crisis demand for highly infectious disease protocol procedures, the Nebraska Biocontainment Patient Care Unit collaborated with Apple, Inc. to develop and distribute protocols and other state-of-the-art training materials through Apple iTunes for professionals, facilities, and the public; and

WHEREAS, since the Ebola crisis began to affect United States communities in the summer of 2014, more than 40 civilian and military hospital teams from across the nation have sought and received specialized intense training from UNMC in highly infectious disease protocols to better prepare and protect their communities; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit is a Nebraska asset and a national leader in global preparedness and readiness to respond to highly infectious disease threats.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes the Nebraska Biocontainment Patient Care Unit for its service to our state, nation, and world.
2. That the Legislature urges the Nebraska congressional delegation to work with federal agencies to support efforts in Congress to establish a national training center in highly infectious diseases at the University of Nebraska Medical Center.
3. That a copy of this resolution be sent to the University of Nebraska Board of Regents, the University of Nebraska Medical Center, and Nebraska Medicine.

Laid over.

LEGISLATIVE RESOLUTION 42. Introduced by Friesen, 34.

WHEREAS, the Central City Care Center in Central City provides Nebraskans with professional and compassionate care and support which is invaluable to our state; and
WHEREAS, the Central City Care Center recently received a deficiency-free survey from the Department of Health and Human Services for its nursing facility; and
WHEREAS, in unannounced onsite inspections, the Central City Care Center was in full compliance in the areas of operational care, treatment, and physical plant standards; and
WHEREAS, the Central City Care Center's deficiency-free survey illustrates the staff's commitment to high quality of care for their residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Central City Care Center on receiving a deficiency-free survey from the Department of Health and Human Services.
2. That a copy of this resolution be sent to the Central City Care Center and its administrator, Katherine Klingsporn.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Ebke, Groene, Kintner, Schnoor - LB31
Coash - LB62 and LB64
Crawford - LB484
Davis, Krist, McCoy, Morfeld, Schumacher - LB31
Davis, Scheer, Smith - LB190
Kolterman - LB364
Watermeier - LB187
VISITORS

Visitors to the Chamber were 6 seventh and eighth-grade students and teacher from Papillion; 70 members of A.B.A.T.E. of Nebraska from across the state; and 27 Career Student Organization State Officers of FCCLA, FBLA, HOSA, SkillsUSA, FFA, and FEA, from across the state.

The Doctor of the Day was Dr. Eric Thomsen from Beatrice.

ADJOURNMENT

At 11:47 a.m., on a motion by Senator Bolz, the Legislature adjourned until 10:00 a.m., Tuesday, January 27, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
FOURTEENTH DAY - JANUARY 27, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 27, 2015

PRAYER

The prayer was offered by Senator Bolz.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hadley presiding.

The roll was called and all members were present except Senator Campbell who was excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirteenth day was approved.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 88. Placed on General File.

(Signed) Les Seiler, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 159. Placed on General File.
LEGISLATIVE BILL 247. Placed on General File.
LEGISLATIVE BILL 279. Placed on General File.

(Signed) Jim Scheer, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 220. Placed on General File.
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.

Rhonda K. Lahm, Director - Department of Motor Vehicles

Aye: 8 Brasch, Davis, Friesen, Garrett, McCoy, Murante, Seiler, Smith.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Jim Smith, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524

Wednesday, February 4, 2015 1:30 p.m.
LB20
LB62
LB64
LB255
LB614
LB454

Thursday, February 5, 2015 1:30 p.m.
LB69
LB156
LB228
LB246

Friday, February 6, 2015 1:30 p.m.
LB153
LB191
LB249
LB278

Wednesday, February 11, 2015 1:30 p.m.
LB321
LB322
LB331
LB372
Thursday, February 12, 2015 1:30 p.m.
LB210
LB277
LB345
LB615

Wednesday, February 18, 2015 1:30 p.m.
LB419
LB280
LB357

Thursday, February 19, 2015 1:30 p.m.
LB230
LB293
LB350
LB384

Friday, February 20, 2015 1:30 p.m.
LB200
LB256
LB284
LB285

Wednesday, February 25, 2015 1:30 p.m.
LB396
LB423
LB408
LB510
LB538

Thursday, February 26, 2015 1:30 p.m.
LB325
LB356
LB361
LB521
LB523

Friday, February 27, 2015 1:30 p.m.
LB386
LB391
LB428
LB453
Wednesday, March 4, 2015 1:30 p.m.

LB470
LB495
LB559
LB608

Thursday, March 5, 2015 1:30 p.m.

LB398
LB414
LB424
LB476

Friday, March 6, 2015 1:30 p.m.

LB438
LB542
LB610
LB653

Wednesday, March 11, 2015 1:30 p.m.

LB645
LB573
LB591

Thursday, March 12, 2015 1:30 p.m.

LB574
LB466
LB550

Wednesday, March 18, 2015 1:30 p.m.

LB26
LB587
LB613

(Signed)  Mike Gloor, Chairperson
Nebraska Retirement Systems

Room 1525

Wednesday, February 4, 2015 12:00 p.m.

John Dinkel - Nebraska Investment Council
LB594
COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 91. Placed on Select File.

LEGISLATIVE BILL 41. Placed on Select File with amendment.
ER2
1 1. On page 1, line 2, strike "redefine" and insert "change the size" 2 of a"; and in line 3 strike "the".

LEGISLATIVE BILL 42. Placed on Select File.

LEGISLATIVE BILL 126. Placed on Select File with amendment.
ER1
1 1. On page 1, line 2, after the semicolon insert "to change the" 2 applicability of certain county retirement provisions:"; and in line 3 3 after the semicolon insert "to provide for an irrevocable election" 4 regarding future contributions;".

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR41 was referred to the Reference Committee.

MOTION - Withdraw LB50

Senator Scheer offered his motion, MO5, found on page 300, to withdraw LB50.

The Scheer motion to withdraw the bill prevailed with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 177. Title read. Considered.

Senator Smith offered the following amendment:
FA1
On page 2, lines 14 and 15, strike "public power district" and insert "public-owned electric utility".

Senator Smith withdrew his amendment.
Senator Smith offered the following amendment:

FA2
On page 2, strike lines 13-16, and insert, "No person who is a full-time or part-time employee of the district shall be eligible to serve as a member of the Board of Directors and no employed officer of a publicly-owned electric utility may serve as a member of the Board of Directors of any publicly-owned electric utility."

Senator Pansing Brooks offered the following amendment to the Smith amendment:

FA3
Amend FA2
On line 3, after "Directors" insert "of that district"

The Pansing Brooks amendment was adopted with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

The Smith amendment, as amended, was adopted with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 8 nays, 4 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 2.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 3.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 4.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 5.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 6.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 7.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 8.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 9.** Advanced to Enrollment and Review for Engrossment.
COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 112. Indefinitely postponed.
(Signed) John Murante, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Wednesday, February 4, 2015 1:30 p.m.
LB10
LB205
LB224

Thursday, February 5, 2015 1:30 p.m.
LB319
LB514
LB575
LB578

Friday, February 6, 2015 1:30 p.m.
LB552
LB503
LB539
LB621

(Signed) John Murante, Chairperson

Natural Resources
Room 1525

Wednesday, February 4, 2015 1:30 p.m.
LB328
LB585

(Signed) Ken Schilz, Chairperson
LEGISLATIVE RESOLUTION 43. Introduced by Craighead, 6.

WHEREAS, Westside High School received a 2014 NebraskARTS Award presented by Nebraskans for the Arts; and
WHEREAS, Nebraskans for the Arts annually recognizes select schools that make a notable and worthwhile contribution to the arts and arts education in the state of Nebraska; and
WHEREAS, the award event was held in the State Capitol rotunda on October 14, 2014, and included student artwork displays and performances from the honored schools; and
WHEREAS, Westside High School's performing arts department is a wonderful example of successful collaboration between directors, actors, musicians, and crew members; and
WHEREAS, Westside High School's visual arts department is a leader in developing and promoting self-expression while expanding students' aesthetic and intellectual abilities through the creation of art; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Westside High School for receiving a 2014 NebraskARTS Award.
2. That a copy of this resolution be sent to Westside High School.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Larson filed the following amendment to LB118:
AM77
(Amendments to Standing Committee amendments, AM74)
1 1. On page 1, line 13, after the period insert "Public accommodations, research institutions, tobacco retail outlets, and cigar shops provide revenue for the state and local governments and provide employment opportunities for the public."

Senator Larson filed the following amendment to LB118:
AM76
1 1. Strike section 8.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR Committee
LR41 Health and Human Services
(Signed) Bob Krist, Chairperson
Executive Board

UNANIMOUS CONSENT - Add Cointroducer(s)

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

McCoy - LB652
Hughes - LB31
Morfeld - LB110
Davis - LB439
Crawford, Garrett, Kintner - LB20
Garrett, Kintner, Krist - LB267
Crawford, Kintner, Krist - LB454
Crawford, Krist - LB614
Hilkemann, Kuehn - LB190
McCoy - LB187
Kintner - LB29 and LB30

VISITORS

Visitors to the Chamber were 5 producers with the Nebraska Cattlemen.

The Doctor of the Day was Dr. Marlon Weiss from Lincoln.

ADJOURNMENT

At 11:47 a.m., on a motion by Senator Howard, the Legislature adjourned until 9:00 a.m., Wednesday, January 28, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
PRAYER

The prayer was offered by Senator Riepe.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Coash presiding.

The roll was called and all members were present except Senator McCoy who was excused; and Senators B. Harr, Larson, Mello, Morfeld, Pansing Brooks, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourteenth day was approved.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 157. Placed on General File.
  (Signed) Jim Scheer, Chairperson

Urban Affairs

LEGISLATIVE BILL 149. Placed on General File.
LEGISLATIVE BILL 168. Placed on General File.
  (Signed) Sue Crawford, Chairperson

Nebraska Retirement Systems

LEGISLATIVE BILL 40. Placed on General File.
  (Signed) Jeremy Nordquist, Chairperson
MOTION(S) - Confirmation Report(s)

Senator Smith moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 312:

Department of Motor Vehicles
 Rhonda K. Lahm, Director

Voting in the affirmative, 38:

<table>
<thead>
<tr>
<th>Baker</th>
<th>Craighead</th>
<th>Hansen</th>
<th>Kuehn</th>
<th>Schumacher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bloomfield</td>
<td>Crawford</td>
<td>Hilkemann</td>
<td>Lindstrom</td>
<td>Seiler</td>
</tr>
<tr>
<td>Bolz</td>
<td>Ebke</td>
<td>Howard</td>
<td>McCollister</td>
<td>Smith</td>
</tr>
<tr>
<td>Brasch</td>
<td>Friesen</td>
<td>Hughes</td>
<td>Murante</td>
<td>Stinner</td>
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<tr>
<td>Campbell</td>
<td>Garrett</td>
<td>Johnson</td>
<td>Nordquist</td>
<td>Sullivan</td>
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<tr>
<td>Chambers</td>
<td>Groene</td>
<td>Kintner</td>
<td>Riepe</td>
<td>Williams</td>
</tr>
<tr>
<td>Coash</td>
<td>Haar, K.</td>
<td>Koltermann</td>
<td>Schilz</td>
<td></td>
</tr>
<tr>
<td>Cook</td>
<td>Hadley</td>
<td>Krist</td>
<td>Schnoor</td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative, 0.

Present and not voting, 4:

<table>
<thead>
<tr>
<th>Davis</th>
<th>Gloor</th>
<th>Kolowski</th>
<th>Scheer</th>
</tr>
</thead>
</table>

Excused and not voting, 7:

<table>
<thead>
<tr>
<th>Harr, B.</th>
<th>McCoy</th>
<th>Morfeld</th>
<th>Watermeier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Larson</td>
<td>Mello</td>
<td>Pansing</td>
<td>Brooks</td>
</tr>
</tbody>
</table>

The appointment was confirmed with 38 ayes, 0 nays, 4 present and not voting, and 7 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 88. Title read. Considered.

Senator Chambers offered the following motion:

MO6
Indefinitely postpone.

SENATOR GLOOR PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 29 ayes, 1 nay, and 19 not voting.
Senator Chambers requested a roll call vote on his motion to indefinitely postpone.

Voting in the affirmative, 5:
Bloomfield  Ebke  Murante  Schnoor  Schumacher

Voting in the negative, 38:
Baker  Friesen  Hilkemann  Larson  Schilz
Bolz  Garrett  Howard  Lindstrom  Seiler
Campbell  Gloor  Hughes  McCollister  Stinner
Coash  Groene  Johnson  Morfeld  Sullivan
Cook  Haar, K.  Kintner  Nordquist  Watermeier
Craighead  Hadley  Kolowski  Pansing  Brooks  Williams
Crawford  Hansen  Kolterman  Riepe
Davis  Harr, B.  Kuehn  Scheer

Present and not voting, 4:
Brasch  Chambers  Krist  Smith

Excused and not voting, 2:
McCoy  Mello

The Chambers motion to indefinitely postpone failed with 5 ayes, 38 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

**COMMITTEE REPORT(S)**

**Judiciary**

**LEGISLATIVE BILL 43.** Placed on General File with amendment.

**AM72**

1 1. On page 2, line 10, after "guardian" insert "or a standby
2 guardian".
3 2. On page 3, line 12, after the first "guardian" insert "and upon
4 compliance with any rules promulgated by the Supreme Court"; in line 17
5 after "notification" insert "and upon compliance with any rules
6 promulgated by the Supreme Court"; in line 18 after the second
7 "guardianship" insert "appointment" and after the period insert "A
8 standby guardian shall complete the training required by section
9 30-2601.01 at the time or times required by rules promulgated by the
10 Supreme Court or as otherwise provided by order of the county court";
11 and after line 18 insert the following new subsection:
12 "(f) The Public Guardian shall not be appointed as a standby
guardian.".
13 3. On page 5, line 24, after the first "ward" insert ", any current,
suspended, or former conservator or guardian of the ward.".

LEGISLATIVE BILL 190. Placed on General File with amendment. AM48
1 1. On page 3, line 18, after the semicolon insert "and"; strike
2 lines 19 and 20 and show the old matter as stricken; and in line 21
3 strike "(11)", show as stricken, and insert "(10)".

LEGISLATIVE BILL 219. Placed on General File with amendment. AM43
1 1. On page 2, line 4, strike "eighteen" and insert "nineteen".
2 2. On page 16, lines 2 and 3, strike "the Uniform Deployed Parents
3 Custody and Visitation Act and"; and in line 3 after "43-2923" insert "or
4 the Uniform Deployed Parents Custody and Visitation Act if such act
5 applies".
6 3. On page 20, lines 10 and 11, strike "the Uniform Deployed Parents
7 Custody and Visitation Act and"; and in line 11 before "and" insert "or
8 the Uniform Deployed Parents Custody and Visitation Act if such act
9 applies".

(Signed) Les Seiler, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services
Room 1510

Wednesday, February 4, 2015 1:30 p.m.
LB366
LB355
LB346

Thursday, February 5, 2015 1:30 p.m.
LB320
LB405
LB440

Friday, February 6, 2015 1:30 p.m.
LB543
LB89
LB147
Wednesday, February 11, 2015 1:30 p.m.
LB471
LB452
LB567

Thursday, February 12, 2015 1:30 p.m.
LB80
LB315

Wednesday, February 18, 2015 1:30 p.m.
LB490
LB335
LB607

Thursday, February 19, 2015 1:30 p.m.
LB243
LB441
LB199
LB296

Friday, February 20, 2015 1:30 p.m.
LB196
LB549

(Signed) Kathy Campbell, Chairperson
Judiciary
Room 1113

Wednesday, February 4, 2015 1:30 p.m.
LB663
LB602
LB648
LB647
LB586

(Signed) Les Seiler, Chairperson
AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB168:
AM51
1 1. On page 7, line 22; and page 9, line 15, after "based" insert "primarily".

Senator Crawford filed the following amendment to LB151:
AM85
1 1. On page 3, line 27, after "owner" insert "of the trust property ".

Senator Larson filed the following amendment to LB118:
AM98
1 1. On page 1, line 13, after the period insert "Public accommodations, research institutions, tobacco retail outlets, and cigar shops provide revenue for the state and local governments and provide employment opportunities for the public."

RESOLUTION(S)

LEGISLATIVE RESOLUTION 44. Introduced by Kolterman, 24.

WHEREAS, York Public Schools received a 2014 NebraskARTS Award presented by Nebraskans for the Arts; and
WHEREAS, Nebraskans for the Arts annually recognizes select schools that make a notable and worthwhile contribution to the arts and arts education in the state of Nebraska; and
WHEREAS, the award event was held in the State Capitol rotunda on October 14, 2014, and included student artwork displays and performances from the honored schools; and
WHEREAS, York Public Schools demonstrates a high education standard and enriches the lives of its students through the arts; and
WHEREAS, York Public Schools offers over 40 opportunities for students to take part in fine art activities; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST
SESSION:
1. That the Legislature congratulates York Public Schools for receiving a
2014 NebraskARTS Award.
2. That a copy of this resolution be sent to York Public Schools.

Laid over.

LEGISLATIVE RESOLUTION 45. Introduced by Craighead, 6.

WHEREAS, Michael B. Yanney has been selected as a 2015 winner of the
Excellence in Mentoring Award given by MENTOR: The National
Mentoring Partnership; and
WHEREAS, Michael was one of the primary advocates for launching the
Midlands Mentoring Partnership, an organization that seeks to increase the
number and quality of mentoring programs available for youth in Omaha; and
WHEREAS, Michael and his wife, Dr. Gail Walling Yanney, founded
Partnership 4 Kids, an after-school mentoring program currently serving
over 5,000 youths in Omaha; and
WHEREAS, Michael was presented with the award by United States
Senator Ben Sasse at a special dinner at the Library of Congress.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST
SESSION:
1. That the Legislature congratulates Michael B. Yanney for winning the
Excellence in Mentoring Award.
2. That a copy of this resolution be sent to Michael B. Yanney.

Laid over.

MOTION - Print in Journal

Senator Baker filed the following motion to LB432:
MO7
Withdraw bill.

GENERAL FILE

LEGISLATIVE BILL 88. Senator Chambers offered the following
motion:
MO8
Reconsider the vote to indefinitely postpone.

SENATOR COASH PRESIDING
Senator Chambers requested a roll call vote on his motion to reconsider.

The Chambers motion to reconsider failed with 2 ayes, 33 nays, 11 present and not voting, and 3 excused and not voting.

Senator Chambers offered the following motion:
MO9
Bracket until February 13, 2015.

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

Senator Chambers requested a roll call vote on his motion to bracket.

Voting in the affirmative, 2:
Murante Schumacher

Voting in the negative, 37:
Baker Friesen Hilkemann Larson Schilz
Bolz Garrett Howard Lindstrom Stinner
Campbell Gloor Hughes McCollister Sullivan
Coash Groene Johnson Morfeld Watermeier
Cook Haar, K. Kintner Nordquist Williams
Craighead Hadley Kolterman Pansing Brooks
Crawford Hansen Krist Riepe
Ebke Harr, B. Kuehn Scheer

Present and not voting, 5:
Bloomfield Brasch Chambers Davis Smith

Excused and not voting, 5:
Kolowski McCoy Mello Schnoor Seiler

The Chambers motion to bracket failed with 2 ayes, 37 nays, 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:
MO10
Reconsider the vote to bracket until February 13, 2015.

Senator Chambers moved for a call of the house. The motion prevailed with 25 ayes, 1 nay, and 23 not voting.
Senator Chambers requested a roll call vote on his motion to reconsider.

Voting in the affirmative, 5:
Bloomfield  Chambers  Davis  Ebke  Murante

Voting in the negative, 34:
Baker  Friesen  Harr, B.  Krist  Riepe
Bolz  Garrett  Hilkemann  Kuehn  Schumacher
Campbell  Gloor  Howard  Lindstrom  Stinner
Coash  Groene  Hughes  McCollister  Sullivan
Cook  Haar, K.  Johnson  Morfeld  Watermeier
Craighead  Hadley  Kintner  Nordquist  Williams
Crawford  Hansen  Kolterman  Pansing Brooks

Present and not voting, 2:
Brasch  Smith

Excused and not voting, 8:
Kolowski  McCoy  Scheer  Schnoor
Larson  Mello  Schilz  Seiler

The Chambers motion to reconsider failed with 5 ayes, 34 nays, 2 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S)

Education

The Education 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.

John Bernthal - Coordinating Commission for Postsecondary Education


LEGISLATIVE BILL 18. Placed on General File.

LEGISLATIVE BILL 109. Placed on General File with amendment.
AM66
1 1. Strike original section 1 and insert the following new section:
Section 1. Section 85-502.01, Reissue Revised Statutes of Nebraska, is amended to read:

A person who enrolls in a public college or university in this state and who is either a veteran as defined in Title 38 of the United States Code section 80401.01 and was discharged or released from a period of not fewer than ninety days of service in the active military, naval, or air service less than three years before the date of initial enrollment, a spouse or dependent of such a veteran, has been off active duty for two years or less or an eligible recipient entitled to educational assistance of such a veteran as provided in 38 U.S.C. 3311(b)(9) or 38 U.S.C. 3319, as such sections existed on January 1, 2015, who is a spouse or dependent of such a veteran who enrolls in a public college or university in this state shall be considered a resident student notwithstanding the provisions of section 85-502 if the person is (a) registered to vote in Nebraska and (b) demonstrates objective evidence of intent to be a resident of Nebraska.

A person who is an eligible individual under 38 U.S.C. 3679(c) (2), as such section existed on January 1, 2015, or who is a spouse or dependent of such a veteran under and who is younger than eighteen years of age is not required to comply with subdivision (1)(a) of this section until he or she attains eighteen years of age.

This section does not apply to a veteran who qualifies for benefits pursuant to 38 U.S.C. 3317, as such section existed on January 1, 2014. This subsection does not affect the applicability of this section with respect to the spouse or dependent of such a veteran.

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

(Signed) Kate Sullivan, Chairperson
Banking, Commerce and Insurance

Legislative Bill 198. Placed on General File.
(Signed) Jim Scheer, Chairperson
General Affairs

Legislative Bill 118. Placed on General File with amendment.

1. Insert the following new sections:
2. Sec. 5. Section 71-5717, Reissue Revised Statutes of Nebraska, is amended to read:
3. The purpose of the Nebraska Clean Indoor Air Act is to protect the public health and welfare by prohibiting smoking in public places and places of employment with limited exceptions for public accommodations, research, tobacco retail outlets, and cigar shops. The limited exceptions permit smoking in public places where the public would...
9 reasonably expect to find persons smoking, including guestrooms which are
10 subject to expectations of privacy like private residences, institutions
11 engaged in research related to smoking, and tobacco retail outlets and
12 cigar shops which provide the public legal retail outlets to sample, use,
13 and purchase tobacco products and products related to smoking. The act
14 shall not be construed to prohibit or otherwise restrict smoking in
15 outdoor areas. The act shall not be construed to permit smoking where it
16 is prohibited or otherwise restricted by other applicable law, ordinance,
17 or resolution. The act shall be liberally construed to further its
18 purpose.
19 Sec. 7. If any section in this act or any part of any section is
20 declared invalid or unconstitutional, the declaration shall not affect
21 the validity or constitutionality of the remaining portions.
22 2. On page 3, line 2, strike "in triplicate original" and show as
23 stricken; and in line 30 after the period insert "The rules and
24 regulations existing on August 1, 2014, applicable to cigar bars shall
25 apply to cigar shops until amended or repealed by the commission."
26 3. On page 4, after line 30; and page 6, after line 7, insert the
27 following new subsection:
1 "(3)(a) The Legislature finds that allowing smoking in tobacco
2 retail outlets as a limited exception to the Nebraska Clean Indoor Air
3 Act does not interfere with the original intent that the general public
4 and employees not be unwillingly subjected to second-hand smoke since
5 employees have ample other opportunities for similar employment at other
6 establishments and the general public would not frequent those
7 establishments and should reasonably expect that there would be second-
8 hand smoke in a tobacco retail outlet and could choose to avoid such
9 exposure.
10 (b) It is the intent of the Legislature to allow smoking in tobacco
11 retail outlets that meet specific statutory criteria. This exception to
12 the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with
13 the intent of the act to protect public places and places of
14 employment.".
15 4. Renumber the remaining sections and correct the repealer
16 accordingly.

(Signed) Tyson Larson, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 269. Placed on General File with amendment.

AM68
1 1. On page 2, reinstate the stricken matter beginning with "A" in
2 line 10 through "director" in line 12 and after the reinstated matter
3 insert "and maintained and updated at least annually on the board's web
4 site in a printable format.".

(Signed) Jim Scheer, Chairperson
NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525

Thursday, February 5, 2015 1:30 p.m.

LB104
LB337
LB469

Friday, February 6, 2015 1:30 p.m.

Thomas D. Oliver - Nebraska Oil and Gas Conservation Commission
LB203

(Signed) Ken Schilz, Chairperson

Judiciary
Room 1113

Thursday, February 5, 2015 1:30 p.m.

Randall L. Rehmeier - Board of Parole
LB651
LB504
LB505
LB630

(Signed) Les Seiler, Chairperson

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

The Banking, Commerce and Insurance 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.

Bruce Ramge, Director - Department of Insurance

The Banking, Commerce and Insurance 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.

Mark Quandahl, Director - Department of Banking and Finance


(Signed) Jim Scheer, Chairperson

AMENDMENT(S) - Print in Journal

Senator Schumacher filed the following amendment to LB88:
FA4
After the period in line 15 page 2 insert the following sentence: "In the case where either of the persons applying for the issuance of a marriage license has minor children the fifty dollar fee shall be waived."

Senator Kintner filed the following amendment to LB88:
AM110
1 1. On page 2, line 13, strike beginning with "of" though "dollars"
2 and show the old matter as stricken; on line 15 after the period insert "
3 Such fee shall be set by each county board in an amount ranging between
4 thirty and fifty dollars."

Senator Larson filed the following amendment to LB111:
AM107
1 1. Strike section 15.

Senator Larson filed the following amendment to LB619:
AM102
1 1. Strike section 9.

Senator Larson filed the following amendment to LB330:
AM101
1 1. Strike section 18.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Davis, Hughes, Murante, Scheer, Stinner, Williams - LB187
Schilz - LB187
Bloomfield, Davis, Friesen, Groene, Johnson, Koltermann - LR23
Baker, Hilkenmann, Hughes, Kuehn, McCoy, Williams - LR23
Craighead, Ebke, Lindstrom, McCollister, Schnoor, Stinner - LR23
Bolz, Gloor, Kintner, Pansing Brooks, Schumacher - LR23
Haar, K., Hadley, Kolowski, Krist, Murante, Schilz - LR23
Brasch, Crawford, Larson, Seiler, Smith, Sullivan - LR23
Kuehn, Larson - LB187
Kintner - LB118
Coash, Larson, Murante, Schilz - LB31

VISITORS

Visitors to the Chamber were 25 students and teacher from Little Priest Tribal College, Winnebago.

ADJOURNMENT

At 12:07 p.m., on a motion by Speaker Hadley, the Legislature adjourned until 9:00 a.m., Thursday, January 29, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
SIXTEENTH DAY - JANUARY 29, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 29, 2015

PRAYER

The prayer was offered by Bishop Brian Maas, Nebraska Synod - Evangelical Lutheran Church in America, Omaha.

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 McCoy who was excused; and Senators Hansen, Larson, and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

MESSAGE FROM THE GOVERNOR

January 28, 2015

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

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

Contingent upon your approval, the following individual is appointed as the Director of the Department of Correctional Services:

Scott R. Frakes, P.O. Box 94661, Lincoln, NE 68509

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.
Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LRs 24, 25, 27, 28, 29, and 30 were adopted.

PRESIDENT SIGNED
While the Legislature was in session and capable of transacting business, the President signed the following: LRs 24, 25, 27, 28, 29, and 30.

MOTION - Withdraw LB432
Senator Baker offered his motion, MO7, found on page 327, to withdraw LB432.

The Baker motion to withdraw the bill prevailed with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

GENERAL FILE
LEGISLATIVE BILL 88. Senator Chambers offered the following motion:
MO11
Recommit to the Judiciary Committee.

Senator Chambers moved for a call of the house. The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

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

Voting in the affirmative, 5:

Bloomfield  Brasch  Davis  Ebke  Murante

Voting in the negative, 39:

Baker  Garrett  Howard  Lindstrom  Schilz
Bolz  Gloor  Hughes  McCollister  Schnoor
Campbell  Groene  Johnson  Mello  Schumacher
Coash  Haar, K.  Kintner  Morfeld  Seiler
Cook  Hadley  Kolowski  Nordquist  Stinner
Craighead  Hansen  Krist  Pansing Brooks  Sullivan
Crawford  Harr, B.  Kuehn  Riepe  Williams
Friesen  Hilkemann  Larson  Scheer
Present and not voting, 2:

Chambers    Smith

Excused and not voting, 3:

Kolterman    McCoy    Watermeier

The Chambers motion to recommit to committee failed with 5 ayes, 39 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 46. Introduced by Coash, 27.

WHEREAS, John G. Boosalis, a gunner in the United States Navy during World War II, along with a pilot and a radioman, crashed into the Pacific Ocean on February 27, 1943 when their airplane engine failed; and

WHEREAS, upon crashing into the ocean, John and the other two crew members launched a rubber life raft and were able to take a small number of sundry articles before their plane sank; and

WHEREAS, John spent two days and two nights in the life raft rowing toward an island approximately 25 miles in the distance; and

WHEREAS, during these two days and two nights in the life raft, John endured sunburn, lack of water, long hours of rowing, and badly blistered hands; and

WHEREAS, on the third day, John and his crew landed on Erromango Island where they were able to find stagnant water to drink and fruit and crab to eat; and

WHEREAS, while on the island, John and his crew befriended several people living on the island who were able to provide them with additional food and water; and

WHEREAS, while on the island, John suffered swollen and blistered feet, endured festered sores on his body, and contracted malaria and was ill for several days; and

WHEREAS, a rancher from Australia who lived on the other end of the island was able to radio naval headquarters about the location of John and the two other crew members; and

WHEREAS, after spending nearly a month on Erromango Island, John was returned to his Navy squadron.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes and thanks John G. Boosalis for his service and sacrifice while serving in the United States Navy during World War II.

2. That a copy of this resolution be sent to John G. Boosalis.

Laid over.

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications
Room 1113

Monday, February 9, 2015 1:30 p.m.

LB474
LB597
LB31

Tuesday, February 10, 2015 1:30 p.m.

LB498
LB570
LB641

(Signed) Jim Smith, Chairperson
Executive Board
Room 2102

Friday, February 6, 2015 12:00 p.m.

LR32
LR33
LR34

(Signed) Bob Krist, Chairperson

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 94. Placed on General File.
LEGISLATIVE BILL 122. Placed on General File.

(Signed) Jim Smith, Chairperson
Revenue

LEGISLATIVE BILL 52. Placed on General File.

LEGISLATIVE BILL 260. Placed on General File.

LEGISLATIVE BILL 261. Placed on General File with amendment.

AM44
1 1. Strike sections 5 and 18.
2 2. Renumber the remaining sections and correct internal references accordingly.

(Signed) Mike Gloor, Chairperson

Business and Labor

LEGISLATIVE BILL 271. Placed on General File with amendment.

AM27 is available in the Bill Room.

The Business and Labor 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.

John Albin, Commissioner - Department of Labor


(Signed) Burke Harr, Chairperson

Revenue

The Revenue 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.

Ruth A. Sorensen, Property Tax Administrator - Department of Revenue


(Signed) Mike Gloor, Chairperson

SPEAKER HADLEY PRESIDING
MOTION - Escort Chief Justice

Senator Howard moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court and members of the Supreme Court to the Legislative Chamber for the purpose of delivering the State of the Judiciary Address.

The motion prevailed.

The Chair appointed Senators Coash, Ebke, Howard, Schumacher, and Seiler to serve on said committee.

The committee escorted Chief Justice Michael G. Heavican to the rostrum where he delivered the following message:

Mr. President, Mr. Speaker, Members of the Legislature, and fellow Justices of the Nebraska Supreme Court. I would like to thank the members of this legislative body, and specifically thank Speaker Galen Hadley, for inviting me to address you this morning.

It is an honor for me to report on the accomplishments of the judicial branch during the past year and to discuss the future of the courts. First, let me introduce my fellow Justices.

To my immediate right is Justice John Wright of Scottsbluff. Next to Justice Wright is Justice Lindsey Miller-Lerman of Omaha.

To my immediate left is Kenneth Stephan of Lincoln. And to Justice Stephan’s left is Justice William Cassel of O’Neill.

Justice William Connolly of Hastings and Justice Michael McCormack of Omaha are unable to be with us.

Today I will speak to you about change in the Judicial Branch’s service to children in the courts; sentencing alternatives; guardianships; and access to justice across Nebraska.

Service to Young People

Throughout the nation states are reforming their juvenile justice systems. Here in Nebraska, young people who are charged in juvenile court with breaking the law and status offenses are the focus of our juvenile justice system.

With the passage of LB 561 in 2013, and in line with those national reform efforts, the Legislature transferred to the Office of Probation Administration, a division of the Nebraska court system, the responsibility for supervision of most of these juvenile law violators. Previously, these juveniles were under the supervision of the Department of Health and Human Services and were frequently made wards of the State in order to gain access to rehabilitative services.

This shift of direction is based on these fundamental principles: 1) fewer young people should be made wards of the state, be incarcerated, or placed in group homes; 2) more youth should be provided with treatment in their homes and local communities; 3) parents and guardians should always be involved in their children’s rehabilitation; and 4) local community providers
of mental health, substance abuse, and other services should be utilized whenever possible.

In Nebraska, approximately 1,000 fewer juveniles are state wards today than in 2012, and the number of service providers around the state has increased over 45%. I note several projects deserving special recognition.

The first of those projects is the “crossover” program in Douglas County, which successfully redirected approximately 170 children from the juvenile justice system last year. The crossover program identifies children who fall under the umbrella of both the child welfare and juvenile justice systems.

Rather than having a child simultaneously go through two systems, the crossover program provides a way to address the needs of both the child and the systems together. This enables us to focus on the rehabilitation of children and their families without redundant hearings and duplicative supervision.

In the past year Gage, Lancaster, and Dodge Counties initiated similar crossover programs. Sarpy County will do so this year. Probation supports the efforts of each of these counties and, as prescribed by last year’s LB 464, will provide leadership and technical assistance to crossover projects in other counties in the state.

In another promising program, Senator Bob Krist and State Court Administrator Corey Steel are part of a committee working with the National Juvenile Detention Alternative Initiative, known as JDAI. That committee is examining statewide juvenile detention practices in order to ensure that only those young people who pose a true community safety risk are incarcerated.

This national initiative seeks to provide alternatives to detention so that a juvenile’s delinquent behavior can more appropriately be addressed. The pilot sites in Douglas and Sarpy Counties have had great success in reducing the number of juveniles in detention.

When Douglas County began JDAI in 2011, its detention center averaged nearly 200 juveniles daily. But through the efforts of JDAI, the daily average has been reduced by approximately 50%. Likewise, Sarpy County’s staff-secure facility had previously housed between 20-25 juveniles per day, but now also averages half that number. This was accomplished by county, state, and private partnerships as well as the Legislature’s leadership and commitment to providing funding for counties to develop detention alternatives.

Similarly, in 2011 nearly 450 boys were admitted to the Youth Rehabilitation and Treatment Center at Kearney; in 2014, that number was approximately 175. In 2011, 140 girls were admitted to YRTC at Geneva; in 2014, that number was approximately 50. This significant reduction is a direct result of the efforts of our juvenile courts and probation staff, providing intervention and treatment services closer to home for young people and their families.

However, many challenges remain. Specifically, probation’s limited ability to access Federal programs such as Medicaid and Title IV-E Reimbursements promotes over-reliance on the state’s general fund rather than maximizing Federal dollars already available to Nebraska. Also, foster care, especially in greater Nebraska, is badly needed. The judiciary and the
probation system support state planning efforts and legislation to rectify both of these issues.

**Sentencing Alternatives**

The courts and probation are also involved in adult criminal justice reform. This past year the Judicial Branch, in cooperation with the Legislative and Executive Branches and other state institutions, participated in the Council of State Government’s Justice Reinvestment Working Group (CSG).

CSG’s comprehensive analysis of Nebraska’s adult criminal justice system offers new strategies and policy reforms intended to improve the state’s delivery of justice services. Particularly worth mentioning is CSG’s finding that people sentenced to probation have lower recidivism rates than people sentenced to prison for similar offenses. CSG also emphasized the value of increasing the use of sentencing alternatives.

Today I will speak about two effective sentencing alternatives available in our courts. Because 80% or more of the individuals involved in the justice system struggle with alcohol or drug abuse, both of these sentencing alternatives target adult offenders whose criminality often correlates to their use of alcohol and drugs.

The first sentencing alternative is problem-solving courts. This is one of the most successful and cost-effective responses to the problem of addiction and associated crime, both nationally and in Nebraska. The second alternative is the Specialized Substance Abuse Supervision program, otherwise known as SSAS. However, as mentioned in the CSG report, while both SSAS and the problem-solving courts are showing positive outcomes, they are not available in all areas of the state.

First, I will address problem-solving courts. Nebraska currently has 16 problem-solving courts including drug, young adult, and DUI courts that served over 1,000 people in 2014. Assuming that half of these individuals would have been sentenced to incarceration, the cost savings to taxpayers was a minimum of $15 million.

A 2012 statewide evaluation of Nebraska’s drug courts reported that 95% of those who successfully completed the program remained crime-free one year post-graduation. Drug courts emphasize education and employment. This has resulted in 95% of active participants being gainfully employed or attending school full-time.

The second alternative I mentioned is the SSAS program. SSAS provides an opportunity for otherwise prison-bound substance abusers to be intensively supervised by probation while receiving treatment.

Like problem-solving courts, SSAS has been shown to lower recidivism. Last year I reported that 91% of the individuals who were successfully discharged from SSAS in 2013 continued to remain crime-free one year later. This trend hasn’t changed. SSAS participants also have a very high rate of employment, with an average of 94% of SSAS graduates gainfully employed.

In 2014, LB 907 was enacted authorizing 16 new SSAS officers. Adding these officers has doubled the capacity of the SSAS program. It will cost just under $2.5 million to supervise individuals within SSAS this year,
which is a substantial savings when compared to the cost of incarceration.

Thank you to Senators Krist, Mello, and Cook for assisting with this legislation.

Because of LB 907, probation was not only able to expand SSAS, but was also able to open new reporting centers in Grand Island, Columbus, and Norfolk. This brought the total number of reporting centers across the state to eleven. These reporting centers, located in Sarpy, Otoe, Douglas, Lancaster, Dawson, Buffalo, Dakota, Scotts Bluff, Platte, Hall, and Madison Counties, offer over 150 rehabilitative and support services to individuals who are under supervision.

LB 907 also provided funding to begin to identify mental health issues frequently suffered by individuals involved in the criminal justice system. Previously unavailable mental health services were made accessible to probationers, problem-solving court participants, and parolees who were in need of treatment.

I would like to thank the six behavioral health regions and numerous public and private entities who have joined with probation to increase access to these behavioral health services. Of particular note are the substance abuse and mental health services now available in rural areas, thanks to video technology assistance provided by the University of Nebraska Medical Center and Boys Town which have agreed to assist us in greater Nebraska.

Whether through sentencing alternatives, specialized programs, services, or technology, the courts and probation continue to collaborate with the other two branches of government. We also work with both public and private entities to confront these criminal justice challenges as we strive to improve the lives and safety of all Nebraskans.

**Guardianship**

I will now briefly turn to legal guardianships in Nebraska. Both the Legislative and Judicial Branches took steps in 2014 to address the needs of some of Nebraska’s most vulnerable populations: incapacitated or dependent adults and children.

During the 2014 session, the Legislature approved the Public Guardianship Act. Prior to the passage of the Act, a suitable guardian was not always available when needed. The creation of the Office of Public Guardian changes that. A special thanks to Senator Coash for the sponsorship of LB 920, along with Senators Brasch, Davis, Schilz, Seiler, Watermeier, and several former senators who worked to make the Office of Public Guardian a reality.

The State Court Administrator has hired a director for the Office of Public Guardian, who is currently working to carry out the charge it was given. The work will be expedited, to the extent possible, to prepare for appointments yet this year. The office will also recruit, educate, and support current and future guardians and conservators throughout the State of Nebraska.

**Access to Justice Across Nebraska**

**Clerks**

I would like to discuss access to justice. First, I would like to recognize
our partnership with Nebraska’s county officials in exploring innovative ways to provide consistent access to all our courts.

The Judicial Branch has established a pilot program in Polk County where the county court clerk magistrate, who is a state employee, will also serve as the county’s clerk of the district court. The program’s goal is to increase efficiency by offering all court clerk services within one office.

This program was initiated by the county and is the result of cooperation between county officials, area judges, and Judicial Branch staff. The pilot project was made possible through state legislation passed several years ago, which allows county officials and the Administrative Office of the Courts to work together to provide essential court office functions.

**Centralized Case Management and E-filing**

This type of innovation is possible due to Nebraska’s statewide computerized court case management system, known as JUSTICE. We are fortunate to be one of the few states that has established a statewide system which enables us to share and analyze case information across jurisdictional boundaries and promotes consistency for attorneys and citizens who interact with the courts. Last year marked the 20th anniversary of the inception of the JUSTICE system.

One of the many benefits of a statewide case management system is the ability to provide online access to court records 24 hours a day, 7 days a week, 365 days a year. This access allows people to attend to court business on their own schedules and reduces the time it takes for court staff to process data and payments. Available online services include the ability to pay traffic tickets and court fines and conduct court case information searches. Court documents can conveniently be e-filed and viewed online instead of necessitating travel to one of Nebraska’s 93 courthouses.

An average of 16,000 payments on civil, criminal, and traffic cases totaling over $1.5 million are made online each month. And each month nearly 40,000 documents are e-filed by attorneys and litigants. This use of technology results in numerous efficiencies within the court system, reducing staff time and ultimately benefiting all Nebraska’s citizens.

**Self-Represented Litigants**

But these access success stories are counter-balanced by access challenges. A major challenge is the number of people needing or choosing to represent themselves in court. Self-represented litigants are often unfamiliar with the law and court processes and frequently find themselves at a disadvantage when navigating the court system.

The Supreme Court’s Committee on Self-Represented Litigation has spent countless hours developing forms and instructions to assist these individuals. This year the Committee was awarded a grant from the “Center on Court Access to Justice for All” to conduct a strategic planning process.

Court of Appeals’ Chief Judge Frankie Moore of North Platte has assembled a planning committee which includes all entities offering free legal assistance to low income Nebraskans and others who choose to represent themselves in court. We are very pleased to partner with Legal Aid, the Nebraska State Bar Association, Nebraska’s public libraries, and
both the University of Nebraska College of Law and Creighton Law School in addressing these issues.

Although we are making great strides, one factor contributing to the increase in self-represented litigation in many areas of Nebraska is a lack of attorneys. Last year members of this body added important language into LB 907, allowing rural attorneys in underserved communities to apply for assistance with student loan repayment. We have great hopes that this type of financial assistance will be of mutual benefit to our newly-graduated attorneys and to our rural communities. Again, I applaud the recent efforts of the Legislature in the passage of LB 907.

**Language Access**

In previous years I have called your attention to the increasing need for language access in our courts. The Judicial Branch continues to contend with the need for more language interpretation and translation services.

Pursuant to state statute, interpreters are used for all appropriate court proceedings in both criminal and civil cases. Interpretation is frequently necessary not only for defendants, but for victims, witnesses, parents of juveniles, and those interacting with probation.

In 2014, we supplied interpreters in 46 different languages for approximately 24,000 appointments in courtrooms and probation offices across the state. This is an increase of 20% over our 2013 numbers.

Spanish remains the language with the greatest demand for interpretation services. After Spanish, our most used languages are: Nuer, Arabic, Vietnamese, Somali, and American Sign. New to Nebraska’s courts this past year were: Bengali and Telugu, spoken in India; Kirundi a Bantu language spoken in Central and Southern Africa; and Sorani, a Kurdish dialect spoken in Iran and Iraq.

**Conclusion**

Last year I reported to you that Nebraska’s Judicial Branch was growing, was dynamic, and was busy. This past year, we were busier and even more dynamic. Our judges and our court and probation staff remain committed to the American values of equal protection, due process of law, and equal access to justice for all our citizens.

The Supreme Court is proud of the many accomplishments of our court family. We appreciate the support the Legislature has provided to the Judicial Branch, and we look forward to continuing to work with you, our constitutional partners, in serving Nebraska in 2015.

Again, thank you for the opportunity to speak with you today.

The committee escorted the Chief Justice from the Chamber.
NOTICE OF COMMITTEE HEARING(S)
Judiciary
Room 1113
Friday, February 6, 2015 1:30 p.m.

LB385
LB409
LB416
LB221

(Signed) Les Seiler, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 35. Placed on Select File with amendment.
ER3
1 1. On page 1, strike beginning with "Laws" in line 1 through "and"
2 in line 2; and strike beginning with "to" in line 4 through the semicolon
3 in line 5.

LEGISLATIVE BILL 92. Placed on Select File.

LEGISLATIVE BILL 93. Placed on Select File with amendment.
ER4
1 1. On page 1, line 5, strike "commercial fertilizer"; and in line 8
2 after the first semicolon insert "to change provisions relating to a
3 fund;".

LEGISLATIVE BILL 95. Placed on Select File.
LEGISLATIVE BILL 150. Placed on Select File.
LEGISLATIVE BILL 151. Placed on Select File.
LEGISLATIVE BILL 170. Placed on Select File.
LEGISLATIVE BILL 171. Placed on Select File.
LEGISLATIVE BILL 99. Placed on Select File.
LEGISLATIVE BILL 100. Placed on Select File.

LEGISLATIVE BILL 65. Placed on Select File with amendment.
ER5
1 1. On page 1, strike beginning with "change" in line 2 through
2 "boards" in line 3 and insert "provide powers and duties for county
3 boards upon termination of a township board".

(Signed) Matt Hansen, Chairperson
LEGISLATIVE BILL 142. Placed on General File with amendment.

AM45

1 1. Strike original sections 2 and 7 and insert the following new
2 section:
3 Sec. 2. The Aquatic Invasive Species Program is created. Funds
4 identified to support the program shall be used for aquatic invasive
5 species activities which may include monitoring and sampling waters of
6 the state for aquatic invasive species, hiring personnel, purchasing
7 equipment to inspect and decontaminate conveyances, providing additional
8 enforcement, education, and research relating to aquatic invasive
9 species, and conducting aquatic invasive species projects as needed.
10 2. On page 2, line 28, strike "vessel" and insert "motorboat".
11 3. Renumber the remaining sections accordingly.

(Signed) Ken Schilz, Chairperson

CONFlict OF INTEREST STATEMENT(S)

Pursuant to Rule 1, Sec. 19, Senator Bolz 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.

GENERAL FILE

LEGISLATIVE BILL 88. Senator Chambers offered the following
motion:
MO12
Reconsider the vote to recommit to committee.

Senator Chambers moved for a call of the house. The motion prevailed with
24 ayes, 3 nays, and 22 not voting.

Senator Chambers requested a roll call vote on his motion to reconsider.

Voting in the affirmative, 7:

Bloomfield Chambers Ebke Murante
Brasch Davis Garrett

Voting in the negative, 35:
The Chambers motion to reconsider failed with 7 ayes, 35 nays, 1 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Pending.

MOTION - Adjournment

Senator Chambers moved to adjourn until 9:00 a.m., June 30, 2015.

SENATOR GLOOR PRESIDING

Senator Chambers requested a roll call vote on his motion to adjourn.

The Chambers motion to adjourn failed with 1 aye, 40 nays, 2 present and not voting, and 6 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 88. Senator Chambers offered the following motion:
MO13
Bracket until April 15, 2015.

SPEAKER HADLEY PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 16 ayes, 3 nays, and 30 not voting.
Senator Chambers requested a roll call vote on his motion to bracket.

Voting in the affirmative, 6:

Bloomfield Davis Murante
Brasch Garrett Schumacher

Voting in the negative, 31:

Baker Friesen Hilkemann Larson Schnoor
Bolz Gloor Howard Lindstrom Stinner
Campbell Groene Hughes McCollister Sullivan
Coash Haar, K. Johnson Morfeld
Cook Hadley Kintner Pansing Brooks
Craighead Hansen Kolowski Riepe
Crawford Harr, B. Kuehn Schilz

Present and not voting, 2:

Chambers Smith

Excused and not voting, 10:

Ebke Krist Mello Scheer Watermeier
Kolterman McCoy Nordquist Seiler Williams

The Chambers motion to bracket failed with 6 ayes, 31 nays, 2 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO14
Reconsider the vote to bracket.

The Chambers motion to reconsider failed with 6 ayes, 19 nays, 8 present and not voting, and 16 excused and not voting.

Pending.

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

Senator Johnson filed the following amendment to LB92:

AM89
1 1. Strike original section 1 and all amendments thereto and insert
2 the following new section:
3 Section 1. Section 2-4323, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 2-4323 (1) Every retailer licensee shall file, not later than the
last day of January and July of each year, a semiannual tonnage report on
forms provided by the department, setting forth the number of net tons of
each agricultural liming material sold in Nebraska during the preceding
six-month period, which report shall cover the periods from July 1 to
December 31 and January 1 to June 30, and such other information as the
director shall deem necessary. All persons required to be licensed
pursuant to the Agricultural Liming Materials Act shall file such report
regardless of whether any inspection fee is due. Upon filing the report,
such person shall pay the inspection fee at the rate prescribed pursuant
to this section. Within thirty days following the expiration of each
license, each retailer licensee shall submit on a form furnished and
approved by the department an annual statement setting forth, by county
name, the number of net tons of each agricultural liming material sold by
him or her for use in this state during the previous twelve-month period.
The Such statement shall be accompanied by payment of an inspection fee
shall be at the rate fixed by the director but not exceeding ten cents
per ton. The fee shall be set at an amount to cover the expenses of the
inspection provided in section 2-4325 and the costs of administering this
section. The minimum inspection fee required pursuant to this section
shall be five dollars, and no inspection fee shall be paid more than once
for any one product. In The fee shall be paid by the retailer licensee
and in the case of agricultural lime slurry, the fee shall be paid on the
base lime material only.

(2) If a person fails to report and pay the fee required by
subsection (1) of this section by January 31 and July 31, the fee shall
be considered delinquent and the person owing the fee shall pay an
additional administrative fee of twenty-five percent of the delinquent
amount for each month it remains unpaid, not to exceed one hundred
percent of the original amount due. The department may waive the
additional administrative fee based upon the existence and extent of any
mitigating circumstances that have resulted in the late payment of such
fee. The purpose of the additional administrative fee is to cover the
administrative costs associated with collecting fees, and all money
collected as an additional administrative fee shall be remitted to the
State Treasurer for credit to the Fertilizers and Soil Conditioners
Administrative Fund. Failure to make an accurate statement of tonnage or
to pay the inspection fee or comply as provided in this subsection shall
constitute sufficient cause for the cancellation of all product
registrations or licenses on file for such person.

(3) The director department shall annually make information
available in such form as he or she may deem proper concerning publish
and make available, to each agricultural liming material registrant or
licensee and to any other interested person upon his or her request, a
composite report showing the tons of agricultural liming material sold in
each county in this state. Such report shall in no way divulge the
operation of any registrant or licensee.
NOTICE OF COMMITTEE HEARING(S)
Judiciary
Room 1113

Friday, February 6, 2015 1:30 p.m.
LB253

(Signed) Les Seiler, Chairperson
Transportation and Telecommunications
Room 1113

Tuesday, February 17, 2015 1:30 p.m.
LB311
LB568
LB579

Monday, February 23, 2015 1:30 p.m.
LB248
LB373
LB517

Tuesday, February 24, 2015 1:30 p.m.
LB644
LB317
LB192

Monday, March 2, 2015 1:30 p.m.
LB629
LB399

Tuesday, March 3, 2015 1:30 p.m.
LB639
LB564
LB623

Monday, March 9, 2015 1:30 p.m.
LB609
LB626
Tuesday, March 10, 2015 1:30 p.m.

LB535
LB652

(Signed) Jim Smith, Chairperson

COMMITTEE REPORT(S)
General Affairs

LEGISLATIVE BILL 160. Placed on General File.
LEGISLATIVE BILL 241. Placed on General File.

LEGISLATIVE BILL 17. Indefinitely postponed.

(Signed) Tyson Larson, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 272. Placed on General File.

LEGISLATIVE BILL 305. Placed on General File with amendment.
AM112
1 1. Insert the following new section:
2 Sec. 3. Since an emergency exists, this act takes effect when passed
3 and approved according to law.

(Signed) John Murante, Chairperson

CONFLICT OF INTEREST STATEMENT(S)
Pursuant to Rule 1, Sec. 19, Senator Baker 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 Kintner filed the following amendment to LB88:
AM131
1 1. On page 2, line 13, strike beginning with "of" through "dollars"
2 and show the old matter as stricken; in line 15 after the period insert "
3 Such fee shall be set by each county board in an amount up to thirty-
4 five dollars.".
UNANIMOUS CONSENT - Room Change

Senator Johnson asked unanimous consent that the Agriculture Committee conduct its hearing on Tuesday, February 17, 2015, in Room 1524 instead of Room 2102. No objections. So ordered.

MOTION - Print in Journal

Senator Campbell filed the following motion to LB346:
MO15
Suspend the rules, Rule 3, Section 14, to permit cancellation of the hearing scheduled for February 4, 2015.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Campbell, Morfeld, Scheer, Watermeier - LR23
Coash, Hughes, Kintner - LB427
Bloomfield - LB118
Coash, Mello - LR23
Krist - LB187
Groene - LB651
Bloomfield - LB427

VISITORS

Visitors to the Chamber were 4 members of the Nebraska State Bar Association: Amie Martinez, Bob Rossiter, Liz Neeley, and Sam Clinch; and Senator Krist's wife, Peggy Krist.

ADJOURNMENT

At 12:02 p.m., on a motion by Senator Schumacher, the Legislature adjourned until 9:00 a.m., Friday, January 30, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
SEVENTEENTH DAY - JANUARY 30, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 30, 2015

PRAYER

The prayer was offered by Pastor Gregg Gahan, Craig Alder Grove Parish, Craig.

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 McCoy who was excused; and Senators Craighead, Kintner, Kolowski, Krist, Smith, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

NOTICE OF COMMITTEE HEARING(S)

Agriculture
Room 1524
Tuesday, February 17, 2015 1:30 p.m.
LB377
LB360
LB389
LB359

Room 2102
Tuesday, February 24, 2015 1:30 p.m.
LB544
LB558
LB393
LEGISLATIVE BILL 177. Placed on Select File with amendment.

ER7
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 70-619, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:
5 70-619 (1) The corporate powers of the district shall be vested in
6 and exercised by the board of directors of the district. No person shall
7 be qualified to hold office as a member of the board of directors unless
8 (a) he or she is a registered voter (i) of such chartered territory, (ii)
9 of the subdivision from which a director is to be elected if such
10 chartered territory is subdivided for election purposes as provided in
11 subsection (1), (2), or (3) of section 70-612, or (iii) of one of the
12 combined subdivisions from which directors are to be elected at large as
13 provided in section 70-612 or (b) he or she is a retail customer duly
14 certified in accordance with subsection (3) of section 70-604.03.
15 (2) No person who is a full-time or part-time employee of the
16 district shall be eligible to serve as a member of the board of directors
17 of that district and no employed officer of a publicly owned electric
18 utility may serve as a member of the board of directors of any publicly
19 owned electric utility. No person who is a full-time or part-time employee
20 of the district shall be eligible to serve as a member of the board of
21 directors unless such person (a) resigns or (b) assumes an unpaid leave
22 of absence for the term as a member. The employing district shall grant
23 such leave of absence when requested by any employee for the purpose of
24 the employee serving as a member of such the board of directors. No
25 person shall be qualified to be a member of more than one such district
26 board, except that a director of a rural public power district may serve
27 as a director of another public power district formed or organized for
28 the purpose of generating electric energy or transmitting electric energy
29 exclusively for resale to some other public power districts, rural
30 electric cooperatives, and membership associations or municipalities. No
31 member of a governing body of any one of the municipalities within the
32 areas of the district may not be qualified to serve on the original
33 board of directors under sections 70-603 to 70-609.
34 Sec. 2. Original section 70-619, Revised Statutes Cumulative
35 Supplement, 2014, is repealed.
36 2. On page 1, line 1, strike "districts".

(Signed) Matt Hansen, Chairperson
COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1. Placed on Final Reading.
LEGISLATIVE BILL 2. Placed on Final Reading.
LEGISLATIVE BILL 3. Placed on Final Reading.
LEGISLATIVE BILL 4. Placed on Final Reading.
LEGISLATIVE BILL 5. Placed on Final Reading.
LEGISLATIVE BILL 6. Placed on Final Reading.
LEGISLATIVE BILL 7. Placed on Final Reading.
LEGISLATIVE BILL 8. Placed on Final Reading.
LEGISLATIVE BILL 9. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

COMMUNICATION(S)

January 27, 2015

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

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

Contingent upon your approval, as per § 72-1240, the Nebraska Investment Council has appointed the following individual as the State Investment Officer for the Nebraska Investment Council:

Michael W. Walden-Newman, 1301 Lincoln Mall, #801, Lincoln, NE 68508

Governor Heineman approved his appointment on November 18, 2014. The aforementioned appointee is respectfully submitted for your consideration. Copies of the background information are included for your review.

Sincerely,

(Signed) Gail Werner-Robertson
Chairwoman

Enclosure
REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 29, 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

Bredenkamp, Troy
   Nebraska Rural Electric Association
Heckman, Drew
   Human Rights Campaign
Husch Blackwell LLP
   Enhanced Capital
Pappas, James E.
   League of Human Dignity
   Planned Parenthood of the Heartland
Persad, Xavier
   Human Rights Campaign
Peters, William E.
   Burlington Northern Sante Fe (BNSF) Railway Company
Warbelow, Sarah
   Human Rights Campaign
Ward, Tammy J.
   Tabitha (Withdrawn 01/28/2015)

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

COMMITTEE REPORT(S)
Judiciary

LEGISLATIVE BILL 209. Indefinitely postponed.

(Signed) Les Seiler, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 47. Introduced by Coash, 27.

   WHEREAS, Norman Geske was born in Sioux City, Iowa, on October 31, 1915; and
   WHEREAS, Norman received his bachelor of arts degree at the University of Minnesota in 1938 and his master's degree at the New York University
Institute of Fine Arts in 1953. Norman also received an honorary doctorate degree from Doane College in 1969; and

WHEREAS, Norman was drafted into the United States Army during World War II and participated in the Normandy Invasion; and

WHEREAS, Norman came to Lincoln in 1950 as the assistant director of the University of Nebraska's University Art Galleries and was named director in 1956; and

WHEREAS, Norman retired as the director of the Sheldon Museum of Art in 1983 but remained active in the arts community; and

WHEREAS, among Norman's proudest accomplishments was the establishment of the Sheldon Film Theater, now named the Mary Riepma Ross Media Arts Center; and

WHEREAS, Norman received many honors in his life including the Governor's Arts Award, the Mayor's Arts Award from the City of Lincoln, the Distinguished Service Award from the University of Nebraska at Kearney, the Sower's Award from the Lincoln Community Foundation, and the NEBRASKAland Foundation Pioneer Award; and

WHEREAS, Norman Geske passed away on September 6, 2014.

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

1. That the Legislature recognizes Norman Geske's service and support of the arts and extends its sympathy to his family.

2. That a copy of this resolution be sent to the family of Norman Geske.

Laid over.

MOTION(S) - Confirmation Report(s)

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 329:
Coordinating Commission for Postsecondary Education
John Bernthal

Voting in the affirmative, 36:

Baker  Crawford  Hilkemann  McCollister  Seiler
Bloomfield  Davis  Howard  Mello  Stinner
Bolz  Friesen  Hughes  Nordquist  Sullivan
Brasch  Garrett  Johnson  Pansing  Brooks  Williams
Campbell  Gloor  Kintner  Riepe
Chambers  Groene  Kolterman  Scheer
Coash  Haar, K.  Kuehn  Schnoor
Cook  Hansen  Lindstrom  Schumacher

Voting in the negative, 0.

Present and not voting, 6:
The appointment was confirmed with 36 ayes, 0 nays, 6 present and not voting, and 7 excused and not voting.

Senator Scheer moved the adoption of the Banking, Commerce and Insurance Committee report for the confirmation of the following appointment(s) found on page 332:

Department of Insurance
Bruce Ramge, Director

Voting in the affirmative, 34:

Baker  Ebke  Howard  Lindstrom  Schumacher
Bloomfield  Friesen  Hughes  McCollister  Smith
Bolz  Garrett  Johnson  Morfeld  Stinner
Brasch  Gloor  Kintner  Nordquist  Sullivan
Campbell  Haar, K.  Koltermann  Riepe  Watermeier
Cook  Hansen  Kuehn  Scheer  Williams
Crawford  Hilkemann  Larson  Schnoor

Voting in the negative, 0.

Present and not voting, 10:

Chambers  Davis  Hadley  Mello  Pansing Brooks
Coash  Groene  Harr, B.  Murante  Seiler

Excused and not voting, 5:

Craighead  Kolowski  Krist  McCoy  Schilz

The appointment was confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.
Senator Scheer moved the adoption of the Banking, Commerce and Insurance Committee report for the confirmation of the following appointment(s) found on page 333:

Department of Banking and Finance
Mark Quandahl, Director

Voting in the affirmative, 37:

Baker Davis Howard McCollister Smith
Bloomfield Ebke Hughes Mello Stinner
Brasch Friesen Johnson Morfeld Sullivan
Campbell Garrett Kintner Riepe Watermeier
Coash Gloor Koltermann Scheer Williams
Cook Haar, K. Kuehn Schnoor
Craighead Hansen Larson Schumacher
Crawford Hilkemann Lindstrom Seiler

Voting in the negative, 1:

Chambers

Present and not voting, 7:

Bolz Hadley Murante Pansing Brooks
Groene Harr, B. Nordquist

Excused and not voting, 4:

Kolowski Krist McCoy Schilz

The appointment was confirmed with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 88. Senator Schumacher offered his amendment, FA4, found on page 333.

Senator Schumacher withdrew his amendment.

Senator Kintner withdrew his amendment, AM110, found on page 333.

Senator Kintner offered his amendment, AM131, found on page 352.

Senator Chambers offered the following amendment to the Kintner amendment:

FA5
Amend AM131
Strike "thirty" and insert "twenty" on line 3.
Senator Chambers moved for a call of the house. The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 43:


Present and not voting, 2:

Chambers Chambers Davis Davis

Excused and not voting, 4:

Kolowski Kolowski McCoy McCoy Mello Mello Watermeier Watermeier

The Chambers amendment lost with 0 ayes, 43 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO17 MO17
Reconsider the vote taken on FA5.

Senator Chambers moved for a call of the house. The motion prevailed with 24 ayes, 4 nays, and 21 not voting.

Senator Chambers requested a roll call vote on his motion to reconsider.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 40:
Present and not voting, 2:

Davis Harr, B.

Excused and not voting, 6:

Craighead McCoy Sullivan
Kolowski Mello Watermeier

The Chambers motion to reconsider failed with 1 aye, 40 nays, 2 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the Kintner amendment:
FA7
Amend AM131
In lines 3 and 4 strike "up to thirty-five dollars" and insert "five dollars".

Senator Chambers requested a roll call vote on his amendment.

The Chambers amendment lost with 0 ayes, 29 nays, 8 present and not voting, and 12 excused and not voting.

Senator Chambers offered the following motion:
MO18
Reconsider the vote taken on FA7.

Pending.

MOTION - Suspend Rules

Senator Campbell offered her motion, MO15, found on page 353, to suspend the rules, Rule 3, Section 14, to permit cancellation of the hearing on LB346 scheduled for February 4, 2015.

The Campbell motion to suspend the rules prevailed with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.
AMENDMENT(S) - Print in Journal

Senator Schumacher filed the following amendment to LB65:
AM67
1 1. Insert the following new section:
2 Sec. 3. Since an emergency exists, this act takes effect when passed
3 and approved according to law.

COMMITTEE REPORT(S)
Health and Human Services

The Health and Human Services 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.

Todd Bartee - Nebraska Child Abuse Prevention Fund Board
Mary Fran Flood - Nebraska Child Abuse Prevention Fund Board

Aye: 7 Baker, Campbell, Cook, Crawford, Howard, Kolterman, Riepe.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Kathy Campbell, Chairperson

Natural Resources

The Natural Resources 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.

Brian Barels - Nebraska Natural Resources Commission
Stan Clouse - Nebraska Natural Resources Commission
Steven Huggenberger - Nebraska Natural Resources Commission
Thomas Knutson - Nebraska Natural Resources Commission
Don Kraus - Nebraska Natural Resources Commission
Tom Palmertree - Nebraska Natural Resources Commission
Scott Smathers - Nebraska Natural Resources Commission
Lindsey Smith - Nebraska Natural Resources Commission
Walter Dennis Strauch - Nebraska Natural Resources Commission
Loren Taylor - Nebraska Natural Resources Commission

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

(Signed) Ken Schilz, Chairperson
COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL  23. Placed on General File.
LEGISLATIVE BILL  87. Placed on General File.
LEGISLATIVE BILL  90. Placed on General File.
LEGISLATIVE BILL 107. Placed on General File.

(Signed) Kathy Campbell, Chairperson

Revenue

LEGISLATIVE BILL 70. Placed on General File with amendment. AM118

1 Strike original section 2 and insert the following new sections:
2 Sec. 2. (1) Beginning sixty days after the effective date of this
3 act, in addition to the occupation tax imposed pursuant to section
4 77-3004, an additional occupation tax shall be levied upon the business
5 of operating a mechanical amusement device that:
6 (a) Accepts currency, coins, tokens, or other value in exchange for
7 play;
8 (b) Awards a monetary prize or anything redeemable for a monetary
9 prize;
10 (c) Is played by a player using a touch screen, computer mouse,
11 touch pad, light pen, laser, or device of similar function by which the
12 player competes against software running the device; and
13 (d) Has not been adjudicated by a court of competent jurisdiction
14 within the State of Nebraska to not constitute a gambling device as
15 defined in subdivision (5) of section 28-1101. Any such adjudication
16 shall be by way of a final order in which the Tax Commissioner has been
17 made a party to the action and written notice shall have been provided to
18 the Attorney General at the commencement of the action.
19 (2) Any operator of such mechanical amusement device shall pay the
20 occupation tax. If an operator believes that a mechanical amusement
21 device is not taxable under subsection (1) of this section, the burden is
22 on the operator to prove to the Tax Commissioner that such device does
23 not have one or more of the characteristics required for taxability under
24 subsection (1) of this section. Such proof may be made by, among other
25 things, a showing that the software running the game remains constant
26 with the nature of a game that had its software at issue in a judicial
27 case, not overturned by appeal, in which the State of Nebraska was party,
1 the issue was litigated, and the final order found that the particular
2 game is more controlled by the player than not, and thus is predominantly
3 a game of skill.
4 (3) The amount of the occupation tax shall be equal to ten percent
5 of the gross revenue derived from the operation of any mechanical
6 amusement device described in subsection (1) of this section. The Tax
7 Commissioner shall collect such occupation tax concurrently with
8 collection of the state sales tax in the same manner as the state sales
9 tax is collected.
10 (4) For purposes of this section, gross revenue means the total
11 aggregate receipts received from the operation of any mechanical
12 amusement device described in subsection (1) of this section without any
13 reduction for prizes, discounts, taxes, or expenses and includes receipts
14 from admission costs, any consideration necessary for participation, and
15 the value of any free tickets, games, or plays used.
16 (5) The occupation tax imposed in this section shall not apply to
17 any device not within the definition of a gambling device as defined in
18 subdivision (5) of section 28-1101 or to any device that is specifically
19 authorized by law.
20 (6) For purposes of this section, the fact that the device is played
21 or connected via league or tournament play shall play no factor in
22 determining whether the occupation tax imposed by this section is due.
23 Sec. 11. Since an emergency exists, this act takes effect when
24 passed and approved according to law.

(Signed) Mike Gloor, Chairperson
Nebraska Retirement Systems

LEGISLATIVE BILL 446. Placed on General File.

(Signed) Jeremy Nordquist, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Education
Room 1525

Monday, February 9, 2015 1:30 p.m.

LB582
LB509
LB530
LB524

Tuesday, February 10, 2015 1:30 p.m.

LB421
LB481
LB96
LB392
LB528
LB529
BILL ON FIRST READING

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

**LEGISLATIVE BILL 220A.** 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 220, One Hundred Fourth Legislature, First Session, 2015.
REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Frakes, Scott R. - Director, Department of Correctional Services - Judiciary
Walden-Newman, Michael W. - State Investment Officer, Nebraska
Investment Council - Nebraska Retirement Systems

(Signed) Bob Krist, Chairperson
Executive Board

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB88:
AM155
1 1. On page 2, line 13, strike "fifty" and insert "thirty-five".

Senator Kintner filed the following amendment to LB88:
AM158
1 1. On page 2, line 13, strike "fifty" and insert "thirty".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Pansing Brooks - LB294

VISITORS

Visitors to the Chamber were Kaylee Hartman and Sara Antes from
Syracuse.

The Doctor of the Day was Dr. Jason Bespalec from Geneva.

ADJOURNMENT

At 12:14 p.m., on a motion by Senator Campbell, the Legislature adjourned
until 10:00 a.m., Monday, February 2, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper
EIGHTEENTH DAY - FEBRUARY 2, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 2, 2015

PRAYER

The prayer was offered by Senator Crawford.

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 Hughes and Murante who were excused; and Senators Craighead, Gloor, K. Haar, Kolowski, Kuehn, Stinner, Sullivan, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventeenth day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 36 and 37 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 36 and 37.

GENERAL FILE

LEGISLATIVE BILL 159. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.
LEGISLATIVE BILL 279. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 220. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 220A. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 157. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 149. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 168. Title read. Considered.

Senator Crawford offered her amendment, AM51, found on page 326.

The Crawford amendment was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 7 present and not voting, and 8 excused and not voting.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 430. Placed on General File.

(Signed) Heath Mello, Chairperson
NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems

Room 1525

Wednesday, February 11, 2015 12:00 p.m.

Michael W. Walden-Newman - Nebraska Investment Council
LB467
LB468

(Signed) Jeremy Nordquist, Chairperson
Business and Labor
Room 2102

Monday, February 9, 2015 1:30 p.m.

LB334
LB627
LB306
LB493

Monday, February 23, 2015 1:30 p.m.

LB556
LB134
LB133
LB276

Monday, March 2, 2015 1:30 p.m.

LB363
LB388
LB158
LB600

Monday, March 9, 2015 1:30 p.m.

LB429
LB288
LB554
LB555
LB480

(Signed) Burke Harr, Chairperson
BILLS ON FIRST READING

The following bills were read for the first time by title:

**LEGISLATIVE BILL 142A.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 142, One Hundred Fourth Legislature, First Session, 2015; and to declare an emergency.

**LEGISLATIVE BILL 18A.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 18, One Hundred Fourth Legislature, First Session, 2015.

**GENERAL FILE**

**LEGISLATIVE BILL 40.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 43.** Title read. Considered.

Committee AM72, found on page 323, was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 190.** Title read. Considered.

Committee AM48, found on page 324, was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Senator Chambers offered the following motion:

MO19
Indefinitely postpone.

**SPEAKER HADLEY PRESIDING**

Pending.
AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB18:

AM169

1 1. On page 2, lines 19 through 26, strike the new matter and
2 reinstate the stricken matter; and after line 30 insert the following new
3 subsection:
4 "(4)(a) On and after July 1, 2016, every public and private school
5 shall provide each student entering the seventh grade and each student
6 entering the junior year of high school and the student’s parent or legal
7 guardian with information about meningococcal disease and its vaccine.
8 Such information shall include:
9 (i) The causes and symptoms of meningococcal disease, how the
10 disease is spread, and the places where parents and guardians may obtain
11 additional information; and
12 (ii) Current recommendations from the United States Centers for
13 Disease Control and Prevention regarding the receipt of vaccines for
14 meningococcal disease and where the vaccination may be received.
15 (b) This subsection shall not be construed to require the Department
16 of Health and Human Services or any public or private school to provide
17 meningococcal vaccination to students.
18 (c) The Department of Health and Human Services shall prepare the
19 informational materials required in this subsection.
20 (d) This subsection does not create a private right of action.".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Riepe - LB244 and LB245
Kintner - LB184 and LB289
Chambers - LB245 and LB244

VISITOR

The Doctor of the Day was Dr. Jeff Harrison from Papillion.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator K. Haar, the Legislature adjourned
until 9:00 a.m., Tuesday, February 3, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
NINETEENTH DAY - FEBRUARY 3, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 3, 2015

PRAYER

The prayer was offered by Pastor Bob Lawrence, Auburn Church of Christ, Auburn.

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 Kintner and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

NOTICE OF COMMITTEE HEARING(S)

Banking, Commerce and Insurance

Room 1507

Tuesday, February 17, 2015 1:30 p.m.

LB48
LB213
LB628

Monday, February 23, 2015 1:30 p.m.

LB375
LB515
LB457
Tuesday, February 24, 2015 1:30 p.m.
LB234
LB451
LB51

Monday, March 2, 2015 1:30 p.m.
LB11
LB79
LB124

Tuesday, March 3, 2015 1:30 p.m.
LB67
LB223
LB336

Monday, March 9, 2015 1:30 p.m.
LB341
LB488

Tuesday, March 10, 2015 1:30 p.m.
LB193
LB348
LB395

(Signed) Jim Scheer, Chairperson

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Johnson 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.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 167. Placed on General File.
LEGISLATIVE BILL 194. Placed on General File.
LEGISLATIVE BILL 301. Placed on General File.

LEGISLATIVE BILL 314. Placed on General File with amendment. AM126
1 1. On page 4, lines 6 and 13, strike "Concurrent original jurisdiction with the district court" and insert "Exclusive original jurisdiction with the district court"
3 jurisdiction”.

(Signed) Les Seiler, Chairperson
Banking, Commerce and Insurance

LEGISLATIVE BILL 252. Placed on General File.
LEGISLATIVE BILL 286. Placed on General File.

(Signed) Jim Scheer, Chairperson

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LRs 40 and 42 were adopted.

PRESIDENT SIGNED
While the Legislature was in session and capable of transacting business, the President signed the following: LRs 40 and 42.

GENERAL FILE

LEGISLATIVE BILL 88. Senator Chambers renewed his motion, MO18, found on page 363, to reconsider the vote taken on FA7.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Senator Kintner asked unanimous consent to withdraw his amendment, AM131, found on page 352 and considered on page 361, and replace it with his substitute amendment, AM185. No objections. So ordered.

AM185
1. On page 2, line 13, strike “fifty” and insert “twenty-five”.

The Kintner amendment was adopted with 32 ayes, 5 nays, 10 present and not voting, and 2 excused and not voting.

Senator Krist withdrew his amendment, AM155, found on page 368.

Senator Kintner withdrew his amendment, AM158, found on page 368.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:
Advanced to Enrollment and Review Initial with 32 ayes, 7 nays, 8 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 190.** Senator Chambers renewed his motion, MO19, found on page 372, to indefinitely postpone.

Senator Chambers withdrew his motion to indefinitely postpone.

Senator Chambers offered the following motion:
MO20
Bracket until April 15, 2015.

Senator Chambers moved for a call of the house. The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

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

Voting in the affirmative, 3:

Cook Haar, K. Pansing Brooks

Voting in the negative, 39:
Present and not voting, 5:

Baker  Campbell  Chambers  Harr, B.  Howard

Excused and not voting, 2:

Ebke  Schilz

The Chambers motion to bracket failed with 3 ayes, 39 nays, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO21
Reconsider the vote taken to bracket.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 48. Introduced by Kintner, 2.

WHEREAS, the Nebraska Masonic Home was incorporated in 1888 and established on September 1, 1903, in Plattsmouth to provide loving and dignified care and to enhance the quality of life for Nebraskans; and

WHEREAS, the Nebraska Masonic Home recently received a deficiency-free survey from the Department of Health and Human Services for both its nursing care facility and assisted living center; and

WHEREAS, in unannounced onsite inspections, the Nebraska Masonic Home was in full compliance in the areas of operational care, treatment, and physical plant standards; and

WHEREAS, the deficiency-free survey illustrates the commitment that the employees of the Nebraska Masonic Home have to the residents and their families.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Nebraska Masonic Home on receiving a deficiency-free survey from the Department of Health and Human Services.

2. That a copy of this resolution be sent to the Nebraska Masonic Home and its administrator, Mary Vrbka.

Laid over.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources

Room 1525

Wednesday, February 11, 2015 1:30 p.m.

LB536
LB583

Thursday, February 12, 2015 1:30 p.m.

Donald P. Batie - Nebraska Natural Resources Commission
LB310
LB622

Wednesday, February 18, 2015 1:30 p.m.

Owen A. Palm - Nebraska Natural Resources Commission
LB208
LB394

(Signed) Ken Schilz, Chairperson

Judiciary

Room 1113

Wednesday, February 11, 2015 1:30 p.m.

Gerard A. (Fred) Ruiz - Crime Victim's Reparations Committee
Michelle Schindler - Crime Victim's Reparations Committee
LB483
LB172
LB173

Thursday, February 12, 2015 1:30 p.m.

LB290
LB119
NINETEENTH DAY - FEBRUARY 3, 2015

Darrell E. Fisher - Nebraska Commission on Law Enforcement and Criminal Justice
Scott R. Frakes - Department of Correctional Services

(Signed) Les Seiler, Chairperson

GENERAL FILE

LEGISLATIVE BILL 190. Senator Schumacher offered the following amendment:
FA8
After the word "section" in line 4 at page 3 insert ", as shall a person receiving the benefits of a spouse of a member of the United States Armed Forces under the law of the United States."

Senator Chambers moved for a call of the house. The motion prevailed with 31 ayes, 4 nays, and 14 not voting.

The Schumacher amendment was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 37:

Baker  Friesen  Hughes  McCollister  Smith
Bloomfield  Garrett  Johnson  Mello  Stinner
Bolz  Gloor  Kintner  Morfeld  Sullivan
Brasch  Haar, K.  Kolowski  Nordquist  Watermeier
Campbell  Hadley  Koltermann  Riepe  Williams
Craighead  Harr, B.  Krist  Scheer
Crawford  Hilkemann  Kuehn  Schumacher
Ebke  Howard  Lindstrom  Seiler

Voting in the negative, 4:

Chambers  Cook  Groene  Pansing Brooks

Present and not voting, 5:

Coash  Hansen  McCoy  Murante  Schnoor

Excused and not voting, 3:

Davis  Larson  Schilz

Advanced to Enrollment and Review Initial with 37 ayes, 4 nays, 5 present
and not voting, and 3 excused and not voting.

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

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

Garrett - LB288  
Davis - LB231

**VISITORS**

Visitors to the Chamber were members of the NSEA Retired from across the state.

The Doctor of the Day was Dr. Roger Meyer from Utica.

**ADJOURNMENT**

At 11:54 a.m., on a motion by Senator Scheer, the Legislature adjourned until 9:00 a.m., Wednesday, February 4, 2015.

Patrick J. O’Donnell  
Clerk of the Legislature
TWENTIETH DAY - FEBRUARY 4, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 4, 2015

PRAYER

The prayer was offered by Senator Williams.

ROLL CALL

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

The roll was called and all members were present except Senators Chambers and K. Haar who were excused; and Senators Cook, Craighead, Hilkemann, Howard, Kolowski, Murante, Schilz, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the nineteenth day was approved.

ATTORNEY GENERAL’S OPINION

Opinion 15-001

SUBJECT: Authority Of A City To Amend An Economic Development Program Under The Local Option Economic Development Act

REQUESTED BY: Senator Colby Coash
Nebraska State Legislature

WRITTEN BY: Doug Peterson, Attorney General
Lynn A. Melson, Assistant Attorney General

You are considering introducing legislation to clarify the authority of a city council or village board to amend an economic development program under the Local Option Municipal Economic Development Act. Neb. Rev. Stat. §§ 18-2701 to 18-2739 (2012). The Act, in general, authorizes a city or village to propose an economic development program and to use such
You state that if the Legislature amends the Act to add a qualifying business or eligible activity after the voters have approved a particular economic development plan, this results in confusion about what action a city must then take to include the new business or activity in the plan. You have requested our opinion on two questions concerning amendment of an economic development plan. First, you ask whether, in such a circumstance (if the Legislature amends the Act to add a qualifying business or eligible activity), a city council may amend the plan to include the new business or activity as provided under § 18-2714(2) or whether the change must first be approved by the voters as provided in § 18-2714(3). Second, you ask whether Neb. Const. art. XIII, § 2 would prohibit amendment of the Act so as to instead authorize the city council to amend the plan without voter approval.

Discussion

Reviewing the relevant statutes of the Act, Neb. Rev. Stat. § 18-2705 defines “economic development program” to mean a “project or program utilizing funds derived from local sources of revenue for the purpose of providing direct or indirect financial assistance to a qualifying business . . . .” Section 18-2709 then defines “qualifying business” as a business which derives its principal source of income from that statute’s list of eligible sources. There are several steps in the adoption of an economic development program. Section 18-2710 requires the city’s governing body to prepare a proposed plan which includes the “description of the types of businesses and economic activities that will be eligible under the program for the city’s assistance.” Section 18-2712 provides that the city must present the plan at a public hearing and then adopt the proposed plan and any amendments by resolution. The city must also submit the question of the adoption of the proposed economic development plan to the registered voters at an election and, if a majority of those voting on the issue vote in favor of the question, the city then establishes the program by ordinance. §§ 18-2713 and 18-2714.

Question 1. If the Legislature amends the Act to add a qualifying business or eligible activity, can a city amend the plan to include the new business or activity or does the change have to be approved by the voters?

In our view, it appears from the language of the Act that it was the intent of the Legislature to require voter approval of a specific, detailed economic development plan. Here, pursuant to Neb. Rev. Stat. § 18-2710, the city’s proposed plan must describe “the types of businesses and economic activities that will be eligible under the program for the city’s assistance.”
activities that will be eligible under the program for the city’s assistance.” As discussed above, the city must propose those types of qualifying businesses and economic development activities which are within the statutory definitions found at §§ 18-2705 and 18-2709. The governing body’s resolution adopting the proposed plan must include either the full text of the proposed plan or it may be incorporated by reference and both the resolution and the proposed plan must be filed with the city clerk’s office where it is available for public review. § 18-2712. The question of the adoption of the economic development program is then submitted to the registered voters at an election and, if a majority of those voting vote in favor of the question, the governing body then implements the program “upon the terms set out in the resolution.” § 18-2713. Further, the economic development program is adopted by ordinance “in conformity with the terms of such program as set out in the original enabling resolution.” § 18-2714(1). Thus, these statutes indicate the Legislature’s overall intent that the voters approve a specific program containing a description of eligible businesses and activities and the city then adopts the program approved by the voters.

As to amendment of the approved plan, § 18-2714(3) provides:

The governing body of a city shall not amend the economic development program so as to fundamentally alter its basic structure or goals, either with regard to the qualifying businesses that are eligible to participate, the local sources of revenue used to fund the program, the uses of the funds collected, or the basic terms set out in the original enabling resolution, without submitting the proposed changes to a new vote of the registered voters of the city in the manner provided for in section 18-2713.

When construing a statute, courts should attempt to discover legislative intent from the language of the act and give effect to that intent. Tracfone Wireless, Inc. v. Nebraska Public Service Comm’n, 279 Neb. 426, 433, 778 N.W.2d 452, 459 (2010); Peterson v. Minden Beef Co., 231 Neb. 18, 434 N.W.2d 681 (1989). Statutory language should generally be given its plain and ordinary meaning and where the words of the statute are plain, direct and unambiguous, no interpretation is necessary to ascertain their meaning. State v. Mena-Rivera, 280 Neb. 948, 791 N.W.2d 613 (2010); Sorensen v. Meyer, 220 Neb. 457, 370 N.W.2d 173 (1985). And, a court will “construe statutes relating to the same subject matter together to maintain a sensible and consistent scheme, so that effect is given to every provision. Tracfone Wireless, Inc. at 433, 778 N.W.2d at 459.

With these rules of statutory construction in mind, it seems to us that the language of § 18-2714(3) is plain, direct and unambiguous and requires voter approval before the city may amend the plan to include a new qualifying business or activity. You point out that § 18-2714(2) allows a city to amend its ordinance “to conform to the provisions of any existing or future state or federal law.” You suggest that this provision might allow the city to act without voter approval if the Legislature later amends the Act to
add a qualifying business or eligible activity. However, it appears to us that subsection (3) is the more specific provision with regard to changing the qualifying businesses that are eligible to participate. Furthermore, even if the language of § 18-2714 requires construction, requiring voter approval is consistent with the overall intent of the Legislature that the voters approve a specific plan and that the city then adopt that plan approved by the voters. Therefore, while the language of subsection (2) may result in some confusion, we conclude that the better answer to your first question is that, under the current statutory scheme, the voters must approve a change in the eligible businesses and activities of an economic development plan. If you wish to clarify that the city may amend the plan without voter approval, you may then wish to consider introducing legislation to that effect.

Question 2. Does Neb. Const. art. XIII, art. 2 prohibit amendment of the Act to clearly authorize the city to amend the economic development plan with regard to the description of eligible businesses and activities without first obtaining voter approval?

Neb.Const. art. XIII, § 2 provides, in pertinent part, that “the Legislature may also authorize any incorporated city or village, including cities operating under home rule charters, to appropriate such funds as may be deemed necessary for an economic or industrial development project or program subject to approval by a vote of a majority of the registered voters of such city or village voting upon the question.” “Constitutional provisions are not open to construction as a matter of course; construction is appropriate only when it has been demonstrated that the meaning of the provision is not clear and that construction is necessary.” Conroy v. Keith County Board of Equalization, 288 Neb. 196, 204, 846 N.W.2d 634, 641 (2014).

While the constitutional provision does provide that the Legislature may enact enabling legislation to authorize cities to appropriate funds for a project or program “subject to approval by a vote of a majority of the registered voters,” there is no language in art. XIII, § 2 with regard to amendment of an economic development plan. The details of the enabling legislation are left to the Legislature and the current requirements for the content of the plan, the eligibility of businesses, and the amendment of the plan are found in the statutes enacted by the Legislature. An argument could thus be made that the general language of art. XIII, § 2 does not preclude the Legislature from changing the current statutory requirements for amendment of an economic development plan. On the other hand, the one constitutional limitation on a city’s authority to appropriate funds for an economic development plan is the approval of the voters. As it is not clear whether this pertains to amendment of a plan as well as the original adoption of a plan, an argument could be made that legislation allowing the city to amend the plan without voter approval is contrary to the constitutional grant of authority to the Legislature.
Conclusion

In our opinion, for the reasons stated above, the current statutes require voter approval before a city may amend its economic development plan to include a new qualifying business or activity. You may wish to consider introducing legislation to clarify that a city may amend its plan without voter approval. However, while a plausible argument can be made that Neb. Const. art. XIII, § 2 does not preclude such legislation, it is unclear whether such legislation would be found constitutional.

Sincerely,
DOUG PETERSON
 Attorney General
(Signed) Lynn A. Melson
Assistant Attorney General

pc. Patrick J. O’Donnell
Clerk of the Nebraska Legislature
09-508-29

COMMITTEE REPORT(S)
Urban Affairs

LEGISLATIVE BILL 116. Placed on General File with amendment.
AM192
1 1. Strike original section 1 and insert the following new section:
2 Section 1. Section 31-735, Revised Statutes Cumulative Supplement,
3 2014, is amended to read:
4 31-735 (1) On the first Tuesday after the second Monday in September
5 which is at least fifteen months after the judgment of the district court
6 creating a sanitary and improvement district and on the first Tuesday
7 after the second Monday in September each two years thereafter, the board
8 of trustees shall cause a special election to be held, at which election
9 a board of trustees of five in number shall be elected. The board of
10 trustees shall have five members except as provided in subsection (2) of
11 this section. Each member elected to the board of trustees shall be
12 elected to a term of two years and shall hold office until such member's
13 successor is elected and qualified. Any person desiring to file for the
14 office of trustee may file for such office with the election
15 commissioner, or county clerk in counties having no election
16 commissioner, of the county in which the greater proportion in area of
17 the district is located not later than fifty days before the election. If
18 such person will serve on the board of trustees as a designated
19 representative of a limited partnership, general partnership, limited
20 liability company, public, private, or municipal corporation, estate, or
21 trust which owns real estate in the district, the filing shall indicate
22 that fact and shall include appropriate documentation evidencing such
23 fact. No filing fee shall be required. A person filing for the office of
24 trustee to be elected at the election held four years after the first
election of trustees and each election thereafter shall designate whether
he or she is a candidate for election by the resident owners of such
district or whether he or she is a candidate for election by all of the
owners of real estate located in the district. If a person filing for the
office of trustee is a designated representative of a limited
partnership, a general partnership, a limited liability company, a
public, private, or municipal corporation, an estate, or a trust which
owns real estate in the district, the name of such entity shall accompany
the name of the candidate on the ballot in the following form: (Name of
candidate) to represent (name of entity) as a member of the board. The
name of each candidate shall appear on only one ballot.
The name of a person may be written in and voted for as a candidate
for the office of trustee, and such write-in candidate may be elected to
the office of trustee. A write-in candidate for the office of trustee who
will serve as a designated representative of a limited partnership, a
general partnership, a limited liability company, a public, private, or
municipal corporation, an estate, or a trust which owns real estate in
the district shall not be elected to the office of trustee unless (a)
each vote is accompanied by the name of the entity which the candidate
will represent and (b) within ten days after the date of the election the
candidate provides the county clerk or election commissioner with
appropriate documentation evidencing his or her representation of the
entity. Votes cast which do not carry such accompanying designation shall
not be counted.
A trustee shall be an owner of real estate located in the district
or shall be a person designated to serve as a representative on the board
of trustees if the real estate is owned by a limited partnership, a
general partnership, a limited liability company, a public, private, or
municipal corporation, an estate, or a trust. Notice of the date of the
election shall be mailed by the clerk of the district not later than
sixty-five days prior to the election to each person who is entitled to
vote at the election for trustees whose property ownership or lease
giving a right to vote is of record on the records of the register of
deeds as of a date designated by the election commissioner or county
clerk, which date shall be not more than seventy-five days prior to the
election.
(2)(a) For any sanitary and improvement district, a person whose ownership or right to vote becomes of record or is received after
the date specified pursuant to subsection (1) of this section may vote
when such person establishes his or her right to vote to the
satisfaction of the election board. At the first election and at the
election held two years after the first election, any person may cast one
vote for each trustee for each acre of unplatted land or fraction thereof
and one vote for each platted lot which he or she may own in the
district.
(b) This subdivision applies to a district until the board of
trustees amends its articles of association pursuant to subdivision (2)
of this section. At the election held four years after the first
election of trustees, two members of the board of trustees shall be
16 elected by the legal property owners resident within such sanitary and
17 improvement district and three members shall be elected by all of the
18 owners of real estate located in the district pursuant to this section.
19 Every resident property owner may cast one vote for a candidate for each
20 office of trustee to be filled by election of resident property owners
21 only. Such resident property owners may also each cast one vote for each
22 acre of unplatted land or fraction thereof and for each platted lot owned
23 within the district for a candidate for each office of trustee to be
24 filled by election of all property owners. For each office of trustee to
25 be filled by election of all property owners of the district, every legal
26 property owner not resident within such sanitary and improvement district
27 may cast one vote for each acre of unplatted land or fraction thereof and
28 one vote for each platted lot which he or she owns in the district. At
29 the election held eight years after the first election of trustees and at
30 each election thereafter, three members of the board of trustees shall be
31 elected by the legal property owners resident within such sanitary and
1 improvement district and two members shall be elected by all of the
2 owners of real estate located in the district pursuant to this section,
3 except that if more than fifty percent of the homes in any sanitary and
4 improvement district are used as a second, seasonal, or recreational
5 residence, the owners of such property shall be considered legal property
6 owners resident within such district for purposes of electing trustees,
7 and at the election held six years after the first election of trustees
8 and at each election thereafter, three members of the board of trustees
9 shall be elected by the legal property owners resident within such
10 sanitary and improvement district and two members shall be elected by all
11 of the owners of real estate located in the district pursuant to this
12 section. If there are not any legal property owners resident within such
13 district or if not less than ninety percent of the area of the district
14 is owned for other than residential uses, the five members shall be
15 elected by the legal property owners of all property within such district
16 as provided in this section.
17 (c) Any public, private, or municipal corporation owning any land or
18 lot in the district may vote at such election the same as an
19 individual. If more than fifty percent of the homes in any sanitary and
20 improvement district are used as a second, seasonal, or recreational
21 residence, the owners of such property shall be considered legal property
22 owners resident within such district for purposes of electing trustees.
23 For purposes of voting for trustees, each condominium apartment under a
24 condominium property regime established prior to January 1, 1984, under
25 the Condominium Property Act or established after January 1, 1984, under
26 the Nebraska Condominium Act shall be deemed to be a platted lot and the
27 lessee or the owner of the lessee's interest, under any lease for an
28 initial term of not less than twenty years which requires the lessee to
29 pay taxes and special assessments levied on the leased property, shall be
30 deemed to be the owner of the property so leased and entitled to cast the
31 vote of such property. When ownership of a platted lot or unplatted land
1 is held jointly by two or more persons, whether as joint tenants, tenants
2 in common, limited partners, members of a limited liability company, or
any other form of joint ownership, only one person shall be entitled to
cast the vote of such property. The executor, administrator, guardian, or
trustee of any person or estate interested shall have the right to vote.
No corporation, estate, or irrevocable trust shall be deemed to be a
resident owner for purposes of voting for trustees. Should two or more
persons or officials claim the right to vote on the same tract, the
election board shall determine the party entitled to vote. Such board
shall select one of their number chairperson and one of their number
clerk. In case of a vacancy on such board, the remaining trustees shall
fill the vacancy on such board until the next election.
(d) For any sanitary and improvement district which has been in
existence for at least ten years, which has less than seventy property
owners entitled to vote for trustees, which has at least two resident
property owners, and in which less than ten percent of the area of the
district is owned for other than residential uses, the board of trustees
may amend its articles of association as provided in section 31-740.01 to
provide for a reduction in the number of trustees on the board from five
members to three members to be effective at the beginning of the term of
office for the board of trustees elected at the next election. At the
next election and at each election thereafter, two members of the board
of trustees shall be elected by the legal property owners resident within
such sanitary and improvement district and one member shall be elected by
all of the owners of real estate located in the district pursuant to this
section. Every resident property owner may cast one vote for a candidate
for each office of trustee to be filled by election of resident property
owners only. Such resident property owners may also each cast one vote
for each acre of unplatted land or fraction thereof and for each platted
lot owned within the district for a candidate for the office of trustee
to be filled by election of all property owners. For the office of
trustee to be filled by election of all property owners of the district,
every legal property owner not resident within such sanitary and
improvement district may cast one vote for each acre of unplatted land or
fraction thereof and one vote for each platted lot which he or she owns
in the district.
(3) The election commissioner or county clerk shall hold any
election required by subsection (1) of this section by sealed mail ballot
by notifying the board of trustees on or before July 1 of a given year.
The election commissioner or county clerk shall, at least twenty days
prior to the election, mail a ballot and return envelope to each person
who is entitled to vote at the election and whose property ownership or
lease giving a right to vote is of record with the register of deeds as
of the date designated by the election commissioner or county clerk,
which date shall not be more than seventy-five days prior to the
election. The ballot and return envelope shall include: (a) The names and
addresses of the candidates; (b) room for write-in candidates; and (c)
instructions on how to vote and return the ballot. Such ballots shall be
returned to the election commissioner or county clerk no later than 5
p.m. on the date set for the election.
LEGISLATIVE BILL 266. Placed on General File with amendment.
AM122
1 1. On page 17, line 27, strike "two-mile" and insert "one-mile".

(Signed) Sue Crawford, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507

Wednesday, February 11, 2015 1:30 p.m.

LB282
LB283
LB365
LB403

Thursday, February 12, 2015 1:30 p.m.

LB105
LB106
LB492
LB561

(Signed) John Murante, Chairperson

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Tim Hofbauer - State Emergency Response Commission
Dana Miller - State Emergency Response Commission


The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Carol E. Schlegel - Nebraska Tourism Commission

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Daryl L. Bohac, Adjutant General - Military Department


The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

John Hilgert, Director - Department of Veterans Affairs


The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Jim Heine - State Fire Marshal


The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Samuel Seever - State Personnel Board
Christopher Waddle - State Personnel Board


(Signed) John Murante, Chairperson
RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR43 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR43.

MOTION(S) - Confirmation Report(s)

Senator B. Harr moved the adoption of the Business and Labor Committee report for the confirmation of the following appointment(s) found on page 339:

Department of Labor
  John Albin, Commissioner

Voting in the affirmative, 35:

Baker  Ebke  Harr, B.  Lindstrom  Schnoor
Bloomfield  Friesen  Johnson  McCollister  Schumacher
Bolz  Garrett  Kintner  McCoy  Seiler
Brasch  Gloor  Koltermann  Mello  Smith
Campbell  Groene  Krist  Nordquist  Stinner
Crawford  Hadley  Kuehn  Pansing Brooks  Sullivan
Davis  Hansen  Larson  Riepe  Williams

Voting in the negative, 0.

Present and not voting, 4:

Coash  Hughes  Morfeld  Scheer

Excused and not voting, 10:

Chambers  Craighead  Hilkemann  Kolowski  Schilz
Cook  Haar, K.  Howard  Murante  Watermeier

The appointment was confirmed with 35 ayes, 0 nays, 4 present and not voting, and 10 excused and not voting.

Senator Campbell moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 364:
  Nebraska Child Abuse Prevention Fund Board
    Todd Bartee
    Mary Fran Flood

Voting in the affirmative, 33:
The appointments were confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator Schilz moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 364:

Nebraska Natural Resources Commission
  Brian Barels
  Stan Clouse
  Steven Huggenberger
  Thomas Knutson
  Don Kraus
  Tom Palmetree
  Scott Smathers
  Lindsey Smith
  Walter Dennis Strauch
  Loren Taylor

Voting in the affirmative, 35:

Baker  Friesen  Hughes  McCollister  Schnoor
Bloomfield Garrett  Johnson  McCoy  Schumacher
Bolz  Gloor  Kintner  Mello  Seiler
Brasch  Groene  Kolterman  Nordquist  Stinner
Campbell  Hadley  Krist  Pansing  Brooks  Sullivan
Crawford  Hansen  Kuehn  Scheer  Sullivan
Ebke  Harr, B.  Lindstrom  Schilz  Williams
Voting in the negative, 0.

Present and not voting, 6:

Coash    Davis      Morfeld
Cook     Larson      Riepe

Excused and not voting, 8:

Chambers    Haar, K.       Howard      Murante
Craighead   Hilkemann   Kolowski     Watermeier

The appointments were confirmed with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 430. Title read. Considered.

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

LEGISLATIVE BILL 247. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 219. Title read. Considered.

Committee AM43, found on page 324, was adopted with 38 ayes, 0 nays, 3 present and not voting, and 8 excused and not voting.

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

LEGISLATIVE BILL 18. Title read. Considered.

Senator Groene offered his amendment, AM169, found on page 373.

Senator Groene moved for a call of the house. The motion prevailed with 40 ayes, 0 nays, and 9 not voting.

Senator Groene requested a roll call vote on his amendment.

Voting in the affirmative, 19:
The Groene amendment lost with 19 ayes, 27 nays, and 3 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 28 ayes, 13 nays, 5 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 18A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 7 nays, 9 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 109.** Title read. Considered.

Committee AM66, found on page 329, was adopted with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

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

**NOTICE OF COMMITTEE HEARING(S)**

Appropriations

Room 1524

Monday, February 23, 2015 1:30 p.m.
COMMITTEE REPORT(S)

Agriculture

The Agriculture 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.

William Marshall III - Nebraska State Fair Board


The Agriculture 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.

Greg Ibach, Director - Department of Agriculture


RESOLUTION(S)

LEGISLATIVE RESOLUTION 49. Introduced by Cook, 13.

WHEREAS, Zaiid Sharif Zakir Ibn El Gaines Liwaru died on January 24, 2015, in a car accident in Omaha; and
WHEREAS, Zaiid was the son of Sharif Zakir Liwaru and Gabrielle Gaines-Liwaru; and
WHEREAS, Zaiid was born in Omaha and attended Omaha Public Schools, graduating from Omaha North High School in 2013; and
WHEREAS, Zaiid was involved in the National Honor Society, the National Society of Black Engineers, and held various leadership positions in high school; and
WHEREAS, Zaiid initially studied at the University of Nebraska Omaha and then studied at Metropolitan Community College; and
WHEREAS, at his memorial service, Zaiid was remembered for his love of art and for his optimism, humor, and generosity; and
WHEREAS, Zaiid was also remembered as being smart, involved, outgoing, and open to different people, different places, and offbeat ways of doing things. Zaiid was described by his mother as "a connector and a lover of all souls".
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature extends its sympathy to the family of Zaiid Sharif Zakir Ibn El Gaines Liwaru.
2. That a copy of this resolution be sent to the family of Zaiid Sharif Zakir Ibn El Gaines Liwaru.

Laid over.

LEGISLATIVE RESOLUTION 50. Introduced by Cook, 13.

WHEREAS, Gene Haynes has been named a 2015 Distinguished NEBRASKAlander by the NEBRASKAland Foundation; and
WHEREAS, Gene has spent over 48 years in the Omaha Public School system including as a teacher, coach, and principal; and
WHEREAS, Gene began his teaching career at Omaha Technical High School in 1967 and coached the school's basketball team for 13 years; and
WHEREAS, Gene became the first African-American head basketball coach in the State of Nebraska in 1971; and
WHEREAS, Gene moved to Omaha North High School in 1987 to serve as the school's assistant principal and athletic director; and
WHEREAS, Gene has been the principal of Omaha North High School since 2001; and
WHEREAS, on October 24, 2014, Gene R. Haynes Street was named in his honor near Omaha North High School.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Gene Haynes for being named a 2015 Distinguished NEBRASKAlander by the NEBRASKAland Foundation.
2. That a copy of this resolution be sent to Gene Haynes.

Laid over.

LEGISLATIVE RESOLUTION 51. Introduced by Johnson, 23.

WHEREAS, Ryan Mueller, a history and government teacher at Wahoo Public High School, has won the Veterans of Foreign Wars (VFW) Nebraska Citizenship Education Teacher of the Year Award for grades nine through twelve; and
WHEREAS, each year, the Nebraska VFW recognizes three exceptional teachers for their outstanding commitment to teach Americanism and patriotism to their students; and
WHEREAS, Ryan was nominated by the principal of Wahoo Public High School for his service to the Close-Up Foundation, County Government Day, Nebraska Student Vote, the Veteran's Day Assembly, and his work in the classroom promoting patriotism and citizenship; and
WHEREAS, Ryan will be presented with the award at the VFW State Convention in Norfolk on June 6, 2015.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Ryan Mueller for winning the Veterans of Foreign Wars Nebraska Citizenship Education Teacher of the Year Award.
2. That a copy of this resolution be sent to Ryan Mueller.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 198. Title read. Considered.
Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 118. Title read. Considered.
Committee AM97, found on page 330, was offered.

Senator Larson withdrew his amendments, AM77 and AM98, found on pages 318 and 326.

Senator Larson offered the following amendment to the committee amendment:

AM221

(Amendments to Standing Committee amendments, AM97)
1 1. On page 1, lines 6 and 7, strike "public accommodations" and
2 insert "guestrooms and suites"; and in line 9 after "guestrooms" and
3 insert "and suites".
4 2. On page 2, line 9, after the period insert "The products that
5 tobacco retail outlets sell are legal for customers who meet the age
6 requirement. Customers should be able to try them within the tobacco
7 retail outlet, especially given the way that tobacco customization may
8 occur in how tobacco is blended and cigars are produced."
9 3. Insert the following new amendment:
10 4. On page 4, line 25; and page 6, line 2, after the period insert "
11 Cigar shops are a variation of a tobacco retail outlet, which has a
12 liquor license. The issue of whether a liquor license shall be granted to
a cigar shop is an entirely separate issue that deals with an entire separate chapter of state law. Whether a liquor license is granted is at the recommendation of the local governing body and the discretion of the Nebraska Liquor Control Commission.”.

The Larson amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 2 nays, 8 present and not voting, and 5 excused and not voting.

VISITORS

Visitors to the Chamber were members of the AFL-CIO from across the state; and members from Scottsbluff/Gering Chamber, Scotts Bluff Leadership Class, Sidney Area Chamber, Cheyenne County Leadership Class, and Dawes County Entrepreneur Leadership Training Academy.

The Doctor of the Day was Dr. Michelle Sell from Central City.

ADJOURNMENT

At 12:04 p.m., on a motion by Senator Johnson, the Legislature adjourned until 9:00 a.m., Thursday, February 5, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-FIRST DAY - FEBRUARY 5, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 5, 2015

PRAYER

The prayer was offered by Pastor Gail Madson, Bethlehem Lutheran Church, Wahoo.

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 Davis who was excused; and Senators Howard, Mello, and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twentieth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 159. Placed on Select File with amendment.
ER8
1 1. On page 1, line 3, after the second semicolon insert "to
2 harmonize provisions;".

LEGISLATIVE BILL 279. Placed on Select File with amendment.
ER13
1 1. On page 9, line 15, after "determines" insert "(1)".
2 2. On page 11, line 19; and page 15, line 28, strike "section" and
3 insert "subsection".
4 3. On page 12, line 18, strike "(b)", show as stricken, and insert "
5 (ii)"; and in line 19 strike ",(2)".
6 4. On page 13, line 12, strike ",(2)"; and in line 21 strike
7 "section", show as stricken, and insert "subsection".
8 5. On page 14, line 22, strike "(b)" and insert "(ii)"; and in line
9 29 after "years" insert an underscored comma.
10 6. On page 17, line 3, after "years" insert an underscored comma.
11 7. On page 18, line 1, strike "section", show as stricken, and
12 insert "subsection".
13 8. On page 31, line 12, after "21-20,180.01" insert a comma.

LEGISLATIVE BILL 220. Placed on Select File.
LEGISLATIVE BILL 220A. Placed on Select File.
LEGISLATIVE BILL 157. Placed on Select File.
LEGISLATIVE BILL 149. Placed on Select File.

LEGISLATIVE BILL 168. Placed on Select File with amendment.
ER9
1 1. On page 1, line 3, strike "49-4028" and insert "19-4028".

LEGISLATIVE BILL 40. Placed on Select File with amendment.
ER10
1 1. On page 7, line 19; and page 12, line 7, after "form" insert an
2 underscored comma.
3 2. On page 11, line 28, strike "and" and show as stricken.

LEGISLATIVE BILL 43. Placed on Select File.
LEGISLATIVE BILL 88. Placed on Select File.

LEGISLATIVE BILL 190. Placed on Select File with amendment.
ER11
1 1. On page 1, strike beginning with "regarding" in line 3 through
2 "members" in line 4.

LEGISLATIVE BILL 430. Placed on Select File.

(Signed) Matt Hansen, Chairperson

COMMITTEE REPORT(S)
Nebraska Retirement Systems

The Nebraska Retirement Systems 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.

John Dinkel - Nebraska Investment Council

Aye: 5 Groene, Kolowski, Kolterman, Mello, Nordquist. Nay: 0. Absent: 1
Davis. Present and not voting: 0.

(Signed) Jeremy Nordquist, Chairperson
RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 44 and 45 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 44 and 45.

ANNOUNCEMENT

The Chair announced the birthday of Senator Williams.

GENERAL FILE

LEGISLATIVE BILL 269. Title read. Considered.

Committee AM68, found on page 331, was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

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

LEGISLATIVE BILL 94. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 122. Title read. Considered.

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

LEGISLATIVE BILL 52. Title read. Considered.

Senator Chambers offered the following motion:

MO23

Bracket until April 15, 2015.

The Chambers motion to bracket failed with 3 ayes, 24 nays, 17 present and not voting, and 5 excused and not voting.

Senator Chambers offered the following motion:

MO24

Reconsider the vote to bracket.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.
Advanced to Enrollment and Review Initial with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

**COMMITTEE REPORT(S)**
Transportation and Telecommunications

**LEGISLATIVE BILL 312.** Placed on General File.
**LEGISLATIVE BILL 313.** Placed on General File.

**LEGISLATIVE BILL 45.** Placed on General File with amendment.

AM 65
1. Strike original sections 2 and 3 and insert the following new sections:
   3 Section 1. Section 60-366, Revised Statutes Cumulative Supplement, 4 2014, is amended to read:
   5 60-366 (1) Any nonresident owner who desires to register a motor vehicle or trailer which has been properly registered in the state, country, or other place of which the owner is a resident, and which at all times, when operated or towed in this state, has displayed upon it the license plate or plates issued for such motor vehicle or trailer in the place of residence of such owner, may operate or permit the operation or tow or permit the towing of such motor vehicle or trailer within the state without registering such motor vehicle or paying any fees to this state.
   6 (3)(a) Except as otherwise provided in subdivision (c) of this subsection, any nonresident owner who operates a motor vehicle or towing a trailer in this state, shall register such motor vehicle or trailer in the same manner as a Nebraska resident, unless the state of his or her legal residence grants immunity from such requirements to residents of this state operating a motor vehicle or towing a trailer in that state.
   7 (b) Except as otherwise provided in subdivision (c) of this subsection, any nonresident owner who operates a motor vehicle or towing a trailer in this state for thirty or more continuous days shall register such motor vehicle or trailer in the same manner as a Nebraska resident unless the state of his or her legal residence grants immunity from such requirements to residents of this state operating a motor vehicle or towing a trailer in that state.
   8 (c) Any nonresident owner of a film vehicle may operate the film vehicle for up to one year without registering the vehicle in this state.
   9 (4)(a) The Department of Motor Vehicles or the Department of Revenue may determine (i) that a limited liability company, partnership, corporation, or other business entity that is organized under the laws of another state or country and that owns or holds title to a recreational
12 vehicle is a shell company used to avoid proper registration of the
13 recreational vehicle in this state and (ii) that the recreational vehicle
14 is controlled by a Nebraska resident.
15 (b) Factors that the Department of Motor Vehicles or the Department
16 of Revenue may consider to determine that the limited liability company,
17 partnership, corporation, or other business entity is a shell company
18 used to avoid proper registration of the recreational vehicle in this
19 state include, but are not limited to:
20 (i) The limited liability company, partnership, corporation, or
21 other business entity lacks a business activity or purpose;
22 (ii) The limited liability company, partnership, corporation, or
23 other business entity does not maintain a physical location in this
24 state;
25 (iii) The limited liability company, partnership, corporation, or
26 other business entity does not employ individual persons and provide
27 those persons with Internal Revenue Service Form W-2 wage and tax
28 statements; or
29 (iv) The limited liability company, partnership, corporation, or
30 other business entity fails to file federal tax returns or fails to file
31 a state tax return in this state.
1 (c) Factors that the Department of Motor Vehicles or the Department
2 of Revenue may consider to determine that the recreational vehicle is
3 controlled by a Nebraska resident include, but are not limited to:
4 (i) A Nebraska resident was the initial purchaser of the
5 recreational vehicle;
6 (ii) A Nebraska resident operated or stored the recreational vehicle
7 in this state for any period of time;
8 (iii) A Nebraska resident is a member, partner, or shareholder or is
9 otherwise affiliated with the limited liability company, partnership,
10 corporation, or other business entity purported to own the recreational
11 vehicle; or
12 (iv) A Nebraska resident is insured to operate the recreational
13 vehicle.
14 (d) If the Department of Motor Vehicles or the Department of Revenue
15 makes the determinations described in subdivision (4)(a) of this section,
16 there is a rebuttable presumption that:
17 (i) The Nebraska resident in control of the recreational vehicle is
18 the actual owner of the recreational vehicle;
19 (ii) Such Nebraska resident is required to register the recreational
20 vehicle in this state and is liable for all motor vehicle taxes, motor
21 vehicle fees, and registration fees as provided in the Motor Vehicle
22 Registration Act; and
23 (iii) The purchase of the recreational vehicle is subject to sales
24 or use tax under section 77-2703.
25 (e) The Department of Motor Vehicles or the Department of Revenue
26 shall notify the Nebraska resident who is presumed to be the owner of the
27 recreational vehicle that he or she is required to register the
28 recreational vehicle in this state, pay any applicable taxes and fees for
29 proper registration of the recreational vehicle under the Motor Vehicle
Registration Act, and pay any applicable sales or use tax due on the purchase under the Nebraska Revenue Act of 1967 no later than thirty days after the date of the notice.

(f)(i) For a determination made by the Department of Motor Vehicles under this subsection, the Nebraska resident who is presumed to be the owner of the recreational vehicle may accept the determination and pay the county treasurer as shown in the notice, or he or she may dispute the determination and appeal the matter. Such appeal shall be filed with the Director of Motor Vehicles within thirty days after the date of the notice or the determination will be final. The director shall appoint a hearing officer who shall hear the appeal and issue a written decision. Such appeal shall be in accordance with the Administrative Procedure Act. Following a final determination in the appeal in favor of the Department of Motor Vehicles or if no further appeal is filed, the Nebraska resident shall owe the taxes and fees determined to be due, together with any costs for the appeal assessed against the owner.

(ii) For a determination made by the Department of Revenue under this subsection, the Nebraska resident who is presumed to be the owner of the recreational vehicle may appeal the determination made by the Department of Revenue, and such appeal shall be in accordance with section 77-2709.

(g) If the Nebraska resident who is presumed to be the owner of the recreational vehicle fails to pay the motor vehicle taxes, motor vehicle fees, registration fees, or sales or use tax required to be paid under this subsection, he or she shall be assessed a penalty of fifty percent of such unpaid taxes and fees. Such penalty shall be remitted by the county treasurer or the Department of Revenue to the State Treasurer for credit to the Highway Trust Fund.

Sec. 3. Original sections 60-366 and 60-3,104, Revised Statutes Cumulative Supplement, 2014, are repealed.

Sec. 4. The following section is outright repealed: Section 60-383, Reissue Revised Statutes of Nebraska.

2. Renumber the remaining section accordingly.

LEGISLATIVE BILL 181. Placed on General File with amendment.

AM204

1 1. On page 2, line 19, after "vehicles" insert "owned and".

(Signed) Jim Smith, Chairperson

AMENDMENT(S) - Print in Journal

Senator K. Haar filed the following amendment to LB177:

AM154

1 1. Strike the original sections and all amendments thereto and insert the following new sections:

Section 1. Section 70-619, Revised Statutes Cumulative Supplement, 2014, is amended to read:

70-619 (1) The corporate powers of the district shall be vested in
6 and exercised by the board of directors of the district. No person shall
7 be qualified to hold office as a member of the board of directors unless
8 (a) he or she is a registered voter (i) of such chartered territory, (ii)
9 of the subdivision from which a director is to be elected if such
10 chartered territory is subdivided for election purposes as provided in
11 subsection (1), (2), or (3) of section 70-612, or (iii) of one of the
12 combined subdivisions from which directors are to be elected at large as
13 provided in section 70-612 or (b) he or she is a retail customer duly
14 certified in accordance with subsection (3) of section 70-604.03.
15 (2) No person who is a full-time or part-time employee of the
16 district shall be eligible to serve as a member of the board of directors
17 of that district and no employed officer of any entity that is part of
18 the public power industry may serve as a member of the governing board of
19 any entity that is part of the public power industry unless such person
20 (a) resigns or (b) assumes an unpaid leave of absence for the term as a
21 member. The employing district or entity that is part of the public power
22 industry shall grant such leave of absence when requested by any employee
23 for the purpose of the employee serving as a member of such the board. A
24 of directors. No person shall be qualified to be a member of more than
25 one such district board, except that a director of a rural public power
26 district may serve as a director of another public power district formed
27 or organized for the purpose of generating electric energy or
1 transmitting electric energy exclusively for resale to some other public
2 power districts, rural electric cooperatives, and membership associations
3 of municipalities. No member of a governing body of any one of the
4 municipalities within the areas of the district may not shall be
5 qualified to serve on the original board of directors under sections
6 70-603 to 70-609.
7 Sec. 2. Original section 70-619, Revised Statutes Cumulative
8 Supplement, 2014, is repealed.

Senator Nordquist filed the following amendment to LB40:
AM224 is available in the Bill Room.

MESSAGE(S) FROM THE GOVERNOR

February 4, 2015

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

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

Contingent upon your approval, the following individual is being appointed
to the Board of Parole:

Teresa L. Bittinger, 504 Groff Avenue, Benedict, NE 68316
The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 180. Placed on General File.
LEGISLATIVE BILL 298. Placed on General File.
LEGISLATIVE BILL 352. Placed on General File.

(Signed) Jim Scheer, Chairperson

GENERAL FILE

LEGISLATIVE BILL 260. Title read. Considered.
Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 261. Title read. Considered.
Committee AM44, found on page 339, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.
Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 271. Title read. Considered.
Committee AM27, found on page 339, was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.
Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 142. Title read. Considered.
Committee AM45, found on page 347, was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.
Advanced to Enrollment and Review Initial with 36 ayes, 1 nay, 9 present and not voting, and 3 excused and not voting.
LEGISLATIVE BILL 142A. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 1 nay, 6 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 160. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 241. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 272. Title read. Considered.

Pending.

NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems
Room 1525
Tuesday, February 24, 2015 12:00 p.m.

LB655
LB551

Thursday, March 5, 2015 12:00 p.m.

Presentation of Omaha School Employees Retirement System actuarial valuation report as required by section 79-987
LB448
LB447

(Signed) Jeremy Nordquist, Chairperson
Appropriations
Room 1003

Tuesday, February 24, 2015 1:30 p.m.

Agency 45 - Barber Examiners, Board of
Agency 30 - Electrical Board, State
Agency 74 - Power Review Board, Nebraska
Agency 41 - State Real Estate Commission
Senator Krist filed the following amendment to LB70:

AM235

(Amendments to Standing Committee amendments, AM118)

1 1. Insert the following new section:

Section 1. Section 9-1006, Revised Statutes Cumulative Supplement, 2014, is amended to read:

The Compulsive Gamblers Assistance Fund is created. The fund

(Signed) Heath Mello, Chairperson

AMENDMENT(S) - Print in Journal
5 shall include revenue transferred from the State Lottery Operation Trust
6 Fund under section 9-812 and the Charitable Gaming Operations Fund under
7 section 9-1,101, revenue credited under section 3 of this act, and any
8 other revenue received by the division or commission for credit to the
9 fund from any other public or private source, including, but not limited
10 to, appropriations, grants, donations, gifts, devises, bequests, fees, or
11 reimbursements. The commission shall administer the fund for the
12 operation of the Gamblers Assistance Program. The Director of
13 Administrative Services shall draw warrants upon the Compulsive Gamblers
14 Assistance Fund upon the presentation of proper vouchers by the
15 commission. Money from the Compulsive Gamblers Assistance Fund shall be
16 used exclusively for the purpose of providing assistance to agencies,
17 groups, organizations, and individuals that provide education,
18 assistance, and counseling to individuals and families experiencing
19 difficulty as a result of problem gambling, to promote the awareness of
20 problem gamblers assistance programs, and to pay the costs and expenses
21 of the Gamblers Assistance Program, including travel. Any money in the
22 fund available for investment shall be invested by the state investment
23 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act.
25 2. On page 2, line 9, after the period insert "All taxes collected
26 pursuant to this section shall be remitted to the State Treasurer, and
1 the State Treasurer shall credit ninety-seven percent of such taxes to
2 the General Fund and the remaining three percent of such taxes to the
3 Compulsive Gamblers Assistance Fund."
4 3. Renumber the remaining sections, correct internal references, and
5 correct the repealer accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Mello - LB211

VISITORS

Visitors to the Chamber were members of the University of Nebraska
Extension Leadership Program; and 5 seniors, teacher, and sponsors from
York.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Bloomfield, the Legislature
adjourned until 9:00 a.m., Friday, February 6, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-SECOND DAY - FEBRUARY 6, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-SECOND DAY

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

PRAYER

The prayer was offered by Pastor Brad Hoefs, Community of Grace Lutheran Church, Elkhorn.

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 Cook and Davis who were excused; and Senators Bolz, Campbell, and K. Haar who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-first day was approved.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 155. Placed on General File with amendment. AM180

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 8-116, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 8-116 (1) Except as provided in subsection (2) of this section, a A
6 charter for a bank hereafter organized shall not be issued unless the
7 corporation applying therefor has shall have a surplus and paid-up
8 capital stock in an amount not less than the amount necessary for
9 compliance with subsection (1) of section 8-702 for the insurance of
10 deposits of not less than seventy thousand dollars or seventy percent of
11 its paid-up capital stock, whichever is greater, and a paid-up capital
12 stock as follows: In villages or counties of less than one thousand
13 inhabitants, one hundred thousand dollars; in cities, villages, or
14 counties of one thousand or more and less than twenty-five thousand
inhabitants, not less than one hundred fifty thousand dollars; in cities or counties of twenty-five thousand or more and less than one hundred thousand inhabitants, not less than two hundred thousand dollars; and in cities or counties of one hundred thousand or more inhabitants, not less than five hundred thousand dollars.

(2) The notwithstanding subsection (1) of this section, the department shall have the authority to determine the minimum amount of paid-up capital stock and surplus required for any corporation applying for a bank charter, which amount amounts shall not be less than the amount amounts provided in subsection (1) of this section.

(3) For purposes of this section, population shall be determined by the most recent federal decennial census.

Sec. 2. Section 8-128, Reissue Revised Statutes of Nebraska, is amended to read:

8-128 The paid-in capital stock of any bank may be increased or decreased in the following manner: The stockholders at any regular meeting or at any special meeting duly called for such purpose shall by vote of those owning two-thirds of the capital stock authorize the president or cashier to notify the department of the proposed increase or reduction of paid-in capital stock, and a notice containing a statement of the amount of any proposed reduction of paid-in capital stock shall be published for two four weeks in some newspaper published and of general circulation in the county where such bank is located. Reduction of paid-in capital stock shall be discretionary with the department, but shall be denied if granting the same would reduce the paid-in capital stock below the requirements of the Nebraska Banking Act or would impair the security of the depositors. The bank shall notify the department when the proposed increase or decrease of the paid-in capital stock has been consummated.

Sec. 3. Section 8-153, Reissue Revised Statutes of Nebraska, is amended to read:

8-153 All checks, unless sent to banks as special collection items, shall have preprinted the magnetically encoded routing and transit symbol of the bank and either the name of the maker or the magnetically encoded account number of the maker. Except for checks sent to banks as special collection items or checks presented for payment by the payee in person, all checks drawn on any bank organized under the laws of this state shall be cleared at par by the bank on which they are drawn. The term at par applies only to the settlement of checks between collecting and paying or remitting banks and does not apply to or prohibit a bank from deducting a fee from the face amount of the check for paying the check if the check is presented to the bank by the payee in person.

Sec. 4. Section 8-1402, Revised Statutes Cumulative Supplement, 2014, is amended to read:

8-1402 (1) Any person, party, agency, or organization requesting disclosure of records or information pursuant to section 8-1401 shall pay the costs of providing such records or information, unless:

(a) The request for disclosure is made pursuant to subdivision (1) of section 8-1401 and a Nebraska Supreme Court rule provides for the method of payment;
(b) The request is made pursuant to subdivision (1)(b) of section 8-1401 and the rules for discovery provide for the method of payment;
(b e) The request for disclosure is made pursuant to subdivision (1)(d) or (1)(e) of section 8-1401;
(c d) Otherwise ordered by a court of competent jurisdiction; or
(d e) The person making the disclosure waives any or all of the costs.
(2)(a) The requesting person, party, agency, or organization shall pay five dollars per hour per person for the time actually spent on the service or, if such person can show that its actual expense in providing the records or information was greater than five dollars per hour per person, it shall be paid the actual cost of providing the records or information.
(b) For purposes of this subsection, actual cost means:
(i) Search and processing costs, including the total amount of personnel direct time incurred in locating and retrieving, reproducing, packaging, and preparing records or information for shipment or delivery.
(ii) Search and processing costs may include the actual cost of extracting information stored by computer in the format in which it is normally produced, based on computer time and necessary supplies;
(iii) Reproduction costs incurred in making copies of records or information requested. The rate for reproduction costs for making copies of requested records or information shall be the usual rate charged by the person making the disclosure to its customers for reproducing copies, including copies produced by reader-printer reproduction processes.
(iv) Photographs, films, and other materials shall be reimbursed at actual cost; and
(v) Transportation costs, including transport of personnel to locate and retrieve the records or information requested and including all other reasonably necessary costs to convey the records or information.
(3) No person authorized to receive payment pursuant to subsection (1) of this section has an obligation to provide any records or information pursuant to section 8-1401 until assurances are received that the costs due under this section will be paid, except for requests made pursuant to subdivisions (1)(d), (1)(e), (1)(f), and (1)(g) of section 8-1401.
Sec. 5. Original sections 8-116, 8-128, and 8-153, Reissue Revised Statutes of Nebraska, and section 8-1402, Revised Statutes Cumulative Supplement, 2014, are repealed.
Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) Jim Scheer, Chairperson
LEGISLATIVE BILL 247. Placed on Select File with amendment.
ER15
1 1. On page 1, line 3, strike "an interest rate specification
2 reference" and insert "the interest rate for obligations arising under
3 the Uniform Partnership Act of 1998".

LEGISLATIVE BILL 219. Placed on Select File with amendment.
ER16
1 1. On page 4, line 16; and page 11, line 25, before "law" insert
2 "the".
3 2. On page 7, line 29, strike "section" and insert "sections".
4 3. On page 8, line 2, after "(c)" insert "of this section".
5 4. On page 15, line 11, strike "this uniform act" and insert "the
6 Uniform Deployed Parents Custody and Visitation Act"; in line 16 strike
7 "section"; and in lines 17 and 19 strike the second occurrence of
8 "section".

LEGISLATIVE BILL 18. Placed on Select File.
LEGISLATIVE BILL 18A. Placed on Select File.

LEGISLATIVE BILL 109. Placed on Select File with amendment.
ER17
1 1. On page 1, strike beginning with "requirements" in line 3 through
2 "law" in line 4 and insert "provisions for veterans and their spouses and
3 dependents and other eligible persons".

LEGISLATIVE BILL 198. Placed on Select File with amendment.
ER18
1 1. On page 1, line 4, after the semicolon insert "to define terms;".

LEGISLATIVE BILL 118. Placed on Select File with amendment.
ER14
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 28-1429.03, Revised Statutes Cumulative
4 Supplement, 2014, is amended to read:
5 28-1429.03 (1) Except as provided in subsection (2) of this section
6 and section 28-1429.02, it shall be unlawful to sell or distribute
7 cigarettes, cigars, vapor products, alternative nicotine products, or
8 tobacco in any form whatever through a self-service display. Any person
9 violating this section is guilty of a Class III misdemeanor. In addition,
10 upon conviction for a second or subsequent offense within a twelve-month
11 period, the court shall order a six-month suspension of the license
12 issued under section 28-1421.
13 (2) Cigarettes, cigars, vapor products, alternative nicotine
14 products, or tobacco in any form whatever may be sold or distributed in a
15 self-service display that is located in a tobacco specialty store or
16 cigar shop bar as defined in section 53-103.08.
17 Sec. 2. Section 53-103.08, Reissue Revised Statutes of Nebraska, is
18 amended to read:
19 53-103.08 Cigar shop bar means an establishment operated by a holder
20 of a Class C liquor license which:
21 (1) Does not sell food;
22 (2) In addition to selling alcohol, annually receives ten percent or
23 more of its gross revenue from the sale of cigars, and other tobacco
24 products, and tobacco-related products, except from the sale of
25 cigarettes as defined in section 69-2702. A cigar shop bar shall not
26 discount alcohol if sold in combination with cigars or other tobacco
27 products and tobacco-related products;
28 (3) Has a walk-in humidor on the premises; and
29 (4) Does not permit the smoking of cigarettes.
3 Sec. 3. Section 53-131, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:
5 53-131 (1) Any person desiring to obtain a new license to sell
6 alcoholic liquor at retail, a craft brewery license, or a microdistillery
7 license shall file with the commission:
8 (a) An application in triplicate original upon forms prescribed by
9 the commission prescribes, including the information required by
10 subsection (3) of this section for an application to operate a cigar shop
11 bar;
12 (b) The license fee if under sections 53-124 and 53-124.01 such fee
13 is payable to the commission, which fee shall be returned to the
14 applicant if the application is denied; and
15 (c) The nonrefundable application fee in the sum of four hundred
16 dollars, except that the nonrefundable application fee for an application
17 for a cigar shop bar shall be one thousand dollars.
18 (2) The commission shall notify the clerk of the city or village in
19 which such license is sought or, if the license sought is not sought
20 within a city or village, the county clerk of the county in which such
21 license is sought, of the receipt of the application and shall include
22 one copy of the application with the notice. No such license shall be
23 issued or denied by the commission until the expiration of the time
24 allowed for the receipt of a recommendation of denial or an objection
25 requiring a hearing under subdivision (1)(a) or (b) of section 53-133.
26 During the period of forty-five days after the date of receipt by mail or
27 electronic delivery of such application from the commission, the local
28 governing body of such city, village, or county may make and submit to
29 the commission recommendations relative to the granting or refusal to
30 grant such license to the applicant.
31 (3) For an application to operate a cigar shop bar, the application
1 shall include proof of the cigar shop's annual gross revenue as
2 requested by the commission and such other information as requested by
3 the commission to establish the intent to operate as a cigar shop bar.
4 The commission may adopt and promulgate rules and regulations to regulate
cigar shops. The rules and regulations existing on August 1, 2014, applicable to cigar bars shall apply to cigar shops until amended or repealed by the commission.

(4) For renewal of a license under this section, a licensee shall file with the commission an application, the license fee as provided in subdivision (1)(b) of this section, and a renewal fee of forty-five dollars.

Sec. 4. Section 53-1,120.01, Reissue Revised Statutes of Nebraska, is amended to read:

53-1,120.01 (1) No county resolution or city ordinance that prohibits smoking in indoor areas shall apply to cigar shops bars.

(2)(a) The Legislature finds that allowing smoking in cigar shops as a limited exception to the Nebraska Clean Indoor Air Act does not interfere with the original intent that the general public and employees not be unwillingly subjected to second-hand smoke since employees have ample other opportunities for similar employment at other establishments. This exception poses a de minimis restriction on the public and employees given the limited number of cigar shops compared to other businesses that sell alcohol, cigars, and pipe tobacco, and any member of the public should reasonably expect that there would be second-hand smoke in a cigar shop given the nature of the business and could choose to avoid such exposure.

(b) The Legislature finds that (i) cigars and pipe tobacco have different characteristics than other forms of tobacco such as cigarettes, (ii) cigar aficionados often pair cigars with various spirits such as cognac, single malt whisky, bourbon, rum, rye, port, and others, and (iii) unlike cigarette smokers, cigar and pipe smokers may take an hour or longer to enjoy a cigar or pipe rather than simply satisfying an addiction. Cigar shops are a variation of a tobacco retail outlet, which has a liquor license. The issue of whether a liquor license shall be granted to a cigar shop is an entirely separate issue that deals with an entirely separate chapter of state law. Whether a liquor license is granted is at the recommendation of the local governing body and the discretion of the Nebraska Liquor Control Commission.

(c) It is the intent of the Legislature to allow cigar and pipe smoking in cigar shops that meet specific statutory criteria. This exception to the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with the intent of the act to protect public places and places of employment.

(3)(a) The Legislature finds that allowing smoking in tobacco retail outlets as a limited exception to the Nebraska Clean Indoor Air Act does not interfere with the original intent that the general public and employees not be unwillingly subjected to second-hand smoke since employees have ample other opportunities for similar employment at other establishments and the general public would not frequent those establishments and should reasonably expect that there would be second-hand smoke in a tobacco retail outlet and could choose to avoid such exposure. The products that tobacco retail outlets sell are legal for customers who meet the age requirement. Customers should be able to try...
them within the tobacco retail outlet, especially given the way that tobacco customization may occur in how tobacco is blended and cigars are produced.

(b) It is the intent of the Legislature to allow smoking in tobacco retail outlets that meet specific statutory criteria. This exception to the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with the intent of the act to protect public places and places of employment.

Sec. 5. Section 71-5717, Reissue Revised Statutes of Nebraska, is amended to read:

71-5717 The purpose of the Nebraska Clean Indoor Air Act is to protect the public health and welfare by prohibiting smoking in public places and places of employment with limited exceptions for guestrooms and suites, research, tobacco retail outlets, and cigar shops. The limited exceptions permit smoking in public places where the public would reasonably expect to find persons smoking, including guestrooms and suites which are subject to expectations of privacy like private residences, institutions engaged in research related to smoking, and tobacco retail outlets and cigar shops which provide the public legal retail outlets to sample, use, and purchase tobacco products and products related to smoking. The act shall not be construed to prohibit or otherwise restrict smoking in outdoor areas. The act shall not be construed to permit smoking where it is prohibited or otherwise restricted by other applicable law, ordinance, or resolution. The act shall be liberally construed to further its purpose.

Sec. 6. Section 71-5730, Revised Statutes Cumulative Supplement, 2014, is amended to read:

71-5730 (1) The following indoor areas are exempt from section 71-5729:

(a) Guestrooms and suites that are rented to guests and that are designated as smoking rooms, except that not more than twenty percent of rooms rented to guests in an establishment may be designated as smoking rooms. All smoking rooms on the same floor shall be contiguous, and smoke from such rooms shall not infiltrate into areas where smoking is prohibited under the Nebraska Clean Indoor Air Act;

(b) Indoor areas used in connection with a research study on the health effects of smoking conducted in a scientific or analytical laboratory under state or federal law or at a college or university approved by the Coordinating Commission for Postsecondary Education; and

(c) Tobacco retail outlets and cigar shops as defined in section 53-103.08.

(2) The Legislature finds that allowing smoking in cigar shops as a limited exception to the Nebraska Clean Indoor Air Act does not interfere with the original intent that the general public and employees not be unwillingly subjected to second-hand smoke since employees have ample other opportunities for similar employment at other establishments. This exception poses a de minimis restriction on the public and employees given the limited number of cigar shops compared to other businesses that sell alcohol, cigars, and pipe tobacco, and any member of the public should reasonably expect that there would be second-hand smoke in a cigar
shop given the nature of the business and could choose to avoid such exposure.
(b) The Legislature finds that (i) cigars and pipe tobacco have different characteristics than other forms of tobacco such as cigarettes, (ii) cigar aficionados often pair cigars with various spirits such as cognac, single malt whisky, bourbon, rum, rye, port, and others, and (iii) unlike cigarette smokers, cigar and pipe smokers may take an hour or longer to enjoy a cigar or pipe rather than simply satisfying an addiction. Cigar shops are a variation of a tobacco retail outlet, which has a liquor license. The issue of whether a liquor license shall be granted to a cigar shop is an entirely separate issue that deals with an entirely separate chapter of state law. Whether a liquor license is granted is at the recommendation of the local governing body and the discretion of the Nebraska Liquor Control Commission.
(c) It is the intent of the Legislature to allow cigar and pipe smoking in cigar shops that meet specific statutory criteria. This exception to the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with the intent of the act to protect public places and places of employment.
(3)(a) The Legislature finds that allowing smoking in tobacco retail outlets as a limited exception to the Nebraska Clean Indoor Air Act does not interfere with the original intent that the general public and employees not be unwillingly subjected to second-hand smoke since employees have ample other opportunities for similar employment at other establishments and the general public would not frequent those establishments and should reasonably expect that there would be second-hand smoke in a tobacco retail outlet and could choose to avoid such exposure. The products that tobacco retail outlets sell are legal for customers who meet the age requirement. Customers should be able to try them within the tobacco retail outlet, especially given the way that tobacco customization may occur in how tobacco is blended and cigars are produced.
(b) It is the intent of the Legislature to allow smoking in tobacco retail outlets that meet specific statutory criteria. This exception to the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with the intent of the act to protect public places and places of employment.
Sec. 7. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.
Sec. 8. Original sections 53-103.08, 53-1,120.01, and 71-5717, Reissue Revised Statutes of Nebraska, and sections 28-1429.03, 53-131, 20 and 71-5730, Revised Statutes Cumulative Supplement, 2014, are repealed.
Sec. 9. Since an emergency exists, this act takes effect when passed and approved according to law.
2. On page 1, strike beginning with "cigar" in line 1 through line 10 and insert "regulated establishments; to amend sections 53-103.08, 53-1,120.01, and 71-5717, Reissue Revised Statutes of Nebraska, and sections 28-1429.03, 53-131, 71-5730, Revised Statutes Cumulative Supplement, 2014; to define cigar shop; to permit certain sales as
28 prescribed; to provide for a nonrefundable application fee; to provide
29 and change requirements for certain liquor license applications; to
30 preempt county resolutions and city ordinances relating to smoking in
31 cigar shops; to state and restate intent; to exempt retail tobacco
1 outlets and cigar shops from the Nebraska Clean Indoor Air Act; to
2 harmonize provisions; to provide severability; to repeal the original
3 sections; and to declare an emergency."

(Signed) Matt Hansen, Chairperson

MOTION - Print in Journal

Senator Johnson filed the following motion to LB262:

MO25
Withdraw bill.

MESSAGE(S) FROM THE GOVERNOR

February 5, 2015

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

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

Contingent upon your approval, the following individuals are being
reappointed to the Boiler Safety Code Advisory Board:

Steven Bley, 8609 Highway 1, Newhawka, NE 68413
Robert Kirkpatrick, 6315 Huntington Avenue, Lincoln, NE 68507
Thomas E. Phipps, 3724 North 10 Street, Omaha, NE 68134

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

February 2, 2015

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509
Dear Mr. President, Speaker Hadley and Members of the Legislature:

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

Bruce D. Bailey, 1710 Surfside Drive, Lincoln, NE 68528

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

February 5, 2015

Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Power Review Board:

Frank J. Reida, 1122 Turner Blvd., Omaha, NE 68105

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

February 5, 2015

Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being
reappointed to the Board of Trustees of the Nebraska State Colleges:

Michelle Suarez, 2427 Woodsdale Blvd., Lincoln, NE 68502
Jess D. Zeiss, 1517 S. 109 Street, Omaha, NE 68144

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

February 3, 2015

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska Game and Parks Commission:

Norris Marshall, 186 W. Road, Kearney, NE 68845

Contingent upon your approval, the following individual is being appointed to the Nebraska Game and Parks Commission:

Robert Allen, 1 Plum Creek Canyon Dr. 12G, Eustis, NE 69028

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

REPORT OF REGISTERED LOBBYISTS

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

AMENDMENT(S) - Print in Journal

Senator Bloomfield filed the following amendment to LB88:
AM184
1. On page 2, line 16, strike "sixteen" and insert "eight"; and
2. after "dollars" insert "and fifty cents".

MOTION(S) - Confirmation Report(s)

Senator Gloor moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 339:
Department of Revenue
Ruth A. Sorensen, Property Tax Administrator

Voting in the affirmative, 32:

Coash Hansen Kolterman Pansing Brooks Stinner
Crawford Harr, B. Krist Riepe Sullivan
Ebke Hilkemann Lindstrom Scheer Watermeier
Friesen Howard McCoy Schnoor Williams
Garrett Hughes Mello Schumacher
Gloor Johnson Murante Seiler
Hadley Kolowski Nordquist Smith

Voting in the negative, 0.

Present and not voting, 12:
The appointment was confirmed with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Senator Murante moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 391:
- State Emergency Response Commission
  - Tim Hofbauer
  - Dana Miller

Voting in the affirmative, 35:
- Baker
- Garrett
- Johnson
- McCoy
- Schnoor
- Bloomfield
- Gloor
- Kintner
- Mello
- Schumacher
- Bolz
- Haar, K.
- Kolowski
- Murante
- Seiler
- Brasch
- Hadley
- Koltermann
- Nordquist
- Smith
- Craighead
- Hansen
- Kuehn
- Pansing
- Brooks
- Sullivan
- Crawford
- Hilkemann
- Larson
- Riepe
- Watermeier
- Ebke
- Howard
- Lindstrom
- Scheer
- Williams

Voting in the negative, 0.

Present and not voting, 11:
- Chambers
- Groene
- Krist
- Schilz
- Coash
- Harr, B.
- McCollister
- Stinner
- Friesen
- Hughes
- Morfeld

Excused and not voting, 3:
- Campbell
- Cook
- Davis

The appointments were confirmed with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.
Senator Murante moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 391:
- Nebraska Tourism Commission
  Carol E. Schlegel

Voting in the affirmative, 37:

<table>
<thead>
<tr>
<th>Baker</th>
<th>Friesen</th>
<th>Hughes</th>
<th>Mello</th>
<th>Seiler</th>
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<td>Ebke</td>
<td>Hilkemann</td>
<td>McCoy</td>
<td>Schumacher</td>
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Voting in the negative, 0.

Present and not voting, 9:

<table>
<thead>
<tr>
<th>Coash</th>
<th>Howard</th>
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<th>Morfeld</th>
<th>Stinner</th>
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<tr>
<td>Harr, B.</td>
<td>Kintner</td>
<td>Kuehn</td>
<td>Schilz</td>
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</table>

Excused and not voting, 3:

| Campbell | Cook | Davis |

The appointment was confirmed with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Murante moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 392:
- Military Department
  Daryl L. Bohac, Adjutant General

Voting in the affirmative, 37:

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<td>Haar, K.</td>
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<td>Sullivan</td>
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<td>Pansing</td>
<td>Brooks Watermeier</td>
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<td>Howard</td>
<td>McCoy</td>
<td>Schumacher</td>
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</tr>
<tr>
<td>Friesen</td>
<td>Hughes</td>
<td>Mello</td>
<td>Seiler</td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative, 0.
The appointment was confirmed with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Murante moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 392:
- Department of Veterans Affairs
  - John Hilgert, Director

Voting in the affirmative, 39:

Baker    Friesen    Hughes    Lindstrom    Scheer
Bloomfield    Garret    Johnson    McCollister    Schnoor
Bolz    Groene    Kintner    Mello    Seiler
Brasch    Haar, K.    Kolowski    Morfeld    Smith
Chambers    Hadley    Kolterman    Murante    Stinner
Craigghead    Hansen    Krist    Nordquist    Watermeier
Crawford    Hilkenmann    Kuhn    Pansing    Brooks    Williams
Ebke    Howard    Larson    Riepe

Voting in the negative, 0.

Present and not voting, 7:

Coash    Harr, B.    Schilz    Sullivan
Gloor    McCoy    Schumacher

Excused and not voting, 3:

Campbell    Cook    Davis

The appointment was confirmed with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.
Senator Murante moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 392:

State Fire Marshal
Jim Heine

Voting in the affirmative, 38:

Baker        Friesen        Johnson        McCollister        Seiler
Bloomfield   Garrett        Kintner        Mello           Smith
Bolz         Gloor          Kolowski       Morfeld         Stinner
Brasch       Haar, K.       Kolterman      Murante         Sullivan
Chambers     Hansen         Krist          Nordquist       Watermeier
Craighead    Hilkemann      Kuehn          Pansing         Brooks
Crawford     Howard         Larson         Riepe
Ebke        Hughes         Lindstrom      Schnoor

Voting in the negative, 0.

Present and not voting, 8:

Coash        Hadley         McCoy          Schilz
Groene       Harr, B.       Scheer         Schumacher

Excused and not voting, 3:

Campbell     Cook           Davis

The appointment was confirmed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Murante moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 392:

State Personnel Board
Samuel Seever
Christopher Waddle

Voting in the affirmative, 38:

Baker        Garrett        Johnson        Mello           Seiler
Bloomfield   Gloor          Kintner        Morfeld         Smith
Bolz         Haar, K.       Kolowski       Murante         Stinner
Chambers     Hadley         Krist          Nordquist       Sullivan
Craighead    Hansen         Kuehn          Pansing         Brooks
Crawford     Hilkemann      Larson         Riepe           Williams
Ebke        Howard         Lindstrom      Scheer
Friesen      Hughes         McCollister    Schnoor
Voting in the negative, 0.

Present and not voting, 8:

Brasch   Groene   Kolterman   Schilz
Coash    Harr, B.  McCoy       Schumacher

Excused and not voting, 3:

Campbell  Cook       Davis

The appointments were confirmed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Johnson moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 397:
Nebraska State Fair Board
William Marshall III

Voting in the affirmative, 38:

Baker      Friesen   Howard     McCollister  Seiler
Bloomfield Garrett  Johnson   Mello       Smith
Bolz       Gloor      Kintner    Morfeld     Stinner
Brasch     Haar, K.  Kolowski   Murante     Sullivan
Chambers   Hadley     Kolterman  Nordquist   Watermeier
Craighead  Hansen     Krist      Riepe       Williams
Crawford   Harr, B.  Kuehn      Scheer
Ebke       Hilkemann  Lindstrom  Schnoor

Voting in the negative, 0.

Present and not voting, 8:

Coash      Hughes    McCoy       Schilz
Groene     Larson    Pansing Brooks Schumacher

Excused and not voting, 3:

Campbell  Cook       Davis

The appointment was confirmed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.
Senator Johnson moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 397:

Department of Agriculture
Greg Ibach, Director

Voting in the affirmative, 29:

Brasch  Hadley  Krist  Murante  Smith
Ebke    Hilkemann  Kuehn  Nordquist  Stinner
Friesen Hughes  Larson  Riepe  Sullivan
Garrett Johnson  McCollister  Scheer  Watermeier
Gloor   Kintner  Mello  Schumacher  Williams
Groene Kolterman  Morfeld  Seiler

Voting in the negative, 2:

Chambers Howard

Present and not voting, 15:

Baker Coash Haar, K. Kolowski Pansing Brooks
Bloomfield Craighead Hansen Lindstrom Schilz
Bolz Crawford Harr, B. McCoy Schnoor

Excused and not voting, 3:

Campbell Cook Davis

The appointment was confirmed with 29 ayes, 2 nays, 15 present and not voting, and 3 excused and not voting.

Senator Nordquist moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 402:

Nebraska Investment Council
John Dinkel

Voting in the affirmative, 33:

Baker Gloor Johnson Mello Schumacher
Bloomfield Groene Kintner Morfeld Seiler
Brasch Haar, K. Kolterman Murante Smith
Crawford Hadley Krist Nordquist Stinner
Ebke Hansen Kuehn Pansing Brooks Sullivan
Friesen Hilkemann Lindstrom Riepe
Garrett Howard McCollister Scheer

Voting in the negative, 0.
Present and not voting, 13:

Bolz          Craighead          Kolowski          Schilz          Williams
Chambers      Harr, B.           Larson           Schnoor
Coash         Hughes            McCoy            Watermeier

Excused and not voting, 3:

Campbell       Cook             Davis

The appointment was confirmed with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

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

Senator Mello filed the following amendment to **LB430**:

AM242

1. Insert the following new section:

2. Sec. 3. Of the unexpended General Fund appropriation balance on June 30, 2014, reappropriated to

3. Program 347, reappropriated to


5. Renumber the remaining sections accordingly.

**NOTICE OF COMMITTEE HEARING(S)**

Appropriations

Room 1003

Tuesday, February 17, 2015 1:30 p.m.

AM242 to LB430

(Signed) Heath Mello, Chairperson

**COMMITTEE REPORT(S)**

Natural Resources

The Natural Resources 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.

Joel G. Christensen - Nebraska Natural Resources Commission

Aye: 8 Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Ken Schilz, Chairperson
LEGISLATIVE BILL 272. Considered.

Senator Garrett offered the following amendment:

AM137
1 1. On page 2, strike beginning with "a" in line 18 through "veteran"
2 in line 21 and insert "proof of marriage to the veteran, and either (a) a
3 copy of the veteran's disability verification from the United States
4 Department of Veterans Affairs demonstrating a one hundred percent
5 permanent disability rating or (b) a copy of the veteran's Department of
6 Defense Form 1300 or its successor form documenting that the veteran was
7 killed in hostile action".

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

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present
and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 305. Title read. Considered.

Committee AM112, found on page 352, was adopted with 31 ayes, 0 nays,
14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 11 present
and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 23. Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 17 present
and not voting, and 4 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Wednesday, February 18, 2015 1:30 p.m.

LB214
LB367
LB368
LB577
LEGISLATIVE BILL 107. Title read. Considered.

Senator Gloor moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 2 nays, 8 present and not voting, and 4 excused and not voting.
LEGISLATIVE BILL 439. Placed on General File.

LEGISLATIVE BILL 179. Placed on General File with amendment.
AM237
1 1. On page 4, line 3, strike "reduction" and insert "increase".

(Signed) Tyson Larson, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Judiciary
Room 1113

Wednesday, February 18, 2015 1:30 p.m.
LB113
LB425
LB426
LB545

Thursday, February 19, 2015 1:30 p.m.
LB406
LB415
LB316

Friday, February 20, 2015 1:30 p.m.
LB598
LB592
LB605
LB606

Wednesday, February 25, 2015 1:30 p.m.
LB25
LB212
LB482
LB292

Thursday, February 26, 2015 1:30 p.m.
LB566
LB13
LB15
LB347
LB502
Friday, February 27, 2015 1:30 p.m.

LB307
LB433
LB612
LB302
LB265

Wednesday, March 4, 2015 1:30 p.m.

LB354
LB459
LB294
LB268

Thursday, March 5, 2015 1:30 p.m.

LB195
LB254
LB327
LB620

Friday, March 6, 2015 1:30 p.m.

LB643
LB390
LB546
LB326

Wednesday, March 11, 2015 1:30 p.m.

LB362
LB473

Thursday, March 12, 2015 1:30 p.m.

LB281
LB437
LB497
LB625

Wednesday, March 18, 2015 1:30 p.m.

LB422
LB114
LB187
LB358
LB463
Thursday, March 19, 2015 1:30 p.m.

LB136
LB289
LB30
LB14
LB603

Friday, March 20, 2015 1:30 p.m.

LB225
LB340
LB635
LB638

(Signed) Les Seiler, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Krist - LB114

VISITORS

Visitors to the Chamber were Audrey and Richard Kauders from Kearney; James, Anne, and Robert Moseman from Oakland; Gerald and Linda Vogel and Elizabeth Davis from Norfolk; Jan With and Doris Nelson from Norfolk.

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

ADJOURNMENT

At 11:55 a.m., on a motion by Senator Craighead, the Legislature adjourned until 10:00 a.m., Monday, February 9, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper
PRAYER
The prayer was offered by Pastor Glenda Ferguson, Grace Lutheran Church, Wahoo.

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 Hughes, Larson, and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL
The Journal for the twenty-second day was approved.

CONFLICT OF INTEREST STATEMENT
Pursuant to Rule 1, Sec. 19, Senator Baker 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.

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LRs 46 and 47 were adopted.

PRESIDENT SIGNED
While the Legislature was in session and capable of transacting business, the President signed the following: LRs 46 and 47.
GENERAL FILE

LEGISLATIVE BILL 87. Title read. Considered.
Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 90. Title read. Considered.
Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

ANNOUNCEMENT
The Chair announced the birthday of Senator Smith.

GENERAL FILE

LEGISLATIVE BILL 70. Title read. Considered.
Committee AM118, found on page 365, was offered.
Senator Krist offered his amendment, AM235, found on page 410, to the committee amendment.
The Krist amendment was adopted with 31 ayes, 0 nays, and 18 present and not voting.
Pending.

COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 164. Placed on General File.

LEGISLATIVE BILL 207. Placed on General File with amendment.
AM194
1 1. On page 2, strike lines 5 and 6, show the old matter as stricken, and insert "one thousand dollars for each day at each site where a violation occurs for the first violation and not less than one thousand dollars and not more than five thousand dollars for each day at each site where a violation occurs for each subsequent violation or (2) guilty of a Class II", strike beginning with "not" in line 17 through "occurs" in line 19, show the old matter as stricken, and insert "one thousand dollars for each day at each site where a violation occurs for the first violation and not less than one thousand dollars and not more than five thousand dollars for each day at each site where a violation occurs for each subsequent violation", and in line 31 strike "not less" and show the old matter as stricken.
13 2. On page 3, strike beginning with line 1 through "occurs" in line 14, show the old matter as stricken, and insert "one thousand dollars for each day at each site where a violation occurs for the first violation and not less than one thousand dollars and not more than five thousand dollars for each subsequent violation"; strike beginning with "not" in line 14 through "occurs" in line 16, show the old matter as stricken, and insert "one thousand dollars for each day at each site where a violation occurs for the first violation and not less than one thousand dollars and not more than five thousand dollars for each subsequent violation"; and strike beginning with "not" in line 28 through "occurs" in line 30, show the old matter as stricken, and insert "one thousand dollars for each day at each site where a violation occurs for the first violation and not less than one thousand dollars and not more than five thousand dollars for each subsequent violation".

(Signed) Ken Schilz, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525

Friday, February 20, 2015 1:30 p.m.
LB412
LB413

Wednesday, February 25, 2015 1:30 p.m.
LB130
LB475

Thursday, February 26, 2015 1:30 p.m.
LB127

Friday, February 27, 2015 1:30 p.m.
LB404

Wednesday, March 4, 2015 1:30 p.m.
LB117
LB407
Committee Report(s)
Enrollment and Review

Legislative Bill 269. Placed on Select File with amendment.
  ER19
  1 1. On page 1, strike beginning with "eliminate" in line 2 through
  2 "distribute" in line 3 and insert "change and eliminate provisions
  3 relating to".

Legislative Bill 94. Placed on Select File.
Legislative Bill 122. Placed on Select File.
Legislative Bill 52. Placed on Select File.
Legislative Bill 260. Placed on Select File.

Legislative Bill 261. Placed on Select File with amendment.
  ER23
  1 1. Strike original section 15 and all amendments thereto and insert
  2 the following new section:
3 Sec. 14. Sections 1, 2, 3, 5, 8, 13, 17, and 18 of this act become operative three calendar months after the adjournment of this legislative session. Sections 7 and 15 of this act become operative on January 1, 2015. The other sections of this act become operative on their effective date.

2. On page 1, line 3, strike "70-1903,"; and strike beginning with "to" in line 8 through the semicolon in line 9.

**LEGISLATIVE BILL 271.** Placed on Select File with amendment. ER24

1 1. In the Standing Committee amendments, AM27:
   2 a. On page 10 line 22 after the second "in" insert "subdivision (4) subdivision (4)(b)" and show as stricken;
   3 in line 23 strike ", subdivision (4)(b)" and show as stricken;
   4 in line 25 after "in" insert "subdivision (4)(c) of" and strike ", subdivision (4)(c)," and show as stricken; and in line 28 after "in"
   5 insert "subdivision (4)(d) of" and strike ", subdivision (4)(d)," and show as stricken; and
   6 b. On page 19, line 9, strike "such" and show as stricken and after "sections" insert "48-648 to 48-661".

**LEGISLATIVE BILL 142.** Placed on Select File with amendment. ER20

1 1. On page 1, lines 5 and 6, strike "to provide an operative date;".

**LEGISLATIVE BILL 142A.** Placed on Select File.

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

**LEGISLATIVE BILL 241.** Placed on Select File.

(Signed) Matt Hansen, Chairperson

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

Senator Crawford filed the following amendment to **LB219:** AM225

1 1. On page 9, line 18; and page 13, lines 16 and 17, strike "the operative date of this act" and insert "January 1, 2015".
   2 2. On page 17, strike lines 30 and 31 and show as stricken.
   3 3. On page 18, strike line 1 and show as stricken; in line 2 strike "(17)", show as stricken, and insert "(16)"; in line 4 strike "(18)", show as stricken, and insert "(17)"; and in line 31 strike "(19)", show 7 as stricken, and insert "(18)".
   4 4. On page 19, line 2, strike "(20)", show as stricken, and insert "(19)"; in line 6 strike "(21)", show as stricken, and insert "(20)"; in line 9 strike "(22)", show as stricken, and insert "(21)"; in line 12
   5 strike "(23)", show as stricken, and insert "(22)"; in line 18 strike "(24)", show as stricken, and insert "(23)"; in line 24, strike "(25)", show as stricken, and insert "(24)"; and in line 28 strike "(26)", show 14 as stricken, and insert "(25)".
GENERAL FILE

LEGISLATIVE BILL 70. Committee AM118, found on page 365 and considered in this day's Journal, was renewed.

The committee amendment, as amended, was adopted with 29 ayes, 6 nays, and 14 present and not voting.

Pending.

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 10. Placed on General File.

LEGISLATIVE BILL 111. Placed on General File with amendment.
AM233
1 1. On page 2, line 14, strike "or"; after line 14 insert the
2 following new subdivision:
3 
4 "(3) A document issued by an official Indian tribe in the United
5 States which shows:
(a) The name of the individual to whom the document was issued; and
(b) A photograph of the individual to whom the document was issued;
7 or"; and in line 15 strike ",(3)" and insert "(4)."
8 2. On page 7, line 13, strike "(c) The", show as stricken, and
9 insert "(c)(i) Except as otherwise provided in subdivision (ii) or (iii)
10 of this subdivision, the"; in line 18 after "voters" insert an
11 underscored semicolon; in lines 18 and 19 strike the new matter; and
12 after line 23 insert the following new subdivisions:
13 "(ii) A registered voter who does not present a government-issued
14 photographic identification may receive a ballot under this section if
15 the voter presents a voter registration identification card issued by the
16 election commissioner or county clerk; or
17 (iii) If a registered voter does not comply with subdivision (i) or
18 (ii) of this subdivision, the registered voter shall vote a provisional
19 ballot pursuant to section 32-915;".
20 3. On page 8, lines 10 and 11, strike the new matter and insert ";
21 or who does not comply with subdivision (2)(c)(i) or (ii) of section
22 32-914.".
23 4. On page 25, line 7, strike "indigent and".

(Signed) John Murante, Chairperson
AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB109:
AM287
(Amendments to Standing Committee amendments, AM66)
1 1. On page 1, line 5, strike "either".

Senator Larson filed the following amendment to LB111:
AM268
(Amendments to Standing Committee amendments, AM233)
1 1. On page 1, line 2, strike "subdivision" and insert
2 "subdivisions"; after line 6 insert the following new subdivision:
3 "(4) A student identification card issued by an accredited
4 postsecondary educational institution in Nebraska which has the name and
5 photograph of the individual to whom the card was issued;"; and in line 7
6 strike "(4)" and insert "(5)".

Senator Larson filed the following amendment to LB111:
AM219 is available in the Bill Room.

Senator Murante filed the following amendment to LB111:
AM273 is available in the Bill Room.

Senator Murante filed the following amendment to LB111:
AM270
(Amendments to Standing Committee amendments, AM233)
1 1. On page 1, line 1, after the first comma insert "line 8, after
2 'States' insert ', including a military identification document', in".

Senator Larson filed the following amendment to LB111:
AM269
(Amendments to Standing Committee amendments, AM233)
1 1. On page 1, line 2, strike "subdivision" and insert
2 "subdivisions"; after line 6 insert the following new subdivision:
3 "(4) A permit issued under the Concealed Handgun Permit Act which
4 has the name and photograph of the individual to whom the permit was
5 issued;"; and in line 7 strike "(4)" and insert "(5)".

Senator Schilz filed the following amendment to LB111:
AM267
(Amendments to Standing Committee amendments, AM233)
1 1. On page 1, line 1, after the first comma insert "line 8, after
2 'States' insert ', including an identification card or document issued
3 for public assistance benefits', "; in line 2 strike "subdivision" and
4 insert "subdivisions"; after line 6 insert the following new subdivision:
5 "(4) An identification card or document issued for public assistance
6 benefits by a village, city, county, or state government which has the
7 name and photograph of the individual to whom it was issued;", and in
8 line 7 strike "(4)" and insert "(5)".
Senator Murante filed the following amendment to **LB111**:

AM271  
(Amendments to Standing Committee amendments, AM233)

1 1. On page 1, line 1, after the first comma insert "line 8, after  
2 'States' insert ', including a United States Passport'; in".

Senator Larson filed the following amendment to **LB111**:

AM272  
(Amendments to Standing Committee amendments, AM233)

1 1. On page 1, line 1, after the first comma insert "line 8, after  
2 'States' insert ', including an employee badge or other identification  
3 document'; in"; in line 2 strike "subdivision" and insert  
4 "subdivisions"; after line 6 insert the following new subdivision:  
5 "(4) An employee badge or other identification document issued by a  
6 village, city, county, or state government which has the name and  
7 photograph of the individual to whom it was issued:"; and in line 7  
8 strike "(4)" and insert "(5)".

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Allen, Robert - Nebraska Game and Parks Commission - Natural Resources  
Bailey, Bruce D. - Nebraska Liquor Control Commission - General Affairs  
Bittinger, Teresa L. - Board of Parole - Judiciary  
Bley, Steven - Boiler Safety Code Advisory Board - Business and Labor  
Kirkpatrick, Robert - Boiler Safety Code Advisory Board - Business and Labor  
Marshall, Norris - Nebraska Game and Parks Commission - Natural Resources  
Phipps, Thomas E. - Boiler Safety Code Advisory Board - Business and Labor  
Reida, Frank J. - Nebraska Power Review Board - Natural Resources  
Suarez, Michelle - Board of Trustees of the Nebraska State Colleges - Education  
Zeiss, Jess D. - Board of Trustees of the Nebraska State Colleges - Education

(Signed) Bob Krist, Chairperson  
Executive Board

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

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

Gloor - LB77 and LB187
VISITOR

The Doctor of the Day was Dr. Weirman from Lincoln.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator McCoy, the Legislature adjourned until 9:00 a.m., Tuesday, February 10, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-FOURTH DAY - FEBRUARY 10, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 10, 2015

PRAYER

The prayer was offered by Pastor Fred Landsberg, St. Timothy's Lutheran Church, Omaha.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Sullivan presiding.

The roll was called and all members were present except Senators Cook, Hilkemann, and Stinner who were excused; and Senators Ebke, Garrett, Mello, and Scheer who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-third day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 9, 2015

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

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

Please withdraw the following individual from consideration for confirmation of appointment to the State Emergency Response Commission:

Keith Hansen, 10700 Dawn Avenue, Lincoln, NE 68516

Keith Hansen has resigned from the State Emergency Response Commission.
Thank you.

Sincerely,
(Signed) Pete Ricketts
Governor

February 9, 2015

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

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

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Dr. Jon Hinrichs, 6503 Lone Tree Drive, Lincoln, NE 68512
Pamela Price, 2020 West Charles Street, Grand Island, NE 68803
Timothy Hart, 17315 P Street, Omaha, NE 68133

Contingent upon your approval, the following individuals are being appointed to the Nebraska Arts Council:

Julie Jacobson, 3020 West Leota Street, North Platte, NE 69101
Sue Roush, 525 N. Ohio Avenue, York, NE 68467
Darrel J. Huenergardt, 3000 Ridgegate Drive, Lincoln, NE 68516

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Kolterman 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.
COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 34. Placed on General File.
LEGISLATIVE BILL 46. Placed on General File.
LEGISLATIVE BILL 129. Placed on General File.

LEGISLATIVE BILL 37. Placed on General File with amendment.

AM140
1 1. On page 5, line 6, after the last comma insert "or"; and in line
2 7 strike ", or a veterinarian".
3 2. On page 6, line 7, strike "45" and insert "44".
4 3. On page 7, line 8, after "by" insert "the pharmacy or"; and in
5 line 10 after "The" insert "pharmacy or".
6 4. On page 14, line 15, after the period insert "A pharmacy shall
7 not be open for the practice of pharmacy unless a pharmacist is
8 physically present.".
9 5. On page 15, lines 26 and 27, strike "as provided in the Pharmacy
10 Practice Act".

LEGISLATIVE BILL 77. Placed on General File with amendment.

AM109
1 1. On page 4, line 24, strike "preventive health and family planning
2 services".

LEGISLATIVE BILL 146. Placed on General File with amendment.

AM142
1 1. On page 4, line 13, before "or" insert ", 501(c)(4)".
2 2. On page 8, line 3, strike "gross" and "willful".

(Signed) Kathy Campbell, Chairperson
General Affairs

LEGISLATIVE RESOLUTION 10CA. Placed on General File.

(Signed) Tyson Larson, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services

Room 1510

Wednesday, February 25, 2015 1:30 p.m.

LB650
LB472
Thursday, February 26, 2015 1:30 p.m.

LB81  
LB370  
LB547

Thursday, February 26, 2015 12:30 p.m.

Child Welfare Privatization in Nebraska Final Report Briefing
Open to the Public, Invited Testimony Only

Friday, February 27, 2015 1:30 p.m.

LB28  
LB346  
LB557

Wednesday, March 4, 2015 1:30 p.m.

LB500  
LB21  
LB499  
LB240

Thursday, March 5, 2015 1:30 p.m.

LB258  
LB264  
LB369

Friday, March 6, 2015 1:30 p.m.

LB287  
LB211  
LB235

Wednesday, March 11, 2015 1:30 p.m.

LB333  
LB516  
LB411

Wednesday, March 18, 2015 1:30 p.m.

LB631  
LB518  
LB548

(Signed) Kathy Campbell, Chairperson
MOTION - Print in Journal

Senator Bloomfield offered the following motion to LB604:
MO26
Withdraw bill.

MOTION - Withdraw LB262

Senator Johnson offered his motion, MO25, found on page 421, to withdraw LB262.

The Johnson motion to withdraw the bill prevailed with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 70. Considered.

Senator Schumacher moved for a call of the house. The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 11 nays, 3 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 446. Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 194. Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 17 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 301. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 245. Placed on General File with amendment.
AM197
1 1. Insert the following new section:
2 Section 1. Section 29-2103, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 29-2103 (1) A motion for new trial shall be made by written
5 application and may be filed either during or after the term of the court
6 at which the verdict was rendered.
7 (2) A motion for a new trial shall state the grounds under section
8 29-2101 which are the basis for the motion and shall be supported by
9 evidence as provided in section 29-2102.
10 (3) A motion for new trial based on the grounds set forth in
11 subdivision (1), (2), (3), (4), or (7) of section 29-2101 shall be filed
12 within ten days after the verdict was rendered unless such filing is
13 unavoidably prevented, and the grounds for such motion may be stated by
14 directly incorporating the appropriate language of section 29-2101
15 without further particularity.
16 (4) A motion for new trial based on the grounds set forth in
17 subdivision (5) of section 29-2101 shall be filed within a reasonable
18 time after the discovery of the new evidence and cannot be filed more
19 than three years after the date of the verdict.
20 (5) A motion for new trial based on the grounds set forth in
21 subdivision (6) of section 29-2101 shall be filed within ninety days
22 after a final order is issued under section 29-4123 or within ninety days
23 after the hearing if no final order is entered, whichever occurs first.
24 2. Renumber the remaining sections and correct the repealer
25 accordingly.

LEGISLATIVE BILL 215. Indefinitely postponed.
LEGISLATIVE BILL 299. Indefinitely postponed.
LEGISLATIVE BILL 651. Indefinitely postponed.

The Judiciary 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.

Randall L. Rehmeier - Board of Parole

Aye: 8 Chambers, Coash, Ebke, Krist, Morfeld, Pansing, Brooks, Seiler,
Williams. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Les Seiler, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 52. Introduced by Campbell, 25.

PURPOSE: The purpose of this resolution is to study the Child and
Maternal Death Review Act. This study shall include, but not be limited to,
an examination of the following:

(1) The history of the State Child and Maternal Death Review Team;
(2) The timeliness of the review of maternal and child deaths;
(3) The resources needed by the Department of Health and Human Services to carry out the purposes of the Child and Maternal Death Review Act; and
(4) The practices in other states reviewing child and maternal deaths that could be adopted in Nebraska to identify trends, reduce the number of preventable deaths, and provide usable information to the public.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

NOTICE OF COMMITTEE HEARING(S)
Executive Board
Room 2102

Tuesday, February 17, 2015 12:00 p.m.
LB56
LB376

Thursday, February 19, 2015 12:00 p.m.
LB349
LB501

Monday, February 23, 2015 12:00 p.m.
LR7CA
LR31CA

Friday, February 27, 2015 12:00 p.m.
LB580

(Signed) Bob Krist, Chairperson
GENERAL FILE

LEGISLATIVE BILL 314. Title read. Considered.
Committee AM126, found on page 376, was adopted with 27 ayes, 0 nays, 14 present and not voting, and 8 excused and not voting.
Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 252. Title read. Considered.
Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 286. Title read. Considered.
Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 13 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 116. Title read. Considered.
Committee AM192, found on page 387, was adopted with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.
Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

SENATOR KRIST PRESIDING

LEGISLATIVE BILL 266. Title read. Considered.
Committee AM122, found on page 391, was adopted with 26 ayes, 0 nays, 15 present and not voting, and 8 excused and not voting.
Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 312. Title read. Considered.
Advanced to Enrollment and Review Initial with 25 ayes, 1 nay, 15 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 313. Title read. Considered.
Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.
LEGISLATIVE BILL 45. Title read. Considered.

Committee AM65, found on page 404, was adopted with 27 ayes, 1 nay, 13 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 1 nay, 14 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 181. Title read. Considered.

Committee AM204, found on page 406, was adopted with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 180. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 298. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 352. Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 13 present and not voting, and 7 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 272. Placed on Select File with amendment.

ER22

1 1. On page 2, line 2, after "means" insert "a" and after both commas 2 insert "a"; in line 3 before "association" insert "an" and before 3 "limited" insert "a"; and in line 15 before "or" insert an underscored 4 comma.

LEGISLATIVE BILL 305. Placed on Select File with amendment.

ER21

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

(Signed) Matt Hansen, Chairperson
UNANIMOUS CONSENT - Add Cointroducer(s)

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

Kolterman - LB599

VISITORS

Visitors to the Chamber were 20 members of the Nebraska Bankers Association Leadership Program class from across the state.

The Doctor of the Day was Dr. Amy McGaha from Omaha.

ADJOURNMENT

At 11:46 a.m., on a motion by Senator Campbell, the Legislature adjourned until 9:00 a.m., Wednesday, February 11, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-FIFTH DAY - FEBRUARY 11, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 11, 2015

PRAYER

The prayer was offered by Pastor Drew Rietjens, Twin Valley Church, Bellevue.

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 Coash, Garrett, K. Haar, Kuehn, Larson, Murante, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fourth day was approved.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 304. Placed on General File with amendment.

AM286
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 5 of this act shall be known and may be
4 cited as the Municipal Custodianship for Dissolved Homeowners
5 Associations Act.
6 Sec. 2. For purposes of the Municipal Custodianship for Dissolved
7 Homeowners Associations Act, unless the context otherwise requires:
8 (1) Common area means lot or outlot within a plat or subdivision of
9 real property including the improvements thereon owned or otherwise
10 maintained, cared for, or administered by the homeowners association for
11 the common use, benefit, and enjoyment of its members;
12 (2) Homeowners association means a nonprofit corporation duly
13 incorporated under the laws of the State of Nebraska for the purpose of
14 enforcing the restrictive covenants established upon the real property
legally described in the articles of incorporation which is located
within the corporate limits of a municipality, each member of which is an
owner of a lot located within the plat or subdivision, and by virtue of
membership or ownership of a lot is obligated to pay costs for the
administration, maintenance, and care of the common area within the plat
or subdivision. Homeowners association includes associations of
residential homeowners, nonresidential property owners, or both;
(3) Lot means any designated parcel of land located within a plat or
subdivision to be separately owned, used, developed, or built upon;
(4) Member means an owner that is qualified to be a member of a
homeowners association by virtue of ownership of a lot covered by the
property described in the declaration and articles of incorporation of a
homeowners association dissolved under section 21-19,138;
(5) Municipality means any city or incorporated village of this
state;
(6) Owner means the owner of a lot within the plat or subdivision,
but does not include a person who has an interest in a lot solely as
security for an obligation; and
(7) Real property means the real property described in the articles
of incorporation which is located within or to be located within a plat
or subdivision approved by a municipality and which is subject to
restrictive covenants to be enforced by the homeowners association and
filed of record in the office of the register of deeds of the county in
which the real property is located.
Sec. 3. In the event a homeowners association is dissolved pursuant
to section 21-19,138 and not reinstated pursuant to the Nebraska
Nonprofit Corporation Act, any municipality may bring an action to be
appointed as custodian to manage the affairs of the homeowners
association as set forth in section 4 of this act.
Sec. 4. (1) The district court of the county in which a dissolved
homeowners association was previously existing shall, in a proceeding
brought by a municipality by petition to the district court, appoint the
municipality as custodian to manage the affairs of the homeowners
association upon a finding that:
(a) The homeowners association has been administratively dissolved
by the Secretary of State pursuant to section 21-19,138;
(b) The homeowners association has failed in one or more of the
following ways:
(i) To maintain the common area as required by the municipality's
conditions of approval for the plat or subdivision of real property;
(ii) To maintain the common area or private improvements located
outside of the common area on the real property in the plat or
subdivision in accordance with all terms and conditions of any agreement
with the municipality; or
(iii) To comply with any applicable laws, rules, or regulations
pertaining to maintenance of the common area or private improvements
located outside of the common area on the real property in the plat or
subdivision such that the noncompliance is adverse to the interests of
the municipality and may result in expenditures by the municipality not
otherwise required;
(c) The municipality has made a demand on the members to hold a
special meeting to remove and elect new directors and to approve a
submission of an application to the Secretary of State for reinstatement
pursuant to the Municipal Custodianship for Dissolved Homeowners
Associations Act or the Nebraska Nonprofit Corporation Act; and
(d) The members have failed to reinstate the homeowners association
within six months after the demand.
(2) The district court shall hold a hearing, after written
notification thereof by the petitioner to all parties to the proceeding
and any interested persons designated by the court, before appointing a
custodian, and the petitioner shall provide sufficient proof of service
to the court. Service by first-class mail shall be deemed sufficient
service. The district court appointing the custodian shall have exclusive
jurisdiction over the homeowners association and all of its property
wherever located.
(3) The district court shall describe the powers and duties of the
custodian in its appointing order, which order may be amended upon motion
and notice to the parties from time to time. Among other powers, the
appointing order shall provide that the custodian may exercise all of the
powers of the homeowners association, through or in place of its board of
directors or officers, to the extent necessary to manage the affairs of
the association in the best interests of its members. The custodian shall
not be liable for the actions or inactions of the homeowners association
and shall maintain all immunities granted to municipalities by applicable
law.
(4) Upon application of the custodian, the district court from time
to time during the custodianship may order compensation paid and expense
disbursements or reimbursements made to the custodian from the assets of
the association or proceeds from the sale of the assets. Notice of a
hearing to determine compensation and costs shall be provided to all
owners and interested parties by the custodian as set forth in subsection
(2) of this section, with proof of service provided by the custodian. In
the event the district court awards compensation or reimbursement of
costs, all such compensation and costs shall be a lien on each and all of
the lots in the manner as set forth in subsection (5) of this section.
Any court order awarding compensation or reimbursement of costs herein
shall identify each lot and the amount of compensation or reimbursement
of costs each lot shall be charged as a lien.
(5)(a) A lien created under subsection (4) of this section shall be
effective from the time the district court awards the compensation or
reimbursement of costs and a notice containing the dollar amount of the
lien is recorded in the office where mortgages or deeds of trust are
recorded. The lien may be foreclosed in like manner as a mortgage on real
estate but the municipality shall give reasonable notice of its action to
all other lienholders whose interest would be affected.
(b) A lien created under subsection (4) of this section is prior to
all other liens and encumbrances on real estate except (i) liens and
cencumbrances recorded before the recordation of the declaration or
In the event the homeowners association is reinstated after appointment of a custodian, any interested party may make a request to the district court for termination of the custodianship.

(7) A custodian may be allowed to withdraw from or terminate the custodianship upon an order from the district court permitting such withdrawal or termination following a hearing for which notice is provided to all owners and interested parties by the custodian.

Sec. 5. (1) Notwithstanding any provision to the contrary in the Nebraska Nonprofit Corporation Act or the articles of incorporation or bylaws of a homeowners association, a homeowners association dissolved pursuant to section 21-19,138 may, in addition to any other procedure allowed by law, apply to the Secretary of State for reinstatement in one or more of the following ways:

(a) An application for reinstatement may be brought at any time after dissolution by an officer or director of the dissolved homeowners association pursuant to section 21-19,139; or

(b) Three or more members of such homeowners association may, at any time after dissolution, call a special meeting to (i) remove and elect new directors and (ii) approve the submission of an application to the Secretary of State for reinstatement. Such members may set the time and place of the meeting. Notice of the meeting shall be given pursuant to section 21-1955. For purposes of this section only and notwithstanding the declaration, articles of incorporation, or the bylaws of a dissolved homeowners association, action on matters described in this subsection shall be approved by the affirmative vote of the voters present and voting on the matter. Three members eligible to vote on the matter shall constitute a quorum.

(2) Upon action being taken to apply for reinstatement as set forth in subdivision (1)(a) or (b) of this section, the process for reinstatement set forth in section 21-19,139 shall apply, except that the reinstatement fee for a homeowners association dissolved more than five years shall be one hundred dollars. Nothing in this subdivision shall be construed to abolish, modify, or otherwise change any restrictive covenant or other benefit or obligation of membership in a homeowners association.

(3) The application for reinstatement must:

(a) Recite the name of the homeowners association and the effective date of its administrative dissolution;

(b) State that the ground or grounds for dissolution either did not exist or have been eliminated; and

(c) State that the homeowners association's name satisfies the requirements of section 21-1931.

(4) If the Secretary of State determines that the application contains the information required by subdivisions (1)(a) and (b) of this section and that the information is correct, the Secretary of State shall cancel the certificate of dissolution and prepare a certificate of
reinstatement reciting that determination and the effective date of reinstatement, file the original of the certificate, and serve a copy on the homeowners association under section 21-1937.

(5) When reinstatement is effective, the reinstatement shall relate back to and take effect as of the effective date of the administrative dissolution, and the homeowners association shall resume carrying on its activities as if the administrative dissolution had never occurred.

Sec. 6. The Revisor of Statutes shall assign sections 1, 2, 3, 4, 19 and 5 of this act within Chapter 18.

(Signed) Sue Crawford, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Wednesday, March 18, 2015 1:30 p.m.

LB26 (cancel)

Wednesday, March 4, 2015 1:30 p.m.

LB26

(Signed) Mike Gloor, Chairperson

MESSAGE(S) FROM THE GOVERNOR

February 4, 2015

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

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

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Educational Telecommunications Commission:

Dennis Baack, 2233 Surfside Drive, Lincoln, NE 68528
Patricia M. Kircher, 15715 California Street, Omaha, NE 68118
Darlene Starman, 1030 Rockhurst Drive, Lincoln, NE 68510

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.
Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

ANNOUNCEMENT

The Chair announced the birthday of Senator Hansen.

MOTION - Withdraw LB604

Senator Bloomfield offered his motion, MO26, found on page 451, to withdraw LB604.

The Bloomfield motion to withdraw the bill prevailed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

MOTION(S) - Confirmation Report(s)

Senator Schilz moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 431:
- Nebraska Natural Resources Commission
  Joel G. Christensen

Voting in the affirmative, 36:

Baker         Davis         Hughes         Morfeld        Smith
Bolz          Friesen       Johnson       Nordquist      Stinner
Brasch        Gloor         Kintner       Pansing        Brooks        Sullivan
Campbell      Groene        Kolowski      Riepe          Williams
Chambers      Hansen        Kolterman     Scheer
Cook          Harr, B.       Larson        Schilz
Craighead     Hilkemann     Lindstrom     Schumacher
Crawford      Howard        McCollister   Seiler

Voting in the negative, 0.

Present and not voting, 7:

Bloomfield    Hadley        McCoy         Schnoor
Ebke          Krist         Mello

Excused and not voting, 6:

Coash         Haar, K.      Murante
Garrett       Kuehn         Watermeier

The appointment was confirmed with 36 ayes, 0 nays, 7 present and not
voting, and 6 excused and not voting.

Senator Seiler moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 452:

Board of Parole
Randall L. Rehmeier

Voting in the affirmative, 36:

Baker  Crawford  Howard  McCollister  Smith
Bloomfield  Davis  Hughes  Mello  Stinner
Bolz  Ebke  Johnson  Nordquist  Sullivan
Brasch  Friesen  Kintner  Pansing  Brooks  Williams
Campbell  Hadley  Kolowski  Riepe
Chambers  Hansen  Kolterman  Schilz
Cook  Harr, B.  Larson  Schumacher
Craighead  Hilkemann  Lindstrom  Seiler

Voting in the negative, 0.

Present and not voting, 9:

Coash  Groene  Krist  Morfeld  Schnoor
Gloor  Haar, K.  McCoy  Scheer

Excused and not voting, 4:

Garrett  Kuehn  Murante  Watermeier

The appointment was confirmed with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 91. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 41. ER2, found on page 315, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 42. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 126. ER1, found on page 315, was adopted.

Advanced to Enrollment and Review for Engrossment.
LEGISLATIVE BILL 92. Senator Johnson offered his amendment, AM89, found on page 349.

The Johnson amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 93. ER4, found on page 346, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 95. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 150. Considered.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 151. Senator Crawford offered her amendment, AM85, found on page 326.

The Crawford amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 170. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 171. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 99. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 100. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 65. ER5, found on page 346, was adopted.

Senator Schumacher offered his amendment, AM67, found on page 364.

The Schumacher amendment was adopted with 29 ayes, 0 nays, 19 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.
LEGISLATIVE BILL 177. ER7, found on page 356, was adopted.
Senator K. Haar offered his amendment, AM154, found on page 406.
The K. Haar amendment was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 159. ER8, found on page 401, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 220. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 220A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 157. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 149. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 168. ER9, found on page 402, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 40. ER10, found on page 402, was adopted.
Senator Nordquist offered his amendment, AM224, found on page 407.
The Nordquist amendment was adopted with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 43. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 247. ER15, found on page 416, was adopted.
Advanced to Enrollment and Review for Engrossment.
**LEGISLATIVE BILL 219.** ER16, found on page 416, was adopted.

Senator Crawford offered her amendment, AM225, found on page 441.

The Crawford amendment was adopted with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources

Room 1525

Wednesday, February 18, 2015 1:30 p.m.

David Bracht - State Energy Office

(Signed) Ken Schilz, Chairperson

**COMMITTEE REPORT(S)**

Health and Human Services

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

(Signed) Kathy Campbell, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 53.** Introduced by Baker, 30.

WHEREAS, the Homestead Act of 1862 was signed by President Abraham Lincoln which gave 160 acres of land to any man or woman who would build a home and make improvements and farm the land for five years; and

WHEREAS, the Homestead Act allowed settlement of almost ten percent or 270 million acres of public land and placed it in the hands of settlers; and

WHEREAS, in 1936, with the backing of United States Senator George Norris, Congress passed a law which was signed by President Franklin D. Roosevelt establishing a new unit in the National Park system called the Homestead National Monument of America; and

WHEREAS, the Homestead National Monument of America near Beatrice commemorates and remembers the hardships and pioneer spirit of early settlers at the homestead site of Daniel Freeman who filed the very first claim in 1863; and

WHEREAS, each homestead created paper documents known as case files which exist only as paper originals. The complete collection of case files consists of over 30 million pieces of paper stored in the National Archives in Washington D.C.; and
WHEREAS, since 1999, the Homestead National Monument of America has been involved in the project to digitize all 30 million documents of the homestead case files collection; and

WHEREAS, the United States Mint's 2015 America the Beautiful Quarters Program will launch the Homestead National Monument of America quarter on February 10, 2015, with approximately 10 million quarters minted each day; and

WHEREAS, the quarter design represents the essential things a homesteader needed to survive including food, housing, and water.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Homestead National Monument of America on the 2015 launch of the Homestead National Monument of America quarter.
2. That a copy of this resolution be sent to the Homestead National Monument of America.

Laid over.

SELECT FILE

LEGISLATIVE BILL 18. Senator Groene offered the following amendment:
AM301
1 1. On page 2, lines 19 through 26, strike the new matter and
2 reinstate the stricken matter; and after line 30 insert the following new
3 subsection:
4 "(4)(a) Beginning July 1, 2016, each public and private high school
5 in Nebraska shall provide to each incoming first-year student and to any
6 student transferring from a high school located in another state, and to
7 the student's parent or legal guardian, the following information
8 concerning meningococcal disease:
9 (i) Meningococcal disease is a serious disease;
10 (ii) Meningococcal disease is a contagious, but a largely
11 preventable, infection of the spinal cord fluid and the fluid that
12 surrounds the brain; and
13 (iii) Immunization against meningococcal disease decreases the risk
14 of contracting the disease.
15 (b) In addition to the information required in subdivision (4)(a) of
16 this section, each public and private high school in Nebraska shall
17 provide to each incoming first-year student and to any student
18 transferring from a high school located in another state, and to the
19 student's parent or legal guardian, web site addresses, telephone
20 numbers, or other information to assist the student or the student's
21 parent or legal guardian in identifying a location where the student may
22 receive an immunization against meningococcal disease.
23 (c) The information required by subdivision (4)(a) of this section
24 may be provided exactly as written in such subdivision or through similar
language that reasonably meets the intent of such subdivision and is based upon established and scientifically recognized medical or epidemiological data.

1. (d) Beginning July 1, 2016, each public and private high school in Nebraska shall require each incoming first-year student and each student transferring from a high school located in another state who has not received the vaccination against meningococcal disease, and the student's parent or legal guardian, to check a box on a document provided by the high school indicating that the student and the parent or legal guardian have reviewed the information provided pursuant to subdivision (4)(a) and (b) of this section and have decided that the student will not obtain a vaccination against meningococcal disease.

2. (e) Nothing in this subsection shall be construed to:
   (i) Require a student to obtain the vaccination against meningococcal disease; or
   (ii) Require a high school to provide or pay for the vaccination of a student.

3. (f) A public or private high school in Nebraska that has made a reasonable effort to comply with this subsection shall not be liable for damages for injuries sustained by a student as a result of contracting meningococcal disease if the student's claim is based solely upon the provision of the information required by this subsection.

SPEAKER HADLEY PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S)
Appropriations
Room 1524

Monday, March 2, 2015 1:30 p.m.

LB565
LB584
Agency 47 - Educational Telecommunications Commission, Nebraska
Agency 48 - Coordinating Commission for Postsecondary Education
Agency 50 - Nebraska State College System
Agency 83 - Community College Aid

Tuesday, March 3, 2015 1:30 p.m.

Agency 51 - University of Nebraska System
LB108
LB110
LB154
LB417
LB436
Room 1003

Wednesday, March 4, 2015 1:30 p.m.

Agency 21 - State Fire Marshal
Agency 35 - Liquor Control Commission, Nebraska
Agency 64 - State Patrol, Nebraska
Agency 78 - Nebraska Commission on Law Enforcement and Criminal Justice
Agency 24 - Motor Vehicles, Department of

Thursday, March 5, 2015 1:30 p.m.

Agency 82 - Commission for the Deaf and Hard of Hearing
Agency 81 - Commission for the Blind and Visually Impaired
Agency 67 - Equal Opportunity Commission
Agency 68 - Latino-American Commission
Agency 70 - Foster Care Review Board, State
Agency 76 - Indian Commission, Nebraska

Friday, March 6, 2015 1:30 p.m.

LB57
Agency 19 - Banking, Department of
Agency 22 - Insurance, Department of
Agency 87 - Accountability and Disclosure Commission
Agency 93 - Tax Equalization and Review Commission
Agency 65 - Administrative Services, Department of

(Signed) Heath Mello, Chairperson

Health and Human Services

Room 1510

Friday, February 20, 2015 1:00 p.m.

John A. E. Craig - Nebraska Rural Health Advisory Commission
Teresa Konda - State Board of Health
Laura A. Scholl - Board of Emergency Medical Services

(Signed) Kathy Campbell, Chairperson
LEGISLATIVE BILL 504. Placed on General File with amendment.

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

Section 1. Section 29-2261, Revised Statutes Cumulative Supplement, 2014, is amended to read:

29-2261 (1) Unless it is impractical to do so, when an offender has been convicted of a felony other than murder in the first degree, the court shall not impose sentence without first ordering a presentence investigation of the offender and according due consideration to a written report of such investigation. When an offender has been convicted of murder in the first degree and (a) a jury renders a verdict finding the existence of one or more aggravating circumstances as provided in section 29-2520 or (b)(i) the information contains a notice of aggravation as provided in section 29-1603 and (ii) the offender waives his or her right to a jury determination of the alleged aggravating circumstances, the court shall not commence the sentencing determination proceeding as provided in section 29-2521 without first ordering a presentence investigation of the offender and according due consideration to a written report of such investigation.

(2) A court may order a presentence investigation in any case, except in cases in which an offender has been convicted of a Class IIIA misdemeanor, a Class IV misdemeanor, a Class V misdemeanor, a traffic infraction, or any corresponding city or village ordinance.

(3) The presentence investigation and report shall include, when available, an analysis of the circumstances attending the commission of the crime, the offender's history of delinquency or criminality, physical and mental condition, family situation and background, economic status, education, occupation, and personal habits, and any other matters that the probation officer deems relevant or the court directs to be included.

Such investigation shall also include:

(a) Any written statements submitted to the county attorney by a victim; and

(b) Any written statements submitted to the probation officer by a victim.

(4) If there are no written statements submitted to the probation officer, he or she shall certify to the court that:

(a) He or she has attempted to contact the victim; and

(b) If he or she has contacted the victim, such officer offered to accept the written statements of the victim or to reduce such victim's oral statements to writing.
For purposes of subsections (3) and (4) of this section, the term "victim" shall be as defined in section 29-119.

(5) Before imposing sentence, the court may order the offender to submit to psychiatric observation and examination for a period of not exceeding sixty days or such longer period as the court determines to be necessary for that purpose. The offender may be remanded for this purpose to any available clinic or mental hospital, or the court may appoint a qualified psychiatrist to make the examination. The report of the examination shall be submitted to the court.

(6) Any presentence report or psychiatric examination shall be privileged and shall not be disclosed directly or indirectly to anyone other than a judge, probation officers to whom an offender's file is duly transferred, the probation administrator or his or her designee, or others entitled by law to receive such information, including personnel and mental health professionals for the Nebraska State Patrol specifically assigned to sex offender registration and community notification for the sole purpose of using such report or examination for assessing risk and for community notification of registered sex offenders. For purposes of this subsection, mental health professional means (a) a practicing physician licensed to practice medicine in this state under the Medicine and Surgery Practice Act, (b) a practicing psychologist licensed to engage in the practice of psychology in this state as provided in section 38-3111, or (c) a practicing mental health professional licensed or certified in this state as provided in the Mental Health Practice Act.

(7) The court may permit inspection of the report or examination of parts thereof by the offender or his or her attorney, or other person having a proper interest therein, whenever the court finds it is in the best interest of a particular offender. Upon application by counsel, the court shall provide a copy of the report or examination to counsel for the defendant and the prosecution at no charge at least seven days in advance of the sentencing hearing. The copy of the report may be provided electronically. The court may order that the report or examination not be reproduced or disseminated to persons other than the defendant and his or her counsel and counsel for the prosecution. Upon application by counsel for the prosecution or the defendant, the court may order that addresses, telephone numbers, and other contact information for victims or witnesses named in the report or examination be redacted upon a showing by a preponderance of the evidence that such redaction is warranted in the interests of public safety. The court may allow fair opportunity for an offender to provide additional information for the court's consideration.

If an offender is sentenced to imprisonment, a copy of the report of any presentence investigation or psychiatric examination shall be transmitted immediately to the Department of Correctional Services. Upon request, the Board of Parole or the Office of Parole Administration may receive a copy of the report from the department.

Notwithstanding subsection (6) and (7) of this section, the Supreme Court or an agent of the Supreme Court acting under the direction and supervision of the Chief Justice shall have access to psychiatric

(8)
5 examinations and presentence investigations and reports for research purposes. The Supreme Court and its agent shall treat such information as confidential, and nothing identifying any individual shall be released.

Sec. 2. Original section 29-2261, Revised Statutes Cumulative Supplement, 2014, is repealed.

**LEGISLATIVE BILL 602.** Placed on General File with amendment. AM308

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

Section 1. Section 24-703, Revised Statutes Cumulative Supplement, 2014, is amended to read:

24-703 (1) Each original member shall contribute monthly four percent of his or her monthly compensation to the fund until the maximum benefit as limited in subsection (1) of section 24-710 has been earned.

It shall be the duty of the Director of Administrative Services in accordance with subsection (10) of this section to make a deduction of four percent on the monthly payroll of each original member who is a judge of the Supreme Court, a judge of the Court of Appeals, a judge of the district court, a judge of a separate juvenile court, a judge of the county court, a clerk magistrate of the county court who was an associate county judge and a member of the fund at the time of his or her appointment as a clerk magistrate, or a judge of the Nebraska Workers' Compensation Court showing the amount to be deducted and its credit to the fund. The Director of Administrative Services and the State Treasurer shall credit the four percent as shown on the payroll and the amounts received from the various counties to the fund and remit the same to the director in charge of the judges retirement system who shall keep an accurate record of the contributions of each judge.

(2)(a) In addition to the contribution required under subdivision (c) of this subsection, beginning on July 1, 2004, each future member who has not elected to make contributions and receive benefits as provided in section 24-703.03 shall contribute monthly six percent of his or her monthly compensation to the fund until the maximum benefit as limited in subsection (2) of section 24-710 has been earned. After the maximum benefit as limited in subsection (2) of section 24-710 has been earned, such future member shall make no further contributions to the fund, except that (i) any time the maximum benefit is changed, a future member who has previously earned the maximum benefit as it existed prior to the change shall contribute monthly six percent of his or her monthly compensation to the fund until the maximum benefit as changed and as limited in subsection (2) of section 24-710 has been earned and (ii) such future member shall continue to make the contribution required under subdivision (c) of this subsection.

(b) In addition to the contribution required under subdivision (c) of this subsection, beginning on July 1, 2004, a judge who first serves as a judge on or after such date or a future member who elects to make contributions and receive benefits as provided in section 24-703.03 shall contribute monthly eight percent of his or her monthly compensation to...
the fund until the maximum benefit as limited by subsection (2) of section 24-710 has been earned. In addition to the contribution required under subdivision (c) of this subsection, after the maximum benefit as limited in subsection (2) of section 24-710 has been earned, such judge or future member shall contribute monthly four percent of his or her monthly compensation to the fund for the remainder of his or her active service.

(c) Beginning on July 1, 2009, a member or judge described in subdivisions (a) and (b) of this subsection shall contribute monthly an additional one percent of his or her monthly compensation to the fund.

(d) It shall be the duty of the Director of Administrative Services to make a deduction on the monthly payroll of each such future member who is a judge of the Supreme Court, a judge of the Court of Appeals, a judge of the district court, a judge of a separate juvenile court, a judge of the county court, a clerk magistrate of the county court who was an associate county judge and a member of the fund at the time of his or her appointment as a clerk magistrate, or a judge of the Nebraska Workers' Compensation Court showing the amount to be deducted and its credit to the fund. This shall be done each month. The Director of Administrative Services and the State Treasurer shall credit the amount as shown on the payroll and the amounts received from the various counties to the fund and remit the same to the director in charge of the judges retirement system who shall keep an accurate record of the contributions of each judge.

(3) Except as otherwise provided in this subsection, a Nebraska Retirement Fund for Judges fee of six dollars shall be taxed as costs in each (a) civil cause of action, criminal cause of action, traffic misdemeanor or infraction, and city or village ordinance violation filed in the district courts, the county courts, and the separate juvenile courts, (b) beginning October 1, 2015, enrollment in a pretrial diversion program established under section 29-3602 or 43-260.02, (c) filing in the district court of an order, award, or judgment of the Nebraska Workers' Compensation Court or any judge thereof pursuant to section 48-188, (d) appeal or other proceeding filed in the Court of Appeals, and (e) original action, appeal, or other proceeding filed in the Supreme Court. In county courts a sum shall be charged which is equal to ten percent of each fee provided by sections 33-125, 33-126.02, 33-126.03, and 33-126.06, rounded to the nearest even dollar. No judges retirement fee shall be charged for filing a report pursuant to sections 33-126.02 and 33-126.06. When collected by the clerk of the district or county court, such fees shall be paid and information submitted to the director in charge of the judges retirement system on forms prescribed by the board by the clerk within ten days after the close of each calendar quarter, except that fees related to pretrial diversion programs shall be paid and information submitted by the appropriate county treasurer or city treasurer. Beginning July 1, 2015, the county attorney or city attorney in each county or city that has established a pretrial diversion program shall inform the director in charge of the judges retirement system, in writing, which pretrial diversion programs have been established. The
board may charge a late administrative processing fee not to exceed twenty-five dollars if the information is not timely received or the money is delinquent. In addition, the board may charge a late fee of thirty-eight thousandths of one percent of the amount required to be submitted pursuant to this section for each day such amount has not been received. Such director shall promptly thereafter remit the same to the State Treasurer for credit to the fund. No Nebraska Retirement Fund for Judges fee which is uncollectible for any reason shall be waived by a county judge as provided in section 29-2709.

(4) All expenditures from the fund shall be authorized by voucher in the manner prescribed in section 24-713. The fund shall be used for the payment of all annuities and other benefits and for the expenses of administration.

(5) The fund shall consist of the total fund as of December 25, 1969, the contributions of members as provided in this section, all supplementary court fees as provided in subsection (3) of this section, and any required contributions of the state.

(6) Not later than January 1 of each year, the State Treasurer shall transfer to the fund the amount certified by the board as being necessary to pay the cost of any benefits accrued during the fiscal year ending the previous June 30 in excess of member contributions for that fiscal year and court fees as provided in subsection (3) of this section and fees pursuant to sections 25-2804, 33-103, 33-103.01, 33-106, 33-106.02, 33-123, 33-125, 33-126.02, 33-126.03, and 33-126.06 and directed to be remitted to the fund, if any, for that fiscal year plus any required contributions of the state as provided in subsection (9) of this section.

(7) Benefits under the retirement system to members or to their beneficiaries shall be paid from the fund.

(8) Any member who is making contributions to the fund on December 25, 1969, may, on or before June 30, 1970, elect to become a future member by delivering written notice of such election to the board.

(9) Not later than January 1 of each year, the State Treasurer shall transfer to the fund an amount, determined on the basis of an actuarial valuation as of the previous June 30 and certified by the board, to fully fund the unfunded accrued liabilities of the retirement system as of June 30, 1988, by level payments up to January 1, 2000. Such valuation shall be on the basis of actuarial assumptions recommended by the actuary, approved by the board, and kept on file with the board. For the fiscal year beginning July 1, 2013, and each fiscal year thereafter, the actuary for the board shall perform an actuarial valuation of the system using the entry age actuarial cost method. Under this method, the actuarially required funding rate is equal to the normal cost rate, plus the contribution rate necessary to amortize the unfunded actuarial accrued liability on a level percentage of salary basis. The normal cost under this method shall be determined for each individual member on a level percentage of salary basis. The normal cost amount is then summed for all members. Beginning July 1, 2006, any existing unfunded liabilities shall be reinitialized and amortized over a thirty-year period, and during each subsequent actuarial valuation, changes in the funded actuarial accrued
liability due to changes in benefits, actuarial assumptions, the asset
valuation method, or actuarial gains or losses shall be measured and
amortized over a thirty-year period beginning on the valuation date of
such change. If the unfunded actuarial accrued liability under the entry
age actuarial cost method is zero or less than zero on an actuarial
valuation date, then all prior unfunded actuarial accrued liabilities
shall be considered fully funded and the unfunded actuarial accrued
liability shall be reinitialized and amortized over a thirty-year period
as of the actuarial valuation date. If the actuarially required
contribution rate exceeds the rate of all contributions required pursuant
to the Judges Retirement Act, there shall be a supplemental appropriation
sufficient to pay for the differences between the actuarially required
contribution rate and the rate of all contributions required pursuant to
the Judges Retirement Act.

(10) The state or county shall pick up the member contributions
required by this section for all compensation paid on or after January 1,
1985, and the contributions so picked up shall be treated as employer
contributions pursuant to section 414(h)(2) of the Internal Revenue Code
in determining federal tax treatment under the code and shall not be
distributed or made available. The contributions, although designated as
member contributions, shall be paid by the state or county in lieu of
member contributions. The state or county shall pay these member
distributions from the same source of funds which is used in paying
earnings to the member. The state or county shall pick up these
contributions by a compensation deduction through a reduction in the
compensation of the member. Member contributions picked up shall be
treated for all purposes of the Judges Retirement Act in the same manner
and to the extent as member contributions made prior to the date picked
up.

Sec. 2. Section 29-3602, Reissue Revised Statutes of Nebraska, is
amended to read:
29-3602 The county attorney of any county may establish a pretrial
diversion program with the concurrence of the county board. Any city
attorney may establish a pretrial diversion program with the concurrence
of the governing body of the city. Such programs shall be established
pursuant to sections 29-3603 and 29-3605 to 29-3609. Beginning July 1,
2015, and within sixty days after establishing new or additional pretrial
diversion programs, the county attorney or city attorney shall submit
written notification to the director in charge of the judges retirement
system, regarding the establishment of each program and provide
additional information as requested for purposes of remitting fees as
required in section 24-703.

Sec. 3. Section 29-3606, Reissue Revised Statutes of Nebraska, is
amended to read:
29-3606 (1) A pretrial diversion plan for minor traffic violations
shall consist of a driver's safety training program.
(2) A driver's safety training program shall:
(a) Provide a curriculum of driver's safety training, as approved by
the department, which is designed to educate persons committing minor traffic violations and to deter future violations; and

(b) In addition to the fee established in section 24-703, require payment of a fee approved by the department which is reasonable and appropriate to defray the cost of the presentation of the program. A jurisdiction shall charge a uniform fee for participation in a driver's safety training program regardless of the traffic violation for which the applicant was cited. Except for the fee established in section 24-703, fees received by a jurisdiction offering a driver's safety training program may be utilized by such jurisdiction to pay for the costs of administering and operating such program, to promote driver safety, and to pay for the costs of administering and operating other safety and educational programs within such jurisdiction.

(3) The program administrator of each driver's safety training program shall keep a record of attendees and shall be responsible for determining eligibility. A report of attendees at all driver's safety training programs in the state shall be shared only with similar programs throughout the state. All procedures for sharing records of attendees among such programs shall conform with the rules and regulations adopted and promulgated by the department to assure that no individual takes the approved course more than once within any three-year period in Nebraska. Such record of attendees and any related records shall not be considered a public record as defined in section 84-712.01.

(4) The department shall approve the curriculum and fees of each program and shall adopt and promulgate rules and regulations governing such programs, including guidelines for fees, curriculum, and instructor certification.

Sec. 4. Section 43-260.02, Reissue Revised Statutes of Nebraska, is amended to read:

43-260.02 A county attorney may establish a juvenile pretrial diversion program with the concurrence of the county board. If the county is part of a multicounty juvenile services plan under the Nebraska County Juvenile Services Plan Act, the county attorney may establish a juvenile pretrial diversion program in conjunction with other county attorneys from counties that are a part of such multicounty plan. A city attorney may establish a juvenile pretrial diversion program with the concurrence of the governing body of the city. Such programs shall meet the requirements of sections 43-260.02 to 43-260.07, beginning July 1, 2015, and within sixty days after establishing new or additional juvenile pretrial diversion programs, the county attorney or city attorney shall submit written notification to the director in charge of the judges retirement system, regarding the establishment of each program and provide additional information as requested for purposes of remitting fees as required in section 24-703.

Sec. 5. This act becomes operative on July 1, 2015.

Sec. 6. Original sections 29-3602, 29-3606, and 43-260.02, Reissue Revised Statutes of Nebraska, and section 24-703, Revised Statutes Cumulative Supplement, 2014, are repealed.

Sec. 7. Since an emergency exists, this act takes effect when
25 passed and approved according to law.

(Signed) Les Seiler, Chairperson

AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB18:
AM300
1 1. On page 2, lines 19 through 26, strike the new matter and
2 reinstate the stricken matter; and after line 30 insert the following new
3 subsection:
4 "(4)(a) On and after July 1, 2016, every public and private high
5 school shall provide each student and the student’s parent or legal
6 guardian with information about meningococcal disease and its vaccine one
7 week prior to the student's graduation from high school. Such information
8 shall include:
9 (i) The causes and symptoms of meningococcal disease, how the
disease is spread, and the places where parents and guardians may obtain
10 additional information; and
11 (ii) Current recommendations from the United States Centers for
12 Disease Control and Prevention regarding the receipt of vaccinations for
13 meningococcal disease and where the vaccination may be received.
14 (b) This subsection shall not be construed to require the Department
15 of Health and Human Services or any public or private high school to
16 provide meningococcal vaccination to students.
17 (c) The Department of Health and Human Services shall prepare the
18 informational materials required in this subsection.
19 (d) This subsection does not create a private right of action."

Senator Groene filed the following amendment to LB18:
AM302
1 1. On page 2, line 21, strike "shall" and insert "may".

Senator Groene filed the following amendment to LB18:
AM143
1 1. Insert the following new section:
2 Sec. 2. Section 79-221, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 79-221 Immunization shall not be required for a student's enrollment
5 in any school in this state if he or she submits to the admitting
6 official either of the following:
7 (1) A statement signed by a physician, a physician assistant, or an
8 advanced practice registered nurse practicing under and in accordance
9 with his or her respective certification act, stating that, in the health
10 care provider's opinion, the immunizations required would be injurious to
11 the health and well-being of the student or any member of the student's
12 family or household; or
13 (2) An affidavit signed by the student or, if he or she is a minor,
14 by a legally authorized representative of the student, stating that the
15 immunization conflicts with the tenets and practice of a recognized
16 religious denomination of which the student is an adherent or member or
17 that immunization conflicts with the personal and sincerely followed
18 religious or philosophical beliefs of the student.
19 2. Renumber the remaining section and correct the repealer
20 accordingly.

Senator Groene filed the following amendment to LB18:
AM303
1 1. On page 2, line 20, strike "2016" and insert "2017".

Senator Groene filed the following amendment to LB18:
AM304
1 1. On page 2, line 20, strike "2016" and insert "2018".

Senator Groene filed the following amendment to LB18:
AM305
1 1. On page 2, line 20, strike "seventh" and insert "eighth"; and in
2 line 21 strike "sixteen" and insert "seventeen".

Senator Groene filed the following amendment to LB18:
AM299
1 1. On page 2, lines 19 through 26, strike the new matter and
2 reinstate the stricken matter; and after line 30 insert the following new
3 subsection:
4 "(4)(a) On and after July 1, 2016, every public and private school
5 shall provide each student entering the seventh grade and each student
6 entering the junior year of high school and the student’s parent or legal
7 guardian with information about meningococcal disease and its vaccine.
8 Such information shall include:
9 (i) The causes and symptoms of meningococcal disease, how the
disease is spread, and the places where parents and guardians may obtain
additional information; and
10 (ii) Current recommendations from the United States Centers for
11 Disease Control and Prevention regarding the receipt of vaccinations for
12 meningococcal disease and where the vaccination may be received.
13 (b) This subsection shall not be construed to require the Department
14 of Health and Human Services or any public or private school to provide
15 meningococcal vaccination to students.
16 (c) The Department of Health and Human Services shall prepare the
17 informational materials required in this subsection.
".

Senator Cook filed the following amendment to LB10:
AM344
1 1. On page 2, line 13, strike "formulate and promulgate a state
2 platform," and show as stricken.
Senator Schumacher filed the following amendment to LB118:

AM343

1. Strike the original sections and all amendments thereto and
2. insert the following new sections:
3. Section 1. Section 28-1429.03, Revised Statutes Cumulative
4. Supplement, 2014, is amended to read:
5. Except as provided in subsection (2) of this section
6. and section 28-1429.02, it shall be unlawful to sell or distribute
7. cigarettes, cigars, vapor products, alternative nicotine products, or
8. tobacco in any form whatever through a self-service display. Any person
9. violating this section is guilty of a Class III misdemeanor. In addition,
10. upon conviction for a second or subsequent offense within a twelve-month
11. period, the court shall order a six-month suspension of the license
12. issued under section 28-1421.
13. (2) Cigarettes, cigars, vapor products, alternative nicotine
14. products, or tobacco in any form whatever may be sold or distributed in a
15. self-service display that is located in a tobacco specialty store or
16. cigar shop as defined in section 53-103.08.
17. Sec. 2. Section 53-101, Revised Statutes Cumulative Supplement,
18. 2014, is amended to read:
19. Sections 53-101 to 53-1,122 and sections 5 and 6 of this act
20. shall be known and may be cited as the Nebraska Liquor Control Act.
21. Sec. 3. Section 53-103.08, Reissue Revised Statutes of Nebraska, is
22. amended to read:
23. Cigar shop means an establishment operated by a holder
24. of a Class C liquor license which:
25. (1) Does not sell food;
26. (2) In addition to selling alcohol, annually receives ten percent or
27. more of its gross revenue from the sale of cigars and other tobacco
28. products and tobacco-related products, except from the sale of
29. cigarettes as defined in section 69-2702. A cigar shop shall not
30. discount alcohol if sold in combination with cigars or other tobacco
31. products and tobacco-related products;
32. (3) Has a walk-in humidor on the premises; and
33. (4) Does not permit the smoking of cigarettes.
7. Sec. 4. Section 53-131, Revised Statutes Cumulative Supplement,
8. 2014, is amended to read:
9. (1) Any person desiring to obtain a new license to sell
10. alcoholic liquor at retail, a craft brewery license, or a microdistillery
11. license shall file with the commission:
12. An application in triplicate original upon forms prescribed by
13. the commission, including the information required by
14. subsection (3) of this section for an application to operate a cigar shop
15. as defined in section 53-103.08;
16. the license fee if under sections 53-124 and 53-124.01 such fee
17. is payable to the commission, which fee shall be returned to the
18. applicant if the application is denied; and
19. (c) The nonrefundable application fee in the sum of four hundred
20. dollars, except that the nonrefundable application fee for an application
for a cigar shop bar shall be one thousand dollars.
22. (2) The commission shall notify the clerk of the city or village in
which such license is sought or, if the license sought is not sought
within a city or village, the county clerk of the county in which such
license is sought, of the receipt of the application and shall include
one copy of the application with the notice. No such license shall be
issued or denied by the commission until the expiration of the time
allowed for the receipt of a recommendation of denial or an objection
requiring a hearing under subdivision (1)(a) or (b) of section 53-133.
During the period of forty-five days after the date of receipt by mail or
electronic delivery of such application from the commission, the local
governing body of such city, village, or county may make and submit to
the commission recommendations relative to the granting or refusal to
grant such license to the applicant.
4. (3) For an application to operate a cigar shop bar, the application
shall include proof of the cigar shop's bar's annual gross revenue as
requested by the commission and such other information as requested by
the commission to establish the intent to operate as a cigar shop bar.
The commission may adopt and promulgate rules and regulations to regulate
cigar shops. The rules and regulations existing on August 1, 2014,
applicable to cigar bars shall apply to cigar shops until amended or
repealed by the commission bars.
12. (4) For renewal of a license under this section, a licensee shall
file with the commission an application, the license fee as provided in
subdivision (1)(b) of this section, and a renewal fee of forty-five
dollars.
Sec. 5. (1) The Legislature finds that allowing smoking in cigar
shops as a limited exception to the Nebraska Clean Indoor Air Act does
not interfere with the original intent that the general public and
employees not be unwillingly subjected to second-hand smoke. This
exception poses a de minimis restriction on the public and employees
given the limited number of cigar shops compared to other businesses that
sell alcohol, cigars, and pipe tobacco, and any member of the public
should reasonably expect that there would be second-hand smoke in a cigar
shop given the nature of the business and could choose to avoid such
exposure.
(2) The Legislature finds that (a) cigars and pipe tobacco have
different characteristics than other forms of tobacco such as cigarettes,
(b) cigars are customarily paired with various spirits such as cognac,
single malt whisky, bourbon, rum, rye, port, and others, and (c) unlike
cigarette smokers, cigar and pipe smokers may take an hour or longer to
enjoy a cigar or pipe while cigarettes simply serve as a mechanism for
delivering nicotine. Cigars paired with selected liquor creates a synergy
unique to the particular pairing similar to wine paired with particular
foods. Cigars are a pure, natural product wrapped in a tobacco leaf that
is typically not inhaled in order to enjoy the taste of the smoke, unlike
cigarettes that tend to be processed with additives and wrapped in paper
and are inhaled. Cigars have a different taste and smell than cigarettes
due to the fermentation process cigars go through during production.
Cigars tend to cost considerably more than cigarettes, and their quality and characteristics vary depending on the type of tobacco plant, the geography and climate where the tobacco was grown, and the overall quality of the manufacturing process. Not only does the customized blending of the tobacco influence the smoking experience, so does the freshness of the cigars, which is dependent on how the cigars were stored and displayed. These variables are similar to fine wines, which can also be very expensive to purchase. It is all of these variables that warrant a customer wanting to sample the product before making such a substantial purchase.

(3) The Legislature finds that exposure to second-hand smoke is inherent in the selling and sampling of cigars and pipe tobacco and that this exposure is inextricably connected to the nature of selling this legal product, similar to other inherent hazards in other professions and employment.

(4) It is the intent of the Legislature to allow cigar and pipe smoking in cigar shops that meet specific statutory criteria not inconsistent with the fundamental nature of the business. This exception to the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with the intent of the act to protect public places and places of employment.

Sec. 6. (1) The holder of a cigar shop license shall not allow a person under twenty-one years of age to smoke or purchase any product in the cigar shop.

(2) The licensee shall post a sign on all entrances to the cigar shop, on the outside of each door, in a conspicuous location slightly above or next to the door, with the following statement: SMOKING OF CIGARS AND PIPES IS ALLOWED INSIDE THIS BUSINESS. SMOKING OF CIGARETTES IS NOT ALLOWED.

(3) Beginning November 1, 2015, the licensee shall provide to the commission a copy of a waiver signed prior to employment by each employee on a form prescribed by the commission. The waiver shall expressly notify the employee that he or she will be exposed to second-hand smoke, and the employee shall acknowledge that he or she understands the risks of exposure to second-hand smoke.

Sec. 7. Section 53-1,120.01, Reissue Revised Statutes of Nebraska, is amended to read:

53-1,120.01 No county resolution or city ordinance that prohibits smoking in indoor areas shall apply to cigar shops bars.

Sec. 8. Section 71-5716, Reissue Revised Statutes of Nebraska, is amended to read:

71-5716 Sections 71-5716 to 71-5734 and section 11 of this act shall be known and may be cited as the Nebraska Clean Indoor Air Act.

Sec. 9. Section 71-5717, Reissue Revised Statutes of Nebraska, is amended to read:

71-5717 The purpose of the Nebraska Clean Indoor Air Act is to protect the public health and welfare by prohibiting smoking in public places and places of employment with limited exceptions for guestrooms and suites, research, tobacco retail outlets, and cigar shops. The
limited exceptions permit smoking in public places where the public would reasonably expect to find persons smoking, including guestrooms and suites which are subject to expectations of privacy like private residences, institutions engaged in research related to smoking, and tobacco retail outlets and cigar shops which provide the public legal retail outlets to sample, use, and purchase tobacco products and products related to smoking. The act shall not be construed to prohibit or otherwise restrict smoking in outdoor areas. The act shall not be construed to permit smoking where it is prohibited or otherwise restricted by other applicable law, ordinance, or resolution. The act shall be liberally construed to further its purpose.

Sec. 10. Section 71-5730, Revised Statutes Cumulative Supplement, 2014, is amended to read:

71-5730 (1) The following indoor areas are exempt from section 71-5729:

(a) Guestrooms and suites that are rented to guests and that are designated as smoking rooms, except that not more than twenty percent of rooms rented to guests in an establishment may be designated as smoking rooms. All smoking rooms on the same floor shall be contiguous, and smoke from such rooms shall not infiltrate into areas where smoking is prohibited under the Nebraska Clean Indoor Air Act;

(b) Indoor areas used in connection with a research study on the health effects of smoking conducted in a scientific or analytical laboratory under state or federal law or at a college or university approved by the Coordinating Commission for Postsecondary Education;

(c) Tobacco retail outlets; and

(d) Cigar shops as defined in section 53-103.08.

(2) (a) The Legislature finds that allowing smoking in tobacco retail outlets as a limited exception to the Nebraska Clean Indoor Air Act does not interfere with the original intent that the general public and employees not be unwillingly subjected to second-hand smoke since the general public does not frequent tobacco retail outlets and should reasonably expect that there would be second-hand smoke in tobacco retail outlets and could choose to avoid such exposure. The products that tobacco retail outlets sell are legal for customers who meet the age requirement. Customers should be able to try them within the tobacco retail outlet, especially given the way that tobacco customization may occur in how tobacco is blended and cigars are produced. The Legislature finds that exposure to second-hand smoke is inherent in the selling and sampling of cigars and pipe tobacco and that this exposure is inextricably connected to the nature of selling this legal product, similar to other inherent hazards in other professions and employment.

(b) It is the intent of the Legislature to allow cigar and pipe smoking in tobacco retail outlets that meet specific statutory criteria not inconsistent with the fundamental nature of the business. This exception to the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with the intent of the act to protect public places and places of employment.

(3) (a) The Legislature finds that allowing smoking in cigar shops as
a limited exception to the Nebraska Clean Indoor Air Act does not interfere with the original intent that the general public and employees not be unwillingly subjected to second-hand smoke. This exception poses a de minimis restriction on the public and employees given the limited number of cigar shops compared to other businesses that sell alcohol, cigars, and pipe tobacco, and any member of the public should reasonably expect that there would be second-hand smoke in a cigar shop given the nature of the business and could choose to avoid such exposure.

(b) The Legislature finds that (i) cigars and pipe tobacco have different characteristics than other forms of tobacco such as cigarettes, (ii) cigars are customarily paired with various spirits such as cognac, single malt whisky, bourbon, rum, rye, port, and others, and (iii) unlike cigarette smokers, cigar and pipe smokers may take an hour or longer to enjoy a cigar or pipe while cigarettes simply serve as a mechanism for delivering nicotine. Cigars paired with selected liquor creates a synergy unique to the particular pairing similar to wine paired with particular foods. Cigars are a pure, natural product wrapped in a tobacco leaf that is typically not inhaled in order to enjoy the taste of the smoke, unlike cigarettes that tend to be processed with additives and wrapped in paper and are inhaled. Cigars have a different taste and smell than cigarettes due to the fermentation process cigars go through during production. Cigars tend to cost considerably more than cigarettes, and their quality and characteristics vary depending on the type of tobacco plant, the geography and climate where the tobacco was grown, and the overall quality of the manufacturing process. Not only does the customized blending of the tobacco influence the smoking experience, so does the freshness of the cigars, which is dependent on how the cigars were stored and displayed. These variables are similar to fine wines, which can also be very expensive to purchase. It is all of these variables that warrant a customer wanting to sample the product before making such a substantial purchase.

(c) The Legislature finds that exposure to second-hand smoke is inherent in the selling and sampling of cigars and pipe tobacco and that this exposure is inextricably connected to the nature of selling this legal product, similar to other inherent hazards in other professions and employment.

(d) It is the intent of the Legislature to allow cigar and pipe smoking in cigar shops that meet specific statutory criteria not inconsistent with the fundamental nature of the business. This exception to the Nebraska Clean Indoor Air Act is narrowly tailored in accordance with the intent of the act to protect public places and places of employment.

Sec. 11. (1) The owner of a tobacco retail outlet shall post a sign on all entrances to the tobacco retail outlet, on the outside of each door, in a conspicuous location slightly above or next to the door, with the following statement: SMOKING OF CIGARS AND PIPES IS ALLOWED INSIDE THIS BUSINESS. SMOKING OF CIGARETTES IS NOT ALLOWED.

(2) Beginning November 1, 2015, the owner shall provide to the Division of Public Health a copy of a waiver signed prior to employment.
by each employee on a form prescribed by the division. The waiver shall
expressly notify the employee that he or she will be exposed to second-
hand smoke, and the employee shall acknowledge that he or she understands
the risks of exposure to second-hand smoke.
4. (3) The owner shall not allow cigarette smoking in the tobacco
      retail outlet.
6 Sec. 12. If any section in this act or any part of any section is
declared invalid or unconstitutional, the declaration shall not affect
the validity or constitutionality of the remaining portions.
9 Sec. 13. Original sections 53-103.08, 53-1,120.01, 71-5716, and
10 71-5717, Reissue Revised Statutes of Nebraska, and sections 28-1429.03,
11 53-101, 53-131, and 71-5730, Revised Statutes Cumulative Supplement,
12 2014, are repealed.
13 Sec. 14. Since an emergency exists, this act takes effect when
14 passed and approved according to law.

Senator Riepe filed the following amendment to LB18:
AM352
1 1. On page 2, line 25, after the period insert "A student may be
2 exempted from complying with this subsection if he or she presents to the
3 administration of the school in which he or she is enrolled written
4 permission signed by either a physician licensed and practicing under the
5 Medicine and Surgery Practice Act or a nurse practitioner licensed and
6 practicing under the Nurse Practitioner Practice Act."

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Davis - LB641
Riepe - LB357
Garrett - LB268
B. Harr - LB329

VISITORS

Visitor to the Chamber was Karen Humphrey from Kearney.
The Doctor of the Day was Dr. Gilbert Head from Omaha.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator Seiler, the Legislature adjourned
until 9:00 a.m., Thursday, February 12, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-SIXTH DAY - FEBRUARY 12, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 12, 2015

PRAYER

The prayer was offered by Senator Brasch.

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 Campbell who was excused; and Senators Bolz, Craighead, Davis, B. Harr, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fifth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 23. Placed on Select File with amendment.
ER25
1 1. On page 1, line 8, after "change" insert "and eliminate
2 provisions of".
3 2. On page 5, line 17, strike "are".
4 3. On page 6, line 23, strike "are" and after "not" insert "be".
5 4. On page 15, line 13, strike "professions" and insert
6 "profession".
7 5. On page 16, line 26, strike "submission" and insert
8 "submissions".
9 6. On page 18, line 2, strike "practices" and insert "practice".
10 7. On page 33, line 19; and page 42, line 21, strike "act", show as
11 stricken, and insert "Engineers and Architects Regulation Act".
12 8. On page 37, line 13, after "Act" insert an underscored comma.

LEGISLATIVE BILL 107. Placed on Select File.
LEGISLATIVE BILL 87. Placed on Select File with amendment.
ER26
1 1. On page 1, line 4, strike "a reporting deadline" and insert "and
2 eliminate reporting requirements" and after the semicolon insert "and".
3 2. On page 5, line 5, strike "43-4302" and insert "section 43-4202".

LEGISLATIVE BILL 90. Placed on Select File.

LEGISLATIVE BILL 70. Placed on Select File with amendment.
ER27
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 9-1006, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:
5 9-1006 The Compulsive Gamblers Assistance Fund is created. The fund
6 shall include revenue transferred from the State Lottery Operation Trust
7 Fund under section 9-812 and the Charitable Gaming Operations Fund under
8 section 9-1,101, revenue credited under section 3 of this act, and any
9 other revenue received by the division or commission for credit to the
10 fund from any other public or private source, including, but not limited
11 to, appropriations, grants, donations, gifts, devises, bequests, fees, or
12 reimbursements. The commission shall administer the fund for the
13 operation of the Gamblers Assistance Program. The Director of
14 Administrative Services shall draw warrants upon the Compulsive Gamblers
15 Assistance Fund upon the presentation of proper vouchers by the
16 commission. Money from the Compulsive Gamblers Assistance Fund shall be
17 used exclusively for the purpose of providing assistance to agencies,
18 groups, organizations, and individuals that provide education,
19 assistance, and counseling to individuals and families experiencing
20 difficulty as a result of problem gambling, to promote the awareness of
21 problem gamblers assistance programs, and to pay the costs and expenses
22 of the Gamblers Assistance Program, including travel. Any money in the
23 fund available for investment shall be invested by the state investment
24 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
25 State Funds Investment Act.
26 Sec. 2. Section 77-3004, Reissue Revised Statutes of Nebraska, is
27 amended to read:
1 77-3004 (1) An occupation tax is hereby imposed and levied, in the
2 amount and in accordance with the terms and conditions hereafter stated,
3 upon the business of operating mechanical amusement devices within the
4 State of Nebraska for profit or gain either directly or indirectly
5 received. Every person who now or hereafter engages in the business of
6 operating such devices in the State of Nebraska shall pay such tax in the
7 amount and manner specified in this section.
8 (2) Any operator of a mechanical amusement device within the State
9 of Nebraska shall pay an occupation tax for each machine or device which
10 he or she operates during all of the taxable year. The tax shall be due
11 and payable on January 1 of each year on each machine or device in
12 operation on that date, except that it shall be unlawful to pay any such
occupation tax unless the sales or use tax has been paid on such mechanical amusement devices. For every machine or device put into operation on a date subsequent to January 1, and which has not been included in computing the tax imposed and levied by the Mechanical Amusement Device Tax Act of this section, the tax shall be due and payable therefor prior to the time the machine or device is placed in operation. All taxes collected pursuant to the act of this section shall be remitted to the State Treasurer for credit to the General Fund.

(3) The amount of the occupation tax shall be fifty dollars for each machine or device for the period from July 1, 1998, through December 31, 1999, except that for machines placed in operation after April 1, 1999, and before January 1, 2000, the occupation tax shall be twenty-five dollars for each machine or device.

(4) The amount of the occupation tax shall be thirty-five dollars for each machine or device for any period beginning on or after January 1, 2000, except that for machines placed in operation after July 1, and before January 1 of each year, the occupation tax shall be twenty dollars for each machine or device.

Sec. 3. (1) Beginning sixty days after the effective date of this act, in addition to the occupation tax imposed pursuant to section 77-3004, an additional occupation tax shall be levied upon the business of operating a mechanical amusement device that:

(a) Accepts currency, coins, tokens, or other value in exchange for play;
(b) Awards a monetary prize or anything redeemable for a monetary prize;
(c) Is played by a player using a touch screen, computer mouse, touch pad, light pen, laser, or device of similar function by which the player competes against software running the device; and
(d) Has not been adjudicated by a court of competent jurisdiction within the State of Nebraska to not constitute a gambling device as defined in subdivision (5) of section 28-1101. Any such adjudication shall be by way of a final order in which the Tax Commissioner has been made a party to the action and written notice shall have been provided to the Attorney General at the commencement of the action.

(2) Any operator of such mechanical amusement device shall pay the occupation tax. If an operator believes that a mechanical amusement device is not taxable under subsection (1) of this section, the burden is on the operator to prove to the Tax Commissioner that such device does not have one or more of the characteristics required for taxability under subsection (1) of this section. Such proof may be made by, among other things, a showing that the software running the game remains constant with the nature of a game that had its software at issue in a judicial case, not overturned by appeal, in which the State of Nebraska was a party, the issue was litigated, and the final order found that the particular game is more controlled by the player than not, and thus is predominantly a game of skill.

(3) The amount of the occupation tax shall be equal to ten percent of the gross revenue derived from the operation of any mechanical
amusement device described in subsection (1) of this section. The Tax
Commissioner shall collect such occupation tax concurrently with
collection of the state sales tax in the same manner as the state sales
tax is collected. All taxes collected pursuant to this section shall be
remitted to the State Treasurer, and the State Treasurer shall credit
ninety-seven percent of such taxes to the General Fund and the remaining
three percent of such taxes to the Compulsive Gamblers Assistance Fund.

(4) For purposes of this section, gross revenue means the total
aggregate receipts received from the operation of any mechanical
amusement device described in subsection (1) of this section without any
reduction for prizes, discounts, taxes, or expenses and includes receipts
from admission costs, any consideration necessary for participation, and
the value of any free tickets, games, or plays used.

(5) The occupation tax imposed in this section shall not apply to
any device not within the definition of a gambling device as defined in
subdivision (5) of section 28-1101 or to any device that is specifically
authorized by law.

(6) For purposes of this section, the fact that the device is played
or connected via league or tournament play shall play no factor in
determining whether the occupation tax imposed by this section is due.

Sec. 4. Section 77-3005, Reissue Revised Statutes of Nebraska, is
amended to read:

77-3005 The occupation tax taxes levied and imposed by the
Mechanical Amusement Device Tax Act under section 77-3004 and section 3
of this act shall be in addition to any and all taxes or fees, of any
form whatsoever, now imposed by the State of Nebraska or any of its
subdivisions, upon the business of operating or distributing mechanical
amusement devices as defined in section 77-3001, or otherwise defined by
the subdivisions and municipalities of the State of Nebraska, except that
payment of the tax imposed under section 77-3004 and license fees due and
owing on or before the licensing date of each year and payment of any tax
due and owing under section 3 of this act shall exempt any such
mechanical amusement device from the application of the sales tax which
would or could otherwise be imposed under the Nebraska Revenue Act of
1967. Nonpayment of the taxes or tax imposed under section 77-3004 and
license fees due and owing on or before the licensing date of each year
or nonpayment of any tax due and owing under section 3 of this act shall
render the exemption provided by this section inapplicable and the
particular machines or devices shall then be subject to all the
provisions of the Nebraska Revenue Act of 1967, including the penalty
provisions pertaining to the owner or operator of such machines or
devices.

Sec. 5. Section 77-3006, Reissue Revised Statutes of Nebraska, is
amended to read:

77-3006 The administration of the provisions of sections 77-3001 to
77-3011 Mechanical Amusement Device Tax Act is hereby vested in the Tax
Commissioner of the State of Nebraska subject to other provisions of law
relating to the Tax Commissioner. The Tax Commissioner may prescribe,
adopt, and enforce rules and regulations relating to the administration
18 and enforcement of the provisions of sections 77-3001 to 77-3011, act and 19 may delegate authority to his or her representatives to conduct hearings, 20 or perform any other duties imposed under the provisions of sections 21 77-3001 to 77-3011 act.
22 Sec. 6. Section 77-3007, Reissue Revised Statutes of Nebraska, is 23 amended to read:
24 77-3007 (1) The payment of the tax imposed by the provisions of 25 sections 77-3001 to 77-3011 under section 77-3004 shall be evidenced by a 26 separate decal for each device signifying payment of the such tax, in a 27 form prescribed by the Tax Commissioner.
28 (2) Every operator shall place such decal in a conspicuous place on 29 each device to denote payment of the such tax for each device for the 30 current year.
31 Sec. 7. Section 77-3008, Reissue Revised Statutes of Nebraska, is 1 amended to read:
2 77-3008 Nothing in sections 77-3001 to 77-3011 the Mechanical 3 Amusement Device Tax Act shall be construed to limit, usurp, or repeal 4 any power to tax granted to the subdivisions and municipalities of the 5 State of Nebraska by the laws and Constitution of the State of Nebraska.
6 Sec. 8. Section 77-3009, Reissue Revised Statutes of Nebraska, is 7 amended to read:
8 77-3009 (1) Any person who places a mechanical amusement device in 9 operation in the State of Nebraska without the necessary decal being 10 placed conspicuously upon it, or without having obtained the necessary 11 license, or without having paid any occupation tax due under section 3 of 12 this act shall be subject to an administrative penalty of seventy-five 13 dollars for each violation.
14 (2) If a mechanical amusement device which does not have the 15 necessary decal conspicuously displayed upon it or if an occupation tax 16 under section 3 of this act has been imposed on a mechanical amusement 17 device and such tax has not been paid, the mechanical amusement device in 18 question shall be subject to being sealed by the Tax Commissioner or his 19 or her delegate. If such seal is broken prior to payment of the all 20 occupation tax upon taxes owed on such device, the device shall be 21 subject to forfeiture and sale by the Tax Commissioner.
22 (3) Any person violating the Mechanical Amusement Device Tax Act 23 shall be guilty of a Class II misdemeanor. Each day on which any person 24 engages in or conducts the business of operating or distributing the 25 machines or devices subject to the Mechanical Amusement Device Tax Act, 26 without having paid the tax taxes required by section 77-3004 and section 27 3 of this act or without having obtained the required license as 28 provided, shall constitute a separate offense.
29 Sec. 9. Section 77-3010, Reissue Revised Statutes of Nebraska, is 30 amended to read:
31 77-3010 Prosecutions for any violations of sections 77-3001 to 1 77-3011 the Mechanical Amusement Device Tax Act shall be brought by the 2 Attorney General or county attorney in the county in which the violation 3 occurs. Any such prosecution for the violation of any of the provisions 4 of sections 77-3001 to 77-3011 shall be instituted within three years
5 after the commission of the offense.
6 Sec. 10. Section 77-3011, Reissue Revised Statutes of Nebraska, is
7 amended to read:
8 77-3011 Sections 77-3001 to 77-3011 and section 3 of this act shall
9 be known and may be cited as the Mechanical Amusement Device Tax Act.
10 Sec. 11. Original sections 77-3004, 77-3005, 77-3006, 77-3007,
11 77-3008, 77-3009, 77-3010, and 77-3011, Reissue Revised Statutes of
12 Nebraska, and section 9-1006, Revised Statutes Cumulative Supplement,
13 2014, are repealed.
14 Sec. 12. Since an emergency exists, this act takes effect when
15 passed and approved according to law.
16 2. On page 1, line 3, after "Nebraska" insert ", and section 9-1006,
17 Revised Statutes Cumulative Supplement, 2014"; in line 5 after the
18 semicolon insert "to change the distribution of certain occupation
19 taxes;"; in line 6 strike "and"; and in line 7 after "sections" insert ";
20 and to declare an emergency".

LEGISLATIVE BILL 446. Placed on Select File.
LEGISLATIVE BILL 194. Placed on Select File.

LEGISLATIVE BILL 301. Placed on Select File with amendment.
ER28
1 1. On page 3, line 14, after "24-212" insert an underscored comma;
2 and in line 17 strike "section 24-209" and insert "this section".

LEGISLATIVE BILL 314. Placed on Select File.

LEGISLATIVE BILL 252. Placed on Select File with amendment.
ER29
1 1. On page 5, line 2, strike the comma.

LEGISLATIVE BILL 286. Placed on Select File.
LEGISLATIVE BILL 116. Placed on Select File.

LEGISLATIVE BILL 266. Placed on Select File with amendment.
ER30
1 1. On page 12, line 2, after "including" insert an underscored comma
2 and after "to" insert an underscored comma.
3 2. On page 16, line 29, strike "and".
4 3. On page 17, line 6, strike the new matter and reinstate the
5 stricken matter; and in line 9 strike "extraterritorial", show as
6 stricken, and insert "two-mile".
7 4. On page 18, line 7, strike the comma and show as stricken.

LEGISLATIVE BILL 312. Placed on Select File.
LEGISLATIVE BILL 313. Placed on Select File with amendment.
ER31
1 1. On page 1, strike beginning with "update" in line 4 through
2 "carriers" in line 5 and insert "adopt and update references to certain
3 federal provisions relating to low-speed vehicles, handicapped or
4 disabled parking permits, the International Registration Plan, operators'
5 licenses, persons handling source documents, hazardous materials, and the
6 unified carrier registration plan and agreement".

LEGISLATIVE BILL 45. Placed on Select File with amendment.
ER32
1 1. On page 1, strike lines 2 through 5 and insert "amend sections
2 60-366 and 60-3,104, Revised Statutes Cumulative Supplement, 2014; to
3 change and eliminate provisions regarding film vehicles; to harmonize
4 provisions; to repeal the original sections; and to outright repeal
5 section 60-383, Reissue Revised Statutes of Nebraska.".

LEGISLATIVE BILL 181. Placed on Select File.

LEGISLATIVE BILL 180. Placed on Select File with amendment.
ER33
1 1. On page 9, line 13, strike "to", show as stricken, and insert
2 "through".

LEGISLATIVE BILL 298. Placed on Select File with amendment.
ER35
1 1. On page 1, line 3, after "reinsurance" insert "and acceptable
2 forms of security".
3 2. On page 8, line 9, strike the semicolon and after "or" insert an
4 underscored comma; and in line 13 strike the comma.

LEGISLATIVE BILL 352. Placed on Select File with amendment.
ER34
1 1. On page 1, line 4, strike "recordkeeping by" and insert "duties
2 of".
3 2. On page 2, lines 13 and 14, strike the semicolon, show as
4 stricken, and insert an underscored comma.

(Signed) Matt Hansen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 54. Introduced by Brasch, 16.

WHEREAS, Caleb Sandall, a member of Troop 143, has completed the
requirements for the rank of Eagle Scout in the Boy Scouts of America; and
WHEREAS, Caleb is the son of Brian and Tiffany Sandall and Kristine
and John Calhoun; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Caleb has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Caleb refurbished, hardscaped, and reinstalled a cedar wood swing set at Camp Fontenelle in Nickerson; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Caleb, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Caleb Sandall on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Caleb Sandall.

Laid over.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 11, 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

Baird Holm LLP
  Grande Prairie Wind, LLC
  Infigen Energy
  Turner Park North, LLC
Bruckner, Traci
  Center for Rural Affairs
Bruning, Jon
  Bruning Law Group
Frohman, Ann M.
  Ameritas Life Insurance Corp.
Kelley & Jerram, PC, LLO
  Omaha Exposition and Racing, Inc.
Levy, David C.
Baird Holm LLP
Roque, Matthew
ProRail Nebraska, Inc.

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

COMMITTEE REPORT(S)
Agriculture

LEGISLATIVE BILL 128. Placed on General File.

LEGISLATIVE BILL 242. Placed on General File with amendment.
AM357
1 1. Strike original section 5 and insert the following new section:
2 Section 1. Section 2-3753, Reissue Revised Statutes of Nebraska, is 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 consumption of dry beans on a state, national, and international basis;
8 (2) To prepare and approve a budget consistent with limited receipts and the scope of the dry bean program;
10 (3) To adopt and promulgate reasonable rules and regulations necessary to carry out the dry bean program;
12 (4) To procure and evaluate data and information necessary for the proper administration and operation of the dry bean program;
14 (5) To employ personnel and contract for services which are necessary for the proper operation of the dry bean program;
16 (6) To establish a means whereby the grower and processor of dry beans has the opportunity at least annually to offer his or her ideas and suggestions relative to commission policy for the coming year;
19 (7) To authorize the expenditure of funds and contracting of expenditures to conduct proper activities of the program;
21 (8) To bond such persons as may be necessary in order to insure adequate protection of funds;
23 (9) To keep minutes of its meetings and other books and records which will clearly reflect all of the acts and transactions of the commission and to keep such records open to examination by any grower or processor participant during normal business hours;
27 (10) To prohibit any funds collected by the commission from being expended directly or indirectly to promote or oppose any candidate for public office or to influence state legislation. The board shall not expend more than fifteen twenty-five percent of its annual budget to influence federal legislation. The purpose of such federal lobbying...
activity shall be limited to support of the underlying objectives of the dry bean program relating to market development, education, and research; (11) To establish an administrative office at such place in the state as may be suitable for the proper discharge of the functions of the commission; and (12) To adopt and promulgate rules and regulations to carry out the Dry Bean Resources Act. 2. Renumber the remaining sections and correct the repealer accordingly.

(Signed) Jerry Johnson, Chairperson

MOTION(S) - Return LB1 to Select File

Senator Chambers moved to return LB1 to Select File for the following specific amendment:

FA9
Strike the enacting clause.

Senator Chambers withdrew his motion to return.

Senator Krist moved to return LB1 to Select File for the following specific amendment:

FA10
Strike the enacting clause.

Senator Krist withdrew his motion to return.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1.

A BILL FOR AN ACT relating to a transfer of property; to eliminate a provision relating to transfer of property taking place in 1994; and to outright repeal section 83-1,100.01, 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, 44:
Voting in the negative, 0.

Excused and not voting, 5:

Bolz          Campbell        Davis        Harr, B.        Watermeier

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

LEGISLATIVE BILL 2.

A BILL FOR AN ACT relating to correctional facilities; to eliminate provisions relating to design and location of certain correctional facilities done in 1970's; and to outright repeal section 83-954, 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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

McCollister

Excused and not voting, 5:
LEGISLATIVE JOURNAL

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

LEGISLATIVE BILL 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Cumulative Supplement, 2014; to repeal provisions relating to tax credits that terminated January 1, 2010; to harmonize provisions; to repeal the original section; and to outright repeal sections 77-27,228, 77-27,229, 77-27,230, 77-27,231, 77-27,232, 77-27,233, and 77-27,234, 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Bolz    Campbell    Davis    Harr, B.    Watermeier

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

LEGISLATIVE BILL 4.

A BILL FOR AN ACT relating to the Nebraska Opportunity Zone Act; to repeal provisions that terminated December 31, 2010; and to outright repeal sections 81-12,117, 81-12,118, 81-12,119, 81-12,120, 81-12,121, 81-12,123, and 81-12,124, 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, 44:
A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 5.

A BILL FOR AN ACT relating to the Nebraska Innovation and High Wage Employment Act; to repeal provisions that terminated January 1, 2011; and to outright repeal sections 48-2801, 48-2802, 48-2803, 48-2804, and 48-2805, 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Bolz Campbell Davis Harr, B. Watermeier

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

**LEGISLATIVE BILL 6.**

A BILL FOR AN ACT relating to prenatal services; to repeal a provision that terminated June 30, 2011; and to outright repeal section 68-721, Revised Statutes Cumulative Supplement, 2014.

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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Bolz    Campbell    Davis    Harr, B.    Watermeier  

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

**LEGISLATIVE BILL 7.**

A BILL FOR AN ACT relating to the Lead-Based Paint Hazard Control Program; to repeal a provision that terminated June 30, 2011; and to outright repeal section 81-1212, 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, 44:
Voting in the negative, 0.

Excused and not voting, 5:

Bolz         Campbell         Davis         Harr, B.         Watermeier

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

**LEGISLATIVE BILL 8.**

A BILL FOR AN ACT relating to the Children's Behavioral Health Oversight Committee of the Legislature; to amend section 71-821, Reissue Revised Statutes of Nebraska, and section 50-424, Revised Statutes Cumulative Supplement, 2014; to repeal provisions that terminated on December 31, 2012; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-827, Revised Statutes Cumulative Supplement, 2014.

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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

Craighead
Excused and not voting, 5:

Bolz    Campbell    Davis    Harr, B.    Watermeier

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

**LEGISLATIVE BILL 9.**

A BILL FOR AN ACT relating to the Republican River Basin Water Sustainability Task Force; to repeal provisions that terminated on June 30, 2012; to repeal a fund that is no longer needed; and to outright repeal sections 46-2,140 and 46-2,141, Revised Statutes Cumulative Supplement, 2014.

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, 44:

Baker    Friesen    Hughes    McCollister    Schilz
Bloomfield    Garrett    Johnson    McCoy    Schnoor
Brasch    Gloor    Kintner    Mello    Schumacher
Chambers    Groene    Kolowski    Morfeld    Seiler
Coash    Haar, K.    Koltermann    Murante    Smith
Cook    Hadley    Krist    Nordquist    Stinner
Craighead    Hansen    Kuehn    Pansing Brooks    Sullivan
Crawford    Hilkenmann    Larson    Riepe    Williams
Ebke    Howard    Lindstrom    Scheer

Voting in the negative, 0.

Excused and not voting, 5:

Bolz    Campbell    Davis    Harr, B.    Watermeier

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 1, 2, 3, 4, 5, 6, 7, 8, and 9.

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 48, 49, 50, and 51 were adopted.
PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 48, 49, 50, and 51.

NOTICE OF COMMITTEE HEARING(S)

Room 1525

Monday, February 23, 2015 1:30 p.m.

Richard Sawyer - Technical Advisory Committee for Statewide Assessment
Linda Poole - Technical Advisory Committee for Statewide Assessment
Glenn R. Wilson Jr. - Board of Educational Lands and Funds
Patricia M. Kircher - Nebraska Educational Telecommunications Commission
Jess D. Zeiss - Board of Trustees of the Nebraska State Colleges
Michelle Suarez - Board of Trustees of the Nebraska State Colleges

Tuesday, February 24, 2015 1:30 p.m.

Brian Gong - Technical Advisory Committee for Statewide Assessment
LB601
LB379
LB382
LB435
LB617

Monday, March 2, 2015 1:30 p.m.

LB227
LB402
LB589
LB355
LB520
LB519

Tuesday, March 3, 2015 1:30 p.m.

LB102
LB410
LB36
LB232
LB401
LB380
Senator Larson filed the following amendment to LB160:

AMENDMENT(S) - Print in Journal

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 9-701, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 9-701 (1) For purposes of this section:
6 (a) Financial institution means a bank, savings bank, building and
7 loan association, or savings and loan association, whether chartered by
8 the United States, the Department of Banking and Finance, or a foreign
9 state agency as defined in section 8-101; or any other similar
10 organization which is covered by federal deposit insurance;
11 (b) Gift enterprise means a contest, game of chance, savings
12 promotion raffle, or game promotion which is conducted within the state
13 or throughout the state and other states in connection with the sale of
14 consumer or trade products or services solely as business promotions and
15 in which the elements of chance and prize are present. Gift enterprise
16 does not include any scheme using the game of bingo or keno; any non-
17 telecommunication-related, player-activated electronic or
18 electromechanical facsimile of any game of chance; or any slot machine of
19 any kind. A gift enterprise shall not utilize pickle cards as defined in
20 section 9-315. Promotional game tickets may be utilized subject to the
21 following:
22 (i) The tickets utilized shall be manufactured or imprinted with the
23 name of the operator on each ticket;
24 (ii) The tickets utilized shall not be manufactured with a cost per
(iii) The tickets utilized shall not be substantially similar to any type of pickle card approved by the Department of Revenue pursuant to section 9-332.01;

(g) Operator means any person, firm, corporation, financial institution, association, governmental entity, or agent or employee thereof who promotes, operates, or conducts a gift enterprise. Operator does not include any nonprofit organization or any agent or employee thereof, except that operator includes any credit union chartered under state or federal law or any agent or employee thereof who promotes, operates, or conducts a gift enterprise; and

(d) Savings promotion raffle means a contest conducted by a financial institution or credit union chartered under state or federal law or any agent or employee thereof in which a chance of winning a designated prize is obtained by the deposit of a specified amount of money in a savings account or other savings program if each entry has an equal chance of winning.

(2) Any operator may conduct a gift enterprise within this state in accordance with this section.

(3) An operator shall not:

(a) Design, engage in, promote, or conduct a gift enterprise in connection with the promotion or sale of consumer products or services in which the winner may be unfairly predetermined or the game may be manipulated or rigged;

(b) Arbitrarily remove, disqualify, disallow, or reject any entry;

(c) Fail to award prizes offered;

(d) Print, publish, or circulate literature or advertising material used in connection with such gift enterprise which is false, deceptive, or misleading; or

(e) Require an entry fee, a payment or promise of payment of any valuable consideration, or any other consideration as a condition of entering a gift enterprise or winning a prize from the gift enterprise, except that a contest, game of chance, or business promotion may require, as a condition of participation, evidence of the purchase of a product or service as long as the purchase price charged for such product or service is not greater than it would have been without the contest, game of chance, or business promotion. For purposes of this section, consideration shall not include (i) filling out an entry blank, (ii) entering by mail with the purchase of postage at a cost no greater than the cost of postage for a first-class letter weighing one ounce or less, (iii) entering by a telephone call to the operator of or for the gift enterprise at a cost no greater than the cost of postage for a first-class letter weighing one ounce or less. When the only method of entry is by telephone, the cost to the entrant of the telephone call shall not exceed the cost of postage for a first-class letter weighing one ounce or less for any reason, including (A) whether any communication occurred during the call which was not related to the gift enterprise or (B) the fact that the cost of the call to the operator was greater than the cost to the entrant allowed under this section, or (iv) the deposit of money.
16 in a savings account or other savings program, regardless of the interest 
17 rate earned by such account or program. 
18 (4) An operator shall disclose to participants all terms and 
19 conditions of a gift enterprise. 
20 (5)(a) The Department of Revenue may adopt and promulgate rules and 
21 regulations necessary to carry out the operation of gift enterprises. 
22 (b) Whenever the department has reason to believe that a gift 
23 enterprise is being operated in violation of this section or the 
24 department's rules and regulations, it may bring an action in the 
25 district court of Lancaster County in the name of and on behalf of the 
26 people of the State of Nebraska against the operator of the gift 
27 enterprise to enjoin the continued operation of such gift enterprise 
28 anywhere in the state. 
29 (6)(a) Any person, firm, corporation, association, or agent or 
30 employee thereof who engages in any unlawful acts or practices pursuant 
31 to this section or violates any of the rules and regulations promulgated 
1 pursuant to this section shall be guilty of a Class II misdemeanor. 
2 (b) Any person, firm, corporation, association, or agent or employee 
3 thereof who violates any provision of this section or any of the rules 
4 and regulations promulgated pursuant to this section shall be liable to 
5 pay a civil penalty of not more than one thousand dollars imposed by the 
6 district court of Lancaster County for each such violation which shall be 
7 remitted to the State Treasurer for distribution in accordance with 
8 Article VII, section 5, of the Constitution of Nebraska. Each day of 
9 continued violation shall constitute a separate offense or violation for 
10 purposes of this section. 
11 (7) A financial institution or credit union may limit the number of 
12 chances that a participant in a savings promotion raffle may obtain for 
13 making the required deposits but shall not limit the number of deposits. 
14 (8) In all proceedings initiated in any court or otherwise under 
15 this section, the Attorney General or appropriate county attorney shall 
16 prosecute and defend all such proceedings. 
17 (9) This section shall not apply to any activity authorized and 
18 regulated under the Nebraska Bingo Act, the Nebraska County and City 
19 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle 
20 Card Lottery Act, or the Nebraska Small Lottery and Raffle Act, or the 
21 State Lottery Act. 
22 Sec. 2. Original section 9-701, Reissue Revised Statutes of 
23 Nebraska, is repealed. 

Senator Nordquist filed the following amendment to LB446:
 AM339
1 1. Insert the following new section:
2 Sec. 2. Section 79-904.01, Reissue Revised Statutes of Nebraska, is 
3 amended to read: 
4 79-904.01 (1) If the board determines that the retirement system has 
5 previously received contributions or distributed benefits which for any 
6 reason are not in accordance with the statutory provisions of the School 
7 Employees Retirement Act, the board may refund contributions, require
8 additional contributions, adjust benefits, or require repayment of
9 benefits paid. In the event of an overpayment of a benefit, the board
10 may, in addition to other remedies, offset future benefit payments by the
11 amount of the prior overpayment, together with regular interest thereon.
12 In the event of a material underpayment of a benefit, the board shall
13 immediately make payment equal to the deficit amount plus regular
14 interest.
15 (2) If the board determines that termination of employment has not
16 occurred and a retirement benefit has been paid to a member of the
17 retirement system pursuant to section 79-933, such member shall repay the
18 benefit to the retirement system.
19 (3) The board shall adopt and promulgate rules and regulations
20 implementing this section, which shall include, but not be limited to,
21 the following: (a) The procedures for refunding contributions, adjusting
22 future contributions or benefit payments, and requiring additional
23 contributions or repayment of benefits; (b) the process for a member,
24 member's beneficiary, employee, or employer to dispute an adjustment of
25 contributions or benefits; and (c) notice provided to all affected
26 persons. All notices shall be sent at the time of or prior to an
27 adjustment and shall describe the process for disputing an adjustment of
1 contributions or benefits.
2 (4) The board shall not refund contributions made on compensation in
3 excess of the limitations imposed by subdivision (35) of section 79-902
4 or subsection (7) of section 79-934.
5 2. On page 24, line 27, after the first comma insert "79-904.01.".
6 3. Renumber the remaining sections accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 55. Introduced by Ebke, 32.

WHEREAS, McBattas Packaging and Printing in Fairbury purchased the
former Swingster Company sewing factory in 2000; and
WHEREAS, Fairbury native and owner, Fred Arnold, purchased the
closed sewing factory to house his growing printing and packaging business; and
WHEREAS, MSA Brand Products, also owned by Fred Arnold, began
manufacturing American flags in the former sewing factory building in
2014; and
WHEREAS, the flags sewn at the Fairbury factory are 100% American-
made, including the raw materials purchased from suppliers in the United
States; and
WHEREAS, Fred Arnold now employs a total of approximately 85
workers and hopes to increase the number of workers in the sewing division
from 9 to 25 by the end of 2015; and
WHEREAS, MSA Brand Products joins a small but mighty group of
American flag manufacturers located in the United States; and
WHEREAS, Fred Arnold has helped revive manufacturing in his
hometown of Fairbury, hired back former Swingster factory sewers and
created local jobs, and provided American retailers and consumers with quality American flags made in Nebraska.

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

1. That the Legislature recognizes Fred Arnold for his local economic development success in the Fairbury community.
2. That the Legislature commends MSA Brand Products for producing and selling American flags made in Nebraska.
3. That a copy of this resolution be sent to Fred Arnold and MSA Brand Products.

Laid over.

SELECT FILE

LEGISLATIVE BILL 18. Senator Groene renewed his amendment, AM301, found on page 467.

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

Senator Howard moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

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

Voting in the affirmative, 31:

Baker       Hadley  Krist     Nordquist  Smith
Coash       Hansen  Kuehn     Pansing      Brooks  Sullivan
Cook        Harr, B. Lindstrom  Riepe       Williams
Crawford    Hilkemann McCollister Scheer
Davis       Howard  Mello      Schilz
Gloor       Johnson  Morfeld    Schumacher
Haar, K.    Kolowski  Murante   Seiler

Voting in the negative, 15:

Bloomfield  Craighead  Garrett   Kintner    McCoy
Brasch       Ebke      Groene    Kolterman  Schnoor
Chambers     Friesen   Hughes    Larson     Stinner

Excused and not voting, 3:

Bolz    Campbell    Watermeier

The motion to cease debate prevailed with 31 ayes, 15 nays, and 3 excused and not voting.
Senator Groene requested a roll call vote on his amendment.

Voting in the affirmative, 19:

Baker       Ebke       Hughes       Lindstrom       Schnoor
Bloomfield  Friesen    Kintner      McCoy          Stinner
Brasch      Garrett     Kolterman   Murante        Watermeier
Craighead   Groene     Larson       Schilz

Voting in the negative, 28:

Chambers   Haar, K.   Johnson      Morfeld       Seiler
Coash      Hadley     Kolowski    Nordquist      Smith
Cook       Hansen     Krist        Pansing        Brooks Sullivan
Crawford   Harr, B.   Kuehn       Riepe          Williams
Davis      Hilkemann  McCollister Scheer
Gloor      Howard     Mello        Schumacher

Excused and not voting, 2:

Bolz       Campbell

The Groene amendment lost with 19 ayes, 28 nays, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525

Friday, February 27, 2015 1:30 p.m.

Frank J. Reida - Nebraska Power Review Board

(Signed) Ken Schilz, Chairperson

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 138. Placed on General File.

LEGISLATIVE BILL 55. Placed on General File with amendment.
AM78
1 1. On page 4, line 31, after the period insert "Such expenditures"
LEGISLATIVE RESOLUTION 34. Reported to the Legislature for further consideration with the following amendment:

AM290

1. Strike the original provisions and insert the following new provisions:

WHEREAS, the Department of Correctional Services Special Investigative Committee of the Legislature was created in LR424, One Hundred Third Legislature, Second Session; and

WHEREAS, the committee, having completed its work and issued its report on December 15, 2014, discovered additional problems within the Department of Correctional Services during the course of its LR424 study; and

WHEREAS, the Legislature believes that further study and oversight of the department is necessary in order to prevent additional mistakes and to correct inadequate department procedures and policies.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and reappoint the Department of Correctional Services Special Investigative Committee of the Legislature. The committee shall consist of up to eleven members of the Legislature appointed by the Executive Board. The Executive Board shall appoint the chairperson and vice-chairperson of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as deemed necessary by the committee.

2. That the Department of Correctional Services Special Investigative Committee of the Legislature is hereby authorized to study the following with respect to the Department of Correctional Services:

(a) The adequacy of programs designed to rehabilitate inmates;

(b) The funding history of programs designed to rehabilitate inmates;

(c) The availability of mental health care and the policies and procedures in place to ensure that inmates receive appropriate mental health care or confinement through the civil commitment process;

(d) The policies relating to the solitary confinement, segregation, or other isolation of inmates;

(e) The transition of inmates from incarceration to the community at
13 large;
14 (f) The administration of good time laws; and
15 (g) Any evaluation or study made of the department’s policies and
16 practices, whether or not any recommendations were adopted as a result of
17 the evaluation or study, and the reasons if any recommendations were not
18 adopted.
19 3. That the Department of Correctional Services Special
20 Investigative Committee shall brief the Judiciary Committee of the
21 Legislature by December 15, 2015, and December 15, 2016, and issue a
22 report with its findings and recommendations to the Legislature as
23 circumstances warrant.
24 4. That the Department of Correctional Services Special
25 Investigative Committee is hereby authorized to continue its work until
26 the beginning of the One Hundred Fifth Legislature, First Session.

(Signed) Bob Krist, Chairperson

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 12, 2015, at 9:55 a.m. were the
following: LBs 1, 2, 3, 4, 5, 6, 7, 8, and 9.

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

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Baack, Dennis - Nebraska Educational Telecommunications Commission -
  Education
Hart, Timothy - Nebraska Arts Council - General Affairs
Hinrichs, Jon - Nebraska Arts Council - General Affairs
Huenergardt, Darrel J. - Nebraska Arts Council - General Affairs
Jacobson, Julie - Nebraska Arts Council - General Affairs
Kircher, Patricia M. - Nebraska Educational Telecommunications
  Commission - Education
Price, Pamela - Nebraska Arts Council - General Affairs
Roush, Sue - Nebraska Arts Council - General Affairs
Starman, Darlene - Nebraska Educational Telecommunications Commission
  - Education

(Signed) Bob Krist, Chairperson
Executive Board
SELECT FILE

LEGISLATIVE BILL 18. Senator Groene offered his amendment, AM300, found on page 477.

Senator Groene asked unanimous consent to withdraw his amendment, AM300, found on page 477 and considered in this day's Journal, and replace it with his substitute amendment, AM143, found on page 477. No objections. So ordered.

Senator Chambers offered the following amendment to the Groene amendment:
FA11
Amend AM143
In line 15, strike and show as stricken "recognized".

Senator Krist offered the following motion:
MO29
Unanimous consent to bracket until June 5, 2015.

No objections. So ordered.

LEGISLATIVE BILL 109. ER17, found on page 416, was adopted.

Senator Crawford offered her amendment, AM287, found on page 443.

The Crawford amendment was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 198. ER18, found on page 416, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 118. ER14, found on page 416, was adopted.

Senator Larson withdrew his amendment, AM76, found on page 318.

Senator Schumacher offered his amendment, AM343, found on page 479.

The Schumacher amendment was adopted with 32 ayes, 1 nay, 14 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.
GENERAL FILE

LEGISLATIVE BILL 167. Title read. Considered.

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

EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 1, 2, 3, 4, 5, 6, 7, 8, and 9.

(Signed) Al Davis

COMMITTEE REPORT(S)

Business and Labor

LEGISLATIVE BILL 270. Placed on General File.

LEGISLATIVE BILL 334. Placed on General File with amendment.

AM283

1. Insert the following new section:

2 Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) Burke Harr, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 257. Placed on General File.

LEGISLATIVE BILL 342. Placed on General File.

LEGISLATIVE BILL 456. Placed on General File.

LEGISLATIVE BILL 464. Placed on General File.

LEGISLATIVE BILL 139. Placed on General File with amendment.

AM119

1. Strike original sections 10, 21, 36, and 44 and insert the following new section:

3 Sec. 41. Section 76-2221, Revised Statutes Cumulative Supplement, 2014, is amended to read:

5 76-2221 The Real Property Appraiser Act shall not apply to:

6 (1) Any real property appraiser who is a salaried employee of (a)

7 the federal government, (b) any agency of the state government or a political subdivision which appraises real estate, (c) any insurance company authorized to do business in this state, or (d) any bank, savings and loan association, building and loan association, credit union, or small loan company licensed by this state or supervised or regulated by or through federal enactments covering financial institutions, except that any employee of the entities listed in
14 subdivisions (a) through (d) of this subdivision who signs a 
an appraisal report as a credentialed real property appraiser shall be subject to the 
15 act and the Uniform Standards of Professional Appraisal Practice. Any 
16 salaried employee of the entities listed in subdivisions (a) through (d) 
17 of this subdivision who does not sign a an appraisal report as a 
18 credentialed real property appraiser shall include the following 
19 disclosure prominently with such report: This opinion of value may not 
20 meet the minimum standards contained in the Uniform Standards of 
21 Professional Appraisal Practice and is not governed by the Real Property 
22 Appraiser Act; 
23 (2) A person referred to in subsection (1) of section 81-885.16; 
24 (3) Any person who provides assistance (a) in obtaining the data 
25 upon which an appraisal is based, (b) in the physical preparation of a an 
26 appraisal report, such as taking photographs, preparing charts, maps, or 
27 graphs, or typing or printing the report, or (c) that does not directly 
28 involve the exercise of judgment in arriving at the analyses, opinions, 
29 or conclusions concerning real estate or real property set forth in the 
30 appraisal report; 
31 (4) Any owner of real estate, employee of the owner, or attorney 
32 licensed to practice law in this state the State of Nebraska representing 
33 the owner who renders an estimate or opinion of value of the real estate 
34 or any interest in the real estate when such estimate or opinion is for 
35 the purpose of real estate taxation, or any other person who renders such 
36 an estimate or opinion of value when that estimate or opinion requires a 
37 specialized knowledge that a real property appraiser would not have, 
38 except that a real property appraiser or a person licensed under the 
39 Nebraska Real Estate License Act is not exempt under this subdivision; 
40 (5) Any owner of real estate, employee of the owner, or attorney 
41 licensed to practice law in this state the State of Nebraska representing 
42 the owner who renders an estimate or opinion of value of real estate or 
43 any interest in real estate or damages thereto when such estimate or 
44 opinion is offered as testimony in any condemnation proceeding, or any 
45 other person who renders such an estimate or opinion when that estimate 
46 or opinion requires a specialized knowledge that a real property 
47 appraiser would not have, except that a real property appraiser or a 
48 person licensed under the Nebraska Real Estate License Act is not exempt 
49 under this subdivision; 
50 (6) Any owner of real estate, employee of the owner, or attorney 
51 licensed to practice law in this state the State of Nebraska representing 
52 the owner who renders an estimate or opinion of value of the real estate 
53 or any interest in the real estate when such estimate or opinion is 
54 offered in connection with a legal matter involving real property; or 
55 (7) Any person appointed by a county board of equalization to act as 
56 a referee pursuant to section 77-1502.01, except that any person who also 
57 practices as an independent real property appraiser or real property 
58 associate for others shall be subject to the Real Property Appraiser Act 
59 and shall be credentialed prior to engaging in such other appraising. Any 
60 real property appraiser appointed to act as a referee pursuant to section 
61 77-1502.01 and who prepares a an appraisal report for the county board of
5 equalization shall not sign such appraisal report as a credentialed real property appraiser and shall include the following disclosure prominently with such report: This opinion of value may not meet the minimum standards contained in the Uniform Standards of Professional Appraisal Practice and is not governed by the Real Property Appraiser Act.

10 2. Renumber the remaining sections and correct internal references accordingly.

LEGISLATIVE BILL 458. Placed on General File with amendment. AM245
1 1. On page 5, line 3, after "of" insert "an individual or".
2 2. On page 6, line 8, strike "prelicensure educational" and insert "prelicensing education".

(Signed) Jim Scheer, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 41. Placed on Final Reading.
LEGISLATIVE BILL 42. Placed on Final Reading.
LEGISLATIVE BILL 65. Placed on Final Reading.
LEGISLATIVE BILL 91. Placed on Final Reading.
LEGISLATIVE BILL 92. Placed on Final Reading.
LEGISLATIVE BILL 93. Placed on Final Reading.
LEGISLATIVE BILL 95. Placed on Final Reading.
LEGISLATIVE BILL 99. Placed on Final Reading.
LEGISLATIVE BILL 100. Placed on Final Reading.
LEGISLATIVE BILL 126. Placed on Final Reading.
LEGISLATIVE BILL 150. Placed on Final Reading.
LEGISLATIVE BILL 151. Placed on Final Reading.
LEGISLATIVE BILL 170. Placed on Final Reading.
LEGISLATIVE BILL 171. Placed on Final Reading.
LEGISLATIVE BILL 177. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

COMMITTEE REPORT(S)
Nebraska Retirement Systems

The Nebraska Retirement Systems 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.

Michael W. Walden-Newman, State Investment Officer - Nebraska Investment Council

Aye: 6 Davis, Groene, Kolowski, Kolterman, Mello, Nordquist. Nay: 0. Absent: 0. Present and not voting: 0.
AMENDMENT(S) - Print in Journal

Senator Chambers filed the following amendment to LB10:
AM366
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 32-710, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:
5 32-710 (1) Each political party shall hold a state postprimary
6 convention biennially on a date to be fixed by the state central
7 committee but not later than September 1. Candidates for elective offices
8 may be nominated at such conventions pursuant to section 32-627 or
9 32-721. Such nominations shall be certified to the Secretary of State by
10 the chairperson and secretary of the convention. The certificates shall
11 have the same force and effect as nominations in primary elections. A
12 political party may not nominate a candidate at the convention for an
13 office for which the party did not nominate a candidate at the primary
14 election except as provided for new political parties in section 32-621.
15 The convention shall formulate and promulgate a state platform, select a
16 state central committee, select electors for President and Vice President
17 of the United States, and transact the business which is properly before
18 it. Five One presidential elector shall be chosen from each congressional
district, and two presidential electors shall be chosen by district as
provid ed in subsection (2) of this section at large. The officers of the

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(Signed) Jeremy Nordquist, Chairperson

convention shall certify the names of the electors to the Governor and
Secretary of State.
23 (2) The Secretary of State shall divide the state into five
24 presidential elector districts, and one presidential elector shall be
25 chosen from each district. The districts shall be compact and contiguous
26 and substantially equal in population. The basis of apportionment shall
27 be the population as determined by the most recent federal decennial
1 census. The Secretary of State shall redistrict the state after each
2 federal decennial census. In any such redistricting, county lines shall
3 be followed whenever practicable, and other established lines may be
4 followed at the discretion of the Secretary of State.
5 Sec. 2. Section 32-713, Revised Statutes Cumulative Supplement,
6 2014, is amended to read:
7 32-713 (1) The certificates of appointment for presidential electors
8 shall be served by the Governor on each person appointed. The Governor
9 shall notify the presidential electors to be at the State Capitol at noon
10 on the first Monday after the second Wednesday in December after
11 appointment and report to the Governor at his or her office in the
12 capitol as being in attendance. The Governor shall serve the certificates
13 of appointment by registered or certified mail. In submitting this
14 state's certificate of ascertainment as required by 3 U.S.C. 6, the
15 Governor shall certify this state's presidential electors and state in
the certificate that:
17. (a) The presidential electors will serve as presidential electors
18. unless a vacancy occurs in the office of presidential elector before the
19. end of the meeting at which the presidential electors cast their votes,
20. in which case a substitute presidential elector will fill the vacancy;
21. and
22. (b) If a substitute presidential elector is appointed to fill a
23. vacancy, the Governor will submit an amended certificate of ascertainment
24. stating the names on the final list of this state's presidential
25. electors.
26. (2) The presidential electors shall convene at 2 p.m. of such Monday
27. at the Governor's office in the capitol. Each presidential elector shall
28. execute the following pledge: As a presidential elector duly selected (or
29. appointed) for this position, I agree to serve and to mark my ballots for
30. President and Vice President for the presidential and vice-presidential
31. candidates who received the highest number of votes in the state if I am
32. an at-large presidential elector or the highest number of votes in my
33. congressional district if I am a congressional district presidential
34. elector district which I represent.
4. Sec. 3. Section 32-714, Revised Statutes Cumulative Supplement,
5. 2014, is amended to read:
6. 32-714 (1) The Governor shall provide each presidential elector with
7. a list of all the presidential electors. If any presidential elector is
8. absent or if there is a deficiency in the proper number of presidential
9. electors, those present shall elect from the citizens of the state so
10. many persons as will supply the deficiency and immediately issue a
11. certificate of election, signed by those present or a majority of them,
12. to the person or persons so chosen. In case of failure to elect as
13. required in this subsection by 3 p.m. of such day or in case of a vacancy
14. created under subsection (4) of this section, the Governor shall fill the
15. vacancies by appointment. Each appointee shall execute the pledge in
16. section 32-713. After all vacancies are filled, the presidential electors
17. shall proceed with the election of a President of the United States and a
18. Vice President of the United States and certify their votes in conformity
19. with the Constitution and laws of the United States.
20. (2) The Secretary of State shall provide each presidential elector
21. with a presidential and vice-presidential ballot. Each at-large
22. presidential elector shall mark his or her ballot for the presidential
23. and vice-presidential candidates who received the highest number of votes
24. in the state and consistent with his or her pledge. Each congressional
25. district presidential elector shall mark his or her ballot for the
26. presidential and vice-presidential candidates who received the highest
27. number of votes in his or her presidential elector congressional district
28. and consistent with his or her pledge.
29. (3) Each presidential elector shall present the completed ballot to
30. the Secretary of State. The Secretary of State shall examine each ballot
31. and accept as cast each ballot marked by a presidential elector
32. consistent with his or her pledge. The Secretary of State shall not
33. accept and shall not count the ballot if the presidential elector has not
3 marked the ballot or has marked the ballot in violation of his or her pledge.
4 (4) A presidential elector who refuses to present a ballot, who
5 attempts to present an unmarked ballot, or who attempts to present a
6 ballot marked in violation of his or her pledge vacates the office of
7 presidential elector.
9 Sec. 4. Section 32-1038, Reissue Revised Statutes of Nebraska, is
10 amended to read:
11 32-1038 (1) The board of state canvassers shall authorize the
12 Secretary of State to open the abstracts of votes from the various
13 counties and prepare an abstract stating the number of ballots cast for
14 each office, the names of all the persons voted for, for what office they
15 respectively received the votes, and the number of votes each received.
16 The abstract shall be signed by the members of the board and shall have
17 the seal of the state affixed by the Secretary of State. The canvass of
18 the votes for candidates for President and Vice President of the United
19 States and the return thereof shall be a canvass and return of the votes
20 cast for the presidential electors of the same party or group of
21 petitioners respectively, and the certificate of such election made by
22 the Governor shall be in accord with such return. Receipt by the
23 presidential electors of a party or a group of petitioners of the highest
24 number of votes statewide shall constitute election of the two at large
25 presidential electors of that party or group of petitioners. Receipt by
26 the presidential electors of a party or a group of petitioners of the
27 highest number of votes in a presidential elector congressional district
28 shall constitute election of the presidential elector congressional
29 district presidential elector of that party or group of petitioners.
30 (2) The board of state canvassers shall determine from the completed
31 abstract the names of those candidates who have been nominated or
1 elected. If any two or more persons are returned with an equal and the
2 highest number of votes, the board of state canvassers shall decide by
3 lot which of such persons is elected except for officers elected to the
4 executive branch. The board of state canvassers shall also declare those
5 measures carried which have received the required percentage of votes as
6 provided by law.
7 Sec. 5. Original section 32-1038, Reissue Revised Statutes of
8 Nebraska, and sections 32-710, 32-713, and 32-714, Revised Statutes
9 Cumulative Supplement, 2014, are repealed.

Senator K. Haar filed the following amendment to LB111:
AM247
(Amendments to Standing Committee amendments, AM233)
1 1. Insert the following new amendments:
2 1. Insert the following new section:
3 Sec. 2. Section 32-202, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 32-202 In addition to any other duties prescribed by law, the
6 Secretary of State shall:
7 (1) Supervise the conduct of primary and general elections in this
(2) Provide training for election commissioners, county clerks, and other election officials in providing for registration of voters and the conduct of elections;
(3) Enforce the Election Act;
(4) With the assistance and advice of the Attorney General, make uniform interpretations of the act;
(5) Provide periodic training for the agencies and their agents and contractors in carrying out their duties under sections 32-308 to 32-310;
(6) Develop and print forms for use as required by sections 32-308, 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;
(7) Contract with the Department of Administrative Services for storage and distribution of the forms;
(8) Require reporting to ensure compliance with sections 32-308 to 32-310;
(9) Prepare and transmit reports as required by the National Voter Registration Act of 1993, 42 U.S.C. 1973gg et seq.;
(10) Develop and print a manual describing the requirements of the initiative and referendum process and distribute the manual to election commissioners and county clerks for distribution to the public upon request;
(11) Develop and print pamphlets described in section 32-1405.01;
(12) Adopt and promulgate rules and regulations for elections conducted under sections 32-952 to 32-959; and
(13) Establish a free access system, such as a toll-free telephone number or an Internet web site, that any voter who casts a provisional ballot may access to discover whether the vote of that voter was counted and, if the vote was not counted, the reason that the vote was not counted. The Secretary of State shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system. Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot; and
(14) Develop informational material to assist voters with requirements to present government-issued photographic identification in order to vote and make such informational material available on the Internet web site of the Secretary of State and, within sixty days after the effective date of this act, mail such informational material to every registered voter in this state.

Senator Schilz filed the following amendment to LB142:
AM255
1 1. Insert the following new section:
2 Sec. 7. Section 37-1273, Reissue Revised Statutes of Nebraska, is amended to read:
4 37-1273 All fees as provided by the State Boat Act shall be remitted
5 to the State Treasurer for credit to the State Game Fund to be used
6 primarily for (1) administration and enforcement of the State Boat Act,
7 (2) boating safety educational programs, (3) the construction and
8 maintenance of boating and docking facilities, navigation aids, and
9 access to boating areas and such other uses as will promote the safety
10 and convenience of the boating public in Nebraska, (4) the Aquatic
11 Invasive Species Program, and (5) publishing costs subject to the
12 restrictions and limitations in section 37-324. Secondary uses for the
13 fees shall be for the propagation, importation, protection, preservation,
14 and distribution of game and fish and necessary equipment therefor and
15 all things pertaining thereto.
16 2. On page 4, line 8, strike "section 37-1220" and insert "sections
17 37-1220 and 37-1273".
18 3. Renumber the remaining sections accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Coash - LB210

VISITORS

Visitors to the Chamber were Robin Rauner from Lincoln; and 12 members
of Boy Scout Troop 282 from Millard.

The Doctor of the Day was Dr. Ferdinando Andrade from Omaha.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Nordquist, the Legislature adjourned
until 10:00 a.m., Tuesday, February 17, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-SEVENTH DAY - FEBRUARY 17, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 17, 2015

PRAYER

The prayer was offered by Senator Ebke.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hadley presiding.

The roll was called and all members were present except Senators McCollister and McCoy who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 40. Placed on Final Reading.
ST2
The following changes, required to be reported for publication in the Journal, have been made:
1. On page 1, the matter beginning with "23-2305.01" in line 1 through "Nebraska" in line 3 has been struck and "16-1019, 16-1038, 23-2305.01, 23-2322, 24-704.01, 79-904.01, 79-948, 79-9,104, 81-2019.01, 81-2032, 84-1305.02, 84-1324, 84-1503, and 84-1505, Reissue Revised Statutes of Nebraska, and sections 14-2111, 24-710.02, and 48-1401, Revised Statutes Cumulative Supplement, 2014; to eliminate unconstitutional provisions related to payment of benefits or annuities for civil damages" inserted.

LEGISLATIVE BILL 43. Placed on Final Reading.
LEGISLATIVE BILL 109. Placed on Final Reading.
LEGISLATIVE BILL 118. Placed on Final Reading.
ST3
The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "cigar" in line 1 through line 10 and all amendments thereto have been struck and "tobacco; to amend sections 53-103.08, 53-1,120.01, 71-5716, and 71-5717, Reissue Revised Statutes of Nebraska, and sections 28-1429.03, 53-101, 53-131, and 71-5730, Revised Statutes Cumulative Supplement, 2014; to define cigar shop; to permit certain sales as prescribed; to provide for a nonrefundable application fee; to provide and change requirements for cigar shops; to state and restate intent; to preempt county resolutions and city ordinances relating to smoking in cigar shops; to exempt tobacco retail outlets and cigar shops from the Nebraska Clean Indoor Air Act; to provide requirements for tobacco retail outlets; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 149. Placed on Final Reading.
LEGISLATIVE BILL 157. Placed on Final Reading.
LEGISLATIVE BILL 159. Placed on Final Reading.

LEGISLATIVE BILL 168. Placed on Final Reading.
ST6
The following changes, required to be reported for publication in the Journal, have been made:

1. On page 4, line 15, "(1)" has been struck, shown as stricken, and "(a)" inserted; and in line 16 "(2)" has been struck, shown as stricken, and "(b)" inserted.

LEGISLATIVE BILL 198. Placed on Final Reading.
LEGISLATIVE BILL 219. Placed on Final Reading.
LEGISLATIVE BILL 220. Placed on Final Reading.
LEGISLATIVE BILL 220A. Placed on Final Reading.
LEGISLATIVE BILL 247. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 167. Placed on Select File with amendment.
ER36
1 1. On page 1, line 3, strike "to" and insert "with the Clerk of".
2 2. On page 2, line 14, strike the second "and".

(Signed) Matt Hansen, Chairperson
LEGISLATIVE BILL 586. Placed on General File with amendment.

AM289
1 1. Insert the following new section:
2 Sec. 9. Section 48-1103, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 48-1103 The Nebraska Fair Employment Practice Act shall not apply
5 to:
6 (1) A religious corporation, association, or society with respect to
7 the employment of individuals of a particular religion to perform work
8 connected with the carrying on by such corporation, association, or
9 society of its religious activities; or
10 (2) The employment of an any individual (a) by his or her parent,
11 grandparent, spouse, child, or grandchild or (b) in the domestic service
12 of any person.
13 2. Renumber the remaining sections and correct the repealer
14 accordingly.

(Signed) Les Seiler, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 56. Introduced by Krist, 10.

WHEREAS, Maxwell Kaye, Montgomery Wylie, and Nicholas Harpster,
members of Troop 31, have completed the requirements for the rank of
Eagle Scout in the Boy Scouts of America; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting,
a Boy Scout must fulfill requirements in the areas of leadership, service, and
outdoor skills. Although many options are available to demonstrate
proficiency in these areas, a number of specific skills are required to
advance through the ranks of Tenderfoot, Second Class, First Class, Star,
Life, and finally Eagle Scout. Throughout their scouting experience,
Maxwell, Montgomery, and Nicholas have learned, been tested on, and been
recognized for various scouting skills; and
WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to
earn 21 merit badges, 12 of which are in required areas, and complete a
community service project approved by the troop and the scout council; and
WHEREAS, for Maxwell's Eagle Scout community service project, he
installed a new flag and flag pole at Bohemian Cemetery in Omaha. Maxwell
also planted flowers and painted a bench at a memorial for those
who have given their lives for their country; and
WHEREAS, for Montgomery's Eagle Scout community service project, he
built and mended picnic tables for Two Rivers State Park in Wahoo. Because of Montgomery's project, 36 picnic tables were placed around the
park for visitors to enjoy. Montgomery, with the help of Troop 31, built 24
picnic tables and restored 12 of the older picnic tables used by visitors in the park; and

WHEREAS, for Nicholas's Eagle Scout community service project, he built a dozen bat houses with the help of his troop and delivered them to Two Rivers State Park in Wahoo where they were installed throughout the park at different camp sites. Nicholas's project is helping to benefit visitors to the park by reducing the mosquito population; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Maxwell, Montgomery, and Nicholas, through hard work and perseverance, have joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Maxwell Kaye, Montgomery Wylie, and Nicholas Harpster from Troop 31 on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Maxwell Kaye, Montgomery Wylie, and Nicholas Harpster.

Laid over.

LEGISLATIVE RESOLUTION 57. Introduced by Krist, 10.

WHEREAS, engineers plan, design, and implement engineering works that propel the nation's economy, enhance our quality of life, and safeguard America's infrastructure; and

WHEREAS, engineers face the major technological challenges of our time, from rebuilding towns devastated by natural disasters to designing an information superhighway that will speed our country into the twenty-first century, and have used their scientific and technical knowledge and skills in creative and innovative ways to fulfill society's needs; and

WHEREAS, engineers are encouraging our young math and science students to realize the practical power of their knowledge; and

WHEREAS, we will look more than ever to engineers and their knowledge and skill to bridge the gap between science, theory, and practical application to meet the challenges of the future; and

WHEREAS, National Engineers Week was founded in 1951 and is celebrated at the time of George Washington's birthday, who himself was a military engineer and surveyor; and

WHEREAS, February 22-28, 2015, is recognized as Engineers Week in Nebraska.

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

1. That the Legislature recognizes the contributions and achievements of Nebraska's engineers and recognizes February 22-28, 2015, as Engineers Week in Nebraska.
2. That a copy of this resolution be sent to the American Council of Engineering Companies of Nebraska.

Laid over.

MESSAGE(S) FROM THE GOVERNOR

February 11, 2015

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

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

Contingent upon your approval, the following individual is being appointed to the Nebraska Educational Telecommunications Commission:

Marilyn Hadley, 3112 Country Club Lane, Kearney, NE 68845

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

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

February 10, 2015

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

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

Contingent upon your approval, the following individual is being appointed to the Board of Parole:

Virgil J. Patlan Sr., 3305 E Street, Omaha, NE 68107

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

ANNOUNCEMENT

Pursuant to Neb. Rev. Stat. 43-4202(3)(b), Senator Seiler announced as Chairperson of the Judiciary Committee, that Senator Patty Pansing Brooks has been designated as a member of the Nebraska Children's Commission.

GENERAL FILE

LEGISLATIVE BILL 155. Title read. Considered.

Committee AM180, found on page 413, was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

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

LEGISLATIVE BILL 439. Title read. Considered.

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

LEGISLATIVE BILL 179. Title read. Considered.

Committee AM237, found on page 434, was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

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

LEGISLATIVE BILL 164. Title read. Considered.

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

LEGISLATIVE BILL 207. Title read. Considered.

Committee AM194, found on page 438, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.
LEGISLATIVE BILL 111. Title read. Considered.

Committee AM233, found on page 442, was offered.

Senator Chambers offered the following motion:

MO30
Bracket until April 15, 2015.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 139A. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 139, One Hundred Fourth Legislature, First Session, 2015.

LEGISLATIVE BILL 504A. Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 504, One Hundred Fourth Legislature, First Session, 2015.

ATTORNEY GENERAL’S OPINION

Opinion 15-002

SUBJECT: LB 280 - Constitutionality of Reducing the Percentage of the Actual Value of Agricultural and Horticultural Land Used in Calculating State Aid Value Under the Tax Equity and Educational Opportunities Support Act.

REQUESTED BY: Senator Al Davis
Nebraska Legislature

WRITTEN BY: Doug Peterson, Attorney General
L. Jay Bartel, Assistant Attorney General

LB 280 contains several provisions relating to school funding. The bill proposes creation of a school-funding surtax on individuals with an income tax liability. LB 280, § 1. The maximum levy rate for school districts would be reduced in incremental steps over a period of years from the current rate of $1.05 per one hundred dollars of taxable value to $.805 per one hundred dollars of value by fiscal year 2020-2021. LB 280, § 2. The maximum levy rate for learning communities would also be reduced over the same period
from the current rate of $.95 per one hundred dollars of taxable value to $.705 per one hundred dollars of value. *Id.* The bill also includes several changes to the Tax Equity and Educational Opportunities Support Act ["TEEOSA"]. Section 8 would amend Neb. Rev. Stat. § 79-1015.01 (2014), which establishes the local effort rate for inclusion in local system formula aid resources, by reducing the rate to $.755 for school fiscal year 2017-18 and subsequent years. LB 280, § 8. The bill would also lower the percentage of agricultural and horticultural land used in determining state aid value from 72 percent to 62.4 percent of actual value. LB 280, § 9. Beginning in school fiscal year 2017-19, a foundation aid amount of $500 would be provided for each student in all school districts. LB 280, § 12.

Your original request referenced prior legislative proposals to “reduce the valuation of agricultural and horticultural land for the purposes of calculating state aid to schools….” Subsequent to receipt of your request, you introduced LB 280. It is our understanding that you seek our opinion on the constitutionality of that portion of the bill which would lower the percentage of agricultural and horticultural land used in determining state aid value from 72 percent to 62.4 percent of actual value.

Your request does not articulate a specific constitutional issue to be addressed, or identify any particular constitutional provision this portion of the bill may contravene. To the extent that the bill proposes only to reduce the percentage of state aid value for agricultural and horticultural land from 72 percent to 62.4 percent of actual value, while retaining the state aid value for real property other than agricultural and horticultural land at 96 percent of actual value, there may be a question whether this establishes an unreasonable classification in violation of the prohibition against special legislation in Neb. Const. art. III, § 18.


For statewide equalization purposes, the “acceptable range” for agricultural land and horticultural land is “sixty-nine to seventy-five percent of actual value.” Neb. Rev. Stat. § 77-5023(2)(a) (2009). The acceptable range for agricultural and horticultural land receiving special valuation is “sixty-nine to seventy-five percent of special valuation.” Neb. Rev. Stat. § 77-5023(2)(b) (2009). For all other real property, the acceptable range is

TEEOSA requires the Property Tax Administrator to “compute and certify to the State Department of Education the adjusted valuation for the current assessment year for each class of property in each school district and each local system.” Neb. Rev. Stat. § 79-1016(2) (2014). “The adjusted valuation of property of each school district and each local school system, for purposes of determining state aid pursuant to the Tax Equity and Education Opportunities Support Act, shall reflect as nearly as possible the state aid value....” Id. Neb. Rev. Stat. § 79-1016(3) (2014) provides that “state aid value” means

(a) For real property other than agricultural and horticultural land, ninety-six percent of actual value;

(b) For agricultural and horticultural land, seventy-two percent of actual value as provided in sections 77-1359 to 77-1363. For agricultural and horticultural land that receives special valuation, seventy-two percent of special valuation as defined in section 77-1343; and

(c) For personal property, the net book value as defined in section 77-120.

“State aid value” for agricultural and horticultural land, including agricultural and horticultural land receiving special valuation, is thus currently set at 72 percent of actual or special value, the midpoint of the acceptable range of value for these classes of property. Similarly, “state aid value” for all other taxable real property is 96 percent of actual value, the midpoint of the range for real property other than agricultural and horticultural land or land subject to special valuation. Thus, adjusted valuation of property for state aid purposes is currently determined using the midpoint of the acceptable range for each class of property as the measure of state aid value. Section 9 of LB 280 would lower the measure of state aid value from 72 percent, the midpoint of the acceptable range for agricultural and horticultural land and agricultural and horticultural land receiving special valuation, to 62.4 percent. Adjusted valuation for state aid purposes for all other real property would remain at 96 percent, the midpoint of the acceptable range.

Article III, § 18, provides:

The Legislature shall not pass local or special laws in any of the following cases, that is to say:

* * *
Granting to any corporation, association, or individual any special or exclusive privileges, immunity, or franchise whatever... In all other cases where a general law can be made applicable, no special law shall be enacted.

The Nebraska Supreme Court has stated that a legislative act can violate art. III, § 18, as special legislation in “one of two ways: (1) by creating a totally arbitrary and unreasonable method of classification, or (2) by creating a permanently closed class.” *Haman v. Marsh*, 237 Neb. 699, 709, 467 N.W.2d 836, 845 (1991). “A special legislation analysis focuses on a legislative body’s purpose in creating a challenged class and asks if there is a substantial difference of circumstances to suggest the expediency of diverse legislation.” *J. M. v. Hobbs*, 288 Neb. 546, 557, 849 N.W.2d 480, 489 (2014). “The prohibition aims to prevent legislation that arbitrarily benefits a special class.” *Id.* “Classifications for the purpose of legislation must be real and not illusive; they cannot be based on distinctions without a substantial difference.” *Big John’s Billards, Inc. v. State*, 288 Neb. 938, 945, 852 N.W.2d 727, 735 (2014). “A legislative body’s distinctive treatment of a class is proper if the class has some reasonable distinction from other subjects of a like general character.” *Id.* “[T]hat distinction must bear some reasonable relation to the legitimate objective and purposes of the legislative act.” *Id.* As no closed classification is implicated, the question is whether the distinction between the percentages of agricultural and horticultural lands and other real property, utilizing a percentage below the midpoint of the range for agricultural and horticultural lands and land subject to special valuation while retaining the midpoint of the range for other real property, establishes an arbitrary and unreasonable classification.

In 2011, legislation was introduced which proposed to incrementally reduce the percentage of the actual value of agricultural and horticultural land used to calculate state aid from 72 percent to 62 percent over a ten year period. The legislative history of the bill (LB 440) noted this proposal would “decrease formula resources in the calculation of state aid for school districts that have agricultural and horticultural land...”, which would “in turn trigger an increase in equalization aid to those school districts.” Committee Records on LB 440, 102nd Leg., 1st Sess. 1 (Feb. 1, 2011). The bill’s principal introducer stated the bill was intended to provide school districts the benefit of additional state aid, and that school districts would then “possibly lower the levy of the property taxes.” *Id.* (Statement of Sen. Heidemann). The introducer further stated “the bill [was] mainly to get more state aid to...more rural school districts...”, and “would help neutralize the effect of soaring agricultural land values and resulting decrease in state aid that burdens our rural communities in supporting K-12 school districts.” *Id.* at 1-2 (Statement of Sen. Heidemann). The introducer noted that the number of unequalized school districts (districts not receiving equalization aid under TEEOSA) had risen from 23.5 percent in 2001 to around 30 percent of all districts in 2011. *Id.* at 2 (Statement of Sen. Heidemann). Supporting testimony noted that, “[s]ince 2005, property tax increases statewide on agricultural real estate had increased nearly 46 percent, almost twice the
percentage increase as on residential properties…”, and that “LB 440 attempt[ed] to help with this issue by reducing the value of agricultural land in the state aid to schools formula, which would translate into greater aid for school districts that have come to rely so heavily upon agricultural land for funding…”, and “aid in alleviating some of the pressure on agricultural land as the funding sources for some schools.” Id. at 12 (Statement of Jessica Kolterman on behalf of the Nebraska Farm Bureau).

While LB 440 was not advanced from the Education Committee, we believe the purposes articulated in support of that bill provide a reasonable basis for the proposed reduction to the percentage of agricultural and horticultural land to be used to calculate state aid to schools contained in LB 280. The effect of a decrease in the percentage of actual value of agricultural and horticultural land would be to decrease formula resources in determining state aid, which in turn would increase the amount of state aid allocated to schools as equalization aid. Equalized school districts may receive increased equalization aid, and the number of unequalized districts would be reduced. Given the substantial increase in the valuation of agricultural and horticultural lands statewide in recent years, which has outpaced increases in the valuation of other real property, utilizing a different, lower percentage of agricultural land value in the calculation of state aid is not arbitrary or unreasonable, as it is based on real substantial differences between such lands and other real property. Thus, reducing the value of agricultural and horticultural land, including land subject to special valuation, from the midpoint of the acceptable range for such property (72 percent) to 62.4 percent, while continuing to use the midpoint of the range for other real property (96 percent), in calculating state aid to schools, is not an improper classification in violation of the special legislation clause.

CONCLUSION

The Nebraska Constitution provides that “[t]he Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years.” Neb. Const. art. VII, § 1. “What methods and what means should be adopted in order to furnish free instruction to the children of the state has been left by the constitution to the legislature.” Affholder v. State, 51 Neb. 91, 93, 70 N.W. 544, 545 (1897). “Nebraska’s constitutional history shows that the people of Nebraska have repeatedly left school funding decisions to the Legislature’s discretion.” Nebraska Coalition for Educational Equity and Adequacy v. Heineman, 273 Neb. 531, 550, 731 N.W.2d 164, 179 (2007). Given the broad discretion afforded the Legislature in determining the proper means to fund our schools, we conclude that, for purposes of calculating state aid to schools, LB 280’s proposed reduction to the value of agricultural and horticultural land, including land subject to special valuation, from the midpoint of the acceptable range for such property (72 percent) to 62.4 percent, while continuing to use the midpoint of the range for other real property (96 percent), does not result in an improper classification in violation of the special legislation clause.
UNANIMOUS CONSENT - Add Cointroducer(s)

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

WITHDRAW - Cointroducer

Senator Krist withdrew his name as cointroducer to LB114 and LB614.

VISITORS

Visitors to the Chamber were Brian Schlote from Plainview; 50 members of Hall County Leadership UNLIMITED; delegates and facilitators of Open World Leadership Center, from Ukraine; and 15 members of a leadership group from Fillmore County.

The Doctor of the Day was Dr. Elizabeth Dayton from Omaha.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator B. Harr, the Legislature adjourned until 9:00 a.m., Wednesday, February 18, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-EIGHTH DAY - FEBRUARY 18, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 18, 2015

PRAYER

The prayer was offered by Senator Watermeier.

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 McCoy who was excused; and Senators Baker, Campbell, Garrett, Gloor, Schilz, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-seventh day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 17, 2015

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1, 2, 3, 4, 5, 6, 7, 8, and 9 were received in my office on February 12, 2015.

These bills were signed and delivered to the Secretary of State on February 17, 2015.

Sincerely,
(Signed) Pete Ricketts
Governor

PR/lhk
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.

GENERAL FILE

LEGISLATIVE BILL 111. Senator Chambers withdrew his motion, MO30, found on page 525, to bracket until April 15, 2015.

Senator Chambers offered the following motion:
MO31
Recommit to Government, Military and Veterans Affairs Committee.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 155. Placed on Select File with amendment.
ER39
1 1. On page 1, line 6, before "disclosure" insert "the cost of"; and
2 in line 7 strike "and" and after "sections" insert "; and to declare an
3 emergency".

LEGISLATIVE BILL 439. Placed on Select File with amendment.
ER38
1 1. On page 3, lines 1, 4, 11, and 12, strike the new matter and
2 reinstate the stricken matter.

LEGISLATIVE BILL 179. Placed on Select File.

LEGISLATIVE BILL 164. Placed on Select File with amendment.
ER40
1 1. On page 3, line 26, strike "natural resources district, or" and
2 show the old matter as stricken and after "village" insert ", or natural
3 resources district".

LEGISLATIVE BILL 207. Placed on Select File with amendment.
ER37
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 46-1139, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 46-1139 Any person who engages in chemigation without first
6 obtaining a chemigation permit shall be (1) subject to a civil penalty of
7 not more than one thousand dollars for each day at each site where a
8 violation occurs for the first violation and not less than one thousand
dollars and not more than five thousand dollars for each day at each site
10 where a violation occurs for each subsequent violation or (2) guilty of a
11 Class II misdemeanor. Each day of continued violation shall constitute a
12 separate offense. The court may issue such injunctive orders as may be
13 necessary to prohibit continued violations of the Nebraska Chemigation
14 Act. When the Attorney General, a county attorney, or a private attorney
15 brings an action on behalf of a district to recover a civil penalty under
16 this section, the district shall recover the costs of the action if a
civil penalty is awarded.
18 Sec. 2. Section 46-1140, Reissue Revised Statutes of Nebraska, is
19 amended to read:
20 46-1140 Any person who engages in chemigation with a suspended or
21 revoked chemigation permit shall be (1) subject to a civil penalty of not
22 more than one thousand dollars for each day at each site where a
23 violation occurs for the first violation and not less than one thousand
24 dollars and not more than five thousand dollars for each day at each site
25 where a violation occurs for each subsequent violation or (2) guilty of a
26 Class II misdemeanor. Each day of continued violation shall constitute a
27 separate offense. The court may issue such injunctive orders as may be
28 necessary to prohibit continued violations of the Nebraska Chemigation
29 Act. When the Attorney General, a county attorney, or a private attorney
30 brings an action on behalf of a district to recover a civil penalty under
31 this section, the district shall recover the costs of the action if a
civil penalty is awarded.
32 Sec. 3. Section 46-1141, Reissue Revised Statutes of Nebraska, is
33 amended to read:
34 46-1141 Any person who willfully tampers with or otherwise willfully
9 damages in any way equipment meeting the requirements specified in
10 section 46-1127 shall be (1) subject to a civil penalty of not more than
11 one thousand dollars for each day at each site where a violation occurs
12 for the first violation and not less than one thousand dollars and not
13 more than five thousand dollars for each day at each site where a
14 violation occurs for each subsequent violation or (2) guilty of a Class I
15 misdemeanor. Each day of continued violation shall constitute a separate
16 offense. The court may issue such injunctive orders as may be necessary
17 to prohibit continued violations of the Nebraska Chemigation Act. When
18 the Attorney General, a county attorney, or a private attorney brings an
19 action on behalf of a district to recover a civil penalty under this
20 section, the district shall recover the costs of the action if a civil
21 penalty is awarded.
22 Sec. 4. Section 46-1142, Reissue Revised Statutes of Nebraska, is
23 amended to read:
24 46-1142 Any permitholder who fails to notify the district and the
25 department of any actual or suspected accident resulting from the use of
26 chemigation shall be (1) subject to a civil penalty of one thousand
27 dollars for each day at each site where a violation occurs for the first
28 violation and not less than one thousand dollars and not more than five
29 thousand dollars for each day at each site where a violation occurs for
30 each subsequent violation not more than five hundred dollars or (2)
31 guilty of a Class III misdemeanor. Each day of continued violation shall
1 constitute a separate offense. The court may issue such injunctive orders
2 as may be necessary to prohibit continued violations of the Nebraska
3 Chemigation Act. When the Attorney General, a county attorney, or a
4 private attorney brings an action on behalf of a district to recover a
5 civil penalty under this section, the district shall recover the costs of
6 the action if a civil penalty is awarded.
7 Sec. 5. Section 46-1143, Reissue Revised Statutes of Nebraska, is
8 amended to read:
9 46-1143 Any person who violates any of the provisions of the
10 Nebraska Chemigation Act for which a specific penalty is not provided
11 shall be (1) subject to a civil penalty of one thousand dollars for each
12 day at each site where a violation occurs for the first violation and not
13 less than one thousand dollars and not more than five thousand dollars
14 for each day at each site where a violation occurs for each subsequent
15 violation not more than five hundred dollars or (2) guilty of a Class IV
16 misdemeanor. Each day of continued violation shall constitute a separate
17 offense. The court may issue such injunctive orders as may be necessary
18 to prohibit continued violations of the Nebraska Chemigation Act. When
19 the Attorney General, a county attorney, or a private attorney brings an
20 action on behalf of a district to recover a civil penalty under this
21 section, the district shall recover the costs of the action if a civil
22 penalty is awarded.
23 Sec. 6. Original sections 46-1139, 46-1140, 46-1141, 46-1142, and
24 46-1143, Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Matt Hansen, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services

Room 1510

Thursday, March 5, 2015 1:30 p.m.

LR41

(Signed) Kathy Campbell, Chairperson

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 12. Placed on General File with amendment.
AM293
1 1. On page 2, strike beginning with "or" in line 23 through "sooner"
2 in line 25.

(Signed) Kathy Campbell, Chairperson
AMENDMENT(S) - Print in Journal

Senator Bloomfield filed the following amendment to LB122:
AM407
1 1. On page 4, strike lines 23 through 25 and insert the following
2 new subdivisions:
3 "(a) The crossing is made at an intersection that:
4 (i) Is controlled by a traffic control signal; or
5 (ii) For any intersection located outside the corporate limits of a
6 city or village, is controlled by stop signs;
7 (b) The crossing at such intersection is made in compliance with the
8 traffic control signal or stop signs; and"; and in line 26 strike "(b)"
9 and insert "(c)".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 58. Introduced by Johnson, 23.

WHEREAS, Kevin Koopmann, the band director for Yutan Public
Schools, has won the Veterans of Foreign Wars (VFW) Nebraska
Citizenship Education Teacher of the Year Award for grades six through
eight; and

WHEREAS, each year, the Nebraska VFW recognizes three exceptional
teachers for their outstanding commitment to teach Americanism and
patriotism to their students; and

WHEREAS, Kevin recognizes those who have served our country by
starting each morning saying the Pledge of Allegiance with his class and
leading the Yutan Public Schools band in performances at the Veteran's Day
and Memorial Day programs; and

WHEREAS, Kevin will be presented with the award at the VFW State
Convention in Norfolk on June 6, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST
SESSION:
1. That the Legislature congratulates Kevin Koopmann for winning the
Veterans of Foreign Wars Nebraska Citizenship Education Teacher of the
Year Award.
2. That a copy of this resolution be sent to Kevin Koopmann.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 111. The Chambers motion, MO31, found in this
day's Journal, to recommit to Government, Military and Veterans Affairs
Committee, was renewed.

Pending.
NOTICE OF COMMITTEE HEARING(S)
Natural Resources
Room 1525

Wednesday, February 25, 2015 1:30 p.m.

Henry H. (Hod) Kosman - Nebraska Natural Resources Commission

Thursday, March 5, 2015 1:30 p.m.

Norris Marshall - Nebraska Game and Parks Commission

(Signed) Ken Schilz, Chairperson

COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 104. Placed on General File.

LEGISLATIVE BILL 206. Placed on General File with amendment.
AM170
1 1. On page 3, line 30, strike "and" and show as stricken.
2 2. On page 4, line 1, after the semicolon insert "and
3 (e) Activities related to the operation, construction, or
4 maintenance of industrial or commercial public power district or public
5 power and irrigation district facilities or sites when such activity is
6 conducted pursuant to state or federal law or is part of the operational
7 plan for such facility or site;".

LEGISLATIVE BILL 203. Indefinitely postponed.

(Signed) Ken Schilz, Chairperson

GENERAL FILE

LEGISLATIVE BILL 111. Senator Chambers withdrew his motion,
MO31, found in this day's Journal, to recommit to Government, Military and
Veterans Affairs Committee.

Senator Chambers offered the following motion:
MO32
Bracket until June 5, 2015.

Pending.
ANNOUNCEMENT

Senator Campbell announced the Health and Human Services Committee will meet in Room 1510 on February 26, 2015, at 12:45 p.m. instead of 12:30 p.m.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 420. Placed on General File.
LEGISLATIVE BILL 455. Placed on General File.

LEGISLATIVE BILL 131. Placed on General File with amendment. AM405

1 1. Strike the original sections and insert the following new
2 section:
3 Section 1. (1) If the chairperson of a sanitary and improvement
4 district board of trustees or the legal counsel or administrator for the
5 district receives written notice from a city or village proposing to
6 annex territory within the sanitary and improvement district under the
7 authority of sections 14-117, 15-104, 16-117, 16-130, 17-405.01, or
8 17-407, the district shall not spend assets for a period of ninety days
9 after receiving such notice, except for:
10 (a) All interest and principal payments on bonds due and payable
11 from the construction fund or bond fund of the district;
12 (b) All interest and principal payments on construction fund
13 warrants due and payable from the construction fund or bond fund of the
14 district;
15 (c) All interest and principal payments on general fund warrants due
16 and payable from the general fund of the district;
17 (d) Payment or issuance of warrants for services, work, labor, or
18 materials that were ordered or contracted for by the district prior to
19 receiving notice of the city or village’s proposal to annex the district.
20 Such payments or warrants shall be paid from the district’s general fund,
21 construction fund, bond fund, or service fee fund, so long as such
22 payment or warrant shall not cause the district to exceed its total
23 budget for the fund from which payment or warrant is to be made;
24 (e) Payment or issuance of warrants for any expense incurred by the
25 district prior to receiving notice of the city or village’s proposal to
26 annex the district that is required by the district (i) to satisfy any
27 statutory obligation of the district, (ii) to address emergency or
1 imminent public safety repairs or replacements to district property, and
2 expenses that would be paid by the district in the ordinary course of
3 business of the district, and (iii) to address projects for which a
4 notice to contractors has been published, the bidding process has begun,
5 and contracts are awarded for such project that (A) does not cause the
6 district to exceed the district’s total general fund budget and is paid
7 from the general fund, including, but not limited to, levied tax receipts
8 to be received by the district on April 1 and August 1 if the annexation
9 is to occur after such dates, (B) does not cause the district to exceed
10 the district’s total construction fund or bond fund budget and is paid
11 from the construction fund or bond fund, and (C) does not cause the
district to exceed the district’s total service fee fund budget and is
12 paid from the service fee fund; and
13 (f) Payment or issuance of warrants for a commitment or contract
14 that will bind the district to pay for any other expense approved in
writing by the city finance director or other designated person
15 responsible for such approvals.
16 (2) If a district plans to commence a construction project or enter
17 into any contracts required to be publicly bid pursuant to section 31-741
18 and for which a notice to contractors has not been published and the
19 bidding process has not begun prior to the district receiving notice of
20 the city or village’s proposal to annex the district, the district shall
21 first submit either the plans and specifications for the improvements or
22 the proposed contract to the city or village finance director or other
designated person. Within ten business days after the district submits
23 the plans and specifications or the proposed contract, the city or
24 village finance director or other designated person shall either (a)
25 approve or deny such plans and specifications or the proposed contract or
26 (b) direct the department head within the city or village responsible for
27 reviewing plans and specifications or contracts to approve or deny such
28 plans and specifications or the proposed contract within ten business
29 days.

LEGISLATIVE BILL 197. Placed on General File with amendment.
AM390
1 1. On page 6, line 26, strike "a" and insert "the"; in line 27,
2 after "located" insert "and the county board in which a majority of the
3 sanitary and improvement district is located"; in line 29 strike
4 beginning with "greater" through "eight" and insert "less than one
5 hundred"; and in line 30 after "located" insert "predominantly".
6 2. On page 7, line 6, strike "(1)" and insert "(6)"; and in line 9
7 after "located" insert "and the county board in which a majority of the
8 sanitary and improvement district is located".

LEGISLATIVE BILL 295. Placed on General File with amendment.
AM323
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 16-901, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 16-901  (1) Except as provided in section 13-327, any city of the
6 first class may apply by ordinance any existing or future zoning
7 regulations, property use regulations, building ordinances, electrical
8 ordinances, plumbing ordinances, and ordinances authorized by section
9 16-240 to the unincorporated area two miles beyond and adjacent to its
10 corporate boundaries with the same force and effect as if such outlying
11 area were within the corporate limits of such city, except that no such
ordinance shall be extended or applied so as to prohibit, prevent, or interfere with the conduct of existing farming, livestock operations, businesses, or industry. For purposes of sections 70-1001 to 70-1020, the zoning area of a city of the first class shall be one mile beyond and adjacent to the corporate area. The fact that such unincorporated area is located in a different county or counties than some or all portions of the municipality shall not be construed as affecting the powers of the city to apply such ordinances.

(2)(a) A city of the first class shall provide written notice to the county board of the county in which the city’s zoning area is located when proposing to adopt or amend a zoning ordinance which affects the city’s zoning area. The written notice of the proposed change to the zoning ordinance shall be sent to the county board or its designee at least thirty days prior to the final decision by the city. The county board may submit recommendations regarding the change in the zoning ordinance at the public hearings on the proposed change or directly to the city within thirty days after receiving such notice. The city may make its final decision on the zoning ordinance upon receiving the recommendations from the county board.

(b) Subdivision (2)(a) of this section does not apply to a city of the first class (i) located in a county with a population in excess of one hundred thousand inhabitants or (ii) if the city and the county have a joint planning commission or joint planning department.

Sec. 2. Section 17-1001, Reissue Revised Statutes of Nebraska, is amended to read:

17-1001 (1) Except as provided in section 13-327, any city of the second class or village may apply by ordinance any existing or future zoning ordinances, property use regulation ordinances, building ordinances, electrical ordinances, and plumbing ordinances, to an area within one mile of the corporate limits of such municipality, with the same force and effect as if such area were within its corporate limits. No such ordinance shall be extended or applied so as to prohibit, prevent, or interfere with the conduct of existing farming, livestock operations, businesses, or industry. For purposes of sections 70-1001 to 70-1020, the zoning area of a city of the second class or village shall be one-half mile from the corporate limits of such municipalities. The fact that the zoning area or part thereof is located in a different county or counties than some or all portions of the municipality shall not be construed as affecting the necessity of obtaining the approval of the city council or board of trustees of such municipality or its agent designated pursuant to section 19-916.

(2)(a) A city of the second class or village shall provide written notice to the county board of the county in which the city or village’s zoning area is located when proposing to adopt or amend a zoning ordinance which affects the city or village’s zoning area. The written notice of the proposed change to the zoning ordinance shall be sent to the county board or its designee at least thirty days prior to the final decision by the city. The county board may submit recommendations regarding the change in the zoning ordinance at the
3 public hearings on the proposed change or directly to the city or village
4 within thirty days after receiving such notice. The city or village may
5 make its final decision on the zoning ordinance upon receiving the
6 recommendations from the county board.
7 (b) Subdivision (2)(a) of this section does not apply to a city of
8 the second class or a village (i) located in a county with a population
9 in excess of one hundred thousand inhabitants or (ii) if the city or
10 village and the county have a joint planning commission or joint planning
11 department.
12 Sec. 3. Original sections 16-901 and 17-1001, Reissue Revised
13 Statutes of Nebraska, are repealed.

(Signed) Sue Crawford, Chairperson

GENERAL FILE

LEGISLATIVE BILL 111. The Chambers motion, MO32, found in this
day's Journal, to bracket until June 5, 2015, was renewed.

Senator K. Haar moved the previous question. The question is, "Shall the
debate now close?" The motion prevailed with 27 ayes, 9 nays, and 13 not
voting.

Senator Chambers moved for a call of the house. The motion prevailed with
37 ayes, 0 nays, and 12 not voting.

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

Voting in the affirmative, 25:

Baker Davis Harr, B. Kolterman Morfeld
Campbell Gloor Hilkemann Krist Nordquist
Chambers Haar, K. Howard Lindstrom Pansing Brooks
Cook Hadley Johnson McCollister Seiler
Crawford Hansen Kolowski Mello Sullivan

Voting in the negative, 15:

Bloomfield Ebke Groene Larson Schnoor
Brasch Friesen Hughes Murante Stinner
Craighead Garrett Kintner Schilz Williams

Present and not voting, 4:

Kuehn Riepe Schumacher Smith

Excused and not voting, 5:

Bolz Coash McCoy Scheer Watermeier
The Chambers motion to bracket prevailed with 25 ayes, 15 nays, 4 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 34.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 1 nay, 12 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 46.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 129.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 37.** Title read. Considered.

Committee AM140, found on page 449, was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

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

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

Lindstrom - LB357
Kolterman - LB276

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

Senator Krist filed the following amendment to **LB28**: AM368

1 1. Strike the original sections and insert the following new sections:
2 Section 1. Sections 1 to 5 of this act shall be known and may be cited as the Radon Resistant New Construction Act.
3 Sec. 2. The Legislature finds that:
4 (1) Radon is a radioactive element that is part of the radioactive decay chain of naturally occurring uranium in soil;
5 (2) Radon is the leading cause of lung cancer among nonsmokers and
9 the number one risk in homes according to the Harvard School of Public
10 Health, Harvard Center for Risk Analysis;
11 (3) The World Health Organization Handbook on Indoor Radon includes
12 key messages which state:
13 (a) "There is no known threshold concentration below which radon
14 exposure presents no risk."; and
15 (b) "The majority of radon-induced lung cancers are caused by low
16 and moderate radon concentrations rather than by high radon
17 concentrations, because in general less people are exposed to high indoor
18 radon concentrations."
19 (4) The Surgeon General of the United States urged Americans to test
20 their homes to find out how much radon they might be breathing;
21 (5) The United States Environmental Protection Agency estimates that
22 more than twenty thousand Americans die of radon-related lung cancer each
23 year; and
24 (6) The United States Environmental Protection Agency has identified
25 radon levels in Nebraska as the third highest in the United States
26 because of the high concentration of uranium in the soil.
27 Sec. 3. For purposes of the Radon Resistant New Construction Act:
1 (1) Active radon mitigation system means a family of radon
2 mitigation systems involving mechanically driven soil depressurization,
3 including subslab depressurization, drain tile depressurization, block
4 wall depressurization, and submembrane depressurization. Active radon
5 migration system is also known as active soil depressurization;
6 (2) Building code means an ordinance, resolution, or law that
7 establishes standards applicable to new construction;
8 (3) Building contractor means any individual, corporation,
9 partnership, limited liability company, or other business entity that
10 engages in new construction;
11 (4) Department means the Department of Health and Human Services;
12 (5) New construction means any original construction of a single-
13 family home or a multifamily dwelling, including apartments, group homes,
14 condominiums, and townhouses, or any original construction of a building
15 used for commercial, industrial, educational, or medical purposes. New
16 construction does not include additions to existing structures or
17 remodeling of existing structures;
18 (6) Passive new construction pipe means a pipe installed in new
19 construction that relies solely on the convective flow of air upward for
20 soil gas depressurization and may consist of multiple pipes routed
21 through conditioned space from below the foundation to above the roof;
22 and
23 (7) Radon mitigation specialist means an individual who is licensed
24 by the department as a radon mitigation specialist in accordance with the
25 Radiation Control Act.
26 Sec. 4. (1) The Radon Resistant New Construction Task Force is
27 created. The task force shall consist of the chief medical officer of the
28 Division of Public Health of the Department of Health and Human Services
29 as designated in section 81-3115 or his or her designee, who shall serve
30 as the chairperson of the task force, and the following additional
31 members to be appointed by the Governor:
32 (a) Three representatives of home builders’ associations in
33 Nebraska, each from a different congressional district;
34 (b) A representative of a home inspectors’ association in Nebraska;
35 (c) A representative of an international building code organization;
36 (d) A representative of a Nebraska realtors’ organization;
37 (e) Two representatives of respiratory disease organizations, each
38 from a different organization;
39 (f) A representative of a cancer research and prevention
40 organization;
41 (g) A representative of the League of Nebraska Municipalities;
42 (h) Three community public health representatives, each from a
43 different congressional district;
44 (i) A professional engineer as defined in section 81-3422; and
45 (j) An architect as defined in section 81-3404.
46 (2) The task force shall meet at the call of the chairperson. The
47 appointed members of the task force shall serve without compensation but
48 shall be reimbursed for their actual and necessary expenses as provided
49 in sections 81-1174 to 81-1177. The department shall provide staff and
50 support for the operation of the task force.
51 (3) The task force shall develop minimum standards for radon
52 resistant new construction and shall recommend such minimum standards to
53 the Governor and to the Health and Human Services Committee of the
54 Legislature. In developing such minimum standards, the task force shall:
55 (a) Design the minimum standards so that they may be enforced by a
56 county, city, or village as part of its local building code;
57 (b) Consider Appendix F of the International Residential Code for
58 One- and Two-Family Dwellings, 2012 edition, published by the
59 International Code Council; and
60 (c) Consider including the following provisions in such minimum
61 standards:
62 (i) A requirement that the installation of an active radon
63 mitigation system only be performed by a radon mitigation specialist;
64 (ii) A requirement that the installation of radon resistant new
65 construction only be performed by a building contractor or his or her
66 subcontractors or by a radon mitigation specialist; and
67 (iii) A requirement that only a radon mitigation specialist be
68 allowed to install a radon vent fan or upgrade a passive new construction
69 pipe to an active radon mitigation system.
80 (4) The task force shall provide its recommendation by December 15,
81 2015. The task force and this section terminate on January 1, 2016.
82 Sec. 5. It is the intent of the Legislature that the recommendation
83 provided by the Radon Resistant New Construction Task Force under section
84 3 of this act be used by the Legislature during the 2016 legislative
85 session to establish, in statute, minimum standards for radon resistant
86 new construction.
VISITORS

Visitors to the Chamber were 15 members of Leadership York; 50 twelfth-grade students from Syracuse; 10 members of Leadership Beatrice; 9 members of Leadership Ogallala; and Senator Hilkemann's wife, Julie, and Diane Murphy and Bev Layten from Omaha.

The Doctor of the Day was Dr. Nathan Krug from Central City.

ADJOURNMENT

At 11:50 a.m., on a motion by Senator McCollister, the Legislature adjourned until 9:00 a.m., Thursday, February 19, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
TWENTY-NINTH DAY - FEBRUARY 19, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 19, 2015

PRAYER

The prayer was offered by Pastor Jim Haack, Beautiful Savior Lutheran Church, La Vista.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Sullivan presiding.

The roll was called and all members were present except Senator Larson who was excused; and Senators Craighead, Kolowski, Krist, Murante, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-eighth day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 13, 2015

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

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

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Economic Development:

Brenda L. Hicks-Sorensen, 7305 Pioneers Blvd., #604, Lincoln, NE 68506

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.
Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

RESOLUTION(S)

LEGISLATIVE RESOLUTION 59. Introduced by Hilkemann, 4.

WHEREAS, November 2015 is National Family Caregivers Month; and
WHEREAS, about 250,000 people in Nebraska, 14 percent of the state's population, are 65 years of age and older, and that number is expected to increase in the next 15 years to 417,000 people, or 20 percent of the state's population in 2030; and
WHEREAS, an estimated 40,000 people in Nebraska, 2 percent of the state's population, are 85 years of age and older, and that number is expected to increase in the next 15 years to about 50,000 people, or 2.4 percent of the state's population in 2030; and
WHEREAS, it is estimated that 37,000 people in Nebraska have Alzheimer's disease, and this number is expected to increase to 44,000 people by 2025 with an expected 70 percent of the people with Alzheimer's disease and other forms of dementia living at home; and
WHEREAS, at least 20 percent of those persons 65 years of age and older need some level of assistance with the activities of daily living, and there are an estimated 220,000 adults in Nebraska providing paid and unpaid care to adult relatives or friends; and
WHEREAS, both unpaid family caregivers and paid caregivers work together to serve the daily living needs of seniors who live in their own homes; and
WHEREAS, the longer a senior is able to provide for his or her own care, the less the burden that is placed on public assistance offered by the state and federal governments.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes the importance of caregiving and the caregiving profession and supports the private home health care industry and the efforts of family caregivers throughout Nebraska by encouraging individuals to provide care to family, friends, and neighbors.
2. That the Legislature encourages accessible and affordable care for seniors and supports the continuing review of state policies and current state programs which address the needs of seniors and their family caregivers.
3. That the Legislature encourages the Department of Health and Human Services to continue working to educate people in Nebraska on the impact of aging and the importance of knowing the options available to seniors when they need care to meet their personal needs.
4. That the Legislature recognizes November 2015 as Nebraska Caregivers Month and encourages citizens to participate in activities related to National Family Caregivers Month.

5. That a copy of this resolution be sent to the Department of Health and Human Services.

Laid over.

**LEGISLATIVE RESOLUTION 60.** Introduced by Hadley, 37.

WHEREAS, the NEBRASKAland Foundation on Saturday, February 28, 2015, will present the Distinguished NEBRASKAlander Award to three honorees at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Gene Haynes, an Omaha educator and community leader, who has been principal of Omaha North Magnet High School for 13 years. Gene led the development of the privately-funded Haddix Center at Omaha North High School which draws students from across Omaha to study science, technology, engineering, and mathematics. Gene has been a teacher, coach, and an administrator in the Omaha Public Schools for 48 years, including 29 years at Omaha North High School, and has received numerous awards for his work in education and the community; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to United States Senator Mike Johanns who has brought great recognition to Nebraska through more than 30 years of public service at all levels of government. Mike served as the 28th Secretary of the United States Department of Agriculture, and was then elected to the United States Senate where he served from 2009-2015. Mike's public service began in 1983 as a county commissioner and city councilman before his election as mayor of Lincoln in 1995. He served as Governor of Nebraska from 1999-2005 where he took a strong leadership role in agriculture, economic development, and foreign trade; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Paul Younes of Kearney who has built a hospitality business that has changed the landscape of Kearney and Nebraska. Paul came to York College from Haifa, Israel, on a soccer scholarship and then transferred to Kearney State College. After starting as a dishwasher at a local motel, Paul worked his way up to become manager, then an owner, and is now president of Younes Hospitality, a family-run business which owns 12 hotels throughout Nebraska. Paul privately financed the Younes Conference Center which hosts regional, statewide, and national events.

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

1. That the Legislature congratulates the 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 given to Gene Haynes, Mike Johanns, and Paul Younes.

Laid over.

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

Senator Nordquist moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 513:

- Nebraska Investment Council
  - Michael W. Walden-Newman, State Investment Officer

Voting in the affirmative, 37:

- Baker
- Ebke
- Hilkemann
- Mello
- Smith
- Bloomfield
- Friesen
- Hughes
- Morfeld
- Stinner
- Bolz
- Garrett
- Johnson
- Nordquist
- Sullivan
- Campbell
- Gloor
- Kintner
- Pansing
- Brooks
- Watermeier
- Coash
- Groene
- Kolterman
- Riepe
- Williams
- Cook
- Haar, K.
- Kuehn
- Schnoor
- Craighead
- Hadley
- Lindstrom
- Schumacher
- Crawford
- Hansen
- McCollister
- Seiler

Voting in the negative, 0.

Present and not voting, 8:

- Brasch
- Davis
- Howard
- Scheer
- Chambers
- Harr, B.
- McCoy
- Schilz

Excused and not voting, 4:

- Kolowski
- Krist
- Larson
- Murante

The appointment was confirmed with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

**SPEAKER HADLEY PRESIDING**

**SELECT FILE**

**LEGISLATIVE BILL 430.** Senator Mello offered his amendment, AM242, found on page 431.

The Mello amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.
LEGISLATIVE BILL 269. ER19, found on page 440, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 94. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 52. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 260. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 261. ER23, found on page 440, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 271. ER24, found on page 441, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 241. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 305. ER21, found on page 455, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 107. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 87. ER26, found on page 486, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 90. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 194. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 301. ER28, found on page 490, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 314. Advanced to Enrollment and Review for Engrossment.
LEGISLATIVE BILL 252. ER29, found on page 490, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 286. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 116. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 266. ER30, found on page 490, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 312. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 313. ER31, found on page 491, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 45. ER32, found on page 491, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 180. ER33, found on page 491, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 298. ER35, found on page 491, was adopted.
Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 352. ER34, found on page 491, was adopted.
Advanced to Enrollment and Review for Engrossment.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 61. Introduced by Kintner, 2.

WHEREAS, Kathleen Gottsch has been named the city administrator for Springfield; and
WHEREAS, Kathleen is currently the city clerk and treasurer which are positions she will maintain in her new job as city administrator; and
WHEREAS, Kathleen has been an employee of Springfield for the past eight years; and
WHEREAS, the Mayor of Springfield, Mike Dill, describes Kathleen as a "very bright, very capable" employee and the right person for the job.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Kathleen Gottsch for being named the city administrator for Springfield.
2. That a copy of the resolution be sent to Kathleen Gottsch.

Laid over.

PRESIDENT FOLEY PRESIDING

SELECT FILE

LEGISLATIVE BILL 88. Senator Bloomfield offered his amendment, AM184, found on page 424.

Senator Chambers offered the following amendment to the Bloomfield amendment:
FA12
Amend AM184
In line 1 strike "eight" and insert "seven".

Senator Chambers moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 6:
Bloomfield  Ebke  Schnoor
Brasch  Kintner  Seiler

Voting in the negative, 32:
Bolz  Groene  Johnson  Morfeld  Stinner
Campbell  Haar, K.  Kolowski  Murante  Sullivan
Coash  Hadley  Kolterman  Nordquist  Watermeier
Cook  Harr, B.  Kuehn  Pansing Brooks  Williams
Crawford  Hilkemann  Lindstrom  Riepe
Friesen  Howard  McCollister  Scheer
Gloor  Hughes  McCoy  Smith

Present and not voting, 8:
Baker  Davis  Hansen  Schilz
Chambers  Garrett  Mello  Schumacher
Excused and not voting, 3:

Craighead    Krist    Larson

The Chambers amendment lost with 6 ayes, 32 nays, 8 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:
MO33
Reconsider the vote on FA12.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Senator Bloomfield withdrew his amendment, AM184, found on page 424 and considered in this day's Journal.

Senator Bloomfield offered the following amendment:
FA13
Strike "sixteen" in line 16 page 2 and insert in its place "nine".

The Bloomfield amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 122.** Senator Bloomfield offered his amendment, AM407, found on page 535.

The Bloomfield amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 142.** ER20, found on page 441, was adopted.

Senator Schilz offered his amendment, AM255, found on page 517.

The Schilz amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 142A.** Advanced to Enrollment and Review for Engrossment.
LEGISLATIVE BILL 160. Senator Coash offered the Larson amendment, AM254, found on page 502.

The Larson amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

SENATOR GLOOR PRESIDING

LEGISLATIVE BILL 272. ER22, found on page 455, was adopted.

Senator Garrett offered the following amendment:
AM309
1 1. Strike the original section and all amendments thereto and insert
2 the following new section:
3 Section 1. (1) For purposes of this section:
4 (a) Private employer means a sole proprietorship, a corporation, a
5 partnership, an association, a limited liability company, or any other
6 entity with one or more employees;
7 (b) Veteran means (i) a person who served full-time duty with
8 military pay and allowances in the armed forces of the United States,
9 except for training or for determining physical fitness, and was
10 discharged or otherwise separated with a characterization of honorable or
11 general (under honorable conditions), or (ii) the spouse of a veteran who
12 (A) has a one hundred percent permanent disability as determined by the
13 United States Department of Veterans Affairs or (B) was killed in hostile
14 action; and
15 (c) Voluntary veterans preference employment policy means a private
16 employer’s voluntary preference for hiring and promoting a veteran over
17 another equally qualified applicant or employee.
18 (2) A private employer may adopt a voluntary veterans preference
19 employment policy. Such policy shall be in writing and applied uniformly
20 to decisions regarding hiring and promotion.
21 (3) If a private employer offers a voluntary veterans preference
22 employment policy, a veteran desiring to use such policy shall provide
23 the private employer with a copy of the veteran’s Department of Defense
24 Form 214, also known as the DD Form 214, or its successor form. A spouse
25 of a veteran desiring to use such preference shall provide the private
26 employer with a copy of the veteran’s Department of Defense Form 214 or
27 its successor form, proof of marriage to the veteran, and either (a) a
1 copy of the veteran’s disability verification from the United States
2 Department of Veterans Affairs demonstrating a one hundred percent
3 permanent disability rating or (b) a copy of the veteran’s Department of
4 Defense Form 1300 or its successor form documenting that the veteran was
5 killed in hostile action.
6 (4) If a private employer implements a voluntary veterans preference
7 employment policy, it shall notify the Commissioner of Labor of such
8 policy. The commissioner shall use the information to maintain a registry
9 of the private employers that have a voluntary veterans preference employment policy in Nebraska.

(5) A voluntary veterans preference employment policy shall not be considered a violation of any state or local equal employment opportunity law including the Nebraska Fair Employment Practice Act.

The Garrett amendment was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 446.** Senator Nordquist offered his amendment, AM339, found on page 504.

The Nordquist amendment was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 181.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 167.** ER36, found on page 520, was adopted.

Senator Mello offered the following amendment:

AM440

11. On page 2, line 13, strike "September" and insert "November".

The Mello amendment was adopted with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**COMMITTEE REPORT(S)**

Enrollment and Review

LEGISLATIVE BILL 34. Placed on Select File.
LEGISLATIVE BILL 46. Placed on Select File.
LEGISLATIVE BILL 129. Placed on Select File.

(Signed) Matt Hansen, Chairperson

**COMMITTEE REPORT(S)**

Revenue

LEGISLATIVE BILL 123. Placed on General File.
LEGISLATIVE BILL 246. Placed on General File.
LEGISLATIVE BILL 277. Placed on General File.
AMENDMENT(S) - Print in Journal

Senator Kolterman filed the following amendment to LB77:

AM403
1 1. On page 4, line 14, after the period insert "No state funds shall
2 be utilized to pay for elective abortion services or to promote elective
3 abortion services. The department shall ensure that any funds received
4 under this subsection shall not be spent or used in any way to contract
5 with any entity that performs or promotes elective abortion services or
6 with any entity that affiliates with any entity that performs or promotes
7 elective abortions. For purposes of this subsection, elective abortion
8 means an abortion (a) other than a spontaneous abortion or (b) that is
9 performed for any reason other than to prevent the death of the female
10 upon whom the abortion is performed.".

NOTICE OF COMMITTEE HEARING(S)

Appropriations

Room 1524

Monday, March 9, 2015 1:30 p.m.

Agency 13 - Education, Department of
Agency 32 - Educational Lands and Funds, Board of
Agency 34 - Library Commission, Nebraska
Agency 69 - Arts Council, Nebraska
LB185
LB274

Tuesday, March 10, 2015 1:30 p.m.

Agency 5 - Supreme Court
Agency 11 - Attorney General
Agency 94 - Public Advocacy, Commission on
Agency 15 - Parole, Nebraska Board of
Agency 46 - Correctional Services, Department of
LB229
LB237
LB654

Room 1003

Wednesday, March 11, 2015 1:30 p.m.

Agency 23 - Labor, Department of
Agency 54 - Historical Society, Nebraska State
Thursday, March 12, 2015 1:30 p.m.

LB374
LB537
LB461
Agency 31 - Military Department
Agency 29 - Natural Resources, Department of
Agency 84 - Environmental Quality, Department of
Agency 33 - Game and Parks Commission

(Signed) Heath Mello, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Groene - LB437
Ebke - LB172, LB173, and LB268

VISITORS

Visitors to the Chamber were representatives from 10 Nebraska franchises of Home Instead Senior Care including founders Paul and Lori Hogan; 50 first- through eleventh-grade home school students from Lincoln; and 18 fourth-grade students, teacher, and sponsors from St. John Lutheran School, Seward.

The Doctor of the Day was Dr. Susan Evans from Omaha.

ADJOURNMENT

At 11:49 a.m., on a motion by Senator Murante, the Legislature adjourned until 9:00 a.m., Friday, February 20, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTIETH DAY - FEBRUARY 20, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 20, 2015

PRAYER

The prayer was offered by Senator Garrett.

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 Craighead, Kolowski, Kuehn, Murante, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-ninth day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 19, 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

Ashworth, Bill
Yahoo, Inc.
Castleberry, William
Facebook
Coburn, Tom
Convention of States Action
Hladik, Johnathan
Center for Rural Affairs
Mueller Robak
PLL Performance Group
MOTION - Return LB40 to Select File

Senator Chambers moved to return LB40 to Select File for the following specific amendment:
FA14
Strike the enacting clause.

Senator Chambers requested a record vote on the motion to return.

Voting in the affirmative, 0.

Voting in the negative, 43:

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

Present and not voting, 4:

Baker Chambers Davis Krist

Excused and not voting, 2:

Kolowski Schilz

The Chambers motion to return failed with 0 ayes, 43 nays, 4 present and not voting, and 2 excused and not voting.

Senator Chambers offered the following motion:
MO34
Reconsider the motion to return to Select File for purposes of striking the enacting clause.
Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

**BILLS ON FINAL READING**

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB40 with 44 ayes, 1 nay, and 4 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 40.**

A BILL FOR AN ACT relating to retirement; to amend sections 16-1019, 16-1038, 23-2305.01, 23-2322, 24-704.01, 79-904.01, 79-948, 79-9,104, 81-2019.01, 81-2032, 84-1305.02, 84-1324, 84-1503, and 84-1505, Reissue Revised Statutes of Nebraska, and sections 14-2111, 24-710.02, and 48-1401, Revised Statutes Cumulative Supplement, 2014; to eliminate unconstitutional provisions related to payment of benefits or annuities for civil damages; to grant the Public Employees Retirement Board certain investigative powers; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

**SPEAKER HADLEY PRESIDING**
Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB41 with 46 ayes, 0 nays, and 3 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 41.**

A BILL FOR AN ACT relating to retirement; to amend sections 23-1118 and 23-2301, Revised Statutes Cumulative Supplement, 2014; to change the size of a county for purposes of county employees retirement; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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 42.**

A BILL FOR AN ACT relating to retirement; to amend section 13-2402, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to annual reports; 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, 48:
Baker  Davis  Howard  McCollister  Schnoor
Bloomfield  Ebke  Hughes  McCoy  Schumacher
Bolz  Friesen  Johnson  Mello  Seiler
Brasch  Garrett  Kintner  Morfeld  Smith
Campbell  Gloor  Kolowski  Murante  Stinner
Chambers  Groene  Kolterman  Nordquist  Sullivan
Coash  Hadley  Krist  Pansing  Brooks  Watermeier
Cook  Hansen  Kuehn  Riepe  Williams
Craighed  Harr, B.  Larson  Scheer
Crawford  Hilkemann  Lindstrom  Schilz

Voting in the negative, 0.

Present and not voting, 1:

Haar, K.

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

LEGISLATIVE BILL 43.

A BILL FOR AN ACT relating to the Nebraska Probate Code; to amend sections 30-2619, 30-3002, 30-3003, 30-3004, and 30-3005, Reissue Revised Statutes of Nebraska, and section 30-2201, Revised Statutes Cumulative Supplement, 2014; to provide for appointment of standby guardians for incapacitated persons; to transfer and change provisions regarding recovery of estate assets; to provide for recovery of assets of wards as prescribed; to provide enforcement procedures; to harmonize provisions; 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, 48:

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

Voting in the negative, 0.
Present and not voting, 1:

Groene

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

**LEGISLATIVE BILL 65. With Emergency Clause.**

A BILL FOR AN ACT relating to counties; to amend section 23-2,100, Reissue Revised Statutes of Nebraska; to provide powers and duties for county boards upon termination of a township board; to repeal the original section; 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, 49:

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Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 91.**

A BILL FOR AN ACT relating to livestock; to repeal provisions regarding scabies, diseased swine, and hog cholera; to repeal the Hog Cholera Control and Eradication Act; and to outright repeal sections 54-724.01, 54-724.02, 54-726.04, 54-1401, 54-1402, 54-1403, 54-1404, 54-1405, 54-1406, 54-1407, 54-1408, 54-1409, 54-1410, 54-1411, 54-1501, 54-1503, 54-1505, 54-1508, 54-1509, 54-1510, 54-1511, 54-1512, 54-1513, 54-1514, 54-1515, 54-1516, 54-1517, 54-1518, 54-1519, 54-1520, 54-1521, 54-1522, and 54-1523, 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 92.**

A BILL FOR AN ACT relating to the Agricultural Liming Materials Act; to amend sections 2-4323, 2-4324, 2-4326, and 2-4327, Reissue Revised Statutes of Nebraska; to change requirements for annual report filing and report publication; to change provisions relating to enforcement; to provide for seizure and disposal of noncompliant agricultural liming materials; to change penalties; to provide a duty for the Attorney General and local county attorneys; to remove an obsolete provision; to provide operative dates; 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, 48:
Voting in the negative, 0.

Present and not voting, 1:

Stinner

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

MOTION - Return LB93 to Select File

Senator Chambers moved to return LB93 to Select File for the following specific amendment:
FA15
Strike the enacting clause.

The Chambers motion to return failed with 2 ayes, 39 nays, and 8 present and not voting.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB93 with 42 ayes, 1 nay, and 6 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 93.

A BILL FOR AN ACT relating to the Nebraska Commercial Fertilizer and Soil Conditioner Act; to amend sections 81-2,162.02, 81-2,162.04, 81-2,162.05, 81-2,162.06, 81-2,162.07, 81-2,162.08, 81-2,162.11, 81-2,162.23, and 81-2,162.27, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change labeling requirements; to change penalties; to change requirements for publishing sales information; to remove a license application requirement; to change provisions relating to a fund; to harmonize provisions; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

RESOLUTION(S)

LEGISLATIVE RESOLUTION 62. Introduced by Cook, 13.

WHEREAS, Dr. Paulette C. Walker is the 25th National President of Delta Sigma Theta Sorority, Incorporated; and
WHEREAS, Dr. Walker was initiated into Delta Sigma Theta Sorority, Incorporated, through the Epsilon Epsilon Chapter of Michigan State University in 1966; and
WHEREAS, Dr. Walker has served the sorority on the local, regional, and national levels; and
WHEREAS, Dr. Walker spent her professional career as an educator, a nationally recognized researcher, and an advocate for excellence in public education before her retirement in 2011; and
WHEREAS, Dr. Walker has received the distinguished Ronald McNair Scholars Research Mentor Award and the Ronald McNair Scholars Role Model Mentor Award; and
WHEREAS, Delta Sigma Theta Sorority, Incorporated, is celebrating its 102nd anniversary in 2015; and
WHEREAS, the mission of Delta Sigma Theta Sorority, Incorporated, is to provide assistance and support through established programs in local communities and throughout the world and to confront the challenges facing African-Americans; and
WHEREAS, Delta Sigma Theta Sorority, Incorporated, has been serving Nebraska communities since the University of Nebraska-Lincoln chapter was established in 1922.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Dr. Paulette C. Walker for her outstanding service with Delta Sigma Theta Sorority, Incorporated.
2. That a copy of this resolution be sent to Dr. Paulette C. Walker.

Laid over.

LEGISLATIVE RESOLUTION 63. Introduced by Cook, 13.

WHEREAS, Soror Jan M. Carpenter Baker was elected the 30th Mid-Western Regional Director of Alpha Kappa Alpha Sorority, Incorporated, in 2014; and
WHEREAS, Jan began her membership in Alpha Kappa Alpha Sorority, Incorporated, at the University of Missouri in Columbia in 1977, and has been a member of Mu Omega Chapter in Kansas City, Missouri, since 1981; and
WHEREAS, Jan has been active in the Alpha Kappa Alpha Sorority, Incorporated, at the local, regional, and international levels, serving in numerous key leadership positions; and
WHEREAS, Alpha Kappa Alpha Sorority, Incorporated, is celebrating its 107th anniversary in 2015; and
WHEREAS, the mission of Alpha Kappa Alpha Sorority, Incorporated, is to encourage lifelong personal and professional development in its members and to organize its members to effectively advocate for social change that results in equality and equity for all citizens of the world; and
WHEREAS, Alpha Kappa Alpha Sorority, Incorporated, has been serving Nebraska communities since the Gamma Beta Chapter was chartered in 1940 at the University of Nebraska Omaha.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Soror Jan M. Carpenter Baker on her election and for her outstanding service with Alpha Kappa Alpha Sorority, Incorporated.
2. That a copy of this resolution be sent to Soror Jan M. Carpenter Baker.

Laid over.

LEGISLATIVE RESOLUTION 64. Introduced by Friesen, 34.

WHEREAS, Nathan Olsufka, a member of Troop 28 from Aurora, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Nathan has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Nathan removed the old fence and sign at the George Western Cemetery near Marquette and replaced them with a new fence and sign; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Nathan, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Nathan Olsufka on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Nathan Olsufka.

Laid over.

COMMITTEE REPORT(S)
Judiciary

LEGISLATIVE BILL 290. Placed on General File.

LEGISLATIVE BILL 189. Placed on General File with amendment.

AM412
1 1. Renumber section 5 as section 3.
2 2. On page 7, strike lines 20 through 22 and insert "whether growing or not, which contains any quantifiable amount of tetrahydrocannabinols. Marijuana includes every manufacture or preparation of such plant or its seeds which contain any quantifiable amount of tetrahydrocannabinols.
3 Marijuana does not include marijuana concentrate, industrial hemp as defined in section 2-5701, or any product made from the mature stalks or sterilized seeds of a plant of the genus cannabis;".
9 3. On page 9, line 26, after the semicolon insert "and"; and strike 10 lines 27 through 31.
11 4. On page 10, line 1, strike "44" and insert "43".
12 5. On page 13, line 14, strike "5" and insert "3".
13 6. On page 17, strike line 31 and show as stricken.
14 7. On page 18, strike line 1; in line 2 strike "9" and insert "7";
15 in line 3 strike "10" and insert "8"; in line 8 strike "11" and insert "12"; in line 9 strike "12" and insert "10"; after line 9 insert the following new subdivision:

18 "(11) Tetrahydrocannabinols;" in line 23 strike "(13)", show as stricken, and insert "(12)"; in line 24 strike "(14)", show as stricken, and insert "(13)"; in line 25 strike "(15)", show as stricken, and insert "(14)"; and in line 29 strike "16" and insert "15".

22 8. On page 19, line 1, strike "17" and insert "16"; in line 5 strike "18" and insert "17"; in line 8 strike "19" and insert "18"; in line 11 strike "20" and insert "19"; in line 12 strike "21" and insert "20"; in line 13 strike "22" and insert "21"; in line 14 strike "23" and insert "22"; and in line 22 strike "24" and insert "23".

27 9. On page 20, line 4, strike "contained" and insert "occurring"; and in line 5 after "cannabis" insert an underscored comma.

3 10. On page 23, line 20, strike "25" and insert "24".

11. On page 26, line 18, strike "26" and insert "25".

4 12. On page 27, line 14, strike "(28)", show as stricken, and insert "(26)".

6 13. On page 43, line 9, after "unless" insert "(a)"; and in line 11 after "practice" insert "or (b) such substance is in the possession of a person as authorized under section 2-5701, in compliance with rules and regulations adopted and promulgated by the Department of Agriculture".

14 10. On page 46, strike beginning with the last "or" in line 21 through "concentrate" in line 22 and show the older matter as stricken.

12 15. On page 47, line 6, after "of" insert "marijuana concentrate or"; and in line 7 strike "(c)(24)" and insert "(c)(23)".

14 16. Renumber the remaining sections accordingly.

**LEGISLATIVE BILL 253.** Placed on General File with amendment.

AM278

1 1. On page 2, line 6, strike "husband and wife", show as stricken, and insert "spouses".

**LEGISLATIVE BILL 505.** Placed on General File with amendment.

AM391

1 1. On page 2, line 7, after "agency" insert ", except as provided in subsection (4) of this section or"; in line 12 strike "except" and show as stricken; and in line 26 after "(1)" insert "or (4)".

4 2. On page 3, line 27, after "agencies" insert ", except as provided in subsection (4) of this section".

6 3. On page 4, line 2, strike "offense" and insert "case"; strike 7 lines 5 through 8 and insert the following new subsections:

8 "(4) That part of the criminal history record information described in subsection (3) of this section may be disseminated to individuals or agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency that specifically authorizes access to the information, limits the use of the information to research, evaluative, or statistical activities, and ensures the confidentiality and security of the information."
(5) In any application for employment, bonding, license, education, or other right or privilege, any appearance as a witness, or any other public inquiry, a person cannot be questioned with respect to any offense for which the record is sealed. If an inquiry is made in violation of this subsection, the person may respond as if the offense never occurred.

except as provided in subsections (1) and (4) of this section, a Class III misdemeanor and insert "an infraction, and may be fined up to five hundred dollars"; and in line 12 strike "6" and insert "7".

(Signed) Les Seiler, Chairperson

Agriculture

LEGISLATIVE BILL 183. Placed on General File with amendment. AM445

1. On page 4, strike beginning with "File" in line 12 through "States" in line 14, show the old matter as stricken, and insert "File a reviewed or audited fiscal year-end financial statement prepared by an independent certified public accounting firm"; and in line 30 strike "accountant's", show as stricken, and insert "accounting firm's".

(Signed) Jerry Johnson, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 430. Placed on Final Reading. ST7

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

1. On page 1, line 2, "funds" has been struck and "and reappropriate funds; to eliminate an appropriation" inserted.

(Signed) Matt Hansen, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Hadley, Marilyn - Nebraska Educational Telecommunications Commission - Education
Hicks-Sorensen, Brenda L., Director - Department of Economic Development - Banking, Commerce and Insurance
Patlan, Virgil J., Sr. - Board of Parole - Judiciary

(Signed) Bob Krist, Chairperson

Executive Board
COMMITTEE REPORT(S)
Judiciary

The Judiciary 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.

Scott R. Frakes, Director - Department of Correctional Services

Aye: 8 Chambers, Coash, Ebke, Krist, Morfeld, Pansing Brooks, Seiler, Williams. Nay: 0. Absent: 0. Present and not voting: 0.

The Judiciary 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.

Darrell E. Fisher, Executive Director - Nebraska Commission on Law Enforcement and Criminal Justice

Aye: 8 Chambers, Coash, Ebke, Krist, Morfeld, Pansing Brooks, Seiler, Williams. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Les Seiler, Chairperson

MESSAGE(S) FROM THE GOVERNOR

February 19, 2015

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

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

Contingent upon your approval, the following individual is being reappointed to the Commission for the Deaf and Hard of Hearing:

John Hogue, 924 West 14th Street, Falls City, NE 68355

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures
LEGISLATIVE BILL 173. Placed on General File with amendment. AM472 is available in the Bill Room.

(Signed) Les Seiler, Chairperson
Executive Board

LEGISLATIVE RESOLUTION 32. Reported to the Legislature for further consideration with the following amendment
AM331
1 1. Strike the original provisions and insert the following new provisions:
2 WHEREAS, the One Hundredth Legislature, Second Session, 2008, adopted Legislative Resolution 283 to establish the Developmental Disabilities Special Investigative Committee of the Legislature. The committee was then reauthorized by the One Hundred First Legislature, First Session, 2009, in Legislative Resolution 11, by the One Hundred Second Legislature, First Session, 2011, in Legislative Resolution 47, by the One Hundred Second Legislature, Second Session, 2012, in Legislative Resolution 365, and by the One Hundred Third Legislature, First Session, 2013, in Legislative Resolution 20. The committee was authorized to study the quality of care and related staffing issues at the Beatrice State Developmental Center, investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, and determine how and why such services to the developmentally disabled were permitted to decline to the level documented in the United States Department of Justice report.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
20 1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of seven members of the Legislature appointed by the Executive Board. The committee shall consist of members of the Legislature appointed by the Executive Board. The Executive Board shall appoint the chairperson and vice-chairperson of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.
6 2. That the Developmental Disabilities Special Investigative Committee shall provide oversight to ensure that the terms of the United States Department of Justice Consent Decree and the recommendations from the Report of the Developmental Disabilities Special Investigative
10 Committee dated December 15, 2008, are implemented in a timely fashion.
11 3. That the Developmental Disabilities Special Investigative
12 Committee is hereby authorized to continue to study the quality of care
13 and related staffing issues at the Beatrice State Developmental Center
14 and other such facilities, including options and funding for services for
15 residents.
16 4. That the Developmental Disabilities Special Investigative
17 Committee is hereby authorized to continue investigation of the placement
18 and quality of care statewide for the developmentally disabled in
19 Nebraska, including a determination of whether adequate staffing,
20 funding, and capacity exist for persons to receive community-based
21 services, a review of staffing practices at community-based care
22 facilities, and an analysis of the relationship of those practices to the
23 quality of care provided to the developmentally disabled.
24 5. That the Developmental Disabilities Special Investigative
25 Committee shall review the processes of how the Division of Developmental
26 Disabilities of the Department of Health and Human Services determines
27 eligibility for services for individuals who are in need of services, as
28 well as the processes utilized by the division to determine when
29 individuals who have received services are no longer eligible for such
30 services.
31 6. That the Developmental Disabilities Special Investigative
32 Committee shall brief the Health and Human Services Committee of the
33 Legislature by December 15, 2015, and December 15, 2016, and issue a
34 report with its findings and recommendations to the Legislature as
35 circumstances warrant.
36 7. That the Developmental Disabilities Special Investigative
37 Committee is hereby authorized to continue its work until the beginning
38 of the One Hundred Fifth Legislature, First Session.

LEGISLATIVE RESOLUTION 33. Reported to the Legislature for
further consideration with the following amendment:

AM310
1 1. Strike the original provisions and insert the following new
2 provisions:
3 WHEREAS, in 2008, the Department of Health and Human Services (DHHS)
4 began to develop the ACCESSNebraska system. ACCESSNebraska is a system
5 that is intended to efficiently determine public assistance eligibility
6 and provide service delivery. Since the implementation of this system,
7 the Legislature has conducted several hearings on bills and resolutions
8 related to ACCESSNebraska. In these hearings, the realities and problems
9 faced by clients navigating the ACCESSNebraska system were revealed,
10 including long call wait times, lost documentation, erroneous public
11 assistance decisions, and a general difficulty for clients to get the
12 assistance they needed in a timely manner; and
13 WHEREAS, the One Hundred Third Legislature, Second Session, adopted
14 Legislative Resolution 400, which created the ACCESSNebraska Special
15 Investigative Committee of the Legislature to study the ACCESSNebraska
16 system; and
WHEREAS, on December 15, 2014, the committee issued a report and recommendations related to ACCESSNebraska. The committee found the ACCESSNebraska system has been and continues to be plagued with problems. The committee also found ACCESSNebraska front-line workers have not been given the proper tools to complete daunting work loads; and
WHEREAS, the committee recommended among other things that the ACCESSNebraska Special Investigative Committee be continued to provide ongoing oversight for the ACCESSNebraska system.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of seven members of the Legislature appointed by the Executive Board. The Executive Board shall appoint the chairperson and vice-chairperson of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigatory committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.
2. That the ACCESSNebraska Special Investigative Committee of the Legislature is hereby authorized to study the adequacy of staffing and training of DHHS employees working within the ACCESSNebraska system, including the number of employees for local offices, the number of employees for call centers and document imaging centers, the type and amount of training received, the education levels and years of experience of employees, client access to employees, and the need for and availability of dedicated caseworkers for clients. The scope of the committee's investigation shall include, but not be limited to, the adequacy of technology used within the ACCESSNebraska system, including telephone systems, computer software, case management, information technology, and use of and access to databases to allow for data matching. The committee shall also investigate the effectiveness of processes and structures used by the ACCESSNebraska system, including system design, management structure, and system goals. The committee shall also investigate the need for new or additional data collection to determine system effectiveness. The committee shall analyze the experiences of clients and their family members and examine customer service experience, access to benefits, and responses to changing family needs. The committee shall utilize existing studies and reports and legislation developed to address the current conditions. The committee shall not be limited to such studies, reports, or legislation.
3. That the ACCESSNebraska Special Investigative Committee shall brief the Health and Human Services Committee of the Legislature by December 15, 2015, and issue a report with its findings and recommendations to the Legislature as circumstances warrant.
8. That the ACCESSNebraska Special Investigative Committee is hereby authorized to continue its work until the beginning of the One Hundred Fourth Legislature, Second Session.

(Signed) Bob Krist, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 37. Placed on Select File with amendment.
ER41
1. On page 6, line 21, strike "the"; and in line 22 strike the second "the".
2. On page 7, line 20, after ",(g)" insert "the"; in line 22 after 4 ",(h)" insert "the" and after ",(i)" insert "the"; and in line 24 after 5 ",(j)" insert "the".
3. On page 23, strike beginning with the period in line 6 through 7 "earlier" in line 8 and show the old matter as stricken.
4. On page 28, line 15, strike the first "the"; in lines 20 and 27 9 strike "the"; and in line 22 strike "section" and insert "sections".
10. On page 30, line 29, after "66" insert "of this act".

(Signed) Matt Hansen, Chairperson

BILLS ON FINAL READING
Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB95 with 47 ayes, 1 nay, and 1 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 95.
A BILL FOR AN ACT relating to bicycles; to amend sections 28-109, 39-101, 60-122, 60-338, 60-611, 60-637, 60-638, and 60-640, Reissue Revised Statutes of Nebraska, and sections 60-123, 60-339, 60-471, 60-4,182, and 60-501, Revised Statutes Cumulative Supplement, 2014; to redefine bicycle to include certain electric-powered bicycles; to exclude bicycles from certain definitions of motor vehicle; to harmonize provisions; 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, 48:
Voting in the negative, 0.

Present and not voting, 1:

Haar, K.

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 99. With Emergency Clause.**

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-1429, Reissue Revised Statutes of Nebraska; to eliminate a duty for the Education Committee of the Legislature as prescribed; to repeal the original section; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.
A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 100.

A BILL FOR AN ACT relating to the Community College Aid Act; to amend sections 85-1503 and 85-2234, Reissue Revised Statutes of Nebraska; to provide for allocation of state aid amounts to tribally controlled community colleges; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

SENATOR KRIST PRESIDING


A BILL FOR AN ACT relating to postsecondary education; to amend section 85-502.01, Reissue Revised Statutes of Nebraska; to change residency provisions for veterans and their spouses and dependents and other eligible persons; to repeal the original section; 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, 49:
Voting in the negative, 0.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB118 with 42 ayes, 1 nay, and 6 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 118. With Emergency Clause.

A BILL FOR AN ACT relating to tobacco; to amend sections 53-103.08, 53-1,120.01, 71-5716, and 71-5717, Reissue Revised Statutes of Nebraska, and sections 28-1429.03, 53-101, 53-131, and 71-5730, Revised Statutes Cumulative Supplement, 2014; to define cigar shop; to permit certain sales as prescribed; to provide for a nonrefundable application fee; to provide and change requirements for cigar shops; to state and restate intent; to preempt county resolutions and city ordinances relating to smoking in cigar shops; to exempt tobacco retail outlets and cigar shops from the Nebraska Clean Indoor Air Act; to provide requirements for tobacco retail outlets; to harmonize provisions; to provide severability; 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, 45:
Baker      Friesen      Howard      Lindstrom      Schilz
Bloomfield  Garrett  Hughes McCollister Schnoor
Bolz       Gloor       Johnson McCoy Schumacher
Brasch     Groene      Kintner     Mello        Seiler
Coash     Haar, K.     Kolowski   Morfeld      Smith
Craighead  Hadley      Kolterman Murante      Stinner
Crawford   Hansen     Krist       Nordquist    Sullivan
Davis     Harr, B.    Kuehn       Riepe        Watermeier
Ebke       Hilkemann  Larson  Scheer       Williams

Voting in the negative, 3:
Chambers Coo                  Pansing Brooks
Present and not voting, 1:
Campbell

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 126.

A BILL FOR AN ACT relating to retirement; to amend section 23-1118,
Revised Statutes Cumulative Supplement, 2014; to change the applicability
of certain county retirement provisions; to change a combined contribution
rate as prescribed; to provide for an irrevocable election regarding future
contributions; 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, 49:
Baker      Davis       Hilkemann    Lindstrom    Schilz
Bloomfield  Ebke       Howard       McCollister Schnoor
Bolz       Friesen    Hughes McCoy Schumacher
Brasch     Garrett     Johnson     Mello        Seiler
Campbell   Gloor       Kintner     Morfeld      Smith
Chambers   Groene     Kolowksi    Murante      Stinner
Coash     Haar, K.     Kolterman Murante      Sullivan
Cook       Hadley      Krist       Pansing Brooks Watermeier
Craighead  Hansen     Kuehn       Riepe        Williams
Crawford   Harr, B.   Larson       Scheer

Voting in the negative, 0.
Not voting, 0.

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

**LEGISLATIVE BILL 149.**

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735, Revised Statutes Cumulative Supplement, 2014; to change election procedures; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 150.**

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2709, Reissue Revised Statutes of Nebraska, and section 18-2705, Revised Statutes Cumulative Supplement, 2014; to redefine terms; 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:
Voting in the negative, 0.

Present and not voting, 2:

Chambers  Kintner

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

**LEGISLATIVE BILL 151.**

A BILL FOR AN ACT relating to real property; to amend sections 25-2142,
76-1006, and 76-1012, Reissue Revised Statutes of Nebraska; to provide for
a person designated to accept city or village notices in cases of mortgaged
property or trust deed default; to harmonize provisions; 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, 49:

Baker  Davis  Hilkemann  Lindstrom  Schilz
Bloomfield  Ebke  Howard  McCollister  Schnoor
Bolz  Friesen  Hughes  McCoy  Schumacher
Brasch  Garrett  Johnson  Mello  Seiler
Campbell  Gloor  Kolowski  Murante  Stinner
Coash  Haar, K.  Krist  Pansing  Brooks  Watermeier
Cook  Hadley  Kuehn  Riepe  Williams
Craglehead  Hansen  Larson  Scheer
Crawford  Harr, B.  Lindstrom  Schilz
Davis  Hilkemann  McCollister  Schnoor

Voting in the negative, 0.

Not voting, 0.

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 LB157 with 43 ayes, 1 nay, and 5 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 157.**

A BILL FOR AN ACT relating to corporations; to amend sections 21-245, 21-2,127, 21-2,128, 21-2,133, 21-2,134, 21-2,143, 21-2,145, 21-2,230, and 21-2,231, Revised Statutes Cumulative Supplement, 2014, and Laws 2014, LB 749, section 295; to change operative date provisions relating to the Nebraska Model Business Corporation Act; to provide operative dates; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

**SPEAKER HADLEY PRESIDING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 159.**

A BILL FOR AN ACT relating to the Public Accountancy Act; to amend sections 1-105 and 1-106, Reissue Revised Statutes of Nebraska; to define
and redefine terms; to provide for peer review; to harmonize provisions; 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, 49:

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Voting in the negative, 0.

Not voting, 0.

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 LB168 with 49 ayes, 0 nays, and 0 not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 168.

A BILL FOR AN ACT relating to the Business Improvement District Act; to amend sections 19-4015, 19-4016, 19-4017, 19-4017.01, 19-4020, 19-4021, 19-4025, 19-4026, 19-4027, 19-4028, 19-4029, 19-4030, 19-4033, 19-4037, and 19-4038, Reissue Revised Statutes of Nebraska; to authorize expansion of existing district boundaries; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 19-4024, 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, 48:
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 170.**

A BILL FOR AN ACT relating to the Sports Arena Facility Support Fund; to amend section 13-3108, Revised Statutes Cumulative Supplement, 2014; to change distribution 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 171. With Emergency Clause.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 49-801.01, Revised Statutes Cumulative Supplement, 2014; to update references to the Internal Revenue Code; to repeal the original section; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB198 with 45 ayes, 0 nays, and 4 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 198.**

A BILL FOR AN ACT relating to insurance; to amend sections 44-3904, 44-3909, 44-4049, 44-4054, and 44-4055, Reissue Revised Statutes of Nebraska; to change prelicensing and continuing education requirements; to define terms; to authorize licenses for limited line pre-need funeral insurance; to harmonize provisions; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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 LB219 with 44 ayes, 1 nay, and 4 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 219.

A BILL FOR AN ACT relating to child custody and visitation; to amend sections 43-2922 and 43-2929, Revised Statutes Cumulative Supplement, 2014; to adopt the Uniform Deployed Parents Custody and Visitation Act; to change and eliminate provisions relating to military parents; to provide an operative date; to repeal the original sections; and to outright repeal section 43-2929.01, Revised Statutes Cumulative Supplement, 2014.

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, 49:
Baker  Davis  Hilkemann  Lindstrom  Schilz
Bloomfield  Ebke  Howard  McCollister  Schnoor
Bolz  Friesen  Hughes  McCoy  Schumacher
Brasch  Garrett  Johnson  Mello  Seiler
Campbell  Gloor  Kintner  Morfeld  Smith
Chambers  Groene  Kolowski  Murante  Stinner
Coash  Haar, K.  Koltermann  Nordquist  Sullivan
Cook  Hadley  Krist  Pansing Brooks Watermeier
Craighead  Hansen  Kuehn  Riepe  Williams
Crawford  Harr, B.  Larson  Scheer

Voting in the negative, 0.

Not voting, 0.

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 LB220 with 44 ayes, 1 nay, and 4 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 220.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 81-8,310 and 82-108.02, Reissue Revised Statutes of Nebraska, and sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2014; to provide for Nebraska 150 Sesquicentennial Plates; to create a fund; to provide powers and duties; to harmonize provisions; 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, 49:
Voting in the negative, 0.

Not voting, 0.

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 220A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 220, One Hundred Fourth Legislature, First Session, 2015.

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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 247.**

A BILL FOR AN ACT relating to the Uniform Partnership Act of 1998; to amend section 67-405, Reissue Revised Statutes of Nebraska; to change the interest rate for obligations arising under the Uniform Partnership Act of 1998; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL  52. Placed on Final Reading.
LEGISLATIVE BILL  87. Placed on Final Reading.
LEGISLATIVE BILL  90. Placed on Final Reading.
LEGISLATIVE BILL  94. Placed on Final Reading.
LEGISLATIVE BILL 107. Placed on Final Reading.
LEGISLATIVE BILL 116. Placed on Final Reading.
LEGISLATIVE BILL 194. Placed on Final Reading.
LEGISLATIVE BILL 241. Placed on Final Reading.
LEGISLATIVE BILL 252. Placed on Final Reading.
LEGISLATIVE BILL 260. Placed on Final Reading.
LEGISLATIVE BILL 261. Placed on Final Reading.
LEGISLATIVE BILL 266. Placed on Final Reading.
LEGISLATIVE BILL 269. Placed on Final Reading.
LEGISLATIVE BILL 271. Placed on Final Reading.
LEGISLATIVE BILL 286. Placed on Final Reading.
LEGISLATIVE BILL 301. Placed on Final Reading.
LEGISLATIVE BILL 305. Placed on Final Reading.
LEGISLATIVE BILL 312. Placed on Final Reading.
LEGISLATIVE BILL 314. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson
AMENDMENT(S) - Print in Journal

Senator Riepe filed the following amendment to LB284:

AM468
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 13-3101, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 13-3101 Sections 13-3101 to 13-3109 and section 4 of this act shall
6 be known and may be cited as the Sports Arena Facility Financing
7 Assistance Act.
8 Sec. 2. Section 13-3102, Reissue Revised Statutes of Nebraska, is
9 amended to read:
10 13-3102 For purposes of the Sports Arena Facility Financing
11 Assistance Act:
12 (1) Board means a board consisting of the Governor, the State
13 Treasurer, the chairperson of the Nebraska Investment Council, the
14 chairperson of the Nebraska State Board of Public Accountancy, and a
15 professor of economics on the faculty of a state postsecondary
16 educational institution appointed to a two-year term on the board by the
17 Coordinating Commission for Postsecondary Education. For administrative
18 and budget purposes only, the board shall be considered part of the
19 Department of Revenue;
20 (2) Bond means a general obligation bond, redevelopment bond, lease-
21 purchase bond, revenue bond, or combination of any such bonds;
22 (3) Eligible sports arena facility means:
23 (a) Any publicly owned, enclosed, and temperature-controlled
24 building primarily used for sports that has a permanent seating capacity
25 of at least three thousand but no more than seven thousand seats and in
26 which initial occupancy occurs on or after July 1, 2010. Eligible sports
27 arena facility includes stadiums, arenas, dressing and locker facilities,
1 concession areas, parking facilities, and onsite administrative offices
2 connected with operating the facilities; and
3 (b) Any racetrack enclosure licensed by the State Racing Commission
4 in which initial occupancy occurs on or after July 1, 2010, including
5 concession areas, parking facilities, and onsite administrative offices
6 connected with operating the racetrack;
7 (4) General obligation bond means any bond or refunding bond issued
8 by a political subdivision and which is payable from the proceeds of an
9 ad valorem tax;
10 (5) Increase in state sales tax revenue means the amount of state
11 sales tax revenue collected by a nearby retailer during the fiscal year
12 for which state assistance is calculated minus the amount of state sales
13 tax revenue collected by the nearby retailer in the fiscal year that
14 ended immediately preceding the date of occupancy of the eligible sports
15 arena facility, except that the amount of state sales tax revenue of a
16 nearby retailer shall not be less than zero;
17 (6) Nearby retailer means a retailer as defined in section
18 77-2701.32 that is located within one thousand six hundred yards of an
eligible sports arena facility, measured from the facility but not from any parking facility or other structure. The term includes a subsequent owner of a nearby retailer operating at the same location;

(7) New state sales tax revenue means:

(a) For nearby retailers that commenced collecting state sales tax during the period of time beginning twenty-four months prior to occupancy of the eligible sports arena facility and ending one hundred twenty-four months after the occupancy of the eligible sports arena facility, one hundred percent of the state sales tax revenue collected by the nearby retailer and sourced under sections 77-2703.01 to 77-2703.04 to a location within one thousand six hundred yards of the eligible sports arena facility; and

(b) For nearby retailers that commenced collecting state sales tax prior to twenty-four months prior to occupancy of the eligible sports arena facility, the increase in state sales tax revenue collected by the nearby retailer and sourced under sections 77-2703.01 to 77-2703.04 to a location within one thousand six hundred yards of the facility;

(8) Political subdivision means any city, village, or county; and

(9) Revenue bond means any bond or refunding bond issued by a political subdivision which is limited or special rather than a general obligation bond of the political subdivision and which is not payable from the proceeds of an ad valorem tax.

Sec. 3. Section 13-3108, Revised Statutes Cumulative Supplement, 2014, is amended to read:

13-3108 (1) The Sports Arena Facility Support Fund is created. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2)(a) Upon receiving the certification described in subsection (3) of section 13-3107, the State Treasurer shall transfer the amount certified to the fund.

(b) Upon receiving the quarterly certification described in subsection (4) of section 13-3107, the State Treasurer shall transfer the amount certified to the fund.

(3)(a) It is the intent of the Legislature to appropriate from the fund money to be distributed as provided in subsections (4) and (5) of this section to any political subdivision for which an application for state assistance under the Sports Arena Facility Financing Assistance Act has been approved an amount not to exceed seventy percent of the (i) state sales tax revenue collected by retailers doing business at eligible sports arena facilities on sales at such facilities, (ii) state sales tax revenue collected on primary and secondary box office sales of admissions to such facilities, and (iii) new state sales tax revenue collected by nearby retailers and sourced under sections 77-2703.01 to 77-2703.04 to a location within one thousand six hundred yards of the eligible sports arena facility.

(b) The amount to be appropriated for distribution as state assistance to a political subdivision under this subsection for any one year after the tenth year shall not exceed the highest such amount appropriated under subdivision (3)(a) of this section during any one year.
of the first ten years of such appropriation. If seventy percent of the
state sales tax revenue as described in subdivision (3)(a) of this
section exceeds the amount to be appropriated under this subdivision,
such excess funds shall be transferred to the General Fund.
(4) The amount certified under subsection (3) of section 13-3107
shall be distributed as state assistance on or before April 15, 2014.
(5) Beginning in 2014, quarterly distributions of state assistance
shall be made. Such quarterly distributions shall be based on the
certifications provided under subsection (4) of section 13-3107 and shall
occur within fifteen days after receipt of such certification.
(6) The total amount of state assistance approved for an eligible
sports arena facility shall not (a) exceed fifty million dollars or (b)
be paid out for more than twenty years after the issuance of the first
bond for the sports arena facility.
(7) State assistance to the political subdivision shall no longer be
available upon the retirement of the bonds issued to acquire, construct,
 improve, or equip the facility or any subsequent bonds that refunded the
original issue or when state assistance reaches the amount determined
under subsection (6) of this section, whichever comes first.
(8) State assistance shall not be used for an operating subsidy or
other ancillary facility.
(9) The thirty percent of state sales tax revenue remaining after
the appropriation and transfer in subsection (3) of this section shall be
appropriated by the Legislature to the Civic and Community Center
Financing Fund.
(10) Except as provided in subsection (11) of this section for a
city of the primary class, any municipality that has applied for and
received a grant of assistance under the Civic and Community Center
Financing Act shall not receive state assistance under the Sports Arena
Facility Financing Assistance Act for the same project for which the
grant was awarded under the Civic and Community Center Financing Act.
(11) A city of the primary class shall not be eligible to receive a
grant of assistance from the Civic and Community Center Financing Act if
the city has applied for and received a grant of assistance under the
(12) The changes made in sections 13-3102 and 13-3108 by this
legislative bill apply to applications for state assistance approved
prior to, on, or after the operative date of this act.
(13) This act becomes operative on January 1, 2016.
(14) Original sections 13-3101 and 13-3102, Reissue Revised
Statutes of Nebraska, and section 13-3108, Revised Statutes Cumulative
Supplement, 2014, are repealed.

SPENER SIGNED

While the Legislature was in session and capable of transacting business, the
Speaker signed the following: LBs 40, 41, 42, 43, 65, 91, 92, 93, 95, 99,
100, 109, 118, 126, 149, 150, 151, 157, 159, 168, 170, 171, 198, 219, 220,
220A, and 247.
UNANIMOUS CONSENT - Add Cointroducer(s)

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

Chambers - LB483
Krist - LB485

VISITORS

Visitors to the Chamber were 24 dental hygiene students from UNL; 7 third-, fourth-, eighth-, and tenth-grade students and sponsors from Sutton and Auburn; and 25 members of the Nebraska State Bar Association Leadership Academy from across the state.

The Doctor of the Day was Dr. Jason Bespalec from Geneva.

ADJOURNMENT

At 12:11 p.m., on a motion by Senator Watermeier, the Legislature adjourned until 10:00 a.m., Monday, February 23, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
PRAYER

The prayer was offered by Pastor Mario Hatcher, Bellevue Christian Center, Bellevue.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Hadley presiding.

The roll was called and all members were present except Senators Schilz and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirtieth day was approved.

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 20, 2015, at 12:18 p.m. were the following: LBs 40, 41, 42, 43, 65e, 91, 92, 93, 95, 99e, 100, 109e, 118e, 126, 149, 150, 151, 157, 159, 168, 170, 171e, 198, 219, 220, 220A, and 247.

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

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 45. Placed on Final Reading.
LEGISLATIVE BILL 180. Placed on Final Reading.
LEGISLATIVE BILL 298. Placed on Final Reading.
ST10
The following changes, required to be reported for publication in the Journal, have been made:
1. On page 10, line 6, "subsection (6) of this section" has been struck and "this subsection" inserted.

LEGISLATIVE BILL 313. Placed on Final Reading.
LEGISLATIVE BILL 352. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 65. Introduced by Seiler, 33.

WHEREAS, Antonio (Levi) Acosta, a member of Troop 207 from Hastings, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Levi has learned, been tested on, and been recognized for various scouting skills; and
WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Levi landscaped the National Weather Service office located in Hastings which took over 150 community service hours to complete; and
WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and
WHEREAS, Levi, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Antonio (Levi) Acosta on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Antonio (Levi) Acosta.

Laid over.
RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 53, 54, and 55 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 53, 54, and 55.

GENERAL FILE

LEGISLATIVE BILL 10. Title read. Considered.

Senator Cook offered her amendment, AM344, found on page 478.

PRESIDENT FOLEY PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S)

Banking, Commerce and Insurance

Room 1507

Monday, March 9, 2015 1:30 p.m.

Brenda L. Hicks-Sorensen - Department of Economic Development

(Signed) Jim Sheer, Chairperson

COMMITTEE REPORT(S)

Natural Resources

The Natural Resources 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.

David Bracht, Director - State Energy Office

Aye: 8 Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Thomas D. Oliver - Nebraska Oil and Gas Conservation Commission
Aye: 8 Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Donald P. Batie - Nebraska Natural Resources Commission
Owen A. Palm - Nebraska Natural Resources Commission

Aye: 8 Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Ken Schilz, Chairperson

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL  97. Placed on General File.
LEGISLATIVE BILL 275. Placed on General File.

LEGISLATIVE BILL 474. Placed on General File with amendment. AM347
1 1. On page 7, line 19; page 9, line 30; page 10, lines 1, 9, 13, 18, 2 21, and 29; page 11, lines 6, 14, 16, 20, and 24; and page 12, lines 3 3 and 8, strike "Protection" and insert "Conservation".
4 2. On page 10, line 2, strike "protection" and insert 5 "conservation".

LEGISLATIVE BILL 642. Placed on General File with amendment. AM402
1 1. Strike the original sections and insert the following new 2 sections:
3 Section 1. Section 37-1214, Revised Statutes Cumulative Supplement, 4 2014, is amended to read:
5 37-1214   (1) Except as otherwise provided in section 37-1211, the 6 owner of each motorboat shall register such vessel or renew the 7 registration every three years as provided in section 37-1226. The owner 8 of such vessel shall file an initial application for a certificate of 9 number pursuant to section 37-1216 with a county treasurer on forms 10 approved and provided by the commission. The application shall be signed 11 by the owner of the vessel, shall contain the year manufactured, and 12 shall be accompanied by a fee for the three-year period of not less than 13 twenty dollars and not more than twenty-three dollars for Class 1 boats, 14 not less than forty dollars and not more than forty-six dollars for Class 15 2 boats, not less than sixty dollars and not more than sixty-seven 16 dollars and fifty cents for Class 3 boats, and not less than one hundred 17 dollars and not more than one hundred fifteen dollars for Class 4 boats, 18 as established by the commission pursuant to section 37-327.
This subsection applies beginning on an implementation date designated by the Director of Motor Vehicles in cooperation with the commission. The director shall designate an implementation date on or before January 1, 2020, for motorboat registration. In addition to the information required under subsection (1) of this section, the application for registration shall contain (a) the full legal name as defined in section 60-468.01 of each owner and (b) the motor vehicle operator's license number or state identification card number of each owner, if applicable, and one or more of the identification elements as listed in section 60-484 of each owner, if applicable.

Sec. 2. Section 37-1278, Revised Statutes Cumulative Supplement, 2014, is amended to read:

(1) Application for a certificate of title shall be presented to the county treasurer, shall be made upon a form prescribed by the Department of Motor Vehicles, and shall be accompanied by the fee prescribed in section 37-1287. The owner of a motorboat for which a certificate of title is required shall obtain a certificate of title prior to registration required under section 37-1214.

(2) If a certificate of title has previously been issued for the motorboat in this state, the application for a new certificate of title shall be accompanied by the certificate of title duly assigned. If a certificate of title has not previously been issued for the motorboat in this state, the application shall be accompanied by a certificate of number from this state, a manufacturer's or importer's certificate, a duly certified copy thereof, proof of purchase from a governmental agency or political subdivision, a certificate of title from another state, or a court order issued by a court of record, a manufacturer's certificate of origin, or an assigned registration certificate, if the motorboat was brought into this state from a state which does not have a certificate of title law. The county treasurer shall retain the evidence of title presented by the applicant on which the certificate of title is issued. When the evidence of title presented by the applicant is a certificate of title or an assigned registration certificate issued by another state, the department shall notify the state of prior issuance that the certificate has been surrendered. If a certificate of title has not previously been issued for the motorboat in this state and the applicant is unable to provide such documentation, the applicant may apply for a bonded certificate of title as prescribed in section 37-1278.01.

(b) This subdivision applies beginning on an implementation date designated by the Director of Motor Vehicles. The director shall designate an implementation date which is on or before January 1, 2020. In addition to the information required under subdivision (2)(a) of this section, the application for registration shall contain (i) the full legal name as defined in section 60-468.01 of each owner and (ii) the motor vehicle operator's license number or state identification card number of each owner, if applicable, and one or more of the identification elements as listed in section 60-484 of each owner, if applicable.
10 applicable, and (B) if any owner is a business entity, a nonprofit
11 organization, an estate, a trust, or a church-controlled organization,
12 its tax identification number.
13 (3) The county treasurer shall use reasonable diligence in
14 ascertaining whether or not the statements in the application for a
15 certificate of title are true by checking the application and documents
16 accompanying the same with the records of motorboats in his or her
17 office. If he or she is satisfied that the applicant is the owner of the
18 motorboat and that the application is in the proper form, the county
19 treasurer shall issue a certificate of title over his or her signature
20 and sealed with his or her seal.
21 (4) In the case of the sale of a motorboat, the certificate of title
22 shall be obtained in the name of the purchaser upon application signed by
23 the purchaser, except that for titles to be held by husband and wife,
24 applications may be accepted by the county treasurer upon the signature
25 of either spouse as a signature for himself or herself and as an agent
26 for his or her spouse.
27 (5) In all cases of transfers of motorboats, the application for a
28 certificate of title shall be filed within thirty days after the delivery
29 of the motorboat. A dealer need not apply for a certificate of title for
30 a motorboat in stock or acquired for stock purposes, but upon transfer of
31 a motorboat in stock or acquired for stock purposes, the dealer shall
32 give the transferee a reassignment of the certificate of title on the
33 motorboat or an assignment of a manufacturer's or importer's certificate.
34 If all reassignments printed on the certificate of title have been used,
35 the dealer shall obtain title in his or her name prior to any subsequent
36 transfer.
37 Sec. 3. Section 60-144, Revised Statutes Cumulative Supplement,
38 2014, is amended to read:
39 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and
40 (d) of this subsection, the county treasurer shall be responsible for
41 issuing and filing certificates of title for vehicles, and each county
42 shall issue and file such certificates of title using the vehicle titling
43 and registration computer system prescribed by the department.
44 Application for a certificate of title shall be made upon a form
45 prescribed by the department. All applications shall be accompanied by
46 the appropriate fee or fees.
47 (ii) This subdivision applies beginning on an implementation date
48 designated by the director. The director shall designate an
49 implementation date which is on or before January 1, 2020. In addition to
50 the information required under subdivision (1)(a)(i) of this section, the
51 application for registration shall contain (A) the full legal name as
52 defined in section 60-468.01 of each owner and (B)(I) the motor vehicle
53 operator's license number or state identification card number of each
54 owner, if applicable, and one or more of the identification elements as
55 listed in section 60-484 of each owner, if applicable, and (II) if any
56 owner is a business entity, a nonprofit organization, an estate, a trust,
57 or a church-controlled organization, its tax identification number.
58 (b) The department shall issue and file certificates of title for
THIRTY-FIRST DAY - FEBRUARY 23, 2015

28 Nebraska-based fleet vehicles. Application for a certificate of title shall be made upon a form prescribed by the department. All applications shall be accompanied by the appropriate fee or fees.

31 (c) The department shall issue and file certificates of title for state-owned vehicles. Application for a certificate of title shall be made upon a form prescribed by the department. All applications shall be accompanied by the appropriate fee or fees.

4 (d) The department shall issue certificates of title pursuant to section 60-142.06. Application for a certificate of title shall be made upon a form prescribed by the department. All applications shall be accompanied by the appropriate fee or fees.

8 (2) If the owner of an all-terrain vehicle, a utility-type vehicle, or a minibike resides in Nebraska, the application shall be filed with the county treasurer of the county in which the owner resides.

11 (3)(a) Except as otherwise provided in subdivision (b) of this subsection, if a vehicle, other than an all-terrain vehicle, a utility-type vehicle, or a minibike, has situs in Nebraska, the application shall be filed with the county treasurer of the county in which the vehicle has situs.

16 (b) If a motor vehicle dealer licensed under the Motor Vehicle Industry Regulation Act, applies for a certificate of title for a vehicle, the application may be filed with the county treasurer of any county.

20 (4) If the owner of a vehicle is a nonresident, the application shall be filed in the county in which the transaction is consummated.

22 (5) The application shall be filed within thirty days after the delivery of the vehicle.

24 (6) All applicants registering a vehicle pursuant to section 60-3,198 shall file the application for a certificate of title with the Division of Motor Carrier Services of the department. The division shall deliver the certificate to the applicant if there are no liens on the vehicle. If there are one or more liens on the vehicle, the certificate of title shall be handled as provided in section 60-164. All certificates of title issued by the division shall be issued in the manner prescribed for the county treasurer in section 60-152.

Sec. 4. Section 60-386, Revised Statutes Cumulative Supplement, 2014, is amended to read:

60-386 (1) Each new application shall contain, in addition to other information as may be required by the department, the name and residential and mailing address of the applicant and a description of the motor vehicle or trailer, including the color, the manufacturer, the identification number, the United States Department of Transportation number if required by 49 C.F.R. 390.5 and 390.19, as such regulations existed on January 1, 2015, and the weight of the motor vehicle or trailer required by the Motor Vehicle Registration Act. With the application the applicant shall pay the proper registration fee and shall state whether the motor vehicle is propelled by alternative fuel and, if alternative fuel, the type of fuel. The application shall also contain a notification that bulk fuel purchasers may be subject to federal excise
tax liability. The department shall include such notification in the notices required by section 60-3,186.

(2) This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date which is on or before January 1, 2020. In addition to the information required under subsection (1) of this section, the application for registration shall contain (a) the full legal name as defined in section 60-468.01 of each owner and (b)(i) the motor vehicle operator's license number or state identification card number of each owner, if applicable, and one or more of the identification elements as listed in section 60-484 of each owner, if applicable, and (ii) if any owner is a business entity, a nonprofit organization, an estate, a trust, or a church-controlled organization, its tax identification number.

Sec. 5. Original sections 37-1214, 37-1278, 60-144, and 60-386, Revised Statutes Cumulative Supplement, 2014, are repealed.

(Signed) Jim Smith, Chairperson

LEGISLATIVE BILL 415. Placed on General File with amendment.

AM200
1 1. Insert the following new section:
2 Sec. 65. Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) Les Seiler, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 66. Introduced by Krist, 10.

WHEREAS, the State of Nebraska recognizes there are families adversely affected by problem gambling; and WHEREAS, the State of Nebraska allocates funds to provide education, counseling, and support to families affected by problem gambling; and WHEREAS, the key to recognizing problem gambling is awareness; and WHEREAS, in order to promote prevention of problem gambling in the future, educating citizens about the dangers of problem gambling is crucial. NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes March 2015 as Problem Gambling Awareness Month in Nebraska.
2. That a copy of this resolution be sent to the National Council on Problem Gambling, the Nebraska Council on Compulsive Gambling, and the Nebraska Commission on Problem Gambling.

Laid over.
BILLS ON FIRST READING

The following bills were read for the first time by title:

**LEGISLATIVE BILL 77A.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 77, One Hundred Fourth Legislature, First Session, 2015; to change appropriations; and to declare an emergency.

**LEGISLATIVE BILL 586A.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 586, One Hundred Fourth Legislature, First Session, 2015.

**GENERAL FILE**

**LEGISLATIVE BILL 10.** Senator Chambers offered the following motion:

MO35
Bracket until June 5, 2015.

Pending.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 88.** Placed on Final Reading.
**LEGISLATIVE BILL 122.** Placed on Final Reading.

**LEGISLATIVE BILL 142.** Placed on Final Reading.
ST8
The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, line 1, "section 37-1220" has been struck and "sections 37-1220 and 37-1273" inserted.

**LEGISLATIVE BILL 142A.** Placed on Final Reading.
**LEGISLATIVE BILL 160.** Placed on Final Reading.
**LEGISLATIVE BILL 167.** Placed on Final Reading.
**LEGISLATIVE BILL 181.** Placed on Final Reading.
**LEGISLATIVE BILL 272.** Placed on Final Reading.
LEGISLATIVE BILL 446. Placed on Final Reading.

ST9

The following changes, required to be reported for publication in the Journal, have been made:
1. On page 1, line 2, "79-904.01," has been inserted after the first comma; and in line 5 "to prohibit refund of certain contributions as prescribed;" has been inserted after the semicolon.

(Signed) Matt Hansen, Chairperson

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Ronnie Mitchell, Director - Department of Aeronautics

Aye: 8 Bloomfield, Craighead, Garrett, Groene, Hansen, Larson, McCoy, Murante. Nay: 0. Absent: 0. Present and not voting: 0.

LEGISLATIVE BILL 283. Placed on General File.

LEGISLATIVE BILL 365. Placed on General File.

LEGISLATIVE BILL 514. Placed on General File.

LEGISLATIVE BILL 561. Placed on General File.

LEGISLATIVE RESOLUTION 26CA. Placed on General File.

LEGISLATIVE BILL 282. Indefinitely postponed.

(Signed) John Murante, Chairperson

General Affairs

LEGISLATIVE BILL 330. Placed on General File with amendment.

AM113

1 1. Strike original sections 1, 8, 15, and 18 to 20 and insert the
2 following new sections:
3 Section 1. Section 53-101, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:
5 53-101 Sections 53-101 to 53-1,122 and sections 6, 8, and 13 of this
6 act shall be known and may be cited as the Nebraska Liquor Control Act.
7 Sec. 8. (1) The holder of a Class C license may obtain a limited
8 bottling endorsement for such license as prescribed in this section. The
9 endorsement shall be issued for the same period and may be renewed in the
10 same manner as the Class C license. A limited bottling endorsement may
11 not be used in conjunction with a special designated license.
12 (2) A licensee desiring to obtain a limited bottling endorsement for
13 a license shall file with the commission an application upon such forms
14 as the commission prescribes and a fee of three hundred dollars payable
15 to the commission.
16 (3) The holder of a limited bottling endorsement may sell beer for
17 consumption off the licensed premises in sealed containers filled as
18 provided in this subsection if:
19 (a) The sale occurs on the licensed premises of the licensee during
20 the hours the licensee is authorized to sell beer;
21 (b) The licensee uses sanitary containers purchased by the customer
22 from the licensee or exchanged for containers previously purchased by the
23 customer from the licensee. The containers shall prominently display the
24 endorsement holder's trade name or logo or some other mark that is unique
25 to the endorsement holder and shall hold no more than thirty-two ounces;
26 (c) The licensee seals the container in a manner designed so that it
27 is visibly apparent whether the sealed container has been tampered with
28 or opened or seals the container and places the container in a bag
29 designed so that it is visibly apparent whether the sealed container has
30 been tampered with or opened; and
31 (d) The licensee provides a dated receipt to the customer and
32 attaches a copy of the dated receipt to the sealed container or, if the
33 sealed container is placed in a bag, to the bag.
7 Sec. 10. Section 53-131, Revised Statutes Cumulative Supplement,
8 2014, is amended to read:
9 53-131 (1) Any person desiring to obtain a new license to sell
10 alcoholic liquor at retail, a craft brewery license, or a microdistillery
11 license shall file with the commission:
12 (a) An application in triplicate original upon forms the commission
13 prescribes, including the information required by subsection (3) of this
14 section for an application to operate a cigar bar;
15 (b) The license fee if under sections 53-124 and 53-124.01 such fee
16 is payable to the commission, which fee shall be returned to the
17 applicant if the application is denied; and
18 (c) The nonrefundable application fee in the sum of four hundred
19 dollars, except that the nonrefundable application fee for an application
20 for a cigar bar shall be one thousand dollars.
21 (2) The commission shall notify the clerk of the city or village in
22 which such license is sought or, if the license sought is not sought
23 within a city or village, the county clerk of the county in which such
24 license is sought, of the receipt of the application and shall include
25 one copy of the application with the notice. No such license shall be
26 issued or denied by the commission until the expiration of the time
27 allowed for the receipt of a recommendation of denial or an objection
28 requiring a hearing under subdivision (1)(a) or (b) of section 53-133.
29 During the period of forty-five days after the date of receipt by mail or
30 electronic delivery of such application from the commission, the local
31 governing body of such city, village, or county may make and submit to
1 the commission recommendations relative to the granting or refusal to
2 grant such license to the applicant.
3 (3) For an application to operate a cigar bar, the application shall
4 include proof of the cigar bar's annual gross revenue as requested by the
5 commission and such other information as requested by the commission to
6 establish the intent to operate as a cigar bar. The commission may adopt
7 and promulgate rules and regulations to regulate cigar bars.
8 (4) For renewal of a license under this section, a licensee shall
9 file with the commission an application, the license fee as provided in
10 subdivision (1)(b) of this section, and a renewal fee of forty-five
11 dollars.
12 Sec. 13. (1) The Legislature finds that encouraging manufacturers
13 of beer to use beer-related crops grown in this state in their
14 manufacturing operations stimulates the creation of jobs and investments
15 in small communities in this state, encourages the use of lands upon
16 which beer-related crops may be grown, and provides tax revenue to the
17 state which would not otherwise be realized. It is the intent of the
18 Legislature to encourage the use of such beer-related crops by providing
19 a nonrefundable tax credit as provided in this section.
20 (2) For purposes of this section, beer-related crop means barley,
21 hops, or any other grain customarily used in the manufacture of beer.
22 (3) A nonrefundable credit against the tax imposed in section 53-160
23 shall be allowed to any manufacturer of beer if at least ten percent of
24 the beer-related crops used by such manufacturer in the previous calendar
25 year were grown in this state. The credit shall be an amount equal to the
26 percentage specified in subsection (4) of this section multiplied by the
27 total amount of tax paid under section 53-160 in the previous calendar
28 year on the first twenty thousand barrels of beer sold by such
29 manufacturer.
30 (4) The percentage used to determine the credit shall be as follows:
31 (a) If at least ten percent but less than forty percent of the beer-
32 related crops used by the manufacturer in the previous calendar year were
33 grown in this state, the percentage used to determine the credit shall be
34 fifteen percent;
35 (b) If at least forty percent but less than seventy percent of the
36 beer-related crops used by the manufacturer in the previous calendar year
37 were grown in this state, the percentage used to determine the credit
38 shall be twenty-five percent; and
39 (c) If at least seventy percent of the beer-related crops used by
40 the manufacturer in the previous calendar year were grown in this state,
41 the percentage used to determine the credit shall be thirty-five percent.
42 (5) A manufacturer of beer shall apply for the credit to the
43 commission on a form prescribed by the commission. The application shall
44 be submitted on or before January 25 of each year and shall contain the
45 following information;
46 (a) The name of the manufacturer;
47 (b) The total number of barrels of beer sold and the total amount of
48 tax paid under section 53-160 during the previous calendar year;
49 (c) The percentage of beer-related crops used by the manufacturer in
50 the previous calendar year that were grown in this state; and
51 (d) Such other information as required by the commission to verify
that the manufacturer is qualified to receive the credit allowed under this section and to calculate the amount of the credit.

(6) If the manufacturer of beer qualifies for the credit, the commission shall approve the application and notify the manufacturer of the amount of the credit approved. The manufacturer may then claim the credit on the reports due each month under section 53-164.01 as an offset against the taxes due pursuant to such reports until the credit is fully utilized or until the following December 31, whichever occurs first.


Sec. 20. Since an emergency exists, this act takes effect when passed and approved according to law.

2. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 460. Placed on General File with amendment. AM396 is available in the Bill Room.

(Signed) Tyson Larson, Chairperson
Transportation and Telecommunications

LEGISLATIVE BILL 231. Placed on General File with amendment. AM296 is available in the Bill Room.

LEGISLATIVE BILL 498. Placed on General File with amendment. AM413 is available in the Bill Room.

(Signed) Jim Smith, Chairperson

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB37:
AM470
1 1. Insert the following new section:
2 Sec. 28. Section 28-411, Reissue Revised Statutes of Nebraska, is amended to read:
3 amended to read:
4 28-411 (1) Every practitioner who is authorized to administer or professionally use controlled substances shall keep a record of such controlled substances received by him or her and a record of all such controlled substances administered or professionally used by him or her, other than by medical order issued by a practitioner authorized to prescribe, in accordance with subsection (4) of this section.
5 (2) Manufacturers, wholesalers, distributors, and reverse distributors shall keep records of all controlled substances compounded, mixed, cultivated, grown, or by any other process produced or prepared and of all controlled substances received and disposed of by them, in
accordance with subsection (4) of this section.

Pharmacies shall keep records of all controlled substances received and disposed of by them, in accordance with subsection (4) of this section.

The record of controlled substances received shall in every case show (a) the date of receipt, (b) the name, address, and Drug Enforcement Administration number of the person receiving the controlled substances, (c) the name, address, and Drug Enforcement Administration number of the person from whom received, (d) the kind and quantity of controlled substances received, (e) the kind and quantity of controlled substances produced or removed from process of manufacture, and (f) the date of such production or removal from process of manufacture. The record shall in every case show the proportion of morphine, cocaine, or ecgonine contained in or producible from crude opium or coca leaves received or produced. The record of all controlled substances sold, administered, dispensed, or otherwise disposed of shall show the date of selling, administering, or dispensing, the name and address of the person to whom or for whose use or the owner and species of animal for which the controlled substances were sold, administered, or dispensed, and the kind and quantity of controlled substances. For any lost, destroyed, or stolen controlled substances, the record shall list the kind and quantity of such controlled substances and the discovery date of such loss, destruction, or theft. Every such record shall be kept for a period of five years from the date of the transaction recorded.

Any person authorized to compound controlled substances shall comply with section 45 of this act.

2. On page 17, line 2, strike "The" and insert "Beginning January 1, 2017, the"; and strike beginning with the comma in line 2 through the second comma in line 3.

3. On page 36, line 10, strike beginning with "Each" through the last comma and insert "Beginning January 1, 2016, each hospital shall".

4. On page 50, line 27, after "sections" insert "28-411, ."

5. Renumber the remaining sections and correct the internal references accordingly.

Senator Kolowski filed the following amendment to LB558:

AM489

1. Strike original section 1 and insert the following new section:

Section 1. Section 81-2,245.01, Reissue Revised Statutes of Nebraska, is amended to read:

81-2,245.01 Food establishment shall mean an operation that stores, prepares, packages, serves, sells, vends, or otherwise provides food for human consumption. The term does not include:

1. An establishment or vending machine operation that offers only prepackaged soft drinks, carbonated or noncarbonated; canned or bottled fruit and vegetable juices; prepackaged ice; candy; chewing gum; potato chips; pretzels; cheese puffs and curls; crackers; popped popcorn; nuts and edible seeds; and cookies, cakes, pies, and other pastries, that are not potentially hazardous foods;
(2) A produce stand that only offers whole, uncut fresh fruits and vegetables;
(3) A food processing plant;
(4) A salvage operation;
(5) A private home where food is prepared or served for personal use, a small day care in the home, or a hunting lodge, guest ranch, or other operation where no more than ten paying guests eat meals in the home;
(6) A private home or other area where food that is not potentially hazardous food is prepared:
   (a) For sale or service at a religious, charitable, or fraternal organization's bake sale or similar function; or
   (b) For sale directly to the consumer at a farmer's market if the consumer is informed by a clearly visible placard at the sale location that the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority; or
   (c) For sale directly to a consumer or indirectly to a consumer through a food establishment if:
      (i) The private home or other area is required to obtain a permit by the department on forms developed by the department. The permit shall identify a specific listing of the food products allowed to be produced by the permittee. Prior to issuing a permit, the department shall inspect the premises of the private home or other area to determine that it is in substantial compliance with the following requirements:
      (A) Only those specific foods identified on the permit may be produced;
      (B) No person other than the permittee, or a person under the direct supervision of the permittee, may be engaged in the processing, preparing, packaging, or handling of any food products or be in the kitchen during the preparation, packaging, or handling of any food products;
      (C) No preparation, packaging, or handling of food products occurs in the kitchen concurrent with any other domestic activities such as family meal preparation, dishwashing, clothes washing or ironing, kitchen cleaning, or guest entertainment;
      (D) No infants, small children, or pets are in the kitchen during the preparation, packaging, or handling of any food products;
      (E) All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of any food products are washed, rinsed, and sanitized before each use;
      (F) All food preparation and food and equipment storage areas are maintained free of rodents and insects;
      (G) All persons involved in the preparation and packaging of food products:
         (I) Are not working in the kitchen when ill;
         (II) Wash their hands before any food preparation and food packaging activities; and
         (III) Avoid bare hand contact with ready-to-eat foods through the use of single-service gloves, bakery papers, tongs, or other utensils.
Any private home or other area which has a private water supply has had the water supply tested prior to initial permitting and at least annually thereafter and demonstrates through a written record of testing that the water supply is potable. The department may require more frequent testing as deemed necessary. After the initial inspection, the department may inspect at any time and whenever the department has reason to believe the permittee is in violation of the requirements of this subdivision or is operating in an unsanitary manner. The department may also inspect the permitted area in response to a foodborne illness outbreak, consumer complaint, or other public health emergency. All permittees under this subdivision shall sign a document attesting that the permittee expressly grants to the department the right to enter the private home or other area during normal business hours, or at other reasonable times, for the purposes of inspection, including the collection of food samples. The initial permit fee charged under this subdivision shall be eighty-six dollars. The initial and annual inspection fee charged under this subdivision shall be eighty-six dollars. The initial permit fee and initial inspection fee shall be paid at the time of application. The annual inspection fee shall be due on August 1 of each year thereafter.

The consumer is informed by a clearly visible placard at the sale location or on the package or container label that contains the following information printed in English:

(A) The name and address of the permittee;
(B) The name of the food product;
(C) The ingredients of the food product in descending order of predominance by weight;
(D) The net weight or net volume of the food product;
(E) Allergen information as specified by federal labeling requirements; and
(F) The following statement printed in at least ten-point type in a color that provides a clear contrast to the background label: "Homemade Food that is not Subject to Routine Government Food Safety Inspection";

The permittee has not more than fifty thousand dollars in gross annual sales during a calendar year. The department may request, in writing, documentation to verify the calendar year gross annual sales of the permittee;

The permittee does not employ more than one full-time equivalent employee, not including a family member or a member of the permittee's household; and

The permittee and his or her employees have undergone food handler training provided online on the department's web site. The department shall develop and make available an online food handler training program on its web site not later than December 31, 2015;

A private home or other area where food is prepared for distribution at a fundraising event for a charitable purpose if the consumer is informed by a clearly visible placard at the serving location that the food was prepared in a kitchen that is not subject to regulation
22 and inspection by the regulatory authority. This subdivision does not
23 apply to a caterer or other establishment providing food for the event if
24 the caterer or establishment receives compensation for providing the
25 food;
26 (8) The location where food prepared by a caterer is served so long
27 as the caterer only minimally handles the food at the serving location;
28 (9) Educational institutions, health care facilities, nursing homes,
29 and governmental organizations which are inspected by a state agency or a
30 political subdivision other than the regulatory authority for sanitation
31 in the food preparation areas;
1 (10) A pharmacy as defined in section 71-425 if the pharmacy only
2 sells prepackaged pharmaceutical, medicinal, or health supplement foods
3 that are not potentially hazardous or foods described in subdivision (1)
4 of this section; and
5 (11) An establishment which is not a commercial food establishment
6 and which sells only commercially packaged foods that are not potentially
7 hazardous foods.

VISITORS

Visitors to the Chamber were a group from the Nebraska Grocery Industry
Association.

The Doctor of the Day was Dr. Michael Keralis from Lincoln.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Garrett, the Legislature adjourned
until 9:00 a.m., Tuesday, February 24, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-SECOND DAY - FEBRUARY 24, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 24, 2015

PRAYER

The prayer was offered by Senator Kolowski.

ROLL CALL

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

The roll was called and all members were present except Senator Schilz who was excused; and Senators Garrett and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-first day was approved.

ANNOUNCEMENT(S)

Senator Bloomfield designates LB31 as his priority bill.

Senator Baker designates LB431 as his priority bill.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 221. Placed on General File with amendment.
AM467
1 1. On page 3, line 21, strike "shall" and insert "may"; and in line
2 2. strike "ten" and insert "twenty".
3 3. On page 4, line 14, strike "ten" and insert "twenty".

The Judiciary 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.

Gerard A. (Fred) Ruiz - Crime Victim's Reparations Committee
Michelle Schindler - Crime Victim's Reparations Committee
LEGISLATIVE RESOLUTION 67. Introduced by Ebke, 32.

WHEREAS, Arne and Esther Larsen celebrated their 80th wedding anniversary on December 23, 2014; and
WHEREAS, Arne and Esther are one of the longest married couples living in Nebraska. Arne is 103 years old and Esther is 99 years old; and
WHEREAS, Arne and Esther were married in 1934 at Bethel Lutheran Church near Superior; and
WHEREAS, after being married, Arne and Esther moved into a two-bedroom home without electricity or running water on a farm near Hebron; and
WHEREAS, after several years of working side by side on the farm, Arne and Esther moved into Hebron in 1945; and
WHEREAS, Arne and Esther now live in an assisted living facility in Hebron where they share an apartment filled with photos of their two children DeLoyd and Rogene, as well as their three grandchildren and six great-grandchildren; and
WHEREAS, nearly 200 people attended their 80th anniversary open house in December; and
WHEREAS, after 80 years of marriage, Arne and Esther consider themselves "the richest people in Thayer County";

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Arne and Esther Larsen on their 80th wedding anniversary.
2. That a copy of this resolution be sent to Arne and Esther Larsen.

Laid over.

LEGISLATIVE RESOLUTION 68. Introduced by Ebke, 32.

WHEREAS, the Friend High School wrestling team finished second at the 2015 Class D State Wrestling Championships; and
WHEREAS, the Friend Bulldogs showed outstanding determination, teamwork, and skill during the competition and earned a team score of 95.5 points; and
WHEREAS, the Friend Bulldogs had three state finalists including two state champions on their team; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the Friend High School wrestling team for finishing second at the 2015 Class D State Wrestling Championships.
2. That a copy of this resolution be sent to the Friend High School wrestling team.

Laid over.

UNANIMOUS CONSENT - Room Change

Senator Johnson asked unanimous consent that the Agriculture Committee conduct its hearing on Tuesday, February 24, 2015, in Room 1524 instead of Room 2102. No objections. So ordered.

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 appropriations; to amend Laws 2013, LB530A, section 1; to appropriate and reappropriate funds; to eliminate an appropriation; to repeal the original section; 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, 43:

Voting in the negative, 0.

Present and not voting, 3:
Groene Kintner Smith

Excused and not voting, 3:
Garrett Murante Schilz

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

SPEAKER SIGNED

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

GENERAL FILE


SENATOR HOWARD PRESIDING

PRESIDENT FOLEY PRESIDING

Pending.

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 375. Placed on General File.

LEGISLATIVE BILL 515. Placed on General File with amendment.
AM380
1 1. On page 2, line 29, before "children" insert "minor".

(Signed) Jim Scheer, Chairperson
Health and Human Services

LEGISLATIVE BILL 80. Placed on General File.

LEGISLATIVE BILL 452. Placed on General File.

LEGISLATIVE BILL 315. Placed on General File with amendment.
AM458
1 1. Strike the original sections and insert the following new 2 sections:
3 Section 1. Section 68-974, Revised Statutes Cumulative Supplement, 4 2014, is amended to read:
5 68-974 (1) The department shall contract with one or more recovery 6 audit contractors to promote the integrity of the medical assistance
program and to assist with cost-containment efforts and recovery audits. The contract or contracts shall include services for (a) cost-avoidance through identification of third-party liability, (b) cost recovery of third-party liability through postpayment reimbursement, (c) casualty recovery of payments by identifying and recovering costs for claims that were the result of an accident or neglect and payable by a casualty insurer, and (d) reviews of claims submitted by providers of services or other individuals furnishing items and services for which payment has been made to determine whether providers have been underpaid or overpaid, and to take actions to recover any overpayments identified or make payment for any underpayment identified.

(2) Notwithstanding any other provision of law, all recovery audit contractors retained by the department when conducting a recovery audit shall:

(a) Review claims within two years from the date of the payment;
(b) Send a determination letter concluding an audit within sixty days after receipt of all requested material from a provider;
(c) In any records request to a provider, furnish information sufficient for the provider to identify the patient, procedure, or location;
(d) Develop and implement with the department a procedure in which an improper payment identified by an audit is permitted to be rebilled as a corrected claim;
(e) Utilize a licensed health care professional from the area of practice being audited to establish relevant audit methodology consistent with established practice guidelines, standards of care, and state-issued medicaid provider handbooks;
(f) Provide a written notification and explanation of an adverse determination that includes the reason for the adverse determination, the medical criteria on which the adverse determination was based, an explanation of the provider’s appeal rights, and, if applicable, an explanation of the appropriate procedure to rebill in accordance with subdivision (2)(d) of this section; and
(g) Schedule any onsite audits with advance notice of not less than ten business days and make a good faith effort to establish a mutually agreed upon time and date for the onsite audit.

(3) The department shall exclude the following from the scope of review of recovery audit contractors: (a) Claims processed or paid through a capitated medicaid managed care program; (b) medical necessity reviews in which the provider has obtained prior authorization for the service and in which the authorized service was provided; and (c) any claims that are currently being audited or that have already been audited by the recovery audit contractor or by another entity.

(4) The department shall contract with one or more persons to support a health insurance premium assistance payment program.

(5) The department may enter into any other contracts deemed to increase the efforts to promote the integrity of the medical assistance program.

(6) Contracts entered into under the authority of this section may
be on a contingent fee basis. Contracts entered into on a contingent fee
basis shall provide that contingent fee payments are based upon amounts
recovered, not amounts identified, and that contingent fee payments are
not to be paid on amounts subsequently repaid due to determinations made
in appeal proceedings. Whether the contract is a contingent fee contract
or otherwise, the contractor shall not recover overpayments by the
department until all appeals have been completed unless there is a credible allegation of fraudulent activity by the provider, the
contractor has referred the claims to the department for investigation,
and an investigation has commenced. In that event, the contractor may
recover overpayment prior to the conclusion of the appeals process. In
any contract between the department and a recovery audit contractor, the
payment or fee provided for identification of overpayments shall be the
same provided for identification of underpayments. Contracts shall be in
compliance with federal law and regulations when pertinent, including a
limit on contingent fees of no more than twelve and one-half percent of
amounts recovered, and initial contracts shall be entered into as soon as
practicable under such federal law and regulations.

(7) All amounts recovered and savings generated as a result of
this section shall be returned to the medical assistance program.
(8) Records requests made by a recovery audit contractor in any one-
hundred-eighty-day period shall be limited to not more than five percent
of the number of claims filed by the provider for the specific service
being reviewed, not to exceed two hundred records. The contractor shall
allow a provider no less than forty-five days to respond to and comply
with a record request. If the contractor can demonstrate a significant
provider error rate relative to an audit of records, the contractor may
make a request to the department to initiate an additional records
request regarding the subject under review for the purpose of further
review and validation. The contractor shall not make the request until
the time period for the appeals process has expired and the provider
given the opportunity to contest to the department the second records
request.
(9) On an annual basis, the department shall require the recovery
audit contractor to compile and publish on the department's Internet web
site metrics related to the performance of each recovery audit
contractor. Such metrics shall include: (a) The number and type of issues
reviewed; (b) the number of medical records requested; (c) the number of
overpayments and the aggregate dollar amounts associated with the
overpayments identified by the contractor; (d) the number of
underpayments and the aggregate dollar amounts associated with the
identified underpayments; (e) the duration of audits from initiation to
time of completion; (f) the number of adverse determinations and the
overturn rating of those determinations in the appeal process; (g) the
number of appeals filed by providers and the disposition status of such
appeals; (h) the contractor's compensation structure and dollar amount of
compensation; and (i) a copy of the department's contract with the
recovery audit contractor.
(10) The recovery audit contractor, in conjunction with the
16 department, shall perform educational and training programs annually for
17 providers that encompass a summary of audit results, description of
18 common issues, problems, and mistakes identified through audits and
19 reviews, and a discussion of opportunities for improvement in provider
20 performance with respect to claims, billing, and documentation.
21 (11) Providers shall be allowed to submit records requested as a
22 result of an audit in electronic format which shall include either
23 compact disc or digital versatile disc or via facsimile transmission, at
24 the request of the provider.
25 (12)(a) A provider shall have the right to appeal a determination
26 made by the recovery audit contractor.
27 (b) The contractor shall establish an informal consultation process.
28 Within thirty days after receipt of notification of an adverse
29 determination from the contractor, the provider may request an informal
30 consultation with the contractor and the Medicaid Program Integrity Unit
31 of the Division of Medicaid and Long-Term Care of the department to
1 discuss and attempt to resolve the findings or portion of such findings
2 in the adverse determination letter. The request shall be made to the
3 contractor. The consultation shall occur within thirty days after the
4 provider's request for informal consultation.
5 (c) Within thirty days after an informal consultation, or within
6 thirty days after notification of a final decision or an adverse
7 determination if no informal consultation is requested, a provider may
8 request an administrative appeal of the final decision or adverse
9 determination as set forth in the Administrative Procedure Act.
10 (13 6) The department shall by December 1 of each year, 2012,
11 report to the Legislature the status of the contracts, including the
12 parties, the programs and issues addressed, the estimated cost recovery,
13 and the savings accrued as a result of the contracts. Such report shall
14 be filed electronically.
15 (14 2) For purposes of this section:
16 (a) Adverse determination means any decision rendered by the
17 recovery audit contractor that results in a payment to a provider for a
18 claim for service being reduced or rescinded;
19 (b) Person means bodies politic and corporate, societies,
20 communities, the public generally, individuals, partnerships, limited
21 liability companies, joint-stock companies, and associations; and
22 (c) Recovery audit contractor means private entities with which
23 the department contracts to audit claims for medical assistance, identify
24 underpayments and overpayments, and recoup overpayments.
25 Sec. 2. Original section 68-974, Revised Statutes Cumulative
26 Supplement, 2014, is repealed.

(Signed) Kathy Campbell, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 621. Placed on General File.
LEGISLATIVE BILL 539. Placed on General File with amendment. AM487 is available in the Bill Room.

(Signed) John Murante, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 69. Introduced by Pansing Brooks, 28; Campbell, 25.

WHEREAS, Thomas R. Buecker was born on November 14, 1948, in Lincoln, Nebraska; and
WHEREAS, Tom graduated from Sidney High School in 1966 and went on to earn a bachelor’s degree from Kearney State College. Tom received a master's degree from Chadron State College in 1992; and
WHEREAS, in 1974, Tom married Colleen Kay Blakeman and together they raised their two children, Michael and Anne; and
WHEREAS, in 1977, Tom was named the curator of the Neligh Flour Mill, and in 1985, he transferred to the Fort Robinson Museum near Crawford; and
WHEREAS, Tom spent 26 years researching and telling the story of Fort Robinson, including writing his master's degree thesis on the early history of Fort Robinson and his book "Fort Robinson and the American West 1874-1899"; and
WHEREAS, in 2011, Tom moved to Lincoln and worked at the Thomas Kennard House and the Nebraska Museum of History where he continued his research and writing; and
WHEREAS, in 2009, Tom was awarded the Distinguished Alumni Award from the University of Nebraska at Kearney; and
WHEREAS, Tom passed away on February 2, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes the contributions of Thomas R. Buecker and extends its sympathy to his family.
2. That a copy of this resolution be sent to the family of Thomas R. Buecker.

Laid over.

LEGISLATIVE RESOLUTION 70. Introduced by Ebke, 32.

WHEREAS, Zemua Baptista, a junior at Friend High School, won the 2015 Class D State Wrestling Championship in the 152-pound division; and
WHEREAS, Zemua's win helped lead the Friend Bulldogs to a second-place team finish; and
WHEREAS, this is Zemua's second state wrestling championship, having also won as a sophomore; and
WHEREAS, Zemua finished the year with a 39-1 record.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Zemua Baptista on his state wrestling championship and his career achievements.
2. That a copy of this resolution be sent to Zemua Baptista.

Laid over.

LEGISLATIVE RESOLUTION 71. Introduced by Ebke, 32.

WHEREAS, Patrick Dempsey, a senior at Friend High School, won the 2015 Class D State Wrestling Championship in the 170-pound division; and
WHEREAS, Patrick's win helped lead the Friend Bulldogs to a second-place team finish; and
WHEREAS, this is Patrick's first state wrestling championship; and
WHEREAS, Patrick finished the year with a 45-1 record, and a career record of 161-19.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Patrick Dempsey on his state wrestling championship and his career achievements.
2. That a copy of this resolution be sent to Patrick Dempsey.

Laid over.

LEGISLATIVE RESOLUTION 72. Introduced by Krist, 10.

WHEREAS, Sister Mary Evangeline Randolph was born on September 25, 1919; and
WHEREAS, in 1960, Sister Evangeline recognized a need in Omaha for a school to educate children with special needs where they could learn, grow, and belong; and
WHEREAS, at the time, Sister Evangeline was teaching three students at St. James Orphanage who had cognitive disabilities that prevented them from enrolling in the public school system; and
WHEREAS, Sister Evangeline founded the Madonna School to help teach children with special needs; and
WHEREAS, by 1970, there were 38 children attending classes at the growing Madonna School; and
WHEREAS, through the help of volunteers and donors, Sister Evangeline was able to purchase a church in the Benson area and remodel it to accommodate the growing number of students; and
WHEREAS, today, there are 58 children and young adults attending the Madonna School from ages 5 to 21; and
WHEREAS, Sister Evangeline passed away on February 9, 2015.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST
SESSION:
1. That the Legislature recognizes the contributions of Sister Mary
Evangeline Randolph and extends its sympathy to her family.
2. That a copy of this resolution be sent to the family of Sister Mary
Evangeline Randolph and the Madonna School.

Laid over.

BILL ON FIRST READING

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

LEGISLATIVE BILL 12A. Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 12, One Hundred
Fourth Legislature, First Session, 2015.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Hogue, John - Commission for the Deaf and Hard of Hearing - Health and
Human Services

(Signed) Bob Krist, Chairperson
Executive Board

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 24, 2015, at 9:56 a.m. was the
following: LB430e.

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

GENERAL FILE

LEGISLATIVE BILL 10. The Chambers motion, MO35, found on page
601 and considered in this day's Journal, to bracket until June 5, 2015, was
renewed.

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

Senator Chambers requested a roll call vote on the motion to bracket.
Voting in the affirmative, 12:

<table>
<thead>
<tr>
<th>Bolz</th>
<th>Crawford</th>
<th>Howard</th>
<th>Nordquist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campbell</td>
<td>Haar, K.</td>
<td>Kolowski</td>
<td>Pansing Brooks</td>
</tr>
<tr>
<td>Cook</td>
<td>Hansen</td>
<td>Morfeld</td>
<td>Sullivan</td>
</tr>
</tbody>
</table>

Voting in the negative, 30:

| Bloomfield | Friesen | Hilkemann | Lindstrom | Schnoor |
| Brasch | Garrett | Hughes | McCollister | Seiler |
| Coash | Gloor | Johnson | McCoy | Smith |
| Craighead | Groene | Kintner | Murante | Stinner |
| Davis | Hadley | Koltermann | Riepe | Watermeier |
| Ebke | Harr, B. | Kuehn | Scheer | Williams |

Present and not voting, 4:

| Baker | Chambers | Krist | Schumacher |

Excused and not voting, 3:

| Larson | Mello | Schilz |

The Chambers motion to bracket failed with 12 ayes, 30 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO36
Reconsider the vote to bracket.

**SPEAKER HADLEY PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Chambers requested a roll call vote, in reverse order, on the motion to reconsider.

Voting in the affirmative, 15:

<table>
<thead>
<tr>
<th>Bolz</th>
<th>Cook</th>
<th>Hansen</th>
<th>Kolowski</th>
<th>Pansing Brooks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campbell</td>
<td>Crawford</td>
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<td>Morfeld</td>
<td>Schumacher</td>
</tr>
<tr>
<td>Chambers</td>
<td>Haar, K.</td>
<td>Howard</td>
<td>Nordquist</td>
<td>Sullivan</td>
</tr>
</tbody>
</table>

Voting in the negative, 29:
The Chambers motion to reconsider failed with 15 ayes, 29 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Cook renewed her amendment, AM344, found on page 478 and considered on page 595.

Senator Cook moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Cook requested a roll call vote, in reverse order, on the amendment.

Voting in the affirmative, 34:

Baker    Crawford    Hansen    Kolterman    Riepe
Bolz     Friesen     Harr, B.    Kuehn     Scheer
Brasch    Garrett     Hilkemann  Lindstrom  Seiler
Campbell  Gloor       Howard     McCoy    Smith
Chambers  Groene     Hughes     Murante  Sullivan
Cook      Haar, K.    Johnson   Nordquist  Williams
Craighead Hadley     Kolowski  Pansin    Brooks

Voting in the negative, 4:

Davis    Kintner     Schumacher  Watermeier

Present and not voting, 2:

Bloomfield  Schnoor

Absent and not voting, 1:

McCollister
The Cook amendment was adopted with 34 ayes, 4 nays, 2 present and not voting, 1 absent and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Pending.

**COMMITTEE REPORT(S)**

**Transportation and Telecommunications**

**LEGISLATIVE BILL 570.** Placed on General File with amendment. AM398

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

   3 Section 1. Section 60-6,381, Revised Statutes Cumulative Supplement, 2014, is amended to read:

   5 60-6,381 (1) (a) A city or village may adopt an ordinance authorizing the operation of golf car vehicles within the corporate limits of the city or village if the operation is on streets adjacent and contiguous to a golf course.

   9 (b) A county board may adopt a resolution authorizing the operation of golf car vehicles within the county if the operation is on roads adjacent and contiguous to a golf course.

   13 (c) Any person operating a golf car vehicle as authorized under this subsection shall have a valid Class O operator's license, and the owner of the golf car vehicle shall have liability insurance coverage for the golf car vehicle. The person operating the golf car vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days after such a request. The Department of Roads may prohibit the operation of golf car vehicles on any highway under its jurisdiction if it determines that the prohibition is necessary in the interest of public safety.

   18 (d) The restrictions of subsection (2) of this section do not apply to ordinances adopted under this subsection.

   22 (2)(a) A city or village may adopt an ordinance authorizing the operation of golf car vehicles on streets within the corporate limits of the city or village if the operation is (i) between sunrise and sunset and (ii) on streets with a posted speed limit of thirty-five miles per hour or less. When operating a golf car vehicle as authorized under this subsection, the operator shall not operate such vehicle at a speed in excess of twenty miles per hour. A golf car vehicle shall not be operated at any time on any state or federal highway but may be operated upon such
a highway in order to cross a portion of the highway system which
intersects a street as directed in subsection (3) of this section. A city
or village may, as part of such ordinance, implement standards for
operation of golf car vehicles that are more stringent than the
restrictions of this subsection for the safety of the operator and the
public.
(b) A county board may adopt an ordinance pursuant to section 23-187
authorizing the operation of golf car vehicles on roads within the county
if the operation is (i) between sunrise and sunset and (ii) on roads with
a posted speed limit of thirty-five miles per hour or less. When
operating a golf car vehicle as authorized under this subsection, the
operator shall not operate such vehicle at a speed in excess of twenty
miles per hour. A golf car vehicle shall not be operated at any time on
any state or federal highway but may be operated upon such highway in
order to cross a portion of the highway system which intersects a road as
directed in subsection (3) of this section. A county may, as part of such
ordinance, implement standards for operation of golf car vehicles that
are more stringent than the restrictions of this subsection for the
safety of the operator and the public.
(c) Any person operating a golf car vehicle as authorized under this
subsection shall have a valid Class O operator's license, and the owner
of the golf car vehicle shall have liability insurance coverage for the
golf car vehicle. The person operating the golf car vehicle shall provide
proof of such insurance coverage to any peace officer requesting such
proof within five days after such a request. The liability insurance
coverage shall be subject to limits, exclusive of interest and costs, as
follows: Twenty-five thousand dollars because of bodily injury to or
death of one person in any one accident and, subject to such limit for
one person, fifty thousand dollars because of bodily injury to or death
of two or more persons in any one accident, and twenty-five thousand
dollars because of injury to or destruction of property of others in any
one accident.
(3) The crossing of a highway shall be permitted by a golf car
vehicle only if:
(a) The crossing is made at an angle of approximately ninety degrees
to the direction of the highway and at a place where no obstruction
prevents a quick and safe crossing;
(b) The golf car vehicle is brought to a complete stop before
crossing the shoulder or roadway of the highway;
(c) The operator yields the right-of-way to all oncoming traffic
that constitutes an immediate potential hazard; and
(d) In crossing a divided highway, the crossing is made only at an
intersection of such highway with a street or road, as applicable.
(4) For purposes of this section:
(a) Road means a public way for the purposes of vehicular travel,
including the entire area within the right-of-way; and
(b) Street means a public way for the purposes of vehicular travel
in a city or village and includes the entire area within the right-of-
way.
23 Sec. 2. Original section 60-6,381, Revised Statutes Cumulative 24 Supplement, 2014, is repealed.

(Signed) Jim Smith, Chairperson

COMMITTEE REPORT(S)

Education

The Education 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.

Michelle Suarez - Board of Trustees of the Nebraska State Colleges
Jess D. Zeiss - Board of Trustees of the Nebraska State Colleges


The Education 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.

Linda Poole - Technical Advisory Committee for Statewide Assessment
Richard Sawyer - Technical Advisory Committee for Statewide Assessment


The Education 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.

Glenn R. Wilson Jr. - Board of Educational Lands and Funds


The Education 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.

Patricia M. Kircher - Nebraska Educational Telecommunications Commission


(Signed) Kate Sullivan, Chairperson
LEGISLATIVE JOURNAL

RESOLUTION(S)

LEGISLATIVE RESOLUTION 73. Introduced by Ebke, 32; Chambers, 11.

WHEREAS, the President and Vice President of the United States are elected by the Electoral College which consists of 538 presidential electors from the fifty states and the District of Columbia; and
WHEREAS, a candidate must currently receive a majority of 270 electoral votes to win the office of President or Vice President; and
WHEREAS, Article II, Section 1, Clause 2, of the United States Constitution requires each state legislature to determine how presidential electors for each state are chosen; and
WHEREAS, in every state except Maine and Nebraska, presidential electors are chosen by a "winner-take-all" method which awards all presidential electors to the candidate who receives the most votes in those states; and
WHEREAS, Maine and Nebraska use a proportional method whereby presidential electors are allocated based on the popular vote winner within each state's congressional districts and the statewide popular vote winner receives two additional presidential electors; and
WHEREAS, advocates of the proportional method for allocating presidential electors believe it encourages grassroots organizing within each congressional district and incentivizes presidential candidates to broaden their campaigns in otherwise noncompetitive states; and
WHEREAS, in the interest of fairness, all states should have the same method for allocating presidential electors and the proportional method is most democratic method while still maintaining the Electoral College.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature urges each state to adopt or continue the proportional method for allocating presidential electors.
2. That a copy of this resolution be sent to each state legislature.

Laid over.

BILL ON FIRST READING

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

LEGISLATIVE BILL 366A. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 366, One Hundred Fourth Legislature, First Session, 2015.
UNANIMOUS CONSENT - Add Cointroducer(s)

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

Kolterman - LB373
Coash - LB485

VISITORS

Visitors to the Chamber were 27 members of Leadership Hastings; 7 seventh- and eighth-grade students, teacher, and sponsors from Platte Valley Christian School; Katie Fischer Ziegler, NCSL Liaison, from Denver, CO; and 20 members of Leadership Lincoln County.

The Doctor of the Day was Dr. John A. Craig from Omaha.

ADJOURNMENT

At 12:04 p.m., on a motion by Senator Bloomfield, the Legislature adjourned until 9:00 a.m., Wednesday, February 25, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-THIRD DAY - FEBRUARY 25, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 25, 2015

PRAYER

The prayer was offered by Pastor Earl Fuoss, Lutheran Church - Missouri Synod, Wayne.

ROLL CALL

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

The roll was called and all members were present except Senator Coash who was excused; and Senators Campbell, Craighead, K. Haar, Hansen, Hilkemann, Larson, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-second day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 74. Introduced by Garrett, 3; Crawford, 45.

WHEREAS, Bellevue University was founded as Bellevue College in 1966; and
WHEREAS, Bellevue University provides a quality education to approximately 10,000 students annually; and
WHEREAS, Bellevue University established a Military-Veteran Services Center which offers services and support for military and veteran students; and
WHEREAS, the Military-Veteran Services Center exemplifies Bellevue University's commitment to serving members of the military, veterans, and their families.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature commends Bellevue University for its commitment to members of the military, veterans, and their families.

2. That a copy of this resolution be sent to Bellevue University.

Laid over.

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

Senator K. Haar filed the following amendment to LB177:

AM434

(Amendments to Final Reading copy)

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

Section 1. Section 70-619, Revised Statutes Cumulative Supplement, 2014, is amended to read:

70-619 (1) The corporate powers of the district shall be vested in and exercised by the board of directors of the district. No person shall be qualified to hold office as a member of the board of directors unless (a) he or she is a registered voter (i) of such chartered territory, (ii) of the subdivision from which a director is to be elected if such chartered territory is subdivided for election purposes as provided in subsection (1), (2), or (3) of section 70-612, or (iii) of one of the combined subdivisions from which directors are to be elected at large as provided in section 70-612 or (b) he or she is a retail customer duly certified in accordance with subsection (3) of section 70-604.03.

(2)(a) No person who is a full-time or part-time employee of the district shall be eligible to serve as a member of the board of directors of that district and no high-level manager employed by a district may serve as a member of the board of directors of any district unless such person (i) resigns or (ii) assumes an unpaid leave of absence for the term as a member. The employing district shall grant such leave of absence when requested by any employee for the purpose of the employee serving as a member of the board of directors. No person shall be qualified to be a member of more than one such district board, except that a director of a rural public power district may serve as a director of another public power district formed or organized for the purpose of generating electric energy or transmitting electric energy exclusively for resale to some other public power districts, rural electric cooperatives, and membership associations or municipalities. No member of a governing body of any one of the municipalities within the areas of the district may not be qualified to serve on the original board of directors under sections 70-603 to 70-609.

(b) For purposes of this subsection, high-level manager means a person employed by a district who serves in a high-level managerial position, including chief executive officer, president, vice president, chief financial officer, chief operations officer, general manager, or assistant general manager.

Sec. 2. Original section 70-619, Revised Statutes Cumulative Supplement, 2014, is repealed.
On page 1, line 1, after "power" insert "district"; and in line 3 after the semicolon insert "to define a term;".

**SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR73 was referred to the Reference Committee.

**ANNOUNCEMENT**

Pursuant to Rule 8, Sec. 3, the Appropriations Committee presented its preliminary report on February 25, 2015, summarizing the recommended appropriations for the following biennium.

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

Senator Schilz moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 595:

- State Energy Office
  - David Bracht, Director

Voting in the affirmative, 32:

- Baker
- Friesen
- Hughes
- Mello
- Schumacher
- Bloomfield
- Garrett
- Kolowski
- Murante
- Seiler
- Chambers
- Gloor
- Krist
- Pansing
- Brooks
- Stinner
- Cook
- Groene
- Kuehn
- Riepe
- Williams
- Crawford
- Hadley
- Lindstrom
- Scheer
- Davis
- Harr, B.
- McCollister
- Schilz
- Ebke
- Howard
- McCoy
- Schnoor

Voting in the negative, 0.

Present and not voting, 9:

- Bolz
- Johnson
- Kolterman
- Smith
- Watermeier
- Brash
- Kintner
- Nordquist
- Sullivan

Excused and not voting, 8:

- Campbell
- Craighead
- Hansen
- Larson
- Coash
- Haar, K.
- Hilkemann
- Morfeld

The appointment was confirmed with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.
Senator Schilz moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 595:

Nebraska Oil and Gas Conservation Commission
Thomas D. Oliver

Voting in the affirmative, 35:

Baker Ebke Hughes Lindstrom Scheer
Bloomfield Friesen Johnson McCollister Schilz
Bolz Garrett Kintner McCoy Schnoor
Brasch Gloor Kolowski Mello Schumacher
Chambers Groene Kolterman Murante Seiler
Crawford Hadley Krist Pansing Brooks Smith
Davis Howard Kuehn Riepe Williams

Voting in the negative, 0.

Present and not voting, 7:

Campbell Harr, B. Stinner Watermeier
Cook Nordquist Sullivan

Excused and not voting, 7:

Coash Haar, K. Hilkemann Morfeld
Craighead Hansen Larson

The appointment was confirmed with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

Senator Schilz moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 596:

Nebraska Natural Resources Commission
Donald P. Batie
Owen A. Palm

Voting in the affirmative, 39:

Baker Davis Hughes McCollister Schilz
Bloomfield Ebke Johnson McCoy Schnoor
Bolz Friesen Kintner Mello Schumacher
Brasch Garrett Kolowski Murante Seiler
Campbell Gloor Kolterman Nordquist Smith
Chambers Hadley Krist Pansing Brooks Stinner
Cook Hilkemann Kuehn Riepe Williams
Crawford Howard Lindstrom Scheer
Voting in the negative, 0.

Present and not voting, 4:

Groene Harr, B. Sullivan Watermeier

Excused and not voting, 6:

Coash Haar, K. Larson
Craighead Hansen Morfeld

The appointments were confirmed with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

Senator Murante moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 602:

Department of Aeronautics
Ronnie Mitchell, Director

Voting in the affirmative, 40:

Baker Davis Howard Lindstrom Schilz
Bloomfield Ebke Hughes McCollister Schnoor
Bolz Friesen Johnson McCoy Schumacher
Brasch Garrett Kintner Mello Seiler
Campbell Gloor Kolowski Murante Stinner
Chambers Groene Koltermann Nordquist Sullivan
Cook Hadley Krist Pansing Brooks Watermeier
Crawford Hilkemann Kuehn Riepe Williams

Voting in the negative, 0.

Present and not voting, 3:

Harr, B. Scheer Smith

Excused and not voting, 6:

Coash Haar, K. Larson
Craighead Hansen Morfeld

The appointment was confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.
Senator Seiler moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 611:

Crime Victim's Reparations Committee
Gerard A. (Fred) Ruiz
Michelle Schindler

Voting in the affirmative, 39:

Baker Ebke Hughes McCoy Schumacher
Bloomfield Friesen Johnson Mello Seiler
Brasch Garrett Kintner Murante Smith
Campbell Gloor Kolterman Nordquist Stinner
Chambers Groene Krist Pansing Brooks Sullivan
Cook Hadley Kuehn Riepe Watermeier
Crawford Hilkemann Lindstrom Scheer Williams
Davis Howard McCollister Schnoor

Voting in the negative, 0.

Present and not voting, 6:

Bolz Kolowski Morfeld
Harr, B. Larson Schilz

Excused and not voting, 4:

Coash Craighead Haar, K. Hansen

The appointment was confirmed with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 10. Senator Chambers offered the following motion:
MO37
Recommit to the Government, Military and Veterans Affairs Committee.

PRESIDENT FOLEY PRESIDING

Pending.
RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 56, 57, and 58 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 56, 57, and 58.

GENERAL FILE

LEGISLATIVE BILL 10. The Chambers motion, MO37, found in this day's Journal, to recommit to the Government, Military and Veterans Affairs Committee, was renewed.

Pending.

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 431. Placed on General File.
LEGISLATIVE BILL 477. Placed on General File.
LEGISLATIVE BILL 513. Placed on General File.
LEGISLATIVE BILL 49. Indefinitely postponed.
LEGISLATIVE BILL 616. Indefinitely postponed.

(Signed) Kate Sullivan, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 75. Introduced by Kolterman, 24.

WHEREAS, Steven Bader, a senior at Centennial High School, won the 2015 Class C State Wrestling Championship in the 145-pound division; and
WHEREAS, Steven's win helped lead the Centennial Broncos to a sixth-place team finish; and
WHEREAS, Steven displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Steven Bader on his state wrestling championship.
2. That a copy of this resolution be sent to Steven Bader.

Laid over.
LEGISLATIVE RESOLUTION 76. Introduced by Kolterman, 24.

WHEREAS, Doyle Trout, a senior at Centennial High School, won the 2015 Class C State Wrestling Championship in the 126-pound division; and
WHEREAS, the victory gave Doyle his fourth straight state wrestling championship; and
WHEREAS, Doyle displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Doyle Trout on his state wrestling championship.
2. That a copy of this resolution be sent to Doyle Trout.

Laid over.

LEGISLATIVE RESOLUTION 77. Introduced by Johnson, 23.

WHEREAS, Drew Ratkovec of East Butler High School won the 2015 Class C State Wrestling Championship in the 138-pound division; and
WHEREAS, Drew’s win helped lead the East Butler Tigers to a fourth-place team finish; and
WHEREAS, Drew displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Drew Ratkovec on his state wrestling championship.
2. That a copy of this resolution be sent to Drew Ratkovec.

Laid over.

LEGISLATIVE RESOLUTION 78. Introduced by Johnson, 23.

WHEREAS, Alexander Reimers of David City Aquinas Catholic High School won the 2015 Class C State Wrestling Championship in the 195-pound division; and
WHEREAS, Alexander’s win helped lead the David City Aquinas Catholic Monarchs to an eighth-place team finish; and
WHEREAS, Alexander displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Alexander Reimers on his state wrestling championship.
2. That a copy of this resolution be sent to Alexander Reimers.

Laid over.

LEGISLATIVE RESOLUTION 79. Introduced by Johnson, 23.

WHEREAS, Matthew Kindler of David City Aquinas Catholic High School won the 2015 Class C State Wrestling Championship in the 182-pound division; and
WHEREAS, Matthew's win helped lead the David City Aquinas Catholic Monarchs to an eighth-place team finish; and
WHEREAS, Matthew displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Matthew Kindler on his state wrestling championship.
2. That a copy of this resolution be sent to Matthew Kindler.

Laid over.

LEGISLATIVE RESOLUTION 80. Introduced by Johnson, 23.

WHEREAS, Trevor Nichelson of Ashland-Greenwood High School won the 2015 Class B State Wrestling Championship in the 170-pound division; and
WHEREAS, Trevor's win helped lead the Ashland-Greenwood Bluejays to a fourth-place team finish; and
WHEREAS, Trevor displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Trevor Nichelson on his state wrestling championship.
2. That a copy of this resolution be sent to Trevor Nichelson.
LEGISLATIVE RESOLUTION 81. Introduced by Johnson, 23.

WHEREAS, Ben Stille of Ashland-Greenwood High School won the 2015 Class B State Wrestling Championship in the 220-pound division; and
WHEREAS, Ben's win helped lead the Ashland-Greenwood Bluejays to a fourth-place team finish; and
WHEREAS, Ben displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Ben Stille on his state wrestling championship.
2. That a copy of this resolution be sent to Ben Stille.

Laid over.

LEGISLATIVE RESOLUTION 82. Introduced by Johnson, 23.

WHEREAS, Wyatt Phillips of David City High School won the 2015 Class C State Wrestling Championship in the 120-pound division; and
WHEREAS, Wyatt's win helped lead the David City Scouts to a fifth-place team finish; and
WHEREAS, Wyatt displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Wyatt Phillips on his state wrestling championship.
2. That a copy of this resolution be sent to Wyatt Phillips.

Laid over.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR Committee
LR73 Government, Military and Veterans Affairs

(Signed) Bob Krist, Chairperson
Executive Board
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.

GENERAL FILE

LEGISLATIVE BILL 10. The Chambers motion, MO37, found in this day's Journal, to recommit to the Government, Military and Veterans Affairs Committee, was renewed.

SPEAKER HADLEY PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Chambers filed the following amendment to LB10: AM528

1 1. Strike the original sections and all amendments thereto and
2 insert the following new section:
3 Section 1.  (1) The Legislature finds that:
4 (a) The President and Vice President of the United States are
5 elected by the Electoral College which consists of 538 presidential
6 electors from the fifty states and the District of Columbia;
7 (b) A candidate must currently receive a majority of 270 electoral
8 votes to win the office of President or Vice President;
9 (c) Article II, Section 1, Clause 2, of the United States
10 Constitution requires each state legislature to determine how
11 presidential electors for each state are chosen;
12 (d) In every state except Maine and Nebraska, presidential electors
13 are chosen by a “winner-take-all” method which awards all presidential
14 electors to the candidate who receives the most votes in those states;
15 (e) Maine and Nebraska use a proportional method whereby
16 presidential electors are allocated based on the popular vote winner
17 within each state’s congressional districts and the statewide popular
18 vote winner receives two additional presidential electors;
19 (f) Advocates of the proportional method for allocating presidential
20 electors believe it encourages grassroots organizing within each
21 congressional district and incentivizes presidential candidates to
22 broaden their campaigns in otherwise noncompetitive states; and
23 (g) In the interest of fairness, all states should have the same
24 method for allocating presidential electors and the proportional method
25 is most democratic method while still maintaining the Electoral College.
26 (2) It is the intent of the Legislature to urge each state to adopt
27 or continue the proportional method for allocating presidential electors.
UNANIMOUS CONSENT - Add Cointroducer(s)

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

Cook - LB167  
Morfeld - LB485

VISITORS

Visitors to the Chamber were members from the League of Women Voters of Nebraska and American Association of University Women of Nebraska; and 60 fourth-grade students and teachers from Morton Elementary, Lexington.

ADJOURNMENT

At 11:53 a.m., on a motion by Senator Gloor, the Legislature adjourned until 9:00 a.m., Thursday, February 26, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature
THIRTY-FOURTH DAY - FEBRUARY 26, 2015

LEGISLATIVE JOURNAL
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 26, 2015

PRAYER

The prayer was offered by Pastor Roger Criser, Harrison Street Baptist Church, La Vista.

ROLL CALL

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

The roll was called and all members were present except Senator McCoy who was excused; and Senators Campbell, Craighead, Davis, Hansen, Howard, Krist, and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-third day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 59, 60, and 61 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 59, 60, and 61.

MOTION(S) - Confirmation Report(s)

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:

Board of Trustees of the Nebraska State Colleges
  Michelle Suarez
  Jess D. Zeiss

Voting in the affirmative, 30:
The appointments were confirmed with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:

Technical Advisory Committee for Statewide Assessment
Linda Poole
Richard Sawyer

Voting in the affirmative, 32:

Baker Garrett Hughes Mello Schnoor
Bloomfield Garrett Kolowski Nordquist Schuchacher
Bolz Gloor Kolterman Pansing Brooks Seiler
Brasch Groene Kuehn Riepe Stinner
Cook Hadley Lindstrom Scheer Sullivan
Crawford Hilkemann McCollister Schilz Williams

Voting in the negative, 0.

Present and not voting, 11:

Chambers Haar, K. Kintner Smith
Coash Harr, B. Larson Watermeier
Friesen Johnson Morfeld

Excused and not voting, 8:

Campbell Davis Howard McCoy
Craighed Hansan Krist Murante

Voting in the affirmative, 32:

Baker Garrett Kolowski Nordquist Smith
Bloomfield Gloor Kolterman Pansing Brooks Stinner
Bolz Groene Kuehn Riepe Sullivan
Brasch Hadley Lindstrom Scheer Williams
Crawford Hilkemann McCollister Schnoor
Ebke Kintner Morfeld Seiler

Voting in the negative, 0.

Present and not voting, 9:

Chambers Friesen Harr, B. Larson Watermeier
Coash Haar, K. Johnson Schilz

Excused and not voting, 8:
The appointments were confirmed with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:
   Board of Educational Lands and Funds
       Glenn R. Wilson Jr.

Voting in the affirmative, 33:

Baker   Gloor   Kolowski   Morfeld   Schumacher
Bloomfield Groene Kolterman Nordquist Smith
Brasch   Haar, K.   Kuehn   Pansing Brooks Stinner
Cook   Hadley Larson Riepe Sullivan
Crawford Hilkemann Lindstrom Scheer Williams
Ebke   Hughes McCollister Schilz
Garrett Kintner Mello Schnoor

Voting in the negative, 0.

Present and not voting, 8:

Bolz   Coash Harr, B.   Seiler
Chambers Friesen Johnson Watermeier

Excused and not voting, 8:

Campbell Davis Howard McCoy
Craighead Hansen Krist Murante

The appointment was confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:
   Nebraska Educational Telecommunications Commission
       Patricia M. Kircher

Voting in the affirmative, 33:
The appointment was confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 83.** Introduced by Larson, 40.

WHEREAS, Dylan Loberg of Randolph High School won the 2015 Class D State Wrestling Championship in the 195-pound division; and  
WHEREAS, Dylan's win helped lead the Randolph Cardinals to a fifth-place team finish; and  
WHEREAS, Dylan displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:  
1. That the Legislature congratulates Dylan Loberg on his state wrestling championship.  
2. That a copy of this resolution be sent to Dylan Loberg.

Laid over.

**LEGISLATIVE RESOLUTION 84.** Introduced by Larson, 40.

WHEREAS, Garret Zimmerer of Creighton Community High School won the 2015 Class D State Wrestling Championship in the 120-pound division; and
WHEREAS, Garret's win helped lead the Creighton Community Bulldogs to a fourth-place team finish; and
WHEREAS, Garret displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Garret Zimmerer on his state wrestling championship.
2. That a copy of this resolution be sent to Garret Zimmerer.

Laid over.

LEGISLATIVE RESOLUTION 85. Introduced by Larson, 40.

WHEREAS, Ty Sawyer, a member of Troop 245 from O'Neill, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Ty has learned, been tested on, and been recognized for various scouting skills; and
WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Ty repaired and repainted playground teeter-totters for the Lions Club Kiddie Park in O'Neill. Prior to Ty's project, the teeter-totters were in need of new seats that were safe for children to use; and
WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and
WHEREAS, Ty, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Ty Sawyer on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Ty Sawyer.

Laid over.
LEGISLATIVE RESOLUTION 86. Introduced by Larson, 40.

WHEREAS, Cody Watson, a member of Troop 245 from O’Neill, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Cody has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Cody rebuilt and then installed a sign located at the Lions Club Kiddie Park in O’Neill. Prior to Cody’s project, the sign had deteriorated and fallen down; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Cody, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Cody Watson on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Cody Watson.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 77. Title read. Considered.

Committee AM109, found on page 449, was offered.

Senator Murante moved the previous question. The question is, “Shall the debate now close?” The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Campbell moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

The committee amendment was adopted with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.
SENATOR KRIST PRESIDING

Senator Bolz offered the following amendment:
FA16
On page 4, line 14, after the period, insert "no state funds shall be utilized to pay for elective abortion services or to promote elective abortion services."

The Bolz amendment was adopted with 31 ayes, 1 nay, 15 present and not voting, and 2 excused and not voting.

Senator Howard moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Nordquist requested a record vote on the advancement of the bill.

Voting in the affirmative, 21:

Baker        Crawford       Hansen       Mello        Sullivan
Campbell    Davis           Harr, B.      Morfeld      
Chambers    Gloor           Howard        Nordquist    
Cook        Haar, K.        Kolowski      Pansing       Brooks  
Craighead   Hadley          McCollister    Schumacher  

Voting in the negative, 23:

Bloomfield  Garrett         Kintner       Murante      Stinner  
Brasch      Groene           Koltermann    Riepe         Watermeier  
Coash       Hilkemann        Krist         Schnoor       Williams  
Ebke        Hughes           Kuehn         Seiler       
Friesen     Johnson          Lindstrom     Smith

Present and not voting, 3:

Bolz        Scheer          Schilz

Excused and not voting, 2:

Larson       McCoy

Failed to advance to Enrollment and Review Initial with 21 ayes, 23 nays, 3 present and not voting, and 2 excused and not voting.
NOTICE OF COMMITTEE HEARING(S)

Appropriations

Room 1524

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

Agency 25 - Health and Human Services
Divisions: Operations, Medicaid and Long Term Care, Public Health, and Veterans Homes
LB125
LB82
LB98
LB233
LB332
LB397
LB418

Tuesday, March 17, 2015 1:30 p.m.

Agency 25 - Health and Human Services
Divisions: Developmental Disabilities, Children and Family Services, Behavioral Health
LB381
LB485
LB506

Room 1003

Wednesday, March 18, 2015 1:30 p.m.

Agency 40 - Motor Vehicle Licensing Board, Nebraska
Agency 17 - Aeronautics, Department of
Agency 27 - Roads, Department of
LB633

Thursday, March 19, 2015 1:30 p.m.

Agency 7 - Governor
Agency 8 - Lieutenant Governor
Agency 9 - Secretary of State
Agency 10 - Auditor of Public Accounts
Agency 12 - State Treasurer
Agency 14 - Public Service Commission
Agency 3 - Legislative Council

(Signed) Heath Mello, Chairperson
Wednesday, March 18, 2015 1:30 p.m.

Robert Allen - Nebraska Game and Parks Commission

(Signed) Ken Schilz, Chairperson

UNANIMOUS CONSENT - ADD Cointroducer(s)

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

Watermeier - LB599
Bolz - LB315
Krist - LB599
Coash, Kolterman - LB396
Stinner - LB599
Garrett - LB599

VISITORS

Visitors to the Chamber were 6 members of a home school family from Oxford; 4 fifth-, seventh-, and eighth-grade home school students and teacher from Minden; 25 ninth-grade students from Omaha South High School; and members of Alpha Kappa Alpha Sorority, Inc. from Lincoln and Omaha.

The Doctor of the Day was Dr. LuDane Simmons from Omaha.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Scheer, the Legislature adjourned until 9:00 a.m., Friday, February 27, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
The prayer was offered by Senator Johnson.

ROLL CALL

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

The roll was called and all members were present except Senators Cook and McCoy who were excused; and Senators Craighead and Groene who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fourth day was approved.

COMMITTEE REPORT(S)
Agriculture

LEGISLATIVE BILL 176. Placed on General File with amendment. AM495
1 1. Strike original section 2 and insert the following new section:
2 Sec. 2. Section 54-2604, Reissue Revised Statutes of Nebraska, is ammended to read:
4 54-2604 (1) Except as provided in subsection (2) of this section, a packer shall not:
5 (a) Directly or indirectly own, control, or operate a livestock operation in this state; or
6 (b) Directly or indirectly be engaged in the ownership, keeping, or feeding of livestock, other than temporary ownership, keeping, and feeding not to exceed fourteen days which is necessary and incidental to, and immediately prior to, the process of slaughter.
7 (2) Subdivision (1)(b) of this section does not apply to the ownership, keeping, or feeding of swine by a packer at one or more contract swine operations in this state if the packer does not own, keep, or feed swine in this state except for the purpose of the slaughtering of

...
16 swine or the manufacturing or preparation of carcasses of swine or goods
17 originating from the carcasses in one or more processing facilities owned
18 or controlled by the packer.
19 (3) For purposes of this section, indirectly own, control, or
20 operate a livestock operation and indirectly be engaged in the ownership,
21 keeping, or feeding of livestock includes:
22 (a) Receiving the net revenue or a share of the net revenue derived
23 from a livestock operation or from a person who contracts for the care
24 and feeding of livestock in this state, unless the packer is not involved
25 in the management of the livestock operation;
26 (b) Assuming a morbidity or mortality production risk if the
27 livestock are fed or otherwise maintained as part of a livestock
1 operation in this state, unless the packer is not involved in the
2 management of the livestock operation;
3 (c) Loaning money or guaranteeing, acting as a surety for, or
4 otherwise financing a livestock operation in this state or a person who
5 contracts for the care and feeding of livestock in this state. For
6 purposes of this subdivision, loaning money or guaranteeing, acting as a
7 surety for, or otherwise financing a livestock operation does not include
8 executing a contract for the purchase of livestock by a packer,
9 including, but not limited to, forward contracts, marketing agreements,
10 long-term arrangements, formula arrangements, other noncash sales
11 arrangements, contracts that contain a ledger balance unsecured by
12 collateral of the debtor or other price risk sharing arrangements, or
13 providing an open account or loan unsecured by collateral of the debtor
14 or a ledger balance or loan secured by collateral of the debtor so long
15 as the amount due from the debtor does not exceed one million dollars.
16 After May 27, 1999, it is unlawful for a packer to directly or
17 indirectly be engaged in the ownership, keeping, or feeding of livestock
18 for the production of livestock or livestock products, other than
19 temporary ownership, keeping, and feeding, not to exceed five days,
20 necessary and incidental to the process of slaughter.

(Signed) Jerry Johnson, Chairperson

MESSAGE(S) FROM THE GOVERNOR

February 26, 2015

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

Dear Mr. O'Donnell:

    Engrossed Legislative Bills 40, 41, 42, 43, 65e, 91, 92, 93, 95, 99e, and
100 were received in my office on February 20, 2015.
These bills were signed and delivered to the Secretary of State on February 26, 2015.

Sincerely,
(Signed) Pete Ricketts
Governor

February 26, 2015

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

Dear Mr. O’Donnell:

Engrossed Legislative Bills 118e, 126, 149, 150, 151, 157, 159, 168, 170, 171e, 198, 219, 220, 220A, and 247 were received in my office on February 20, 2015. LB 430e was received in the Governor’s Office on February 24, 2015.

These bills were signed and delivered to the Secretary of State on February 26, 2015.

Sincerely,
(Signed) Pete Ricketts
Governor

February 26, 2015

Mr. President, Mr. Speaker, and Members of the Legislature

Dear Mr. President and Members of the Legislature:

I have signed LB 109e but with concerns that I want to share with you.

I agree with the underlying goal of the legislation which is to allow a veteran, a spouse, or a dependent to continue to qualify for veterans’ educational benefits under the federal “Veterans Access, Choice, and Accountability Act of 2014.” As presented in its final form, however, LB 109 is a potentially unconstitutional violation of Article I, Section 29 of the Nebraska Constitution.
Last year, the U.S. Congress made changes to its law governing the use of federal education assistance benefits. In one of those changes, Congress declared that veterans would not be able to use their benefits in any state public institution of higher education, if a state did not change its law to match the new federal requirements. LB 109 was introduced to change our state statutes in accordance with the federal law.

Both the federal statutes and federal regulations that are incorporated by referenced into our state law by LB 109 reference a "veteran" and a "spouse." Nebraska's Constitution provides that only marriage between a man and a woman will be recognized under state law.

Federal guidance that has been issued regarding the federal education program suggests that states are mandated to recognize same-sex unions for purposes of this federal benefit. To the extent that the federal government attempts to interpret the changes contained in LB 109 in a manner that would usurp our Constitution, then I will seek to challenge such an interpretation and I will ask you to consider a future legislative change that will reject the federal bureaucracy's attempt to mandate its view of marriage upon our citizens.

Sincerely,
(Signed) Pete Ricketts
Governor

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 26, 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

Brinkman, Jennifer
Tetrad Property Group

Meckler, Mark
Convention of States Action

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
RESOLUTION(S)

LEGISLATIVE RESOLUTION 87. Introduced by Seiler, 33.

WHEREAS, Connor Laux, a freshman at Hastings High School, won the 2015 Class A State Wrestling Championship in the 106-pound division; and
WHEREAS, Connor is the first freshman at Hastings High School to win an individual state wrestling championship; and
WHEREAS, Nolan Laux, a senior at Hastings High School, won the 2015 Class A State Wrestling Championship in the 126-pound division; and
WHEREAS, Nolan has medaled four times at the State Wrestling Championship and is a two-time state champion; and
WHEREAS, Brian Laux, Connor and Nolan's father, is the coach of the Hastings High School wrestling team and was a member of the 1988 Hastings High School State Wrestling Championship team. Brian watched each of his two sons win their state championships; and
WHEREAS, Connor and Nolan's wins helped lead the Hastings Tigers to a fifth-place team finish and earn a team score of 95 points; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Connor and Nolan Laux on their state wrestling championships.
2. That a copy of this resolution be sent to Connor Laux, Nolan Laux, and their coach Brian Laux.

Laid over.

ANNOUNCEMENT

The Chair announced the birthday of Senator Bolz.

MOTION(S) - Return LB52 to Select File

Senator Crawford moved to return LB52 to Select File for the following specific amendment:
FA17
Strike the enacting clause.

Senator Crawford withdrew her motion to return.

Senator Chambers moved to return LB52 to Select File for the following specific amendment:
FA18
Strike the enacting clause.

Senator Chambers withdrew his motion to return.
BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 52.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.15, Revised Statutes Cumulative Supplement, 2014; to exempt sanitary drainage districts from sales and use taxes; to provide an operative date; 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 Friesen Hughes Mello Seiler
Bloomfield Garrett Johnson Morfeld Smith
Bolz Gloor Kintner Murante Stinner
Brasch Groene Kolowski Nordquist Sullivan
Campbell Haar, K. Kolsterman Pansing Brooks Watermeier
Chambers Hadley Krist Riepe Williams
Coash Hansen Kuehn Scheer
Crawford Harr, B. Larson Schilz
Davis Hilkemann Lindstrom Schnoor
Ebke Howard McCollister Schumacher

Voting in the negative, 0.

Excused and not voting, 3:

Cook Craighead McCoy

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

MOTION - Return LB87 to Select File

Senator Chambers moved to return LB87 to Select File for the following specific amendment:

FA19

Strike the enacting clause.

Senator Chambers withdrew his motion to return.
BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 87.

A BILL FOR AN ACT relating to the Nebraska Children's Commission; to amend sections 43-4202 and 43-4207, Revised Statutes Cumulative Supplement, 2014; to change membership on the commission; to change and eliminate reporting requirements; 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  McCollister  Schumacher
Bloomfield  Friesen  Hughes  Mello  Seiler
Bolz  Garrett  Johnson  Morfeld  Smith
Brasch  Gloor  Kintner  Murante  Stinner
Campbell  Groene  Kolowski  Nordquist  Sullivan
Chambers  Haar, K.  Kolterman  Pansing  Brooks  Watermeier
Coash  Hadley  Krist  Riepe  Williams
Craighhead  Hansen  Kuehn  Scheer
Crawford  Harr, B.  Larson  Schilz
Davis  Hilkemann  Lindstrom  Schnoor

Voting in the negative, 0.

Excused and not voting, 2:

Cook  McCoy

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

MOTION(S) - Return LB90 to Select File

Senator Chambers moved to return LB90 to Select File for the following specific amendment:

FA20

Strike the enacting clause.

Senator Chambers withdrew his motion to return.
Senator Johnson moved to return LB90 to Select File for the following specific amendment:

FA25
Strike the enacting clause.

Senator Johnson withdrew his motion to return.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 90.

A BILL FOR AN ACT relating to the Nebraska Regulation of Health Professions Act; to amend sections 71-6207.02 and 71-6223.02, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions regarding initiation of a directed review; 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 McCollister Schumacher
Bloomfield Friesen Hughes Mello Seiler
Bolz Garrett Johnson Morfeld Smith
Brasch Gloor Kintner Murante Stinner
Campbell Groene Kolowski Nordquist Sullivan
Chambers Haar, K. Kolterman Pansing Brooks Watermeier
Coash Hadley Krist Riepe Williams
Craighead Hansen Kuehn Scheer
Crawford Harr, B. Larson Schilz
Davis Hilkemann Lindstrom Schnoor

Voting in the negative, 0.

Excused and not voting, 2:

Cook McCoy

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.
MOTION - Return LB94 to Select File

Senator Chambers moved to return LB94 to Select File for the following specific amendment:
FA21
Strike the enacting clause.

Senator Chambers withdrew his motion to return.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 94.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-165.01, Reissue Revised Statutes of Nebraska; to provide for issuance of a printed certificate of title to a nonresident as prescribed; to eliminate obsolete 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, 46:
Baker    Ebke    Hughes    Mello    Seiler
Bloomfield Friesen Johnson Morfeld Smith
Bolz    Garrett    Kintner    Murante    Stinner
Brasch    Gloor    Kolowski    Nordquist    Sullivan
Campbell Groene Kolterman Pansing Brooks Watermeier
Chambers Haar, K. Krist Riepe Williams
Coash    Hadley    Kuehn    Scheer
Craighead Hansen Larson Schilz
Crawford Harr, B. Lindstrom Schnoor
Davis Hilkemann McCollister Schumacher

Voting in the negative, 0.

Excused and not voting, 3:
Cook    Howard    McCoy

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.
MOTION(S) - Return LB107 to Select File

Senator Chambers moved to return LB107 to Select File for the following specific amendment:
FA22
Strike the enacting clause.

Senator Chambers withdrew his motion to return.

Senator Krist moved to return LB107 to Select File for the following specific amendment:
FA26
Strike the enacting clause.

Senator Krist withdrew his motion to return.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 107.

A BILL FOR AN ACT relating to nurses; to amend sections 38-206, 38-2302, 38-2310, 38-2322, and 38-2323, Reissue Revised Statutes of Nebraska, and sections 38-2301 and 38-2315, Revised Statutes Cumulative Supplement, 2014; to eliminate requirements for integrated practice agreements for nurse practitioners; to provide for transition-to-practice agreements; to change provisions relating to credentialing and regulation; to harmonize provisions; 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, 46:

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

Voting in the negative, 0.

Present and not voting, 1:
Bloomfield

Excused and not voting, 2:

Cook    McCoy

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

LEGISLATIVE BILL 116.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735.06, Reissue Revised Statutes of Nebraska, and section 31-735, Revised Statutes Cumulative Supplement, 2014; to change election procedures and membership for certain boards of trustees as prescribed; to harmonize provisions; 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    McCollister    Schumacher
Bloomfield Friesen Hughes Mello Seiler
Bolz Garrett Johnson Morfeld Smith
Brasch Gloor Kintner Murante Stinner
Campbell Groene Kolowski Nordquist Sullivan
Chambers Haar, K. Koltermann Pansing Brooks Watermeier
Coash Hadley Krist Riepe Williams
Craighead Hansen Kuehn Scheer
Crawford Harr, B. Larson Schilz
Davis Hilkemann Lindstrom Schnoor

Voting in the negative, 0.

Excused and not voting, 2:

Cook    McCoy

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

LEGISLATIVE BILL 142. With Emergency Clause.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-1220 and 37-1273, Reissue Revised Statutes of Nebraska, and sections 37-201, 37-1214, 37-1215, and 37-1219, Revised Statutes Cumulative Supplement, 2014; to create the Aquatic Invasive Species Program; to
provide funding; to create a fee and stamp; 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, 46:

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

Voting in the negative, 1:

Bloomfield

Excused and not voting, 2:

Cook McCoy

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

LEGISLATIVE BILL 142A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 142, One Hundred
Fourth Legislature, First Session, 2015; 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, 46:
LEGISLATIVE BILL 194.

A BILL FOR AN ACT relating to the Supreme Court; to create the Supreme Court Attorney Services Cash Fund; and to provide for the use of the fund.

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

Voting in the negative, 0.

Excused and not voting, 2:

Cook McCoy

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

LEGISLATIVE BILL 241.

A BILL FOR AN ACT relating to cemeteries; to amend sections 15-241, 16-243, 17-941, and 17-945, Reissue Revised Statutes of Nebraska; to change provisions relating to conveyances of cemetery lots; 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 McCollister Schumacher
Bloomfield Friesen Hughes Mello Seiler
Bolz Garrett Johnson Morfeld Smith
Brasch Gloor Kintner Murante Stinner
Campbell Groene Kolowski Nordquist Sullivan
Chambers Haar, K. Kolterman Pansing Brooks Watermeier
Coash Hadley Krist Riepe Williams
Craighed Hansen Kuehn Scheer
Crawford Harr, B. Larson Schilz
Davis Hilkemann Lindstrom Schnoor

Voting in the negative, 0.

Excused and not voting, 2:

Cook McCoy

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

LEGISLATIVE BILL 252.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend section 8-1106, Reissue Revised Statutes of Nebraska, and section 8-1108.02, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to registration by coordination and federal covered securities; 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:
A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 260.** With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to authorize the Property Tax Administrator to correct errors as prescribed; 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, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Scheer
Excused and not voting, 2:

Cook McCoy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB261 with 46 ayes, 1 nay, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 261. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-519, 13-520, 77-115, 77-376, and 77-1248, Reissue Revised Statutes of Nebraska, and sections 23-2306, 69-2708, 77-1342, 77-2604, 77-2604.01, 77-27,235, 77-2904, and 77-3442, Revised Statutes Cumulative Supplement, 2014; to eliminate obsolete provisions relating to transferring the assessment function to counties; to change provisions relating to the sharing of tax information; to change provisions relating to the valuation of flight equipment of air carriers; to disallow interest on refunds relating to certain tax credits; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 77-1340.05 and 77-1340.06, Reissue Revised Statutes of Nebraska, and section 77-1340.04, Revised Statutes Cumulative Supplement, 2014; 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, 47:

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

Voting in the negative, 0.
Excused and not voting, 2:

Cook McCoy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB266 with 45 ayes, 1 nay, 1 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 266.

A BILL FOR AN ACT relating to municipalities; to amend sections 14-102, 14-103, 15-211, 15-268, 16-207, 16-240, 17-123, 17-123.01, 17-207, and 17-555, Reissue Revised Statutes of Nebraska, and sections 16-230 and 17-563, Revised Statutes Cumulative Supplement, 2014; to change provisions regarding jurisdiction for municipalities to enforce ordinances; to change nuisance ordinance provisions 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 McCollister Schumacher
Bloomfield Friesen Hughes Mello Seiler
Bolz Garrett Johnson Morfeld Smith
Brasch Gloor Kintner Murante Stinner
Campbell Groene Kolowski Nordquist Sullivan
Chambers Haar, K. Kolterman Pansing Brooks Watermeier
Coash Hadley Krist Riepe Williams
Craigehead Hansen Kuehn Scheer
Crawford Harr, B. Larson Schilz
Davis Hilkemann Lindstrom Schnoor

Voting in the negative, 0.

Excused and not voting, 2:

Cook McCoy

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 269.**

A BILL FOR AN ACT relating to the Abstracters Act; to amend section 76-550, Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions relating to a roster of all registered abstracters; 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:

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<th>Baker</th>
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<th>Howard</th>
<th>McCollister</th>
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</table>

Voting in the negative, 0.

Excused and not voting, 2:

- Cook
- McCoy

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 LB271 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 271.**

A BILL FOR AN ACT relating to labor; to amend sections 48-602, 48-603, 48-603.01, 48-605, 48-625, 48-648, 48-648.01, 48-654, 48-660.01, and 48-669, Reissue Revised Statutes of Nebraska, and section 48-663.01,
Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions of the Employment Security Law; to harmonize provisions; 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, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

- Gloor

Excused and not voting, 2:

- Cook
- McCoy

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 286.** With Emergency Clause.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-1,140, 8-355, and 21-17,115, Revised Statutes Cumulative Supplement, 2014; to revise powers of state-chartered banks, building and loan associations, and credit unions; 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, 47:
Voting in the negative, 0.

Excused and not voting, 2:

Cook McCoy

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

**LEGISLATIVE BILL 301.**

A BILL FOR AN ACT relating to courts; to amend sections 24-107, 24-209, 24-212, 85-176, and 85-177, Reissue Revised Statutes of Nebraska; to change provisions relating to format and distribution of court opinions; 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 McCollister Schumacher
Bloomfield Friesen Hughes Mello Seiler
Bolz Garrett Johnson Morfeld Smith
Brasch Gloor Kintner Murante Stinner
Campbell Groene Kolowski Nordquist Sullivan
Chambers Haar, K. Kolterman Pansing Brooks Watermeier
Coash Hadley Krist Riepe Williams
Craighead Hansen Kuehn Scheer
Crawford Harr, B. Larson Schilz
Davis Hilkemann Lindstrom Schnoor

Voting in the negative, 0.

Excused and not voting, 2:

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

**LEGISLATIVE BILL 305. With Emergency Clause.**

A BILL FOR AN ACT relating to veterans aid; to amend section 80-403, Reissue Revised Statutes of Nebraska; to allow the veterans aid fund to be used for transportation costs for veterans; to repeal the original section; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

- Cook
- McCoy

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

**LEGISLATIVE BILL 312.**

A BILL FOR AN ACT relating to highways and bridges; to amend sections 39-1348, 39-1349, 39-1350, 39-1351, 39-1352, 39-1353, and 81-1701, Reissue Revised Statutes of Nebraska; to change provisions relating to the letting of construction contracts; to provide an exemption from the Nebraska Consultants' Competitive Negotiation Act; 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:
LEGISLATIVE BILL 314.

A BILL FOR AN ACT relating to county courts; to amend section 24-517, Revised Statutes Cumulative Supplement, 2014; to state matters subject to the jurisdiction of county courts; 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 McCollister Schumacher
Bloomfield Friesen Hughes Mello Seiler
Bolz Garrett Johnson Morfeld Smith
Brasch Gloor Kintner Murante Stinner
Campbell Groene Kolowski Nordquist Sullivan
Chambers Haar, K. Kolterman Pansing Brooks Watermeier
Coash Hadley Krist Riepe Williams
Craighead Hansen Kuehn Scheer
Crawford Harr, B. Larson Schilz
Davis Hilkemann Lindstrom Schnoor

Voting in the negative, 0.

Excused and not voting, 2:

Cook McCoy

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

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 52, 87, 90, 94, 107, 116, 142, 142A, 194, 241, 252, 260, 261, 266, 269, 271, 286, 301, 305, 312, and 314.

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems

Room 1525

Wednesday, March 25, 2015 12:00 p.m.

Presentation of Annual Reports

(Signed) Jeremy Nordquist, Chairperson

Business and Labor

Room 2102

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

Steven Bley - Boiler Safety Code Advisory Board
Robert Kirkpatrick - Boiler Safety Code Advisory Board
Thomas E. Phipps - Boiler Safety Code Advisory Board

(Signed) Burke Harr, Chairperson

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB439:
AM441
1 1. Strike the original sections, and all amendments thereto, and
2 insert the following new sections:
3 Section 1. Section 53-180.05, Revised Statutes Cumulative
4 Supplement, 2014, is amended to read:
5 53-180.05 (1) Except as provided in subsection (2) of this section,
6 any person who violates section 53-180 shall be guilty of a Class I
7 misdemeanor.
8 (2) Any person who knowingly and intentionally violates section
9 53-180 shall be guilty of a Class IIA felony and serve a mandatory
10 minimum of at least thirty days’ imprisonment as part of any sentence he
11 or she receives if serious bodily injury or death to any person resulted
12 and was proximately caused by a minor’s (a) consumption of the alcoholic
13 liquor provided or (b) impaired condition which, in whole or in part, can
be attributed to the alcoholic liquor provided.

Any person who violates any of the provisions of section
53-180.01 or 53-180.03 shall be guilty of a Class III misdemeanor.

(4)(a) Except as otherwise provided in subdivision (b) of this
subsection, any person older than eighteen years of age and under the
age of twenty-one years violating section 53-180.02 is guilty of a Class
III misdemeanor.

(b) Subdivision (a) of this subsection shall not apply if the
person:

(i) Requested emergency medical assistance in response to the
possible alcohol overdose of himself or herself or another person as soon
as the emergency situation is apparent after such violation of section
53-180.02;

(ii) Was the first person to make a request for medical assistance
under subdivision (b)(i) of this subsection as soon as the emergency
situation is apparent after such violation of section 53-180.02; and

(iii) If the person requested emergency medical assistance for the
possible alcohol overdose of another person, such person:

(A) Remained on the scene until the medical assistance arrived; and

(B) Cooperated with medical assistance and law enforcement
personnel.

(c) A person shall not initiate or maintain an action against a
peace officer or the employing state agency or political subdivision
based on the officer's compliance or failure to comply with subdivision
(b) of this subsection.

(5) Any person eighteen years of age or younger violating section
53-180.02 is guilty of a misdemeanor as provided in section 53-181 and
shall be punished as provided in such section.

(6) Any person who knowingly manufactures, creates, or alters any
form of identification for the purpose of sale or delivery of such form
of identification to a person under the age of twenty-one years shall be
guilty of a Class I misdemeanor. For purposes of this subsection, form of
identification means any card, paper, or legal document that may be used
to establish the age of the person named thereon for the purpose of
purchasing alcoholic liquor.

(7) When a minor is arrested for a violation of sections 53-180 to
53-180.02 or subsection (6) of this section, the law enforcement agency
employing the arresting peace officer shall make a reasonable attempt to
notify such minor's parent or guardian of the arrest.

Sec. 2. Section 53-181, Reissue Revised Statutes of Nebraska, is
amended to read:

(1) Except as otherwise provided in subsection (3) of this
section, the penalty for violation of section 53-180.02 by a person
eighteen years of age or younger shall be as follows:

(a) If the person convicted or adjudicated of violating such
section has one or more licenses or permits issued under the Motor
Vehicle Operator's License Act:

(i) For the first offense, such person is guilty of a Class III
misdemeanor and the court may, as a part of the judgment of conviction or
5 adjudication, impound any such licenses or permits for thirty days and
6 require such person to attend an alcohol education class;
7 (ii b) For a second offense, such person is guilty of a Class III
8 misdemeanor and the court, as a part of the judgment of conviction or
9 adjudication, may (A i) impound any such licenses or permits for ninety
10 days and (B ii) require such person to complete no fewer than twenty and
11 no more than forty hours of community service and to attend an alcohol
12 education class; and
13 (iii c) For a third or subsequent offense, such person is guilty of
14 a Class III misdemeanor and the court, as a part of the judgment of
15 conviction or adjudication, may (A i) impound any such licenses or
16 permits for twelve months and (B ii) require such person to complete no
17 fewer than sixty hours of community service, to attend an alcohol
18 education class, and to submit to an alcohol assessment by a licensed
19 alcohol and drug counselor; and
20 (b 2) If the person convicted or adjudicated of violating such
21 section does not have a permit or license issued under the Motor Vehicle
22 Operator's License Act:
23 (i a) For the first offense, such person is guilty of a Class III
24 misdemeanor and the court, as part of the judgment of conviction or
25 adjudication, may (A i) prohibit such person from obtaining any permit or
26 any license pursuant to the act for which such person would otherwise be
27 eligible until thirty days after the date of such order and (B ii)
28 require such person to attend an alcohol education class;
29 (ii b) For a second offense, such person is guilty of a Class III
30 misdemeanor and the court, as part of the judgment of conviction or
31 adjudication, may (A i) prohibit such person from obtaining any permit or
32 any license pursuant to the act for which such person would otherwise be
33 eligible until ninety days after the date of such order and (B ii)
34 require such person to complete no fewer than twenty hours and no more
35 than forty hours of community service and to attend an alcohol education
36 class; and
37 (iii c) For a third or subsequent offense, such person is guilty of
38 a Class III misdemeanor and the court, as part of the judgment of
39 conviction or adjudication, may (A i) prohibit such person from obtaining
40 any permit or any license pursuant to the act for which such person would
41 otherwise be eligible until twelve months after the date of such order
42 and (B ii) require such person to complete no fewer than sixty hours of
43 community service, to attend an alcohol education class, and to submit to
44 an alcohol assessment by a licensed alcohol and drug counselor.
45 (2) A copy of an abstract of the court's conviction or adjudication
46 shall be transmitted to the Director of Motor Vehicles pursuant to
47 sections 60-497.01 to 60-497.04.
48 (3) Subsection (1) of this section shall not apply if the person:
49 (a) Requested emergency medical assistance in response to the
50 possible alcohol overdose of himself or herself or another person as soon
51 as the emergency situation is apparent after such violation of section
52 §3-180.02;
53 (b) Was the first person to make a request for medical assistance
23 under subdivision (a) of this subsection as soon as the emergency
24 situation is apparent after such violation of section 53-180.02; and
25 (c) If the person requested emergency medical assistance for the
26 possible alcohol overdose of another person, such person:
27 (i) Remained on the scene until the medical assistance arrived; and
28 (ii) Cooperated with medical assistance and law enforcement
29 personnel.
30 (4) A person shall not initiate or maintain an action against a
31 peace officer or the employing state agency or political subdivision
1 based on the officer's compliance or failure to comply with subsection
2 (3) of this section.
3 Sec. 3. Original section 53-181, Reissue Revised Statutes of
4 Nebraska, and section 53-180.05, Revised Statutes Cumulative Supplement,
5 2014, are repealed.

Senator Schumacher filed the following amendment to LB279:
AM263
1 1. On page 9, line 31; page 12, line 1; page 14, line 6; page 16,
2 line 9; and page 19, lines 10 and 11, strike "2016" and insert "2017".
3 2. On page 31, line 7, strike "2016" and insert "2017".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 88. Introduced by Kolowski, 31.

WHEREAS, Skutt Catholic High School in Omaha won the 2015 Class B
State Wrestling Championship; and
WHEREAS, the Skutt Catholic Skyhawks showed outstanding
determination, teamwork, and skill during the competition and earned a
team score of 119 points; and
WHEREAS, the Skutt Catholic Skyhawks have won the State Wrestling
Championship 17 times in the last 18 years; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST
SESSION:
1. That the Legislature congratulates the Skutt Catholic High School
wrestling team for winning the 2015 Class B State Wrestling Championship.
2. That a copy of this resolution be sent to the Skutt Catholic High School
wrestling team and Head Coach Brad Hildebrandt.

Laid over.

LEGISLATIVE RESOLUTION 89. Introduced by Kolowski, 31.

WHEREAS, Millard South High School won the 2015 Class A State
Wrestling Championship; and
WHEREAS, the Millard South Patriots showed outstanding determination, teamwork, and skill during the competition and earned a team score of 172.5 points; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Millard South High School wrestling team for winning the 2015 Class A State Wrestling Championship.
2. That a copy of this resolution be sent to the Millard South High School wrestling team and Head Coach Doug Denson.

Laid over.

COMMITTEE REPORT(S)
Business and Labor

LEGISLATIVE BILL 599. Placed on General File with amendment. AM526
1 1. Insert the following new section:
2 Sec. 2. This act becomes operative on January 1, 2016.
3 2. On page 2, strike beginning with "seven" in line 25 through
4 "cents" in line 26 and insert "at least eight dollars".
5 3. Renumber the remaining section accordingly.

LEGISLATIVE BILL 627. Placed on General File with amendment. AM232 is available in the Bill Room.

(Signed) Burke Harr, Chairperson

MOTION(S) - Confirmation Report(s)
Senator Seiler moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 570:
Nebraska Commission on Law Enforcement and Criminal Justice
Darrell E. Fisher, Director

Voting in the affirmative, 40:

Baker     Davis     Howard     Larson     Schnoor
Bloomfield Ebke      Hughes     McCollister Schumacher
Bolz       Friesen   Johnson    Mello      Seiler
Brasch     Garrett    Kintner    Murante    Smith
Campbell   Gloor      Kolowski   Nordquist  Stinner
Chambers   Groene     Koltermann Pansing Brooks Sullivan
Craighead  Haar, K. Krist      Riepe      Watermeier
Crawford   Hadley     Kuehn      Schilz     Williams
Voting in the negative, 0.

Present and not voting, 6:

Coash        Harr, B.       Lindstrom
Hansen       Hilkemann      Scheer

Excused and not voting, 3:

Cook          McCoy          Morfeld

The appointment was confirmed with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Senator Seiler moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 570:

Department of Correctional Services
Scott R. Frakes, Director

Voting in the affirmative, 41:

Baker        Ebke           Howard        McCollister    Seiler
Bloomfield   Friesen        Hughes        Mello          Smith
Boz          Garrett         Johnson       Murante        Stinner
Brasch       Gloor          Kintner       Nordquist      Watermeier
Campbell     Groene         Kolowski      Pansing        Brooks Williams
Chambers     Haar, K.       Kolterman     Riepe
Craighead    Hadley         Krist         Schilz
Crawford     Hansen         Kuehn         Schnoor
Davis        Hilkemann      Larson        Schumacher

Voting in the negative, 0.

Present and not voting, 5:

Coash        Harr, B.       Lindstrom    Scheer        Sullivan

Excused and not voting, 3:

Cook          McCoy          Morfeld

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

LEGISLATIVE RESOLUTION 32. Read. Considered.
Committee AM331, found on page 571, was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.
LR32, as amended, was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

LEGISLATIVE RESOLUTION 33. Read. Considered.
Committee AM310, found on page 572, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.
LR33, as amended, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

LEGISLATIVE RESOLUTION 34. Read. Considered.
Committee AM290, found on page 508, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.
LR34, as amended, was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 146. Title read. Considered.
Committee AM142, found on page 449, was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.
Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 39. Indefinitely postponed.
(Signed) Jim Smith, Chairperson

AMENDMENT(S) - Print in Journal
Senator Brasch filed the following amendment to LB179:
AM550
1 1. On page 3, lines 10, 11, and 28, strike the new matter; and in
2 line 29 strike "renew a registration" and insert "At the time of
3 registration renewal”.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 90. Introduced by Johnson, 23.

WHEREAS, the Wahoo High School dance team won the Pom division at the 2015 Class C-1 State Cheer and Dance Championships; and
WHEREAS, team members are Rochelle Olson, Janae Pearson, Lauren Kastanek, Emily Pestal, Morgan Novak, Claire Johnston, Carleigh Olson, and Maddie Talbert; and
WHEREAS, the team displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Wahoo High School dance team on winning the Pom division at the 2015 C-1 State Cheer and Dance Championships.
2. That a copy of this resolution be sent to the Wahoo High School dance team.

Laid over.

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 27, 2015, at 11:40 a.m. were the following: LBs 52, 87, 90, 94, 107, 116, 142e, 142Ae, 194, 241, 252, 260e, 261e, 266, 269, 271, 286e, 301, 305e, 312, and 314.

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

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Coash, Davis, Larson - LB599
Davis, Kolterman, Krist, McCollister - LB268
Groene - LB329
Bloomfield - LB599
VISITORS

Visitors to the Chamber were Kamryn Sannicks from Lincoln North Star High School; 6 high-school students and teacher from Seward; Commander Jason Geddes, Commanding Officer of the USS Nebraska; Burkett Johanns from Lincoln; and 80 fourth-grade students, teachers, and sponsors from Ashland-Greenwood.

ADJOURNMENT

At 11:52 a.m., on a motion by Senator Larson, the Legislature adjourned until 10:00 a.m., Monday, March 2, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-SIXTH DAY - MARCH 2, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, March 2, 2015

PRAYER

The prayer was offered by Pastor Rick Wheatley, New Life Baptist Church, Bellevue.

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 Senator Larson who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fifth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 91. Introduced by Bolz, 29.

WHEREAS, National Professional Social Work Month is observed in the month of March; and
WHEREAS, the primary mission of social work is to enhance human well-being and help meet the basic needs of all people, especially the most vulnerable; and
WHEREAS, social work is the profession of hope, fueled by resiliency and advocacy. Social workers make a difference because they help millions of struggling people every day; and
WHEREAS, in the United States, there are more than 600,000 highly trained professional social workers who have helped clients find their strength, resiliency, and self-advocacy to navigate life's challenges; and
WHEREAS, resilience and determination alone cannot overcome all crises, but weaving those strengths with targeted advocacy can change people's lives; and
WHEREAS, the social work profession has a distinguished history of not only providing social safety nets to the most vulnerable people, but also challenging the systems that impede social mobility.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature recognizes March 2015 as Professional Social Work Month in Nebraska.
2. That a copy of this resolution be sent to the National Association of Social Workers, Nebraska Chapter.

Laid over.

LEGISLATIVE RESOLUTION 92. Introduced by Seiler, 33.

WHEREAS, Lincoln Elementary School in Hastings was selected as a National Model Professional Learning Community School by All Things PLC; and
WHEREAS, Lincoln Elementary School is only the second elementary school in Nebraska to receive this national distinction; and
WHEREAS, with this honor, the students, teachers, and staff of Lincoln Elementary School have been recognized for their exceptional academic performance and extraordinary effectiveness; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the students, teachers, and staff of Lincoln Elementary School for gaining prestigious recognition as a National Model Professional Learning Community School.
2. That a copy of this resolution be sent to Principal Montessa Munoz at Lincoln Elementary School.

Laid over.

RESOLUTION(S)
Pursuant to Rule 4, Sec. 5(b), LRs 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, and 72 were adopted.

PRESIDENT SIGNED
While the Legislature was in session and capable of transacting business, the President signed the following: LRs 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, and 72.
LEGISLATIVE BILL 10. Senator Chambers withdrew his motion, MO37, found on page 634 and considered on pages 635 and 639, to recommit to the Government, Military and Veterans Affairs Committee.

Senator Chambers offered his amendment, AM366, found on page 514.

SPEAKER HADLEY PRESIDING

Senator McCoy offered the following motion:
MO38
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator McCoy moved for a call of the house. The motion prevailed with 35 ayes, 0 nays, and 14 not voting.

Senator McCoy requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 33:

Baker  Friesen  Johnson  McCollister  Schnoor
Bloomfield  Garrett  Kintner  McCoy  Seiler
Brasch  Gloor  Kolterman  Murante  Smith
Coash  Groene  Krist  Riepe  Stinner
Craighead  Hadley  Kuehn  Scheer  Watermeier
Davis  Hilkemann  Larson  Schilz  Williams
Ebke  Hughes  Lindstrom

Voting in the negative, 16:

Bolz  Crawford  Harr, B.  Mello  Pansing Brooks
Campbell  Haar, K.  Howard  Morfeld  Schumacher
Chambers  Hansen  Kolowski  Nordquist  Sullivan
Cook

Not voting, 0.

The McCoy motion to invoke cloture prevailed with 33 ayes, 16 nays, and 0 not voting.

The Chambers amendment, AM366, lost with 17 ayes, 31 nays, and 1 present and not and not voting.

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

Voting in the affirmative, 31:
Voting in the negative, 17:

Bolz Crawfor Harr, B. Krist Nordquist
Campbell Ebke Howard Mello Pansing Brooks
Chambers Haar, K. Kolowski Morfeld Sullivan
Cook Hansen

Present and not voting, 1:

Schumacher

Advanced to Enrollment and Review Initial with 31 ayes, 17 nays, and 1 present and not voting.

The Chair declared the call raised.

PRESIDENT FOLEY PRESIDING

COMMITTEE REPORT(S)
Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR32.

(Signed) Matt Hansen, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 32. Introduced by Krist, 10.

WHEREAS, the One Hundredth Legislature, Second Session, 2008, adopted Legislative Resolution 283 to establish the Developmental Disabilities Special Investigative Committee of the Legislature. The committee was then reauthorized by the One Hundred First Legislature, First Session, 2009, in Legislative Resolution 11, by the One Hundred Second Legislature, First Session, 2011, in Legislative Resolution 47, by the One Hundred Second Legislature, Second Session, 2012, in Legislative Resolution 365, and by the One Hundred Third Legislature, First Session, 2013, in Legislative Resolution 20. The committee was authorized to study the quality of care and related staffing issues at the Beatrice State
THIRTY-SIXTH DAY - MARCH 2, 2015

Developmental Center, investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, and determine how and why such services to the developmentally disabled were permitted to decline to the level documented in the United States Department of Justice report.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the Developmental Disabilities Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the Executive Board. The Executive Board shall appoint the chairperson and vice-chairperson of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.

2. That the Developmental Disabilities Special Investigative Committee shall provide oversight to ensure that the terms of the United States Department of Justice Consent Decree and the recommendations from the Report of the Developmental Disabilities Special Investigative Committee dated December 15, 2008, are implemented in a timely fashion.

3. That the Developmental Disabilities Special Investigative Committee is hereby authorized to continue to study the quality of care and related staffing issues at the Beatrice State Developmental Center and other such facilities, including options and funding for services for residents.

4. That the Developmental Disabilities Special Investigative Committee is hereby authorized to continue investigation of the placement and quality of care statewide for the developmentally disabled in Nebraska, including a determination of whether adequate staffing, funding, and capacity exist for persons to receive community-based services, a review of staffing practices at community-based care facilities, and an analysis of the relationship of those practices to the quality of care provided to the developmentally disabled.

5. That the Developmental Disabilities Special Investigative Committee shall review the processes of how the Division of Developmental Disabilities of the Department of Health and Human Services determines eligibility for services for individuals who are in need of services, as well as the processes utilized by the division to determine when individuals who have received services are no longer eligible for such services.

6. That the Developmental Disabilities Special Investigative Committee shall brief the Health and Human Services Committee of the Legislature by December 15, 2015, and December 15, 2016, and issue a report with its findings and recommendations to the Legislature as circumstances warrant.
7. That the Developmental Disabilities Special Investigative Committee is hereby authorized to continue its work until the beginning of the One Hundred Fifth Legislature, First Session.

The following resolution was correctly enrolled: LR33.

(Signed) Matt Hansen, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 33. Introduced by Krist, 10.

WHEREAS, in 2008, the Department of Health and Human Services (DHHS) began to develop the ACCESSNebraska system. ACCESSNebraska is a system that is intended to efficiently determine public assistance eligibility and provide service delivery. Since the implementation of this system, the Legislature has conducted several hearings on bills and resolutions related to ACCESSNebraska. In these hearings, the realities and problems faced by clients navigating the ACCESSNebraska system were revealed, including long call wait times, lost documentation, erroneous public assistance decisions, and a general difficulty for clients to get the assistance they needed in a timely manner; and

WHEREAS, the One Hundred Third Legislature, Second Session, adopted Legislative Resolution 400, which created the ACCESSNebraska Special Investigative Committee of the Legislature to study the ACCESSNebraska system; and

WHEREAS, on December 15, 2014, the committee issued a report and recommendations related to ACCESSNebraska. The committee found the ACCESSNebraska system has been and continues to be plagued with problems. The committee also found ACCESSNebraska front-line workers have not been given the proper tools to complete daunting workloads; and

WHEREAS, the committee recommended among other things that the ACCESSNebraska Special Investigative Committee be continued to provide ongoing oversight for the ACCESSNebraska system.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the ACCESSNebraska Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the Executive Board. The Executive Board shall appoint the chairperson and vice-chairperson of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative
committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.

2. That the ACCESSNebraska Special Investigative Committee of the Legislature is hereby authorized to study the adequacy of staffing and training of DHHS employees working within the ACCESSNebraska system, including the number of employees for local offices, the number of employees for call centers and document imaging centers, the type and amount of training received, the education levels and years of experience of employees, client access to employees, and the need for and availability of dedicated caseworkers for clients. The scope of the committee's investigation shall include, but not be limited to, the adequacy of technology used within the ACCESSNebraska system, including telephone systems, computer software, case management, information technology, and use of and access to data bases to allow for data matching. The committee shall also investigate the effectiveness of processes and structures used by the ACCESSNebraska system, including system design, management structure, and system goals. The committee shall also investigate the need for new or additional data collection to determine system effectiveness. The committee shall analyze the experiences of clients and their family members and examine customer service experience, access to benefits, and responses to changing family needs. The committee shall utilize existing studies and reports and legislation developed to address the current conditions. The committee shall not be limited to such studies, reports, or legislation.

3. That the ACCESSNebraska Special Investigative Committee shall brief the Health and Human Services Committee of the Legislature by December 15, 2015, and issue a report with its findings and recommendations to the Legislature as circumstances warrant.

4. That the ACCESSNebraska Special Investigative Committee is hereby authorized to continue its work until the beginning of the One Hundred Fourth Legislature, Second Session.

The following resolution was correctly enrolled: LR34.

(Signed) Matt Hansen, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 34. Introduced by Krist, 10; Bolz, 29; Chambers, 11; Mello, 5; Schumacher, 22; Seiler, 33.

WHEREAS, the Department of Correctional Services Special Investigative Committee of the Legislature was created in LR424, One Hundred Third Legislature, Second Session; and

WHEREAS, the committee, having completed its work and issued its report on December 15, 2014, discovered additional problems within the Department of Correctional Services during the course of its LR424 study; and
WHEREAS, the Legislature believes that further study and oversight of the department is necessary in order to prevent additional mistakes and to correct inadequate department procedures and policies.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and reappoint the Department of Correctional Services Special Investigative Committee of the Legislature. The committee shall consist of up to eleven members of the Legislature appointed by the Executive Board. The Executive Board shall appoint the chairperson and vice-chairperson of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as deemed necessary by the committee.

2. That the Department of Correctional Services Special Investigative Committee of the Legislature is hereby authorized to study the following with respect to the Department of Correctional Services:
   (a) The adequacy of programs designed to rehabilitate inmates;
   (b) The funding history of programs designed to rehabilitate inmates;
   (c) The availability of mental health care and the policies and procedures in place to ensure that inmates receive appropriate mental health care or confinement through the civil commitment process;
   (d) The policies relating to the solitary confinement, segregation, or other isolation of inmates;
   (e) The transition of inmates from incarceration to the community at large;
   (f) The administration of good time laws; and
   (g) Any evaluation or study made of the department's policies and practices, whether or not any recommendations were adopted as a result of the evaluation or study, and the reasons if any recommendations were not adopted.

3. That the Department of Correctional Services Special Investigative Committee shall brief the Judiciary Committee of the Legislature by December 15, 2015, and December 15, 2016, and issue a report with its findings and recommendations to the Legislature as circumstances warrant.

4. That the Department of Correctional Services Special Investigative Committee is hereby authorized to continue its work until the beginning of the One Hundred Fifth Legislature, First Session.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 32, 33, and 34.
THIRTY-SIXTH DAY - MARCH 2, 2015 691

NOTICE OF COMMITTEE HEARING(S)
Education

Room 1525

Tuesday, March 17, 2015 1:30 p.m.

Dennis Baack - Nebraska Educational Telecommunications Commission
Marilyn Hadley - Nebraska Educational Telecommunications Commission
Darlene Starman - Nebraska Educational Telecommunications Commission

(Signed) Kate Sullivan, Chairperson

GENERAL FILE

LEGISLATIVE RESOLUTION 10CA. Read. Considered.

Senator McCoy offered his motion, MO1, found on page 138, to indefinitely postpone.

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

The McCoy motion to indefinitely postpone prevailed with 27 ayes, 16 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Cook filed the following amendment to LB10:

AM333

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

3 Section 1. At a special election to be held in conjunction with the statewide primary election in May 2016, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

7 To add a new section 6 to Article XVII:

8 XVII-6 For purposes of selecting presidential and vice presidential candidates, one presidential elector shall be chosen from each congressional district, and two presidential electors shall be chosen at large.

12 Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

15 A constitutional amendment to require that one presidential elector be chosen from each congressional district and two presidential electors be chosen at large.
18 For 
19 Against.

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 53. Placed on General File.

LEGISLATIVE BILL 311. Placed on General File with amendment. AM386
1 1. On page 2, line 10, strike "(1)"; in line 11 strike "(a)" and
2 insert "(1)"; in line 14 strike "(b)" and insert "(2)"; in line 17 strike
3 paragraphing and "(2)"; and in line 23 strike "motor".
4 2. On page 21, lines 4 and 5, strike the new matter; and in lines 5
5 through 12 reinstate the stricken matter.

(Signed) Jim Smith, Chairperson

ANNOUNCEMENT(S)

Senator Chambers designates LB268 as his priority bill.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Davis, Kolterman - LB81
Riepe - LB599
Davis - LB329

VISITORS

Visitors to the Chamber were Laura Wise from Omaha; and Jen Westwood,
a student from Doane College.

The Doctor of the Day was Dr. Karina Chiari from Omaha.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Kintner, the Legislature adjourned
until 9:00 a.m., Tuesday, March 3, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper
THIRTY-SEVENTH DAY - MARCH 3, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 3, 2015

PRAYER

The prayer was offered by Pastor Bob Walz, Lincoln Berean Church, Lincoln.

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 B. Harr, Larson, and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 146. Placed on Select File with amendment.
ER42
1 1. On page 4, line 3, strike "Services" and insert "Forces"; and in line 4 strike "Reserved" and insert "Reserve".

(Signed) Matt Hansen, Chairperson

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 367. Placed on General File.
LEGISLATIVE BILL 400. Placed on General File.
LEGISLATIVE BILL 640. Placed on General File.

LEGISLATIVE BILL 291. Placed on General File with amendment.
AM553
1 1. Insert the following new section:
Sec. 9. Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) John Murante, Chairperson

Judiciary

LEGISLATIVE BILL 113. Placed on General File with amendment.

AM508
1 1. On page 2, line 22; and page 3, line 22, strike "less" and insert "more".
2 2. On page 3, line 13; and page 4, line 15, strike "and".
3 3. On page 3, line 14; and page 4, line 16, after "illness" insert "; and"
4 (i) Medical, surgical, or hospital services covered under the 7 Nebraska Workers’ Compensation Act".

LEGISLATIVE BILL 137. Placed on General File with amendment.

AM511
1 1. Strike the original sections and insert the following new sections:
2 Section 1. Section 28-1212.02, Revised Statutes Cumulative Supplement, 2014, is amended to read:
3 28-1212.02 Any person who unlawfully and knowingly or recklessly
4 intentionally discharges a firearm at or in the general direction of any
5 inhabited dwelling house, occupied building, occupied motor vehicle,
6 occupied aircraft, inhabited motor home as defined in section 71-4603, or
7 inhabited camper unit as defined in section 60-1801, is shall be guilty
8 of a Class I misdemeanor ID felony.
9 Sec. 2. Section 28-1212.04, Revised Statutes Cumulative Supplement, 2014, is amended to read:
10 28-1212.04 Any person, within the territorial boundaries of any city
11 or county containing a city of the metropolitan or primary class, who unlawfully and knowingly, or intentionally or
12 recklessly discharges a firearm, while in any motor vehicle or in the
13 general direction of any person, occupied or inhabited dwelling,
14 building, structure, occupied motor vehicle, occupied aircraft, inhabited
15 motor home as defined in section 71-4603, or inhabited camper unit as
16 defined in section 60-1801, occupied motor vehicle or aircraft, or any
17 other occupied structure, is guilty of a Class IIC felony.
18 Sec. 3. Section 28-1335, Revised Statutes Cumulative Supplement, 2014, is amended to read:
19 28-1335 Any person who unlawfully and knowingly or recklessly A
20 person commits a Class III misdemeanor if such person discharges any
21 firearm or weapon using any form of compressed gas as a propellant from
22 any public highway, road, or bridge in this state is guilty of a Class
23 III misdemeanor unless otherwise allowed by statute. Upon conviction,
24 the mandatory minimum fine shall be one hundred dollars.
4 Sec. 4. Original sections 28-1212.02, 28-1212.04, and 28-1335, 5 Revised Statutes Cumulative Supplement, 2014, are repealed.

(Signed) Les Seiler, Chairperson

AMENDMENT(S) - Print in Journal

Senator Murante filed the following amendment to LB10:

AM633

1 1. Insert the following new section:
2 Sec. 6. Since an emergency exists, this act takes effect when
3 passed and approved according to law.

GENERAL FILE

LEGISLATIVE BILL 431. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 8 present
and not voting, and 3 excused and not voting.

MOTION - Return LB177 to Select File

Senator K. Haar moved to return LB177 to Select File for his specific
amendment, AM434, found on page 630.

The K. Haar motion to return prevailed with 44 ayes, 0 nays, 2 present and
not voting, and 3 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 177. The K. Haar specific amendment, AM434,
found on page 630, was adopted with 43 ayes, 0 nays, 3 present and
not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

LEGISLATIVE BILL 35. ER3, found on page 346, was adopted.

Senator Howard offered the following amendment:

AM265

1 1. On page 15, line 29, strike "2017" and all amendments thereto and
2 insert "2017".

The Howard amendment was adopted with 35 ayes, 0 nays, 11 present and
not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.
LEGISLATIVE BILL 279. ER13, found on page 401, was adopted.

Senator Schumacher offered his amendment, AM263, found on page 676.

The Schumacher amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 23. ER25, found on page 485, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 155. ER39, found on page 532, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 439. ER38, found on page 532, was adopted.

Senator Morfeld offered his amendment, AM441, found on page 673.

Senator Morfeld offered the following amendment to his amendment:
FA27
Amend AM441
Page 5, line 1 strike "failure to comply with subsection (3) of this section".

The Morfeld amendment was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

The Morfeld amendment, as amended, was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 179. Senator Brasch offered her amendment, AM550, found on page 679.

The Brasch amendment was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Senator Groene offered the following amendment:
AM630
1 1. On page 6, after line 18 insert the following new subsection:
2 "(5) Nothing in this section shall be construed to mean that a
3 registrant shall be denied renewal of a registration by the board based
4 solely on a failure to complete the continuing education requirement
5 under subsection (1) of this section ".

The Groene amendment was adopted with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 164.** ER40, found on page 532, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 207.** ER37, found on page 532, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 34.** Senator Howard offered the following amendment:

AM372

1 1. On page 4, line 20, strike "2016" and insert "2017".

The Howard amendment was adopted with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.

Senator Kintner offered the following amendment:

FA28


Senator Bolz moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

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

Senator Kintner requested a record vote on the amendment

Voting in the affirmative, 11:

Bloomfield  Garrett  Larson  Schumacher
Brasch  Groene  McCoy  Smith
Ebke  Kintner  Schilz

Voting in the negative, 35:
Present and not voting, 2:

Scheer Watermeier

Excused and not voting, 1:

Murante

The Kintner amendment lost with 11 ayes, 35 nays, 2 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 46.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 129.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 37.** ER41, found on page 574, was adopted.

Senator Krist offered his amendment, AM470, found on page 605.

Senator Krist moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Krist requested a roll call vote on the amendment.

Voting in the affirmative, 46:
Voting in the negative, 0.

Present and not voting, 2:

Cook       Lindstrom

Excused and not voting, 1:

Murante

The Krist amendment was adopted with 46 ayes, 0 nays, 2 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 245. Title read. Considered.

Committee AM197, found on page 451, was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 13. Placed on General File with amendment.

AM466

1 1. Strike original section 1 and insert the following new section:
2 Section 1. Section 43-2404.02, Revised Statutes Cumulative
3 Supplement, 2014, is amended to read:
4 43-2404.02 (1) There is created a separate and distinct budgetary
5 program within the commission to be known as the Community-based Juvenile
6 Services Aid Program. Funding acquired from participation in the federal
act, state General Funds, and funding acquired from other sources which may be used for purposes consistent with the Juvenile Services Act and the federal act shall be used to aid in the establishment and provision of community-based services for juveniles who come in contact with the juvenile justice system.

(2)(a) Ten percent of the annual General Fund appropriation to the Community-based Juvenile Services Aid Program, excluding administrative budget funds, shall be set aside for the development of a common data set and evaluation of the effectiveness of the Community-based Juvenile Services Aid Program. The intent in creating this common data set is to allow for evaluation of the use of the funds and the effectiveness of the programs or outcomes in the Community-based Juvenile Services Aid Program.

(b) The common data set shall be developed and maintained by the commission and shall serve as a primary data collection site for any intervention funded with Community-based Juvenile Services Aid designed to serve juveniles and deter involvement in the formal juvenile justice system. The commission shall work with agencies and programs to enhance existing data sets. To ensure that the data set permits evaluation of recidivism and other measures, the commission shall work with the Office of Probation Administration, juvenile diversion programs, law enforcement, the courts, and others to compile data that demonstrates whether a youth has moved deeper into the juvenile justice system. The University of Nebraska at Omaha, Juvenile Justice Institute, shall assist with the development of common definitions, variables, and training required for data collection and reporting into the common data set by juvenile justice programs. The common data set maintained by the commission shall be provided to the University of Nebraska at Omaha, Juvenile Justice Institute, to assess the effectiveness of the Community-based Juvenile Services Aid Program.

(c) Providing the commission access to records and information for, as well as the commission granting access to records and information from, the common data set is not a violation of confidentiality provisions under any law, rule, or regulation if done in good faith for purposes of evaluation. Records and documents, regardless of physical form, that are obtained or produced or presented to the commission for the common data set are not public records.

(d) The ten percent of the annual General Fund appropriation to the Community-based Juvenile Services Aid Program, excluding administrative budget funds, shall be appropriated as follows: In the year 2016, seven percent shall go to the commission for development of the common data set and three percent shall go to the University of Nebraska at Omaha, Juvenile Justice Institute, for evaluation. In the year 2017, six percent shall go to the commission for development and maintenance of the common data set and four percent shall go to the University of Nebraska at Omaha, Juvenile Justice Institute, for evaluation. Every year thereafter, beginning in the year 2018, five percent shall go to the commission for development and maintenance of the common data set and five percent shall go to the University of Nebraska at Omaha, Juvenile Justice Institute.
The remaining funds in the annual General Fund appropriation to the Community-based Juvenile Services Aid Program shall be apportioned as aid in accordance with a formula established in rules and regulations adopted and promulgated by the commission. The formula shall be based on the total number of residents per county and federally recognized or state-recognized Indian tribe who are twelve years of age through eighteen years of age and other relevant factors as determined by the commission. The commission may require a local match of up to forty percent from the county, multiple counties, federally recognized or state-recognized Indian tribe or tribes, or any combination of the three which is receiving aid under such program. Any local expenditures for community-based programs for juveniles may be applied toward such match requirement.

In distributing funds provided under the Community-based Juvenile Services Aid Program, aid recipients shall prioritize programs and services that will divert juveniles from the juvenile justice system, reduce the population of juveniles in juvenile detention and secure confinement, and assist in transitioning juveniles from out-of-home placements.

Funds received under the Community-based Juvenile Services Aid Program shall be used exclusively to assist the aid recipient in the implementation and operation of programs or the provision of services identified in the aid recipient's comprehensive juvenile services plan, including programs for local planning and service coordination; screening, assessment, and evaluation; diversion; alternatives to detention; family support services; treatment services; truancy prevention and intervention programs; pilot projects approved by the commission; payment of transportation costs to and from placements, evaluations, or services; personnel when the personnel are aligned with evidence-based treatment principles, programs, or practices; contracting with other state agencies or private organizations that provide evidence-based treatment or programs; preexisting programs that are aligned with evidence-based practices or best practices; and other services that will positively impact juveniles and families in the juvenile justice system.

Funds received under the Community-based Juvenile Services Aid Program shall not be used for the following: Construction of secure detention facilities, secure youth treatment facilities, or secure youth confinement facilities; capital construction or the lease or acquisition of facilities; programs, services, treatments, evaluations, or other preadjudication services that are not based on or grounded in evidence-based practices, principles, and research, except that the commission may approve pilot projects that authorize the use of such aid; or office equipment, office supplies, or office space.

Any aid not distributed to counties under this subsection shall be retained by the commission to be distributed on a competitive basis under the Community-based Juvenile Services Aid Program for a county, multiple counties, federally recognized or state-recognized Indian tribe or tribes, or any combination of the three demonstrating additional need.
16 in the funding areas identified in this subsection.
17 (e) If a county, multiple counties, or a federally recognized or
18 state-recognized Indian tribe or tribes is denied aid under this section
19 or receives no aid under this section, the entity may request an appeal
20 pursuant to the appeal process in rules and regulations adopted and
21 promulgated by the commission. The commission shall establish appeal and
22 hearing procedures by December 15, 2014. The commission shall make appeal
23 and hearing procedures available on its web site.
24 (4)(a) Any recipient of aid under the Community-based Juvenile
25 Services Aid Program shall electronically file an annual report as
26 required by rules and regulations adopted and promulgated by the
27 commission. Any program funded through Community-based Juvenile Services
28 Aid that served juveniles shall report data on the individual youth
29 served. Any program that is not directly serving youth shall include
30 program-level data. In either case, data collected shall include, but not
31 be limited to, the following: The report shall include, but not be
1 limited to, the type of juvenile service, how the service met the goals
2 of the comprehensive juvenile services plan, demographic information on
3 the total number of juveniles served, program outcomes success rates, the
4 total number of juveniles served, and the number of juveniles who
5 completed the program or intervention sent to secure juvenile detention
6 or residential treatment and secure confinement, and a listing of the
7 expenditures for detention, residential treatment, and nonresidential
8 treatment.
9 (b) Any recipient of aid under the Community-based Juvenile Services
10 Aid Program shall be assisted by the University of Nebraska at Omaha,
11 Juvenile Justice Institute, in reporting in the common data set, as set
12 forth in the rules and regulations adopted and promulgated by the
13 commission. Community-based aid utilization and evaluation data shall be
14 stored and maintained by the commission.
15 (c) Evaluation of the use of funds and the evidence of the
16 effectiveness of the programs shall be completed by the University of
17 Nebraska at Omaha, Juvenile Justice Institute, specifically:
18 (i) The varying rates of recidivism, as defined by rules and
19 regulations adopted and promulgated by the commission, and other measures
20 for juveniles participating in community-based programs; and
21 (ii) Whether juveniles are sent to staff secure or secure juvenile
22 detention after participating in a program funded by the Community-based
23 Juvenile Services Aid Program.
24 (5) The commission shall report annually to the Governor and the
25 Legislature on the distribution and use of funds for aid appropriated
26 under the Community-based Juvenile Services Aid Program. The report shall
27 include, but not be limited to, an aggregate report of the use of the
28 Community-based Juvenile Services Aid Program funds, including the types
29 of juvenile services and programs that were funded, demographic
30 information on the total number of juveniles served, program success
31 rates, the total number of juveniles sent to secure juvenile detention or
1 residential treatment and secure confinement, and a listing of the
2 expenditures of all counties and federally recognized or state-recognized
Indian tribes for detention, residential treatment, and secure confinement. The report submitted to the Legislature shall be submitted electronically.

(6) The commission shall adopt and promulgate rules and regulations for the Community-based Juvenile Services Aid Program in consultation with the Director of the Community-based Juvenile Services Aid Program, the Director of Juvenile Diversion Programs, the Office of Probation Administration, the Nebraska Association of County Officials, and the University of Nebraska at Omaha, Juvenile Justice Institute. The rules and regulations shall include, but not be limited to:

(a) The required elements of a comprehensive juvenile services plan and planning process;

(b) The Community-based Juvenile Services Aid Program formula, review process, match requirements, and fund distribution. The distribution process shall ensure a conflict of interest policy;

(c) A distribution process for funds retained under subsection (3) of this section;

(d) A plan for evaluating the effectiveness of plans and programs receiving funding;

(e) A reporting process for aid recipients; and

(f) A reporting process for the commission to the Governor and Legislature. The report shall be made electronically to the Governor and Legislature; and

(g) Requirements regarding the use of the common data set.

LEGISLATIVE BILL 15. Placed on General File with amendment. AM514

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

Section 1. Section 43-272, Reissue Revised Statutes of Nebraska, is amended to read:

43-272 (1) When any juvenile shall be brought without counsel before a juvenile court, the court shall advise such juvenile and his or her parent or guardian of their right to retain counsel and shall inquire of such juvenile and his or her parent or guardian as to whether they desire to retain counsel. The court shall inform such juvenile and his or her parent or guardian of such juvenile's right to counsel at county expense if none of them is able to afford counsel. If the juvenile or his or her parent or guardian desires to have counsel appointed for such juvenile, or the parent or guardian of such juvenile cannot be located, and the court ascertains that none of such persons are able to afford an attorney, the court shall forthwith appoint an attorney to represent such juvenile for all proceedings before the juvenile court, except that if an attorney is appointed to represent such juvenile and the court later determines that a parent of such juvenile is able to afford an attorney, the court shall order such parent or juvenile to pay for services of the attorney to be collected in the same manner as provided by section 43-290. If the parent willfully refuses to pay any such sum, the court may commit him or her for contempt, and execution may issue at the
request of the appointed attorney or the county attorney or by the court without a request.

(2) The court, on its own motion or upon application of a party to the proceedings, shall appoint a guardian ad litem for the juvenile: (a) if the juvenile has no parent or guardian of his or her person or if the parent or guardian of the juvenile cannot be located or cannot be brought before the court; (b) if the parent or guardian of the juvenile is excused from participation in all or any part of the proceedings; (c) if the parent is a juvenile or an incompetent; (d) if the parent is indifferent to the interests of the juvenile; or (e) in any proceeding pursuant to the provisions of subdivision (3)(a) of section 43-247.

A guardian ad litem shall have the duty to protect the interests of the juvenile for whom he or she has been appointed guardian, and shall be deemed a parent of the juvenile as to those proceedings with respect to which his or her guardianship extends.

(3) The court shall appoint an attorney as guardian ad litem. A guardian ad litem shall act as his or her own counsel and as counsel for the juvenile, unless there are special reasons in a particular case why the guardian ad litem or the juvenile or both should have separate counsel. In such cases the guardian ad litem shall have the right to counsel, except that the guardian ad litem shall be entitled to appointed counsel without regard to his or her financial ability to retain counsel. Whether such appointed counsel shall be provided at the cost of the county shall be determined as provided in subsection (1) of this section.

(4) By July 1, 2015, the Supreme Court shall formally promulgate the Guidelines for Guardians ad Litem for Juveniles in Juvenile Court Proceedings adopted by the Supreme Court on July 18, 2007, into the rules of the Supreme Court.

Sec. 2. Section 43-272.01, Revised Statutes Cumulative Supplement, 2014, is amended to read:

43-272.01 (1) A guardian ad litem as provided for in subsections (2) and (3) of section 43-272 shall be appointed when a child is removed from his or her surroundings pursuant to subdivision (2) or (3) of section 43-248, subsection (2) of section 43-250, or section 43-251. If removal has not occurred, a guardian ad litem shall be appointed at the commencement of all cases brought under subdivision (3)(a) or (7) of section 43-247 and section 28-707.

(2) In the course of discharging duties as guardian ad litem, the person so appointed shall consider, but not be limited to, the criteria provided in this subsection. The guardian ad litem:

(a) Is appointed to stand in lieu of a parent for a protected juvenile who is the subject of a juvenile court petition, shall be present at all hearings before the court in such matter unless expressly excused by the court, and may enter into such stipulations and agreements concerning adjudication and disposition deemed by him or her to be in the juvenile's best interests;

(b) Is not appointed to defend the parents or other custodian of the protected juvenile but shall defend the legal and social interests of such juvenile. Social interests shall be defined generally as the usual
and reasonable expectations of society for the appropriate parental
custody and protection and quality of life for juveniles without regard
to the socioeconomic status of the parents or other custodians of the
juvenile;
(c) May at any time after the filing of the petition move the court
of jurisdiction to provide medical or psychological treatment or
evaluation as set out in section 43-258. The guardian ad litem shall have
access to all reports resulting from any examination ordered under
section 43-258, and such reports shall be used for evaluating the status
of the protected juvenile;
(d) Shall make every reasonable effort to become familiar with the
needs of the protected juvenile which (i) shall include consultation with
the juvenile in his or her respective placement within two weeks after
the appointment and once every three six months thereafter and inquiry of
the most current caseworker, foster parent, or other custodian, unless
the court approves other forms of consultation, and (ii) may include
inquiry of others directly involved with the juvenile or who may have
information or knowledge about the circumstances which brought the
juvenile court action or related cases and the development of the
juvenile, including biological parents, physicians, psychologists,
teachers, and clergy members;
(e) May present evidence and witnesses and cross-examine witnesses
at all evidentiary hearings. In any proceeding under this section
relating to a child of school age, certified copies of school records
relating to attendance and academic progress of such child are admissible
in evidence;
(f) Shall be responsible for making written reports and
recommendations to the court at every dispositional, review, or
permanency planning hearing regarding the temporary and permanent
placement of the protected juvenile, the type and number of contacts with
the juvenile, the type and number of contacts with other relevant
stakeholders, and any further relevant information on a form prepared by
the Supreme Court. A copy of the written reports and recommendations to
the court shall also be submitted to the Foster Care Review Office for
any juvenile in foster care placement as defined in section 43-1301 and
shall submit a written report to the court at every dispositional or
review hearing, or in the alternative, the court may provide the guardian
ad litem with a checklist that shall be completed and presented to the
court at every dispositional or review hearing;
(g) Shall consider such other information as is warranted by the
nature and circumstances of a particular case; and
(h) May file a petition in the juvenile court on behalf of the
juvenile, including a supplemental petition as provided in section
43-291.
(3) Nothing in this section shall operate to limit the discretion of
the juvenile court in protecting the best interests of a juvenile who is
the subject of a juvenile court petition.
(4) For purposes of subdivision (2)(d) of this section, the court
may order the expense of such consultation, if any, to be paid by the
1 county in which the juvenile court action is brought or the court may,
2 after notice and hearing, assess the cost of such consultation, if any,
3 in whole or in part to the parents of the juvenile. The ability of the
4 parents to pay and the amount of the payment shall be determined by the
5 court by appropriate examination.
6 (5) The guardian ad litem may be compensated on a per-case
7 appointment system or pursuant to a system of multi-case contracts.
8 Regardless of the method of compensation, billing hours and expenses for
9 court-appointed guardian ad litem services shall be submitted to the
10 court for approval and shall be recorded on a written, itemized billing
11 statement signed by the attorney responsible for the case. Billing hours
12 and expenses for guardian ad litem services rendered under a contract for
13 such services shall be submitted to the entity with whom the guardian ad
14 litem contracts in the form and manner prescribed by such entity for
15 approval. Case time for guardian ad litem services shall be scrupulously
16 accounted for by the attorney responsible for the case. Additionally, in
17 the case of a multi-lawyer firm or organization retained for guardian ad
18 litem services, the name of the attorney or attorneys assigned to each
19 guardian ad litem case shall be recorded.
20 (6) For purposes of subdivision (2)(d) of this section and this
21 subsection:
22 (a) Consultation with the juvenile means meeting in person with the
23 juvenile unless prohibited or made impracticable by exceptional
24 circumstances; and
25 (b) Exceptional circumstances includes, but is not limited to,
26 situations in which an unreasonable geographical distance is involved
27 between the location of the guardian ad litem and the juvenile. When such
28 exceptional circumstances exist, the guardian ad litem shall attempt
29 consultation with the juvenile by other reasonable means, including, but
30 not limited to, telephonic or other suitable electronic means, if the
31 juvenile is of sufficient age and capacity to participate in such means
32 of communication and there are no other barriers preventing such
33 communication. When consultation by telephonic or other suitable
34 electronic means is not feasible, the guardian ad litem shall seek
35 direction from the court as to any other acceptable method by which to
36 accomplish consultation with the juvenile.
37 Sec. 3. Original section 43-272, Reissue Revised Statutes of
38 Nebraska, and section 43-272.01, Revised Statutes Cumulative Supplement,
39 2014, are repealed.
40 Sec. 4. Since an emergency exists, this act takes effect when
41 passed and approved according to law.

(Signed) Les Seiler, Chairperson
BILL ON FIRST READING

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

LEGISLATIVE BILL 474A. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 474, One Hundred Fourth Legislature, First Session, 2015.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 93. Introduced by Larson, 40.

WHEREAS, the North Bend High School boys bowling team won the 2015 Nebraska High School Bowling Federation Class C Boys State Championship; and
WHEREAS, team members Anthony Dodge, Brandon Dodge, Trenton Johnson, Colton Mitties, and Clayton Mussigmann displayed remarkable teamwork, sportsmanship, and skill; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the North Bend High School boys bowling team on winning the 2015 Nebraska High School Bowling Federation Class C Boys State Championship.
2. That a copy of this resolution be sent to the North Bend High School boys bowling team and their coaches.

Laid over.

LEGISLATIVE RESOLUTION 94. Introduced by Larson, 40.

WHEREAS, the Fremont High School boys bowling team won the 2015 Nebraska High School Bowling Federation Class A Boys State Championship; and
WHEREAS, team members Zach Karr, Alec Karr, Tyler Synovec, Tyler Push, and Charlie Rex displayed remarkable teamwork, sportsmanship, and skill; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Fremont High School boys bowling team for winning the 2015 Nebraska High School Bowling Federation Class A Boys State Championship.
2. That a copy of this resolution be sent to the Fremont High School boys bowling team and their coaches.

Laid over.

**LEGISLATIVE RESOLUTION 95.** Introduced by Larson, 40.

- WHEREAS, O'Neill High School won the 2015 Class C State Wrestling Championship; and
- WHEREAS, the O'Neill Eagles wrestling team scored 107 points to win the state championship; and
- WHEREAS, this is the O'Neill Eagles first state championship in wrestling; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the O'Neill High School wrestling team on winning the 2015 Class C State Wrestling Championship.
2. That a copy of this resolution be sent to the O'Neill High School wrestling team and their coaches, Bryan Corkle, Curtis Childers, and Tyler Cole.

Laid over.

**LEGISLATIVE RESOLUTION 96.** Introduced by Larson, 40.

- WHEREAS, Blake Walters, a senior at O'Neill High School, won the 2015 Class C State Wrestling Championship in the 152-pound division; and
- WHEREAS, Blake's win helped lead the O'Neill Eagles to a first-place team finish; and
- WHEREAS, Blake has medaled four times at the State Wrestling Championship and is a two-time state champion; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Blake Walters on his state wrestling championship.
2. That a copy of this resolution be sent to Blake Walters.

Laid over.

**LEGISLATIVE RESOLUTION 97.** Introduced by Larson, 40.

- WHEREAS, David Fox, a senior at O'Neill High School, won the 2015 Class C State Wrestling Championship in the 170-pound division; and
WHEREAS, David's win helped lead the O'Neill Eagles to a first-place team finish; and
WHEREAS, David is a two-time state champion in wrestling and finished this season with an undefeated record of 39-0; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates David Fox on his state wrestling championship.
2. That a copy of this resolution be sent to David Fox.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 304. Title read. Considered.

Committee AM286, found on page 457, was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

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

LEGISLATIVE BILL 366. Title read. Considered.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 98. Introduced by Schilz, 47.

WHEREAS, Derek Robb, a freshman at Sidney High School, won the 2015 Class B State Wrestling Championship in the 138-pound division; and WHEREAS, Derek finished this season with an undefeated record of 45-0; and WHEREAS, Derek displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Derek Robb on his state wrestling championship.
2. That a copy of this resolution be sent to Derek Robb.

Laid over.
LEGISLATIVE RESOLUTION 99. Introduced by Schilz, 47.

WHEREAS, Brody Cleveland, a senior at Ogallala High School, won the 2015 Class B State Wrestling Championship in the 195-pound division; and
WHEREAS, Brody finished this season with an undefeated record of 33-0; and
WHEREAS, Brody displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Brody Cleveland on his state wrestling championship.
2. That a copy of this resolution be sent to Brody Cleveland.

Laid over.

ANNOUNCEMENT(S)

The Legislative Performance Audit Committee designates LB538 as its priority bill.

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB504:

AM634

(Amendments to Standing Committee amendments, AM291)
1 1. On page 2, line 27, after "report" insert "substance abuse evaluation, ."
2 2. On page 3, line 9, strike "or" and show as stricken; in line 11
3 after "Act" insert ", or (d) a substance abuse therapist licensed or
4 certified in this state to conduct substance abuse evaluations and
5 treatment;"; in line 12, after "report" insert ", evaluation,"; strike
6 beginning with "Upon" in line 15 through the period in line 21 and insert
7 "Beginning July 1, 2016, the court shall permit inspection of the
8 presentence report or parts of the report, substance abuse evaluation, or
9 psychiatric examination, as determined by the court, by the attorney of
10 the offender and counsel for the prosecution. Such inspection shall be by
11 electronic access only, unless the court determines such access is not
12 available to the attorney of the offender or counsel for the prosecution.
13 The State Court Administrator shall determine and develop the means of
14 electronic access to such presentence report, evaluations, and
15 psychiatric examination, as determined by the court, by the attorney of
16 the offender and counsel for the prosecution. Such inspection shall be by
17 electronic access only, unless the court determines such access is not
18 available to the attorney of the offender or counsel for the prosecution.
19 3. On page 4, line 5, after "examinations, " insert "substance abuse evaluations, ", ".

Senator Bloomfield filed the following amendment to LB242:
AM356
1 1. On page 2, line 18, strike "twenty-four" and insert "twenty".

Senator Kintner filed the following amendment to LB10:
AM611
1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 32-710, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:
5 32-710 Each political party shall hold a state postprimary
6 convention biennially on a date to be fixed by the state central
7 committee but not later than September 1. Candidates for elective offices
8 may be nominated at such conventions pursuant to section 32-627 or
9 32-721. Such nominations shall be certified to the Secretary of State by
10 the chairperson and secretary of the convention. The certificates shall
11 have the same force and effect as nominations in primary elections. A
12 political party may not nominate a candidate at the convention for an
13 office for which the party did not nominate a candidate at the primary
14 election except as provided for new political parties in section 32-621.
15 The convention shall formulate and promulgate a state platform, select a
16 state central committee, select electors for President and Vice President
17 of the United States, and transact the business which is properly before
18 it. One presidential elector shall be chosen from each congressional
19 district, and two presidential electors shall be chosen at large. The
20 officers of the convention shall certify the names of the electors to the
21 Governor and Secretary of State.
22 Sec. 2. Section 32-713, Revised Statutes Cumulative Supplement,
23 2014, is amended to read:
24 32-713 (1) The certificates of appointment for presidential electors
25 shall be served by the Governor on each person appointed. The Governor
26 shall notify the presidential electors to be at the State Capitol at noon
27 on the first Monday after the second Wednesday in December after
28 appointment and report to the Governor at his or her office in the
29 capitol as being in attendance. The Governor shall serve the certificates
30 of appointment by registered or certified mail. In submitting this
31 state's certificate of ascertainment as required by 3 U.S.C. 6, the
32 Governor shall certify this state's presidential electors and state in
33 the certificate that:
34 (a) The presidential electors will serve as presidential electors
35 unless a vacancy occurs in the office of presidential elector before the
36 end of the meeting at which the presidential electors cast their votes,
37 in which case a substitute presidential elector will fill the vacancy;
38 and
39 (b) If a substitute presidential elector is appointed to fill a
40 vacancy, the Governor will submit an amended certificate of ascertainment
41 stating the names on the final list of this state's presidential
42 electors.
16 (2) The presidential electors shall convene at 2 p.m. of such Monday
17 at the Governor's office in the capitol. Each presidential elector shall
18 execute the following pledge: As a presidential elector duly selected (or
19 appointed) for this position, I agree to serve and to mark my ballots for
20 President and Vice President for the presidential and vice-presidential
21 candidates as provided in section 32-714 who received the highest number
22 of votes in the state if I am an at-large presidential elector or the
23 highest number of votes in my congressional district if I am a
24 congressional district presidential elector.
25 Sec. 3. Section 32-714, Revised Statutes Cumulative Supplement,
26 2014, is amended to read:
27 32-714 (1) The Governor shall provide each presidential elector with
28 a list of all the presidential electors. If any presidential elector is
29 absent or if there is a deficiency in the proper number of presidential
30 electors, those present shall elect from the citizens of the state so
31 many persons as will supply the deficiency and immediately issue a
1 certificate of election, signed by those present or a majority of them,
2 to the person or persons so chosen. In case of failure to elect as
3 required in this subsection by 3 p.m. of such day or in case of a vacancy
4 created under subsection (4) of this section, the Governor shall fill the
5 vacancies by appointment. Each appointee shall execute the pledge in
6 section 32-713. After all vacancies are filled, the presidential electors
7 shall proceed with the election of a President of the United States and a
8 Vice President of the United States and certify their votes in conformity
9 with the Constitution and laws of the United States.
10 (2)(a) The Secretary of State shall provide each presidential
11 elector with a presidential and vice-presidential ballot. Except as
12 otherwise provided in subdivision (b) of this subsection, each Each at-
13 large presidential elector shall mark his or her ballot for the
14 presidential and vice-presidential candidates who received the highest
15 number of votes in the state and consistent with his or her pledge. Each
16 congressional district presidential elector shall mark his or her ballot
17 for the presidential and vice-presidential candidates who received the
18 highest number of votes in his or her congressional district and
19 consistent with his or her pledge.
20 (b) If the Secretary of State determines that fifteen states have
21 adopted a method of selection of some or all of its presidential electors
22 based on the results of a popular vote in the congressional districts of
23 the state, then beginning January 1 following the determination, (i) one
24 presidential elector shall be chosen from each congressional district and
25 two presidential electors shall be chosen at large, (ii) each at-large
26 presidential elector shall mark his or her ballot for the presidential
27 and vice-presidential candidates who received the highest number of votes
28 in the state and consistent with his or her pledge and each congressional
29 district presidential elector shall mark his or her ballot for the
30 presidential and vice-presidential candidates who received the highest
31 number of votes in his or her congressional district and consistent with
1 his or her pledge, and (iii) receipt by the presidential electors of a
2 party or a group of petitioners of the highest number of votes statewide
3 shall constitute election of the two at-large presidential electors of
that party or group of petitioners and receipt by the presidential
electors of a party or a group of petitioners of the highest number of
votes in a congressional district shall constitute election of the
congressional district presidential elector of that party or group of
petitioners.
(3) Each presidential elector shall present the completed ballot to
the Secretary of State. The Secretary of State shall examine each ballot
and accept as cast each ballot marked by a presidential elector
consistent with his or her pledge. The Secretary of State shall not
accept and shall not count the ballot if the presidential elector has not
marked the ballot or has marked the ballot in violation of his or her
pledge.
(4) A presidential elector who refuses to present a ballot, who
attempts to present an unmarked ballot, or who attempts to present a
ballot marked in violation of his or her pledge vacates the office of
presidential elector.
Sec. 4. Section 32-1038, Reissue Revised Statutes of Nebraska, is
amended to read:
(1) The board of state canvassers shall authorize the
Secretary of State to open the abstracts of votes from the various
counties and prepare an abstract stating the number of ballots cast for
each office, the names of all the persons voted for, for what office they
respectively received the votes, and the number of votes each received.
The abstract shall be signed by the members of the board and shall have
the seal of the state affixed by the Secretary of State. The canvass of
the votes for candidates for President and Vice President of the United
States and the return thereof shall be a canvass and return of the votes
cast for the presidential electors of the same party or group of
petitioners respectively, and the certificate of such election made by
the Governor shall be in accord with such return. Receipt by the
presidential electors of a party or a group of petitioners of the highest
number of votes statewide shall constitute election of the two at-large
presidential electors of that party or group of petitioners except as
otherwise provided in section 32-714. Receipt by the presidential
electors of a party or a group of petitioners of the highest number of
votes in a congressional district shall constitute election of the
congressional district presidential elector of that party or group of
petitioners.
(2) The board of state canvassers shall determine from the completed
abstract the names of those candidates who have been nominated or
elected. If any two or more persons are returned with an equal and the
highest number of votes, the board of state canvassers shall decide by
lot which of such persons is elected except for officers elected to the
executive branch. The board of state canvassers shall also declare those
measures carried which have received the required percentage of votes as
provided by law.
Sec. 5. Original section 32-1038, Reissue Revised Statutes of
Nebraska, and sections 32-710, 32-713, and 32-714, Revised Statutes
21 Cumulative Supplement, 2014, are repealed.

**ANNOUNCEMENT(S)**

The General Affairs Committee designates LB330 as its priority bill.

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

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

Cook - LB472  
Kuehn - LB599

**VISITORS**

Visitors to the Chamber were 9 students from Doane College Leadership Studies, Crete.

The Doctor of the Day was Dr. Lakeisha Cox from Omaha.

**ADJOURNMENT**

At 12:00 p.m., on a motion by Senator Ebke, the Legislature adjourned until 9:00 a.m., Wednesday, March 4, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature
THIRTY-EIGHTH DAY - MARCH 4, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 4, 2015

PRAYER

The prayer was offered by Senator Kintner.

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 Murante who was excused; and Senators Davis, Hadley, Hansen, Kolowski, Schilz, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-seventh day was approved.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 361. Placed on General File.

(Signed) Mike Gloor, Chairperson

Agriculture

LEGISLATIVE BILL 85. Placed on General File.

(Signed) Jerry Johnson, Chairperson

Urban Affairs

LEGISLATIVE BILL 540. Placed on General File.

(Signed) Sue Crawford, Chairperson
Revenue

LEGISLATIVE BILL 156. Placed on General File with amendment. AM645
1 1. On page 2, lines 11 and 13, strike "five" and insert "four".

LEGISLATIVE BILL 200. Placed on General File with amendment. AM646
1 1. On page 2, line 11, after the period insert "This section
2 terminates three years after the effective date of this act."

LEGISLATIVE BILL 249. Placed on General File with amendment. AM622
1 1. On page 2, line 12, after "horses" insert "for breeding stock".

LEGISLATIVE BILL 408. Placed on General File with amendment. AM586
1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 77-1744, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 77-1744 The county treasurer shall not be entitled to credit on the
6 his final settlement for delinquent personal property tax until he or she
7 has filed with the clerk an affidavit that he or she has fully complied
8 with the provisions of sections 77-1715 to 77-1725.01 77-1726 relating to
9 the giving of notice and issuing of distress warrants and been unable to
10 collect the tax due thereon by reason of a want of personal property of
11 the owner thereof, and that to the best of his or her knowledge and
12 belief no personal property of any such owner is in the county.
13 Sec. 2. Original section 77-1744, Reissue Revised Statutes of
14 Nebraska, is repealed.
15 Sec. 3. The following section is outright repealed: Section
16 77-1726, Reissue Revised Statutes of Nebraska.

(Signed)  Mike Gloor, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Wednesday, March 11, 2015 1:30 p.m.

LB576

Wednesday, March 11, 2015 1:30 p.m.

LR73
COMMITTEE REPORT(S)
Health and Human Services

The Health and Human Services 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.

Laura A. Scholl - Board of Emergency Medical Services


The Health and Human Services 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.

John A. E. Craig - Nebraska Rural Health Advisory Commission


The Health and Human Services 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.

Teresa Konda - State Board of Health


(Signed) Kathy Campbell, Chairperson

GENERAL FILE

LEGISLATIVE BILL 366. Senator Coash offered the following amendment:

AM657
1 1. On page 2, line 5, strike "seventy-five" and insert "sixty".

The Coash amendment was adopted with 36 ayes, 5 nays, 4 present and not voting, and 4 excused and not voting.

Senator Pansing Brooks moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.
Senator Pansing Brooks requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 29:

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<tr>
<th>Baker</th>
<th>Crawford</th>
<th>Hadley</th>
<th>Kolowski</th>
<th>Nordquist</th>
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<tr>
<td>Bolz</td>
<td>Davis</td>
<td>Hansen</td>
<td>Krist</td>
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<td>Campbell</td>
<td>Friesen</td>
<td>Harr, B.</td>
<td>Kuehn</td>
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<td>Chambers</td>
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<td>McCollister</td>
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<td>Gloor</td>
<td>Howard</td>
<td>Mello</td>
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<tr>
<td>Cook</td>
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<td>Hughes</td>
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Voting in the negative, 12:

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<th>Brasch</th>
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<td>Craighead</td>
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<td>Lindstrom</td>
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<td>Ebke</td>
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Present and not voting, 5:

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<th>Schnoor</th>
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Excused and not voting, 3:

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<th>Murante</th>
<th>Schilz</th>
<th>Watermeier</th>
</tr>
</thead>
</table>

Advanced to Enrollment and Review Initial with 29 ayes, 12 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 366A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 9 nays, 7 present and not voting, and 3 excused and not voting.

**COMMITTEE REPORT(S)**

**Urban Affairs**

**LEGISLATIVE BILL 378.** Placed on General File with amendment.

AM379

1. Strike original section 1 and insert the following new section:

2. Section 1. Section 16-697.02, Reissue Revised Statutes of Nebraska, 3 is amended to read:

4. 16-697.02. (1) The mayor and city council of any first-class city 5 shall have power to borrow money and pledge the property and credit of 6 the city upon its negotiable bonds or otherwise, for the purpose of 7 purchasing and improving land for parks, recreational facilities, and 8 public grounds, authority therefor having first been obtained by a
9 majority vote of the qualified electors of the city voting on such
10 question at any general city election of such city or at an election
11 called for that purpose, upon a proposition or propositions submitted in
12 the manner provided by law for the submission of propositions to aid in
13 the construction of railroads and other works of internal improvement.
14 (2) The mayor and city council shall identify the specific type of
15 security pledge securing any financing or bond issue in the proposition
16 to borrow money and pledge the property and credit of the city upon its
17 negotiable bonds or otherwise for the purposes described in subsection
18 (1) of this section. The proposition with language identifying the
19 specific type of security pledged to be used shall be placed on the
20 ballot to be voted on by the qualified electors of the city.
21 (3) If the mayor and city council decide to issue refunding bonds
22 under section 10-142 for bonds issued pursuant to this section that
23 change the specific type of security pledged, authority therefor must
24 first be obtained by a majority vote of the qualified electors of the
25 city voting on such refinancing proposition at any general city election
26 of such city or at an election called for that purpose.

(Signed) Sue Crawford, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 100. Introduced by Stinner, 48.

WHEREAS, Ben Rodriguez, a sophomore at Scottsbluff High School,
won the 2015 Class B State Wrestling Championship in the 132-pound
division; and
WHEREAS, Ben's win helped lead the Scottsbluff Bearcats to a second-
place team finish; and
WHEREAS, this is Ben's first state championship in wrestling; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST
SESSION:
1. That the Legislature congratulates Ben Rodriguez on his state wrestling
   championship.
2. That a copy of this resolution be sent to Ben Rodriguez.

Laid over.

LEGISLATIVE RESOLUTION 101. Introduced by Stinner, 48.

WHEREAS, Lia Selvey is a freshman member of the Scottsbluff/Gering
Seacats swimming and diving team; and
WHEREAS, Lia won the Special Olympics girls 50 Yard Freestyle with a
season-best time at the 2015 State Swimming and Diving Championships; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Lia Selvey on winning the Special Olympics girls 50 Yard Freestyle at the 2015 State Swimming and Diving Championships.
2. That a copy of this resolution be sent to Lia Selvey.

Laid over.

LEGISLATIVE RESOLUTION 102. Introduced by Stinner, 48.

WHEREAS, Keegan Hessler, a senior at Scottsbluff High School, won the 2015 Class B State Wrestling Championship in the 120-pound division; and
WHEREAS, Keegan's win helped lead the Scottsbluff Bearcats to a second-place team finish; and
WHEREAS, Keegan is a two-time state champion in wrestling; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Keegan Hessler on his state wrestling championship.
2. That a copy of this resolution be sent to Keegan Hessler.

Laid over.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 10. Placed on Select File with amendment.
ER44
1 1. On page 1, line 1, strike "presidential electors" and insert 2 "elections"; and in line 4 after "to" insert "state political party 3 conventions, selection of presidential electors, and".

LEGISLATIVE BILL 431. Placed on Select File with amendment.
ER45
1 1. On page 2, line 22, strike "rate" and insert "date".

(Signed) Matt Hansen, Chairperson
GENERAL FILE

LEGISLATIVE BILL 504. Title read. Considered.

Committee AM291, found on page 470, was offered.

Senator Krist offered his amendment, AM634, found on page 710, to the committee amendment.

The Krist amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 504A. Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 128. Title read. Considered.

SPEAKER HADLEY PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 12 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 103. Introduced by Davis, 43.

WHEREAS, Willy Cogdill, a senior at Chadron High School, won the 2015 Class B State Wrestling Championship in the 182-pound division; and
WHEREAS, Willy displayed outstanding determination, perseverance, and skill in winning the state championship; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Willy Cogdill on his state wrestling championship.
2. That a copy of this resolution be sent to Willy Cogdill.

Laid over.

LEGISLATIVE RESOLUTION 104. Introduced by Davis, 43.

WHEREAS, the Valentine High School wrestling team finished second at the 2015 Class C State Wrestling Championships; and
WHEREAS, the Valentine Badgers showed outstanding determination, teamwork, and skill during the competition and earned a team score of 105 points; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates the Valentine High School wrestling team for finishing second at the 2015 Class C State Wrestling Championships.
2. That a copy of this resolution be sent to the Valentine High School wrestling team.

Laid over.

LEGISLATIVE RESOLUTION 105. Introduced by Campbell, 25.

WHEREAS, My'Kah Knowlin, age 13, a student at Lux Middle School in Lincoln, has achieved national recognition for exemplary volunteer service by being named a Distinguished Finalist for the 2015 Prudential Spirit of Community Award; and
WHEREAS, this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and
WHEREAS, Ms. Knowlin earned this honor by giving generously of her time and energy to collect more than 3,000 books and 5,000 toys and donate them to children in need. She also hosted a Christmas party for preschool students in a school where most of the students are eligible for the free and reduced lunch program; and
WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Ms. Knowlin who use their considerable talents and resources to serve others.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates My'Kah Knowlin for being named a Distinguished Finalist for the 2015 Prudential Spirit of Community Award.
2. That a copy of this resolution be sent to My'Kah Knowlin.

Laid over.

ANNOUNCEMENT(S)

Senator Lindstrom designates LB469 as his priority bill.

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 310. Placed on General File.
LEGISLATIVE BILL 328. Placed on General File.
LEGISLATIVE BILL 412. Placed on General File.

LEGISLATIVE BILL 413. Placed on General File with amendment. AM566

1. Insert the following new sections:
2. Sec. 4. The Environmental Infrastructure Sustainability Fund is created. The fund shall be administered by the department. Revenue from the following sources shall be credited to the fund: (1) Application fees collected under section 5 of this act; (2) reimbursements for actual costs necessary to complete environmental infrastructure sustainability evaluations as authorized under section 3 of this act; (3) supplemental environmental projects resulting from enforcement settlements; and (4) gifts, grants, reimbursements, or appropriations from any source intended to be used for purposes of section 3 of this act. The fund shall be used by the department to offset costs related to the completion of environmental infrastructure sustainability evaluations as authorized by section 3 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 5. Any political subdivision requesting an evaluation authorized under section 3 of this act shall submit a request on a form approved by the department and provide the department with an application fee not to exceed five thousand dollars. If the costs of the department exceed the initial deposit, the department and political subdivision shall enter into an agreement establishing a schedule for the payment of additional costs by the political subdivision. After the completion of the environmental infrastructure sustainability evaluation, any balance of funds paid under this section shall be refunded to the political subdivision.

Sec. 6. The council shall adopt and promulgate rules and regulations to establish a tiered application fee schedule to be charged to political subdivisions requesting an environmental infrastructure sustainability evaluation as authorized under section 3 of this act.
4 rules and regulations shall take into account the population of a
5 political subdivision and any financial hardship that may impact the
6 ability to pay the application fee.
7 2. On page 22, lines 14 and 21, strike "shall" and insert "may".
8 3. On page 23, line 10, strike "section 3" and insert "sections 3 to
9 6".
10 4. Renumber the remaining sections accordingly.

The Natural Resources 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.

Henry H. (Hod) Kosman - Nebraska Natural Resources Commission

Aye: 8 Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister,
Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Ken Schilz, Chairperson

GENERAL FILE

LEGISLATIVE BILL 242. Title read. Considered.

Committee AM357, found on page 493, was offered.

Senator Johnson moved for a call of the house. The motion prevailed with
28 ayes, 0 nays, and 21 not voting.

Senator Larson requested a roll call vote, in reverse order, on the committee
amendment.

Voting in the affirmative, 19:

Baker    Cook    Harr, B.    Kolowski    Schilz
Campbell Davis    Howard    Krist      Schumacher
Chambers Groene  Johnson  Nordquist  Sullivan
Coash    Haar, K.  Kintner  Pansing    Brooks

Voting in the negative, 18:

Bloomfield Hilkemann  Lindstrom  Scheer  Watermeier
Brasch    Hughes    McCollister  Schnoor  Williams
Ebke     Kolterman  McCoy    Seiler
Friesen  Kuehn      Riepe  Stinner

Present and not voting, 9:

Bolz     Garrett    Hadley    Larson    Smith
Crawford Gloor     Hansen   Mello
Excused and not voting, 3:

Craighead    Morfeld    Murante

The committee amendment lost with 19 ayes, 18 nays, 9 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 177.** Placed on Final Reading Second.

ST14

(Final Reading copy)
The following changes, required to be reported for publication in the Journal, have been made:

1. In the Haar amendment, AM434, on page 2, line 13, "district" has been struck and "districts" inserted.

(Signed) Matt Hansen, Chairperson

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

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

Ebke - LB357

**VISITORS**

Visitors to the Chamber were Senator Schnoor's brother, Brian, and nephew, Owen, from Scribner; and 11 eleventh- and twelfth-grade students from Fairbury.

The Doctor of the Day was Dr. Michelle Sell from Central City.

**ADJOURNMENT**

At 12:08 p.m., on a motion by Senator Hilkemann, the Legislature adjourned until 9:00 a.m., Thursday, March 5, 2015.

Patrick J. O'Donnell
Clerk of the Legislature
THIRTY-NINTH DAY - MARCH 5, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 5, 2015

PRAYER

The prayer was offered by Pastor Leon Rosenthal, Christ 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 Davis, Kintner, Murante, and Schilz who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 23. Placed on Final Reading.
LEGISLATIVE BILL 34. Placed on Final Reading.
LEGISLATIVE BILL 35. Placed on Final Reading.
LEGISLATIVE BILL 155. Placed on Final Reading.
LEGISLATIVE BILL 164. Placed on Final Reading.

LEGISLATIVE BILL 179. Placed on Final Reading.

ST12

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

1. Original section 1 and all amendments thereto have been struck.
2. On page 1, line 2; and page 7, line 22, "81-2104," has been struck.
3. On page 1, the matter beginning with "require" in line 3 through "education" in line 4 has been struck and "change provisions for renewal of registration for apprentices as prescribed; to provide for continuing education as prescribed; to eliminate obsolete provisions" inserted.
4. Sections 2 to 5 have been renumbered as sections 1 to 4, respectively.
LEGISLATIVE BILL 207. Placed on Final Reading.
LEGISLATIVE BILL 279. Placed on Final Reading.

LEGISLATIVE BILL 439. Placed on Final Reading.
ST11
The following changes, required to be reported for publication in the Journal, have been made:
   1. In lieu of the Morfeld amendment, FA27, in the Morfeld amendment, AM441, on page 5, the matter beginning with "or" in line 1 through "section" in line 2 has been struck.

(Signed) Matt Hansen, Chairperson

MOTION - Print in Journal

Senator Larson filed the following motion to LB242:
MO40
Reconsider the vote taken on AM357.

MESSAGE(S) FROM THE GOVERNOR

March 3, 2015

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

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

Contingent upon your approval, the following individual is being appointed to the Nebraska Arts Council:

Reven Wright, 21 Red Fox Lane, Kearney, NE 68845

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

Sincerely,
(Signed) Pete Ricketts
Governor
Enclosure

AMENDMENT(S) - Print in Journal

Senator Garrett filed the following amendment to LB643:
AM680 is available in the Bill Room.
THIRTY-NINTH DAY - MARCH 5, 2015

ANNOUNCEMENT(S)

The Business and Labor Committee designates LB627 as its priority bill.

CORRECTED COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 378. Corrected amendment:

AM637

1 1. Strike original section 1 and insert the following new section:
2 Section 1. Section 16-697.02, Reissue Revised Statutes of Nebraska,
3 is amended to read:
4 16-697.02 (1) The mayor and city council of any first-class city
5 shall have power to borrow money and pledge the property and credit of
6 the city upon its negotiable bonds or otherwise, for the purpose of
7 purchasing and improving land for parks, recreational facilities, and
8 public grounds, authority therefor having first been obtained by a
9 majority vote of the qualified electors of the city voting on such
10 question at any general city election of such city or at an election
11 called for that purpose, upon a proposition or propositions submitted in
12 the manner provided by law for the submission of propositions to aid in
13 the construction of railroads and other works of internal improvement.
14 (2) The mayor and city council shall identify the specific type of
15 security pledge securing any financing or bond issue in the proposition
16 to borrow money and pledge the property and credit of the city upon its
17 negotiable bonds or otherwise for the purposes described in subsection
18 (1) of this section. The proposition with language identifying the
19 specific type of security pledged to be used shall be placed on the
20 ballot to be voted on by the qualified electors of the city.
21 (3) If the mayor and city council decide to issue refunding bonds
22 under section 10-142 for bonds issued pursuant to this section that
23 change the specific type of security pledged from revenue bonds to
24 general obligation bonds, authority therefor must first be obtained by a
25 majority vote of the qualified electors of the city voting on such
26 refinancing proposition at any general city election of such city or at
27 an election called for that purpose.

(Signed) Sue Crawford, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 106. Introduced by Hughes, 44.

WHEREAS, Hitchcock County Elementary School in Culbertson was
named a 2014 Title I Distinguished School by the National Title I
Association; and
WHEREAS, the National Title I Association has been selecting examples of superior Title I school programs for national recognition through the National Title I Distinguished Schools program since 1996; and
WHEREAS, Hitchcock County Elementary School was recognized at the 2015 National Title I Conference as a school in "Category 2: Closing the Achievement Gap Between Student Groups"; 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 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
1. That the Legislature congratulates Hitchcock County Elementary School in being named a 2014 Title I Distinguished School by the National Title I Association.
2. That a copy of this resolution be sent to Hitchcock County Elementary School.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Smith - LB350
Williams - LB268

VISITOR

The Doctor of the Day was Dr. George Voigtlander from Pawnee City.

ADJOURNMENT

At 9:18 a.m., on a motion by Senator Lindstrom, the Legislature adjourned until 9:00 a.m., Friday, March 6, 2015.

Patrick J. O'Donnell
Clerk of the Legislature