THIRTY-FIFTH DAY - FEBRUARY 27, 2015

LEGISLATIVE JOURNAL

ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 27, 2015

PRAYER

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
3 amended to read:
4 54-2604 (1) Except as provided in subsection (2) of this section, a
5 packer shall not:
6 (a) Directly or indirectly own, control, or operate a livestock
7 operation in this state; or
8 (b) Directly or indirectly be engaged in the ownership, keeping, or
9 feeding of livestock, other than temporary ownership, keeping, and
10 feeding not to exceed fourteen days which is necessary and incidental to,
11 and immediately prior to, the process of slaughter.
12 (2) Subdivision (1)(b) of this section does not apply to the
13 ownership, keeping, or feeding of swine by a packer at one or more
14 contract swine operations in this state if the packer does not own, keep,
15 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
State Capitol
Lincoln, NE 68509

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:

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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. 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.

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:

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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. 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, 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. 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 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    Friesen    Hughes    Mello    Seiler  
Bolz     Garrett    Johnson   Morfeld  Smith    
Brasch   Gloor      Kintner   Murante  Stinner  
Campbell Groene    Kollowski 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, 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:
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 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:

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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 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
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 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:
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 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  Seiler
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
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Craighead  Hansen  Kuehn  Scheer
Crawford  Harr, B.  Larson  Schilz
Davis  Hilkenmann  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 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 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 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.

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:

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.

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:

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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:
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:

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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:

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

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. 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.
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. 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 IIIA 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; and

(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.

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.

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.

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

(ii) For the second offense, such person is guilty of a Class II misdemeanor.

(iii) For the third or subsequent offense, such person is guilty of a Class I misdemeanor.

(b) If the person convicted or adjudicated of violating such section has no 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.

(ii) For the second offense, such person is guilty of a Class II misdemeanor.

(iii) For the third or subsequent offense, such person is guilty of a Class I misdemeanor.
5 adjudication, impound any such licenses or permits for thirty days and 
6 require such person to attend an alcohol education class;
7 (jj 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
32 based on the officer's compliance or failure to comply with subsection
33 (3) of this section.
34 Sec. 3. Original section 53-181, Reissue Revised Statutes of
35 Nebraska, and section 53-180.05, Revised Statutes Cumulative Supplement,
36 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
Boz  Friesen  Johnson  Mello  Seiler
Brasch  Garrett  Kintner  Murante  Smith
Campbell  Groene  Kolowski  Nordquist  Stinner
Chambers  Krist  Kolterm an  Pansing Brooks  Sullivan
Craighead  Hadley  Kuehn  Riepe  Watermeier
Crawford  Haar, K.  Krist  Riepe  Watermeier

(Signed) Burke Harr, Chairperson
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
Bolz         Garrett      Johnson       Murante         Stinner
Brasch       Gloor        Kintner       Nordquist       Watermeier
Campbell     Groene       Kolowski      Pansing         Brooks Williams
Chambers     Haar, K.     Koltermann    Riepe
Craighead    Hadley       Krist         Schilz
Crawford     Hansen       Kuehn         Schnoor
Davis        Hilkemann    Kuehn         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