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Transcriber's Office

Floor Debate  
February 03, 2016

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[LB28 LB53 LB221 LB295 LB311 LB378 LB400 LB400A LB692 LB695 LB699 LB702  
LB708 LB726 LB734 LB737 LB751 LB759 LB760 LB761 LB771 LB775 LB785 LB801  
LB837 LB853 LB876 LB942 LB1035 LR26CA LR378CA LR423 LR429]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE NINETEENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR SCHEER. PLEASE RISE.

SENATOR SCHEER: (PRAYER OFFERED.)

SPEAKER HADLEY: THANK YOU, SENATOR SCHEER. I CALL TO ORDER THE NINETEENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SPEAKER HADLEY: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: MR. PRESIDENT, ON PAGE 477, IN LINE 20, AFTER THE NUMBER "LB828" INSERT "(REHEARING)." THAT'S ALL THAT I HAVE, MR. PRESIDENT.

SPEAKER HADLEY: THANK YOU. ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB759, LB760, LB761, LB771, LB699, LB751, LB695, LB702, LB775, LB737, LB876, LB853, AND LR26CA TO SELECT FILE, SOME OF WHICH HAVE ENROLLMENT AND REVIEW AMENDMENTS ATTACHED. YOUR COMMITTEE ON BANKING, COMMERCE AND INSURANCE, CHAIRED BY SENATOR SCHEER, REPORTS LB837, LB942 TO GENERAL FILE, LB1035 TO GENERAL FILE WITH AMENDMENTS. I ALSO HAVE A CONFIRMATION REPORT FROM THE BANKING COMMITTEE AND A GUBERNATORIAL APPOINTMENT LETTER APPOINTING MR. EDWARD TONER CHIEF INFORMATION OFFICER. THAT WILL BE REFERRED TO REFERENCE. THAT'S

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ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 483-485.) [LB759 LB760 LB761 LB771 LB699 LB751 LB695 LB702 LB775 LB737 LB876 LB853 LR26CA LB837 LB942 LB1035]

SPEAKER HADLEY: THANK YOU, MR. CLERK. WHILE THE LEGISLATURE IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR423. WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA, MR. CLERK. [LR423]

CLERK: MR. PRESIDENT, LB295 IS A BILL ORIGINALLY INTRODUCED BY SENATOR SCHEER. (READ TITLE.) INTRODUCED ON JANUARY 15 OF LAST YEAR, AT THAT TIME REFERRED TO THE URBAN AFFAIRS COMMITTEE, THE BILL WAS ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS. (AM323, LEGISLATIVE JOURNAL PAGE 538, FIRST SESSION, 2015.) [LB295]

SPEAKER HADLEY: THANK YOU, MR. CLERK. SENATOR SCHEER, YOU'RE RECOGNIZED TO OPEN ON LB295. [LB295]

SENATOR SCHEER: THANK YOU, MR. SPEAKER. LB295 WILL SERVE TO PROVIDE PROTECTIONS TO RESIDENTS THAT LIVE IN COUNTIES BUT WITHIN A CITY'S EXTRATERRITORIAL ZONING JURISDICTION. ESSENTIALLY WHAT THIS WILL ALLOW IS THAT IF A CITY CHANGES THE ZONING OR DOES SOMETHING IN THAT AREA, IT PROVIDES THAT THE COUNTY GOVERNMENT, SUPERVISORS, COMMISSIONERS, WHATEVER IT MIGHT BE, ARE ABLE TO HAVE AN OPPORTUNITY TO SEND A LETTER OF SUPPORT OR OPPOSITION BEFORE AN ACTION IS TAKEN IN RELATIONSHIP TO THIS. THE ORIGINAL BILL'S STATED INTENT WAS TO ALLOW THE COUNTY TO ALSO HAVE TO APPROVE THIS CHANGE. I HAVE WORKED WITH THE LEAGUE OF MUNICIPALITIES. THERE WAS SOME CONCERN ON THEIR PART IT MIGHT IMPEDE THE GROWTH OF THE COMMUNITIES AND I DIDN'T DISAGREE. AND SO WE'VE COME UP WITH A COMPROMISE, WHICH IS PART OF THE COMMITTEE AMENDMENT, TO ALLOW JUST FOR A LETTER OF OPPOSITION OR SUPPORT IN THE CASE OF THESE TYPE OF ENTITIES. SO I WON'T TAKE A LOT OF TIME. I AM SUPPORTIVE OF THE COMMITTEE AMENDMENT AND WOULD URGE YOUR SUPPORT OF BOTH THE COMMITTEE AMENDMENT, THE CRAWFORD AMENDMENT, AND THE UNDERLYING BILL, LB295. THANK YOU. [LB295]

SPEAKER HADLEY: THANK YOU, SENATOR SCHEER, FOR OPENING ON LB295. (DOCTOR OF THE DAY INTRODUCED.) SENATOR CRAWFORD, AS CHAIR OF THE

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URBAN AFFAIRS COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENT. [LB295]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. THE COMMITTEE AMENDMENT, AM323, IS A WHITE-COPY AMENDMENT THAT REPLACES THE UNDERLYING BILL. AS SENATOR SCHEER STATED, THE AMENDMENT REFLECTS A COMPROMISE REACHED LAST YEAR BETWEEN THE LEAGUE OF MUNICIPALITIES AND THE NEBRASKA ASSOCIATION OF COUNTY OFFICIALS. THE EXTRATERRITORIAL ZONING JURISDICTION OF A MUNICIPALITY, COMMONLY REFERRED TO AS THE ETJ, GENERALLY CONSISTS OF THE CONTIGUOUS UNINCORPORATED LAND WITHIN A CERTAIN RADIUS OF ITS CORPORATE LIMITS. THE SIZE OF THE MUNICIPALITY'S ETJ VARIES ACCORDING TO ITS CLASSIFICATION. CITIES OF THE METROPOLITAN AND PRIMARY CLASS HAVE A THREE-MILE ETJ, CITIES OF THE FIRST CLASS HAVE A TWO-MILE ETJ, AND CITIES OF THE SECOND CLASS AND VILLAGES HAVE A ONE-MILE ETJ. MUNICIPALITIES HAVE THE AUTHORITY TO ENFORCE SUBDIVISION AGREEMENTS, ZONING ORDINANCES, BUILDING CODES, AND NUISANCE ORDINANCES WITHIN THEIR ETJ. THE GREEN COPY OF THE BILL WOULD HAVE ESSENTIALLY REQUIRED COUNTY APPROVAL BEFORE MUNICIPALITIES COULD ENFORCE ANY ORDINANCES WITHIN THE ETJ, WHICH WOULD HAVE BEEN A MONUMENTAL SHIFT IN POLICY. UNDER AM323, A CITY OF THE FIRST CLASS, CITY OF THE SECOND CLASS, OR A VILLAGE WOULD INSTEAD HAVE TO PROVIDE NOTICE AND AN OPPORTUNITY TO COMMENT TO THE COUNTY BOARD IN ANY COUNTY IN WHICH THE CITY OR VILLAGE HAS ETJ AUTHORITY. THIS REQUIREMENT DOES NOT APPLY TO CITIES OR VILLAGES LOCATED IN A COUNTY WITH A POPULATION GREATER THAN 100,000 OR IN COUNTIES WHERE THE CITY AND THE COUNTY HAVE A JOINT PLANNING COMMISSION OR JOINT PLANNING DEPARTMENT. THESE COUNTIES HAVE OTHER PROVISIONS ALREADY TO ADDRESS THIS ISSUE. THANK YOU, MR. PRESIDENT. [LB295]

SPEAKER HADLEY: SENATOR CRAWFORD, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT TO THE COMMITTEE AMENDMENTS. (AM556, LEGISLATIVE JOURNAL PAGE 1465, FIRST SESSION, 2015.) [LB295]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AFTER LB295 WAS ADVANCED FROM COMMITTEE, ADVOCATES FOR CITIES RECOMMENDED THAT WE MAKE IT EVEN MORE CLEAR THAT ONCE A COUNTY BOARD HAD SUBMITTED COMMENTS OR RECOMMENDATIONS TO THE CITY OR VILLAGE, THE CITY OR VILLAGE COULD TAKE ACTION BEFORE THE EXPIRATION OF THE 30-DAY COMMENT PERIOD. AM556 CLARIFIES THAT LANGUAGE FURTHER WITHIN THE

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COMMITTEE AMENDMENT. IT'S A WHITE-COPY AMENDMENT THAT REPLACES THE COMMITTEE AMENDMENT. I WOULD ASK FOR YOUR GREEN VOTE TO ADOPT AM556. THANK YOU, MR. PRESIDENT. [LB295]

SPEAKER HADLEY: THANK YOU, SENATOR CRAWFORD. YOU'VE HEARD THE OPENING, THE URBAN AFFAIRS COMMITTEE, AND THE AMENDMENT TO THE COMMITTEE AMENDMENT. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB295]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, IN VIEW OF THE FACT THAT WE'RE APPROACHING THE...WELL, WE'RE IN THE MIDST OF THE CAMPAIGN SEASON FOR PRESIDENT. YOU CAN'T BE TOO CAREFUL ABOUT WHAT'S GOING ON NOT ONLY HERE BUT IN THE WORLD, TOO. SO IN TRYING TO EXERCISE THAT CAUTION AND PRUDENCE, I WOULD LIKE TO ASK SENATOR SCHEER A QUESTION OR TWO IF I MAY. [LB295]

SPEAKER HADLEY: SENATOR SCHEER, WILL YOU YIELD TO A QUESTION? [LB295]

SENATOR SCHEER: YES, I WILL. [LB295]

SENATOR CHAMBERS: SENATOR SCHEER, IN THE ONE-LINER IT SAYS, REQUIRE MUNICIPALITIES TO HAVE COUNTY APPROVAL BEFORE ENFORCING ORDINANCES IN THE EXTRATERRITORIAL ZONING JURISDICTION. EXTRATERRITORIAL GENERALLY MEANS OUTSIDE OF THE ORDINARY TERRITORY, IS THAT TRUE? [LB295]

SENATOR SCHEER: THAT IS CORRECT. [LB295]

SENATOR CHAMBERS: NOW CHINA SUPPOSEDLY BUILT AN ISLAND WHICH IS NOT REALLY WITHIN THEIR JURISDICTION. DOES THIS IN ANY WAY HAVE A BEARING ON THAT SITUATION, TO YOUR KNOWLEDGE? [LB295]

SENATOR SCHEER: I BELIEVE THAT IS FAR OUTSIDE ANY TERRITORIAL DISPUTES THAT WOULD BE INVOLVED WITH THE UNITED STATES. [LB295]

SENATOR CHAMBERS: THANK YOU. I APPRECIATE THAT. BUT YOU WON'T BE UPSET IF I DO A LITTLE MORE RESEARCH ON MY OWN? [LB295]

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SENATOR SCHEER: OH, PLEASE DO. [LB295]

SENATOR CHAMBERS: AND SHOULD I DISCOVER ANYTHING, I'LL PASS IT ON TO YOU AWAY FROM THE MIKE. [LB295]

SENATOR SCHEER: I APPRECIATE THAT VERY MUCH, SENATOR. [LB295]

SENATOR CHAMBERS: I FEEL MUCH BETTER. THANK YOU. [LB295]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB295]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR SCHEER WOULD YIELD. [LB295]

SPEAKER HADLEY: SENATOR SCHEER, WILL YOU YIELD? [LB295]

SENATOR SCHEER: YES, I WILL. [LB295]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. WE JUST HAD A BRIEF DISCUSSION OFF OF THE MIKE ABOUT A BRIDGE THAT THE CITY WOULD LIKE TO CLOSE UP IN NORFOLK AND THE COUNTY IS PROHIBITED FROM DOING IT. WOULD YOU MAKE CLEAR THAT THAT IS NOT INVOLVED IN THIS SITUATION? [LB295]

SENATOR SCHEER: THIS BILL ONLY HAS TO DO WITH ZONING AND PERMITTING JURISDICTION WITHIN THAT TWO-MILE TERRITORY, THREE-MILE TERRITORY. [LB295]

SENATOR BLOOMFIELD: WELL, AGAIN, IN THE ONE-LINER IT DOES SAY SOMETHING ABOUT STRUCTURES AND I JUST...I WANTED TO BE SURE THAT THE STRUCTURES WERE NOT INCLUDING A BRIDGE. [LB295]

SENATOR SCHEER: NO, IT WOULD NOT. [LB295]

SENATOR BLOOMFIELD: THANK... [LB295]

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SENATOR SCHEER: WELL, NOT A MUNICIPAL...NOT IN REFERENCE TO A BRIDGE. IT WOULD IF SOMEBODY WANTED TO BUILD A HOUSE, THOSE TYPE OF ZONING ORDINANCES AND PERMITS CERTAINLY AS FAR AS CONSTRUCTION. BUT THIS WOULD NOT ENTAIL THAT IN RELATIONSHIP TO MUNICIPAL OR COUNTY ROADS, LET'S PUT IT THAT WAY. [LB295]

SENATOR BLOOMFIELD: THIS WOULD NOT CURTAIL THE COUNTY'S RIGHTS TO MAINTAIN THAT THE CITY KEEP THAT BRIDGE IN PLACE THEN? [LB295]

SENATOR SCHEER: NO. [LB295]

SENATOR BLOOMFIELD: OKAY, THANK YOU. [LB295]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR BURKE HARR, YOU'RE RECOGNIZED. NOT SEEING SENATOR HARR, SENATOR JOHNSON, YOU ARE RECOGNIZED. [LB295]

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. I THOUGHT I'D PROBABLY GET INVOLVED IN THIS A LITTLE BIT IF SENATOR SCHEER WOULD YIELD TO A QUESTION. [LB295]

SPEAKER HADLEY: SENATOR SCHEER, WILL YOU YIELD TO A QUESTION? [LB295]

SENATOR SCHEER: YES, I WILL. [LB295]

SENATOR JOHNSON: THE CHANGE FROM AN APPROVAL TO A COMMENT PERIOD, DOES THIS MEAN THEN THAT THE COUNTY WOULD SEND A LETTER BACK WITH THEIR THOUGHTS, THEIR RECOMMENDATIONS, BUT THE FINAL DECISION WOULD STILL BE UP TO THE MUNICIPALITY? [LB295]

SENATOR SCHEER: WITH THE COMMITTEE AMENDMENT, THAT IS CORRECT. [LB295]

SENATOR JOHNSON: THAT IS CORRECT? THANK YOU. THAT'S ALL I HAVE. THANK YOU. [LB295]

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SPEAKER HADLEY: IS THERE ANYONE WISHING FURTHER TO SPEAK ON AM556? SEEING NONE, SENATOR CRAWFORD, YOU'RE RECOGNIZED TO CLOSE ON AM556. [LB295]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AM556 JUST FURTHER CLARIFIES THE PROCESS AND INDICATES THAT MUNICIPALITIES CAN MOVE FORWARD AFTER THEY HAVE RECEIVED THE COMMENTS OR AT THE EXPIRATION OF THE 30 DAYS. THANK YOU, MR. PRESIDENT. [LB295]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING ON AM556. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF THE AMENDMENT. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB295]

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE AMENDMENT TO THE COMMITTEE AMENDMENTS. [LB295]

SPEAKER HADLEY: THE AMENDMENT IS ADOPTED. WE WILL RETURN TO DISCUSSION ON AM323, THE URBAN AFFAIRS COMMITTEE AMENDMENT. ANYONE WISHING TO SPEAK ON THAT AMENDMENT? SEEING NONE, SENATOR CRAWFORD, YOU'RE RECOGNIZED. SENATOR CRAWFORD WAIVES CLOSING ON AM323. THE QUESTION IS THE ADOPTION OF THE AMENDMENT. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. HAVE ALL VOTED? RECORD, MR. CLERK. [LB295]

CLERK: 32 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LB295]

SPEAKER HADLEY: THE AMENDMENT IS ADOPTED. DISCUSSION ON THE ADVANCEMENT OF LB295 TO E&R INITIAL. SEEING NO ONE IN THE QUEUE, SENATOR SCHEER, YOU'RE RECOGNIZED. SENATOR SCHEER WAIVES CLOSING. THE QUESTION IS THE ADVANCEMENT OF LB295 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH TO? RECORD, MR. CLERK. [LB295]

CLERK: 35 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB295. [LB295]

SPEAKER HADLEY: THE BILL ADVANCES. MR. CLERK. [LB295]

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CLERK: LB221 IS BY SENATOR BURKE HARR. (READ TITLE.) INTRODUCED ON JANUARY 13 OF LAST YEAR, REFERRED TO THE JUDICIARY COMMITTEE, THE BILL WAS ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM467, LEGISLATIVE JOURNAL PAGE 611, FIRST SESSION, 2015.) [LB221]

SPEAKER HADLEY: SENATOR HARR, YOU'RE RECOGNIZED TO OPEN ON LB221. [LB221]

SENATOR HARR: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. I'M HERE ON LB221 WHICH WAS BROUGHT TO ME AS A CONCERN BY A CONSTITUENT IN 2013. I WANT TO THANK THE JUDICIARY COMMITTEE FOR VOTING THIS BILL OUT. IN MY DISTRICT WE HAVE A LOT OF RENTAL PROPERTY. AND I HAD A CONSTITUENT ASK HOW A DECEASED TENANT'S PROPERTY SHOULD BE ADDRESSED. UNDER THE CURRENT LAWS, LANDLORDS ARE DIRECTED TO LOCK DOWN THE RESIDENCE. THE COURT THEN AUTHORIZES A PERSON TO BECOME THE PERSONAL REPRESENTATIVE OF THE ESTATE, WHICH REQUIRES PROBATE. IN MANY CASES, HOWEVER, FAMILIES DO NOT HAVE A DESIRE TO WAIT FOR A COURT DECISION, NOR DO THEY WANT TO INCUR THE COST OF PROBATE. AND IN OTHER CASES, THEY JUST DON'T WANT THE JUNK. LANDLORDS WOULD LIKE TO ACCOMMODATE THE INDIVIDUALS WHO WOULD LIKE THE PROPERTY GIVEN TO THEM RIGHT AWAY. UNFORTUNATELY, THEY TAKE ON LIABILITY, SO THEY DON'T. LB221 EASES THE BURDEN FOR BOTH SIDES AND CREATES CERTAINTY. IT ALLOWS LANDLORDS TO CREATE A FORM AND REQUEST FROM THE TENANTS THE NAME AND CONTACT INFORMATION OF WHAT WOULD BE DEFINED AS AN AUTHORIZED INDIVIDUAL. THE AUTHORIZED INDIVIDUAL WOULD BE ABLE TO RETRIEVE THE TENANT'S PROPERTY UPON THE TENANT'S DEATH. THE BILL DIRECTS THE LANDLORD TO CONTACT THE AUTHORIZED PERSON--WITH THE AMENDMENT THAT WILL BE COMING UP NEXT--WITHIN TEN DAYS...OR, EXCUSE ME, WITHIN 20 DAYS TO RETRIEVE THE PROPERTY. THE INDIVIDUAL THEN HAS 20 DAYS TO RETRIEVE IT, SO THAT'S 40 DAYS THAT THE LANDLORD AT MOST WOULD BE REQUIRED TO HOLD THE PROPERTY. THIS IS A VOLUNTARY PROCESS. IT IS NOT MANDATORY. BUT WHAT IT DOES IS ALLOWS FOR CERTAINTY SIMILAR TO OUR TRANSFER ON DEATH. IT ALLOWS INDIVIDUALS WITH LOWER ESTATES TO AVOID THE COST OF PROBATE, SO IT IS AN ADVANTAGE TO THE TENANT AS WELL. WITH THAT, I WOULD ASK THAT YOU PLEASE PASS LB221 WITH THE AMENDMENTS THAT ARE COMING FORTHWITH. THANK YOU. [LB221]

SPEAKER HADLEY: YOU'VE HEARD THE OPENING ON LB221. AS THE CLERK SAID, THERE ARE COMMITTEE AMENDMENTS. SENATOR SEILER, AS CHAIR OF THE



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JUDICIARY COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENTS. [LB221]

SENATOR SEILER: THANK YOU, MR. SPEAKER, MEMBERS OF THE UNICAMERAL. AM467 TO LB221 WAS ADVANCED FROM JUDICIARY COMMITTEE ON A 7-0 VOTE WITH ONE MEMBER PRESENT BUT NOT VOTING. AM467 MAKES TWO CHANGES. ONE, IT MAKES IT VOLUNTARY BY CHANGING THE WORD "SHALL" TO "MAY" FOR A TENANT TO PROVIDE FOR THE NAME OF AN AUTHORIZED PERSON TO RETRIEVE AND STORE TENANT'S PROPERTY UPON THE TENANT'S DEATH. SECOND, IT WOULD ALSO EXTEND THE TIME PERIOD FROM THE GREEN COPY FOR AN AUTHORIZED PERSON TO RESPOND TO A LANDLORD'S NOTIFICATION FROM 10 DAYS TO 20 DAYS, AND THE REASON IS THAT PUTS IT IN LINE WITH THE SMALL ESTATE AFFIDAVIT WHICH CANNOT BE SIGNED OR FILED PRIOR TO 20 DAYS AFTER THE DEATH. WITH THOSE TWO AMENDMENTS WE URGE THAT AM467 BE PASSED AND LB221 BE PASSED. [LB221]

SPEAKER HADLEY: YOU'VE HEARD THE OPENING ON AM467. THE FLOOR IS NOW OPEN FOR ANYONE WISHING TO SPEAK ON AM467. SEEING NONE, SENATOR SEILER, YOU'RE RECOGNIZED TO CLOSE ON YOUR COMMITTEE AMENDMENT. SENATOR SEILER WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF AM467. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB221]

CLERK: 33 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LB221]

SPEAKER HADLEY: AM467 IS ADOPTED. WE'LL NOW RETURN TO LB221 AS AMENDED. SEEING NO ONE IN THE QUEUE, ANYONE WISHING TO SPEAK? SEEING NONE, SENATOR HARR, YOU'RE RECOGNIZED TO CLOSE. SENATOR HARR WAIVES CLOSING. THE QUESTION IS THE ADVANCEMENT OF LB221 TO E&R INITIAL. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB221]

CLERK: 36 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB221. [LB221]

SPEAKER HADLEY: LB221 ADVANCES TO E&R INITIAL. MR. CLERK. [LB221]

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CLERK: LB53 WAS A BILL ORIGINALLY INTRODUCED BY SENATOR SCHEER. (READ TITLE.) BILL WAS INTRODUCED IN JANUARY OF LAST YEAR, REFERRED TO THE TRANSPORTATION COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. I DO HAVE AN AMENDMENT TO THE BILL FROM SENATOR SCHEER, MR. PRESIDENT. (AM762, LEGISLATIVE JOURNAL PAGE 814, FIRST SESSION, 2015.) [LB53]

SPEAKER HADLEY: SENATOR SCHEER, YOU'RE RECOGNIZED TO OPEN ON LB53. [LB53]

SENATOR SCHEER: THANK YOU, MR. SPEAKER. LB53 WOULD ALLOW DRIVERS OF VEHICLES THAT ARE MANUFACTURED NOT TO DISPLAY A FRONT LICENSE PLATE TO ONLY BE ISSUED ONE LICENSE PLATE. IF A DRIVER ONLY HAS ONE LICENSE PLATE, IT WOULD BE REQUIRED TO HAVE A DECAL ON THE DRIVER'S SIDE OF THE WINDSHIELD INDICATING THAT THEY ARE LICENSED SO THAT IF A PATROLMAN OR A POLICEMAN ARE COMING FROM THAT DIRECTION, THEY WOULD BE ABLE TO NOTICE THE STICKER AND NOTE THAT IT HAD BEEN PROPERLY LICENSED. THERE WILL BE A \$100 FEE CHARGED AT THE TIME OF REGISTRATION. AND WITH THE COMMITTEE AMENDMENT, IT WOULD BE A YEARLY FEE PAID FOR THE ADDITIONAL DECAL AND THE CONVENIENCE OF HAVING ONE LICENSE PLATE. IN NEBRASKA, WE ALREADY PROVIDE SEVERAL TYPES OF VEHICLES ONLY ONE LICENSE PLATE. RIGHT NOW DEALERS--AUTO DEALERS, MOTORCYCLE DEALERS--ONLY ARE REQUIRED TO HAVE ONE LICENSE PLATE ON THE REAR OF THEIR VEHICLE, NOT THE FRONT. ALL MOTORCYCLES ARE ONLY REQUIRED TO HAVE ONLY A LICENSE PLATE ON THE REAR OF THEIR VEHICLE. ALL MINITRUCKS ARE ONLY REQUIRED TO HAVE A LICENSE PLATE ON THE REAR OF THEIR TRUCK. TRACTORS, A SEMI, ARE ONLY REQUIRED TO HAVE THE PLATE ON THE BACK. TRAILERS, SEMITRAILERS, ARE ONLY REQUIRED TO HAVE THE PLATE ON THE BACK. BUSES, COMMON CARRIERS OR PRIVATE, ARE ONLY REQUIRED TO HAVE A PLATE ON THE BACK. APPORTIONED VEHICLES ARE ONLY TO HAVE ONE LICENSE PLATE. AND SPECIAL-INTEREST MOTOR VEHICLES, ANTIQUES, VEHICLES OVER 25 YEARS OLD ARE ALLOWED TO ONLY HAVE ONE LICENSE PLATE. CURRENTLY 19 STATES ONLY REQUIRE FOR VEHICLES TO HAVE REAR PLATES. THE BILL WOULD ALLOW INDIVIDUALS WHOSE VEHICLES ARE NOT MANUFACTURED TO HOLD A FRONT PLATE THE ABILITY TO OBEY THE LAW WITHOUT PUTTING HOLES IN THE FRONT OF THEIR VEHICLE TO CREATE A PLACE TO MOUNT A LICENSE PLATE. THE AMENDMENT SIMPLY STATES THAT THE \$100 FEE WOULD BE CHARGED ANNUALLY. AND I'VE NOTED THERE HAS BEEN A "PASSOUT" IN RELATIONSHIP TO MY BILL, ALTHOUGH I WAS NOT AWARE OF THE CONCERN UNTIL RECEIVING THE INFORMATION IN FRONT OF ME, AND I WOULD

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HAVE APPRECIATED THE OPPORTUNITY TO LOOK AT THIS EARLIER TO DISCUSS IT WITH SENATOR FRIESEN. THAT BEING SAID, I WOULD ONLY NOTE THAT IT SAYS NO STATE HAS REMOVED FRONT PLATES. WELL, THAT'S IMMATERIAL, REALLY, IF WE WOULD LIKE TO. MY POINT WOULD BE WE ALREADY HAVE EIGHT EXEMPTIONS THAT ALREADY PROVIDE FOR THIS. WE ALREADY HAVE MOTORIZED VEHICLES. WE ALREADY HAVE INDIVIDUAL VEHICLES THAT ARE DRIVING AROUND WITH ONE LICENSE PLATE ON THE REAR. THERE HAVE NOT BEEN PROBLEMS. THIS BILL ACTUALLY PUTS...TAKES IT TO ONE EXTENT FARTHER. IT PROVIDES THAT THE VEHICLE, IF IT IS ONLY GOING TO HAVE A REAR PLATE, WILL HAVE A STICKER THAT WILL GO IN THE FRONT WINDSHIELD, DRIVER'S SIDE, SO THAT ANY LOCAL LAW ENFORCEMENT OFFICER WILL HAVE THE ABILITY TO KNOW THAT THAT HAS BEEN REGISTERED AND PAID FOR SO THAT IT IS CURRENTLY LICENSED TO OPERATE ON THE ROADS OF THE STATE. IT TALKS ABOUT REMOVING THE FRONT PLATE COSTS MONEY. FOR THE LIFE OF ME, I'M SORT OF HARD TO KNOW HOW WE COST MORE MONEY WHEN WE ONLY PROVIDE ONE PLATE. AND EVEN IF WE CONTINUE TO PRODUCE THE TWO PLATES, THAT INDIVIDUAL HAS ALREADY PAID FOR BOTH PLATES. WE'RE DESTROYING THE ONE PLATE; AND IF IT'S DESTROYED, WHATEVER SCRAP VALUE IS, THREE CENTS' WORTH, IS STILL THREE CENTS' WORTH. THEY DON'T GET TWO PLATES SO THAT YOU CAN PLATE SPLIT, AS SUGGESTED ON THIS HANDOUT. THAT'S NOT PART OF THE BILL. SO IF WE'RE GOING TO START HANDING OUT INFORMATION, LET'S BE HONEST ABOUT WHAT WE PROVIDE. THIS ONLY DICTATES ONE LICENSE PLATE IN THE BACK. THERE IS NOT THE OPPORTUNITY TO HAVE A SECOND PLATE THAT YOU CAN THROW ON ANOTHER VEHICLE. YOU GET ONE PLATE AND YOU GET A STICKER FOR YOUR FRONT WINDSHIELD. IT TALKS ABOUT ON THE BACK OF IT THAT LAW ENFORCEMENT USES THE FRONT PLATES FOR INFORMATIONAL PURPOSES. WELL, I'M NOT SURE ABOUT THAT BECAUSE, AT LEAST IN NEBRASKA, YOUR PLATES USUALLY ARE EITHER COVERED WITH MUD OR COVERED WITH BUGS. AND I'M NOT SURE THAT THEY ARE VERY EASILY ASSESSABLE AS FAR AS BEING ABLE TO DETERMINE IF IT ACTUALLY HAS THE CORRECT STICKER ON IT BECAUSE, LET'S REMEMBER, THE FRONT PLATE IS ONLY RECOGNIZABLE IF IT'S BEEN LICENSED PROPERLY BY THE STICKER, NOT THE PLATE, BY THE STICKER. WE DUPLICATE THAT. THERE WILL BE A LARGE STICKER IN THE FRONT WINDSHIELD OF THE VEHICLE THAT WILL STATE THE EXACT SAME THING. IT JUST WILL NOT HAVE THE LARGE PLATE. IT HAS A STICKER THAT IS ACTUALLY LARGER THAN THE STICKER THAT WOULD BE ON THE PLATE. LAW ENFORCEMENT, AT LEAST THE STATE PATROL, WERE NEUTRAL ON THIS. THEY DID NOT OPPOSE THIS. SO I CAN APPRECIATE SENATOR FRIESEN'S CONCERNS ON THIS, BUT IT IS A FUNDING SOURCE FOR THE ROADS. THE \$100 GOES TO THE ROADS, THE ADDITIONAL FEE, ON AN ANNUAL BASIS. THE STICKER IS HIGHLY

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VISIBLE ON THE FRONT WINDSHIELD AND PROBABLY MORE VISIBLE THAN IF IT HAD BEEN ON THE LICENSE PLATE ON THE FRONT OF A VEHICLE. WE ALREADY HAVE VEHICLES DRIVING AROUND THE STREETS RIGHT NOW WITHOUT A FRONT LICENSE PLATE. THIS SIMPLY ALLOWS THOSE THAT WISH TO THE OPPORTUNITY TO HAVE ONE LICENSE PLATE IN THE REAR AND A STICKER IN THE FRONT WINDSHIELD SO THAT THEY DON'T HAVE TO DESTROY THE FRONT MECHANISM OF THEIR VEHICLE. THAT'S IT. IT'S A PRETTY SIMPLE BILL. THANK YOU, MR. SPEAKER. [LB53]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST (SIC). THERE IS...MR. CLERK. SENATOR SCHEER FOR YOUR AMENDMENT. [LB53]

SENATOR SCHEER: I BELIEVE IT'S A COMMITTEE AMENDMENT, MR. SPEAKER. [LB53]

CLERK: SENATOR, NO, IT'S AN AMENDMENT OFFERED BY YOURSELF. THE ONE I HAVE IN FRONT OF ME IS AM762. IT STRIKES "NONREFUNDABLE" AND INSERTS "ANNUAL NONREFUNDABLE REGISTRATION." [LB53]

SENATOR SCHEER: WELL, THEN THAT'S WHAT I WOULD INTRODUCE (LAUGHTER) AND WOULD ASK YOUR SUPPORT OF THAT AMENDMENT. THANK YOU VERY MUCH. MY INTERPRETATION WAS THAT IS A COMMITTEE AMENDMENT. BUT IF IT'S MINE, I'LL TAKE FULL CREDIT FOR IT. AND YOU'VE HEARD THE AMENDMENT IN ITS ENTIRETY AND I WOULD APPRECIATE YOUR SUPPORT. [LB53]

SPEAKER HADLEY: THANK YOU, SENATOR SCHEER. SENATOR FRIESEN, YOU'RE RECOGNIZED TO...WE'RE TALKING ABOUT AM762 AND THEN LB53. [LB53]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I WAS THE ONLY VOTE OUT OF COMMITTEE THAT OPPOSED THIS BILL AND I...THE REASONS MAINLY MY OBJECTIONS WERE IS THAT WHEN I HEARD TESTIMONY FROM THE DIFFERENT GROUPS AS FAR AS WHEN YOU DO SECURITY CAMERAS AND HOW THOSE READ VEHICLE LICENSE PLATES, THE WAY THEY'RE POSITIONED AND THINGS LIKE THAT, AND PART OF THE... YOU KNOW, IN THE COUNTRY WHEN MY PICKUP...AT LEAST THE FRONT PLATE IS ALWAYS READABLE. IT'S NEVER BEEN COVERED WITH MUD. IT'S VERY CLEAR ALL THE TIME WHERE THE REAR PLATE IS PRETTY WELL UNRECOGNIZABLE EVEN AS TO WHAT STATE IT'S FROM. SO AS YOU GET OUT IN MORE RURAL AREAS, I DO THINK IT IS A BIGGER ISSUE IS TO SEE WHICH LICENSE PLATE ON THE FRONT, YOU WILL BE ABLE TO READ IT. AND SECURITY

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CAMERAS AT GAS STATIONS, DRIVE-THROUGH BANKS, THINGS LIKE THAT, THEY'RE ALL POSITIONED TO SHOOT AT EITHER THE BACK OR THE FRONT OF THE LICENSE PLATE TO READ THEM IN CASE THERE'S SECURITY ISSUES THERE. SO THOSE ARE THE THINGS THAT I HEARD IN TESTIMONY. ANOTHER PART OF WHAT SOME OF THE DISCUSSION AS I REMEMBER IT WAS THAT MANUFACTURERS, A LOT OF TIMES IT IS AN OPTION TO PUT ON A FRONT LICENSE PLATE BLACK BRACKET, BUT I UNDERSTAND SENATOR SCHEER'S...IT'S VERY LIMITED TO THOSE CARS THAT DO NOT HAVE THAT OPTION. BUT IT'S GOING TO BE DIFFICULT TO ENFORCE THIS AND NOT KNOWING WHICH CARS HAVE THAT MANDATE OR NOT AS FAR AS THE STATE PATROL BEING ABLE TO DETERMINE WHICH CARS ARE ELIGIBLE AND WHICH ARE NOT WHEN THEY STOP A VEHICLE. THE ONLY OTHER THING IS IT DOES MENTION IN THERE THE LICENSE PLATE SCANNERS THAT ARE AVAILABLE IN SOME OF THE LARGER CITIES. THEY DO USE THAT QUITE A BIT. WHETHER YOU AGREE WITH THAT PRINCIPLE OR NOT, I THINK IT HAS PICKED UP A LOT OF PEOPLE WITH ISSUES THAT THEY'VE BEEN ABLE TO FIND WHERE OTHERWISE THEY MIGHT HAVE MISSED IT. SO OTHERWISE I JUST...I STAND IN OPPOSITION TO LB53. THANK YOU, MR. PRESIDENT. [LB53]

SPEAKER HADLEY: THANK YOU, SENATOR FRIESEN. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB53]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, I LIVED IN A STATE BEFORE I MOVED HERE THAT--OHIO--THAT REQUIRED TWO AND, GOSH DARN, IF I DIDN'T GET A TICKET ONCE BECAUSE I THOUGHT I COULD GET AWAY WITH NOT HAVING THAT FRONT LICENSE PLATE BUT...BECAUSE RIGHT ACROSS THE RIVER IN KENTUCKY, FOR MY ENTIRE LIFE, THEY JUST HAD ONE LICENSE PLATE. I CAN'T SAY THE CRIME WAS HIGHER IN KENTUCKY, THERE WERE MORE WRECKS. I CAN'T SAY LIFE WAS ANY DIFFERENT IN KENTUCKY OTHER THAN THEY HAD LOWER TAXES. AND I JUST DON'T SEE HOW HAVING ONE LICENSE PLATE WOULD HURT ANYONE. WOULD SENATOR SCHEER YIELD TO A QUESTION? [LB53]

SPEAKER HADLEY: SENATOR SCHEER, WILL YOU YIELD? [LB53]

SENATOR SCHEER: YES, I WILL. [LB53]

SENATOR KINTNER: I SEE THIS CAME OUT OF COMMITTEE, I THINK, WHAT, 7-1. AND TESTIFYING AGAINST IT WAS A CITIZEN AND MICK MINES, REPRESENTING 3M. WHAT'S 3M'S INTEREST IN OPPOSING THIS? [LB53]

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SENATOR SCHEER: WELL, I CAN'T SPEAK DIRECTLY FOR 3M BUT, AS I RECALL, THE TESTIMONY WAS THAT 3M CURRENTLY HAS THE CONTRACT TO PROVIDE THE STICKERS FOR THE LICENSE PLATES FOR THE STATE OF NEBRASKA AND THEIR CONCERN WAS THAT THEY WOULD BE MAKING LESS STICKERS ON PLATES. AND I ASSURED HIM THAT, YOU KNOW, THEY WOULD CERTAINLY HAVE THE OPPORTUNITY TO PROVIDE A BID FOR THE FRONT WINDSHIELD STICKERS THAT WOULD PROBABLY BE MADE OF THE SAME MATERIAL AND HOPEFULLY THAT WOULD HELP COMPENSATE THEM FOR THE LOSS OF THE VOLUME OF BUSINESS THEY MIGHT HAVE BY ONLY PROVIDING ONE STICKER ON THOSE VEHICLES THAT UTILIZE THIS LEGISLATION. [LB53]

SENATOR KINTNER: WOW! SO THEY WANT TO KEEP MAKING STICKERS SO THEY TESTIFIED AGAINST IT. WOW, ISN'T THAT A SURPRISE. IF I MAY, CAN I ASK YOU ONE MORE QUESTION? AS WE TALKED ABOUT I THINK OFF MIKE, IF YOU HAVE A PLACE FOR A FRONT LICENSE PLATE, YOU STILL NEED THE FRONT LICENSE PLATE? [LB53]

SENATOR SCHEER: THAT WOULD BE CORRECT. [LB53]

SENATOR KINTNER: HOW MANY CARS NOW HAVE A PLACE FOR A FRONT LICENSE PLATE? IS THAT STANDARD NOW? I DON'T KNOW. I DON'T BUY NEW CARS BECAUSE TAXES ARE TOO HIGH IN THIS STATE. [LB53]

SENATOR SCHEER: AS FAR AS I KNOW, I WOULD VENTURE TO SAY THE MAJORITY OF THE VEHICLES COME WITH A PLACE FOR A FRONT BRACKET. IT CAME TO MY ATTENTION...ACTUALLY, SENATOR FRIESEN HAD COMMENTED THAT ON A VEHICLE HE RECENTLY PURCHASED THE FRONT PLATE HOLDER WAS OPTIONAL EQUIPMENT. SO EVIDENTLY, THERE MUST BE ENOUGH DEMAND FOR THOSE NOT TO BE PUT IN PLACE VIA OTHER STATES NOT REQUIRING IT THAT IT'S NOW AN OPTION AT LEAST ON SOME VEHICLES. BUT I CAN'T TELL YOU SPECIFICALLY WHAT THAT PERCENTAGE MIGHT BE. [LB53]

SENATOR KINTNER: SO I'M GUESSING REQUIRING IT TO BE ON VEHICLES THAT HAVE A FRONT BRACKET STANDARD WAS A COMPROMISE. WOULDN'T IT BE EASIER JUST TO BE LIKE KENTUCKY AND SAY NO FRONT PLATES, NEBRASKA IS GOING TO BE A NO FRONT PLATES STATE? THERE WILL BE NO CONFUSION. WOULDN'T THAT JUST BE EASIER AND SIMPLER FOR EVERYONE INVOLVED? [LB53]

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SENATOR SCHEER: WELL, IT PROBABLY WOULD BE SIMPLER. BUT IN FAIRNESS, THAT'S NOT WHAT THE BILL READ AND THOSE, FOR EXAMPLE PERHAPS THE STATE PATROL, MAY HAVE OPPOSED IT OR LOCAL LAW ENFORCEMENT MAY HAVE OPPOSED IT IF THAT'S WHAT THE BILL HAD SAID. SO IN FAIRNESS TO THOSE THAT WERE AT THE HEARING OR LOOKED AT THE BILL BEFORE THE HEARING, CERTAINLY I'M NOT TRYING TO COMPROMISE THEIR ABILITY TO SPEAK IN FRONT OF THE COMMITTEE. I DON'T KNOW THAT IT WOULD HAVE MADE A DIFFERENCE OR NOT, BUT I RESPECT THE COMMITTEE PROCESS ENOUGH THAT I WOULD NOT FEEL COMFORTABLE IN TRYING TO CHANGE THE SCOPE OF THE BILL ON THE FLOOR AT THIS TIME. [LB53]

SENATOR KINTNER: BUT I MIGHT. ALL RIGHT, THANK YOU. [LB53]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. THOSE IN THE QUEUE: SENATOR SCHNOOR, SCHUMACHER, BLOOMFIELD, CRAWFORD, FRIESEN, AND OTHERS. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB53]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. SENATOR SCHEER, WILL YOU YIELD TO A QUESTION, PLEASE? [LB53]

SPEAKER HADLEY: SENATOR SCHEER, WILL YOU YIELD? [LB53]

SENATOR SCHEER: YES, I WILL. [LB53]

SENATOR SCHNOOR: OKAY, I NEED SOME CLARIFICATION BECAUSE, AS I UNDERSTAND WHAT YOU SAID AND WHAT'S IN THE BILL, ARE DIFFERENT. IS THIS OPTIONAL FOR ANYBODY IF THEY ELECT...THEY ONLY WANT TO HAVE ONE LICENSE PLATE ON THEIR VEHICLE, THEY CAN DO THIS? OR IS THIS ONLY FOR VEHICLES THAT ARE NOT MANUFACTURED WITH A FRONT LICENSE PLATE BRACKET? [LB53]

SENATOR SCHEER: WELL, I'LL ANSWER THAT WITH TWO RESPONSES. IT IS OPTIONAL TO THE EXTENT THAT IF YOUR VEHICLE DOES NOT HAVE A FRONT LICENSE PLATE, YOU DON'T HAVE TO ONLY HAVE ONE LICENSE PLATE. YOU CAN STILL PUT A BRACKET IF YOU CHOOSE TO AND HAVE A FRONT LICENSE PLATE. THIS BILL SIMPLY SAYS IT IS AT YOUR OPTION IF YOUR VEHICLE DOES NOT COME EQUIPPED WITH A FRONT LICENSE PLATE HOLDER THAT FOR THE

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ADDITIONAL YEARLY FEE YOU CAN HAVE ONLY A REAR LICENSE PLATE AND A FRONT WINDSHIELD DECAL. [LB53]

SENATOR SCHNOOR: OKAY. THE COST FOR THE STICKER ON THE FISCAL NOTE IS 6.5 CENTS AND WE'RE CHARGING THEM \$100. WHERE DID THAT COME FROM? [LB53]

SENATOR SCHEER: THAT WAS A UNILATERAL FEE. AND FROM MY VANTAGE POINT, IT IS...FROM MY VANTAGE POINT, MOST PEOPLE THAT WOULD BE UTILIZING THIS, THE VEHICLE PROBABLY IS A COLLECTOR TYPE VEHICLE THAT THEY DON'T WANT TO IMPEDE THE VALUE OF IT. AND THERE IS A VALUE TO KEEP YOUR VEHICLES PRISTINE IN THAT RESPECT. SO THE \$100 GOING TO THE HIGHWAY FUND I THOUGHT WAS AN APPROPRIATE AMOUNT SO THAT IT AMOUNTED TO SOMETHING THAT WOULD HELP WITH MAINTENANCE OF THE ROAD SYSTEM AND STILL ALLOW PEOPLE THAT CHOSE TO DO SO WITH THOSE TYPE OF VEHICLES THE OPPORTUNITY TO HAVE ONE PLATE AND ONE STICKER. [LB53]

SENATOR SCHNOOR: OKAY. YOU LISTED SEVERAL TYPES OF VEHICLES THAT ONLY HAVE ONE LICENSE PLATE. DO THEY HAVE TO PAY THIS \$100 FEE AS WELL? [LB53]

SENATOR SCHEER: NOT AT ALL. [LB53]

SENATOR SCHNOOR: OKAY. [LB53]

SENATOR SCHEER: IT DOESN'T ADDRESS THOSE AT ALL. [LB53]

SENATOR SCHNOOR: OKAY. THESE DECALS, THEN ARE THEY JUST A GENERIC DECAL THAT IF YOU ELECT NOT TO HAVE THAT YOU HAVE THIS DECAL ON THE FRONT, LEFT SIDE OF YOUR WINDSHIELD, OR ARE THEY SPECIFIC TO THE LICENSE PLATE THAT'S ON THERE? [LB53]

SENATOR SCHEER: THE DEPARTMENT OF ROADS I'M SURE WOULD DESIGN IT. WHAT I WOULD ENVISION WOULD BE A STICKER THAT WOULD RESEMBLE OR BE A YEARLY COLOR DIFFERENTIATION SO THAT IF, FOR EXAMPLE, IF YOU PAID FOR THAT PRIVILEGE A YEAR AGO, JUST LIKE WHEN YOU PURCHASED YOUR PLATES, YOU MAY HAVE A RED...IT'S FEBRUARY THAT HAS A WHITE "2" IN IT. NEXT YEAR



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WHEN YOU REDO YOUR PLATES, YOU WOULD GET PERHAPS A YELLOW STICKER WITH A "2" IN IT. I ENVISION THIS TO BE SOMEWHAT THE SAME. YOU WOULD HAVE THE STICKER THAT PROBABLY IS LARGER THAN THE STICKER THAT YOU HAVE ON YOUR LICENSE PLATE, BUT IT WOULD BE PLACED IN THE FRONT LOWER-LEFT PORTION OF THE WINDSHIELD. BECAUSE OF THE COLOR, THE PATROL OR THE LAW ENFORCEMENT WOULD STILL BE ABLE TO NOTE IF THAT WAS A CURRENT STICKER OR THAT IT WAS PLATED PROPERLY IF THEY HAPPEN TO BE COMING FROM THAT DIRECTION. [LB53]

SENATOR SCHNOOR: WHY WON'T THEY JUST USE THE STICKER THAT WOULD NORMALLY HAVE BEEN ISSUED? THEN 3M STILL GETS THEIR MONEY. [LB53]

SENATOR SCHEER: 3M STILL COULD. I GUESS FROM MY VANTAGE POINT I... [LB53]

SPEAKER HADLEY: ONE MINUTE. [LB53]

SENATOR SCHEER: IT DOESN'T PRECLUDE THEM FROM USING THAT. MY ASSUMPTION WAS THAT IT MIGHT BE SOMEWHAT A LITTLE BIT LARGER THAT WOULD MAKE IT MORE VISIBLE FOR LAW ENFORCEMENT, BUT THEY VERY WELL COULD. I'M NOT TRYING TO SUPERSEDE THEIR ABILITY TO MAKE WHATEVER THEY WANT. THAT CERTAINLY WOULD BE UP TO DEPARTMENT OF ROADS. I'M NOT TRYING TO SPECIFY WHAT THEY UTILIZE. [LB53]

SENATOR SCHNOOR: OKAY. BUT THE BOTTOM LINE IS VEHICLES THAT ONLY HAVE ONE LICENSE PLATE ALREADY BY STATUTE, THEY DO NOT HAVE TO PAY THIS \$100 FEE. [LB53]

SENATOR SCHEER: THAT IS CORRECT. IF YOU ARE ALREADY CURRENTLY IN ONE OF THOSE EXEMPT GROUPS, THIS DOES NOT PERTAIN TO YOU AT ALL. [LB53]

SENATOR SCHNOOR: OKAY, THANK YOU. [LB53]

SPEAKER HADLEY: THANK YOU, SENATOR SCHNOOR. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB53]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. I REMEMBER BACK IN THE DAYS WHEN I WAS COUNTY ATTORNEY, I HAD DEPUTIES THAT WOULD SWEAR THAT THEY COULD READ THE LICENSE PLATE

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OF A VEHICLE COMING AT THEM AND THAT THEY WERE ABLE TO IDENTIFY AND APPREHEND VARIOUS PEOPLE ON ACCOUNT OF THAT. AND I THINK THIS IS NOT THE FIRST RODEO FOR THIS PARTICULAR TYPE OF BILL. IN FACT, IT HAS APPEARED MANY TIMES IN THE PAST IN EFFORTS TO JUST GENERALLY DO WHAT SENATOR KINTNER SUGGESTS, AND THAT'S ELIMINATE THE REQUIREMENT ALTOGETHER. I'M NOT SO SURE SENATOR KINTNER'S SUGGESTION IS NOT GOOD. MANY, MANY STATES HAVE ELIMINATED THE REQUIREMENT OF FRONT PLATES. BUT NEBRASKA HERE APPARENTLY IT IS BEING PROPOSED NOT TO DO SOMETHING SIMPLE AND CHEAP FOR THE TAXPAYER, BUT SOMETHING HIGHLY DISCRIMINATORY AND NOT CHEAP FOR THE TAXPAYER. I'M NOT SURE HOW YOU PICK OUT WHAT CAR. PRESUMABLY, THIS WILL ONLY APPLY TO NEW CARS AND MAYBE CARS BROUGHT INTO THE STATE FROM ANOTHER STATE THAT DOESN'T HAVE A FRONT PLATE BUT IS NOT MANUFACTURED TO BE EQUIPPED WITH A BRACKET ON THE FRONT. THEY ALL HAVE SOME KIND OF A BUMPER, SOMETHING ON THE FRONT THAT THEY CAN SCREW A BRACKET ONTO. AND I THINK PROBABLY IN THE STATES THAT DO NOT HAVE THIS REQUIREMENT THEY VERY WELL...I CAN'T RECALL IN THE STATES THAT I'VE BEEN IN WHERE THERE'S HOLES IN THE FRONT OF THE BUMPER, SO APPARENTLY THERE MUST BE SOME MANUFACTURING MECHANISM OR DISCREPANCY THAT, TO STATES THAT REQUIRE IT, THEY DRILL HOLES IN THE FRONT OF THE BUMPER AND MOUNT A BRACKET AND THE STATES THAT DON'T THEY DON'T. SO YOU HAVE THIS ENTIRELY INTERESTING THING WHERE YOU CAN BUY YOURSELF SOME PROTECTION MAYBE FROM LAW ENFORCEMENT, YOU CAN BUY YOURSELF AN EXEMPTION FROM THE RULE THAT APPLIES FOR EVERYBODY ELSE JUST BY PAYING \$100 A YEAR, WHICH SEEMS TO BE QUITE EXTRAORDINARY. AND THAT DOESN'T SEEM TO MAKE LAW ENFORCEMENT ANY DIFFERENCE. I WAS REALLY SURPRISED THAT THERE WASN'T A PROTEST AT THE HEARING BECAUSE THEY GENERALLY OPPOSE THIS. WHO MAKES THE DETERMINATION OF HOW HARD IT WOULD BE TO ATTACH A BRACKET TO THE FRONT? DOES THE COUNTY TREASURER DO THAT? DO YOU HAVE TO HAVE A CERTIFICATE FROM THE SHERIFF SAYING, WELL, I LOOKED AT THE CAR AND, YEAH, IT REALLY WOULD BE HARD TO ATTACH A BRACKET TO THE FRONT OR THERE'S NOT A BRACKET THERE SINCE IT WAS ONE THAT CAME IN FROM A STATE THAT DID NOT REQUIRE A BRACKET? THIS LOOKS TO ME LIKE EITHER WE SAY, LOOK, THIS IS AN IMPORTANT AND LEGITIMATE FUNCTION OF GOVERNMENT TO HAVE A FRONT PLATE AND LAW ENFORCEMENT NEEDS IT SO THAT THEY'RE ABLE TO DO THEIR JOB MORE EFFICIENTLY AND QUICKER AND THEY DON'T HAVE TO GET UP AND LOOK AT A LITTLE STICKER IN THE WINDOW, THAT THEY CAN TELL WHEN THEY DRIVE PAST THEM ON THE ROAD OR WALK IN FRONT OF THEM AS THEY'RE PARKED IN A PARKING LOT WITHOUT HAVING TO GET OFF THE STREET AND SLIP

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AND FALL ON THE ICE IN ORDER TO TELL WHETHER OR NOT THEY'RE PROPERLY STICKERED. SO IF IT'S A LEGITIMATE FUNCTION OF LAW ENFORCEMENT TO KEEP IT THE WAY IT IS, THEN WE KEEP IT THE WAY IT IS FOR EVERYBODY. GOSH KNOWS, WE'VE HAD NO TROUBLE ATTACHING PLATES IN FRONT UP TO THIS POINT. IF, ON THE OTHER HAND, IT IS NOT A LEGITIMATE CONCERN THAT THERE'S NO PLATE IN THE FRONT, THEN WHY DON'T WE JUST SAVE A BUNCH OF MONEY AND GET RID OF THE FRONT PLATE ALTOGETHER, WHICH SEEMS TO CAUSE NO PROBLEM IN MOST OTHER STATES? AND I KIND OF THINK THAT SENATOR KINTNER IS OFF ONTO THE RIGHT TRACK HERE... [LB53]

SPEAKER HADLEY: ONE MINUTE. [LB53]

SENATOR SCHUMACHER: ...WHEN HE SUGGESTS THAT WE PROCEED JUST TO ELIMINATE THE REQUIREMENT ON THE FRONT ALTOGETHER. IF THAT DOESN'T WORK THEN AND WE SAY, NO, THAT'S NOT A GOOD POLICY, THEN I DON'T SEE HOW BUYING YOUR WAY OUT OF A GOOD POLICY WITH A \$100 BILL EACH YEAR IS A GOOD POLICY. SO RIGHT NOW I'M AMBIVALENT ON THIS, BUT I CERTAINLY AM...I SAW SENATOR KINTNER GET A YELLOW OR A PIECE OF PAPER FOR A FLOOR AMENDMENT AND I'M WATCHING TO SEE WHAT HE COMES UP WITH. THANK YOU. [LB53]

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB53]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I'M STILL LISTENING TO THE DEBATE, BUT I JUST WANTED TO CLARIFY SOME ISSUES WITH THE COUNTY AND THE FEES IF SENATOR SCHEER WOULD RESPOND TO QUESTIONS, PLEASE. [LB53]

SPEAKER HADLEY: SENATOR SCHEER, WILL YOU YIELD TO A QUESTION? [LB53]

SENATOR SCHEER: YES, I WILL. [LB53]

SENATOR CRAWFORD: THANK YOU, SENATOR SCHEER. I JUST WANT TO BE SURE THAT WE'RE NOT SHIFTING ANY COSTS TO COUNTIES HERE. SO I JUST WANTED TO GET ON THE RECORD A COUPLE OF QUESTIONS TO CLARIFY THE SECTION THAT TALKS ABOUT THE STICKER AND THE FEES. SO THIS WOULD BE THE BOTTOM OF PAGE 2, BEGINNING OF PAGE 3. [LB53]

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SENATOR SCHEER: WELL, IF I COULD...PERHAPS I CAN RELIEVE THE CONCERN THAT A COUNTY MIGHT HAVE. THIS BILL DOES NOT IMPEDE THE COUNTY'S ABILITY TO CHARGE THE FEE, THE LICENSING FEE OR ANY OF THE DOLLARS THAT RESULT FROM THAT LICENSE. IT IS EXACTLY THE SAME AS IF YOU BOUGHT TWO. THE FEES REMAIN THE SAME ON THAT ONE PLATE OTHER THAN YOU WILL BE PAYING AN ADDITIONAL \$100 FOR THE ADDITIONAL STICKER THAT GOES IN THE FRONT WINDSHIELD. [LB53]

SENATOR CRAWFORD: OKAY. ALL RIGHT. SO THAT'S THE ADDITIONAL \$100 FEE AND THAT \$100 GOES TO THE HIGHWAY TRUST FUND. BUT I ALSO...IT LOOKS LIKE THERE IS A FEE FOR THE COST OF THE DECAL. THAT, IT LOOKS LIKE, ALSO GOES TO THE HIGHWAY TRUST FUND. NOW I BELIEVE THAT THE BILL EXPECTS THE DEPARTMENT TO PROVIDE THIS STICKER TO THE COUNTIES. IS THAT TRUE? [LB53]

SENATOR SCHEER: THAT WOULD BE CORRECT. THAT WOULD BE CORRECT. [LB53]

SENATOR CRAWFORD: SO THE COUNTIES WOULD HAVE NO COST FOR THE STICKER. [LB53]

SENATOR SCHEER: NO, THERE'S NO ADDITIONAL COST TO THE COUNTY FOR THAT STICKER. I MEAN TECHNICALLY I GUESS YOU COULD SAY THERE MIGHT BE A SMALL AMOUNT OF LABOR THAT MIGHT BE INVOLVED WITH HAVING TO GO PULL A STICKER FROM A DIFFERENT PART OF THE OFFICE OR SOMEPLACE OTHER THAN WHERE THEY'RE CURRENTLY GETTING THE OTHER STICKERS, BUT THERE IS NO ADDITIONAL COST TO THE COUNTY FOR THE STICKER AND THE ADDITIONAL DOLLARS THAT ARE RECEIVED FOR THAT STICKER ARE ALL EITHER BORNE BY THE DEPARTMENT OF ROADS' HIGHWAY FUND AND THE FUNDS GO INTO THE HIGHWAY FUND. [LB53]

SENATOR CRAWFORD: AND SO ANY COST OF THE STICKERS THOUGH WOULD BE A GENERAL ANNUAL FUND EXPENSE TO THE DEPARTMENT ITSELF. THEY'RE COVERING, THEY'RE CARRYING THAT COST, BECAUSE ALL OF THE MONEY FROM THE STICKER GOES TO THE HIGHWAY TRUST FUND. IS THAT CORRECT? [LB53]

SENATOR SCHEER: I GUESS THE 6.5 CENTS, YEAH, IT WILL. [LB53]

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SENATOR CRAWFORD: YEAH. YEAH. ALL RIGHT. THANK YOU. WAS THERE ANY...ONE OTHER QUESTION: SO WAS THERE ANY DISCUSSION ABOUT WHETHER DISTINGUISHING CITIZENS BY THE KIND OF VEHICLE THEY HAVE WAS AN APPROPRIATE OR FAIR DISTINCTION THAT THAT'S WHAT ALLOWS SOMEONE TO FOLLOW A DIFFERENT KIND OF LAW? [LB53]

SENATOR SCHEER: WELL, THE ORIGINAL BILL SHOWED A \$100 FEE, A ONE-TIME FEE. AND MY AMENDMENT, WHICH I THOUGHT WAS THE COMMITTEE AMENDMENT BUT I WAS AT ERROR, CHANGED THAT TO AN ANNUAL FUNDING SOURCE. SO THE ORIGINAL BILL'S INTENT WAS NOT NECESSARILY TO MAKE IT INSURMOUNTABLE FOR ANY CITIZEN TO DO SO. IT WAS JUST SIMPLY AN AVENUE OF PROVIDING SOME ADDITIONAL DOLLARS TO THE TRUST FUND. [LB53]

SENATOR CRAWFORD: BUT YOU DO HAVE TO SOMEHOW SHOW OR INDICATE THAT YOUR CAR IS NOT MANUFACTURED WITH A FRONT PLATE? IS THAT TRUE? [LB53]

SENATOR SCHEER: IF IT'S NOT MANUFACTURED WITH A FRONT LICENSE PLATE CARRIER. THAT WOULD PRECLUDE, FOR EXAMPLE, SENATOR SCHUMACHER SAYING, WELL, IF IT HAS HOLES. WELL, IF IT HAS HOLES, THAT'S THE BRACKET. I MEAN THESE WOULD BE FOR VEHICLES THAT DO NOT HAVE ANY TYPE OF ATTACHMENT SYSTEM ON THE FRONT OF THEIR VEHICLE. I SUSPECT, IF WE'RE GOING TO BE HONEST, THERE MIGHT BE AN ADDITIONAL COST JUST LIKE THERE IS... [LB53]

SENATOR KRIST PRESIDING

SENATOR KRIST: ONE MINUTE. [LB53]

SENATOR SCHEER: ...TO THE EXTENT THAT PERHAPS COUNTIES, MAYBE THROUGH THEIR RULES AND REGULATIONS, THE DEPARTMENT OF ROADS MAY ASK THE COUNTY SHERIFF OR SOMEONE TO GO OUT AND VISIBLY INSPECT THE VEHICLE. [LB53]

SENATOR CRAWFORD: YEAH. [LB53]

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SENATOR SCHEER: I WOULD SUSPECT THAT MIGHT BE PART OF IT. BUT IT'S NOT SHOWN OR REFLECTED NECESSARILY ON A FISCAL NOTE. AND I'M NOT TRYING TO DEVELOP RULES AND REGULATIONS FOR A DEPARTMENT TO FOLLOW. [LB53]

SENATOR CRAWFORD: RIGHT. WAS THERE ANY, LIKE, LIST OF CAR TYPES OR MANUFACTURERS THAT WAS PROVIDED THAT...? [LB53]

SENATOR SCHEER: NO, I DID NOT, BECAUSE REALISTICALLY I'M NOT TRYING TO MAKE AN INCLUSIVE LIST... [LB53]

SENATOR CRAWFORD: OKAY. [LB53]

SENATOR SCHEER: ...FOR FEAR THAT THAT BECOMES PART OF THE STATUTE AND THERE PERHAPS ANOTHER VEHICLE... [LB53]

SENATOR CRAWFORD: SURE. [LB53]

SENATOR SCHEER: ...IS DEVELOPED AND IT DOESN'T AND IT'S NOT PART OF THE LIST AND ALTHOUGH IT MEETS THE CRITERIA, IT'S NOT IN THE LIST. [LB53]

SENATOR CRAWFORD: OKAY. [LB53]

SENATOR SCHEER: SO I JUST WANTED TO LEAVE THAT AT THE DISCRETION OF THE DEPARTMENT. [LB53]

SENATOR CRAWFORD: ALL RIGHT. THANK YOU, SENATOR SCHEER. I'LL CONTINUE TO LISTEN. THANK YOU, MR. PRESIDENT. [LB53]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD AND SENATOR SCHEER. SENATOR FRIESEN, YOU ARE RECOGNIZED. [LB53]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. THERE ARE JUST A COUPLE OF COMMENTS I WANT TO CLARIFY. THERE WERE SOME LETTERS IN OPPOSITION SENT FROM THE OMAHA POLICE DEPARTMENT AND THE SHERIFFS' ASSOCIATION. SO THERE WERE OTHERS IN OPPOSITION. THEY DID NOT SHOW UP TO TESTIFY. I THINK SOME OF THE QUESTIONS THAT HAVE COME UP, IT'S GETTING I GUESS A LOT FURTHER THAN I THOUGHT THIS WOULD GO. I'M

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NOT...THIS ISN'T AS BIG A DEAL AS I THINK WE'RE ALL MAKING IT OUT TO BE. BUT THERE ARE SOME QUESTIONS ON I THINK DOWN THE ROAD IS, WHICH VEHICLES WILL HAVE THAT ATTACHMENT, BECAUSE MORE AND MORE MANUFACTURERS ARE MAKING IT AN OPTION. AND SO WHEN YOU DO ORDER A LICENSE PLATE OR A CAR, YOU WILL HAVE TO MENTION THAT YOU WANT THAT OPTION OR NOT. AND SO IT WOULD BE VERY EASY FOR SOMEBODY TO GO IN AND SAY, HEY, YOU KNOW, MY CAR DIDN'T HAVE THAT OPTION ON IT, THEREFORE, I WANT TO USE THE ONE LICENSE PLATE AND PAY THE \$100 MORE, WHICH I DON'T KNOW QUITE WHY YOU'D WANT TO DO THAT BUT I'M JUST GIVING THE SCENARIO THAT IT COULD HAPPEN. AND THEN SOMEONE HAS TO DETERMINE WHETHER OR NOT THAT OPTION ACTUALLY EXISTS FOR THAT MANUFACTURER. OTHER THAN THAT, I DON'T THINK THIS GOES ANY FURTHER THAN WHAT HE INTENDED IT TO GO. THANK YOU, MR. PRESIDENT. [LB53]

SENATOR KRIST: THANK YOU, SENATOR FRIESEN. SENATOR EBKE, YOU'RE RECOGNIZED. [LB53]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I FEAR THAT WE ARE GOING DOWN THE PATH OF NOVELTY LIGHTERS AND YELLOW LIGHTS OR RED LIGHT CAMERAS OR WHATEVER THAT WAS A FEW YEARS AGO. YOU KNOW, I HAVE A DISTRICT THAT TWO OF THE COUNTIES BUTT UP AGAINST KANSAS, AND KANSAS REQUIRES ONLY ONE LICENSE PLATE, AT LEAST THE LAST I KNEW. AND IT IS NOT UNUSUAL TO SEE KANSAS LICENSE PLATES, KANSAS DRIVERS IN THE SOUTHERN PORTION OF THE STATE WITH JUST ONE LICENSE PLATE. AND THEY ARE ABLE TO PUT ON THE FRONT OF THEIR CAR THEIR FAVORITE COLLEGE SPORTS TEAM OR WHATEVER ELSE THEY WANT IF THEY HAVE A LICENSE PLATE HOLDER. I'M NOT REALLY SURE AS I DRIVE DOWN THE INTERSTATE OR IF I DRIVE DOWN THE HIGHWAY AND I SEE SOMEBODY PULLED OVER, I'M NOT REALLY SURE HOW OFTEN IT IS THAT THOSE FRONT PLATES ARE EVEN USED BY LAW ENFORCEMENT WHO HAVE PULLED SOMEBODY OVER, BECAUSE I USUALLY SEE THEM PARKED BEHIND THE PERSON THAT THEY'VE STOPPED. SO I WOULD BE IN GENERAL AGREEMENT WITH THIS NOTION THAT WE OUGHT TO THINK TWICE ABOUT WHETHER WE WANT TO CONTINUE HAVING FRONT PLATES ANYHOW. SENATOR SCHUMACHER HAS SAID IT MUCH MORE ELOQUENTLY THAN I COULD AND I THINK THAT SENATOR KINTNER MAY BE WORKING ON SOMETHING ALONG THOSE LINES. SO IF SENATOR KINTNER WOULD LIKE TO TAKE THE REST OF MY TIME, I'D BE HAPPY TO YIELD TO HIM. [LB53]

SENATOR KRIST: SENATOR KINTNER, YOU'VE BEEN YIELDED 3:30. [LB53]

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SENATOR KINTNER: WELL, THANK YOU, SENATOR EBKE. THANK YOU, MR. PRESIDENT. YES, I AM PLOTTING AND SCHEMING. WE WILL NOT HAVE AN AMENDMENT DRAFTED TODAY. IT'S PRETTY LONG AND DRAWN OUT BECAUSE YOU'VE GOT TO AMEND EVERYPLACE IN OUR STATUTES THAT TALKS ABOUT LICENSE PLATES. BUT I'M SEEING IF WE CAN COME UP WITH SOMETHING THAT WORKS FOR SELECT FILE. THIS HAS BEEN TALKED ABOUT MANY TIMES BEFORE. AND I THINK THE TIME IS NOW PROBABLY JUST TO GO AHEAD AND TO GO TO ONE PLATE. DOESN'T SEEM TO HAVE HURT KANSAS, DOESN'T SEEM TO HAVE HURT KENTUCKY, AND DOESN'T SEEM TO HAVE HURT A BUNCH OF OTHER STATES. AND THEN WE CAN SEE IF WE CAN MAKE IT SIMPLE AND EASY, ONE PLATE FOR ALL. IT WAS ALSO MENTIONED TO ME BY SENATOR KRIST THAT WE DO HAVE SINGLE PLATES FOR HISTORIC VEHICLES AND THEY DRIVE AROUND A LOT IN THE SUMMER. AND I DON'T THINK ANYONE HAS EVER POINTED OUT ANY PROBLEMS THAT WE'VE HAD WITH THOSE VEHICLES. SO WE CAN CONTINUE THIS CONVERSATION AND WE'LL WORK ON AN AMENDMENT, SEE IF WE CAN MAKE THIS SIMPLE, FAST, EASY TO UNDERSTAND FOR EVERYBODY. THANK YOU, MR. PRESIDENT. [LB53]

SENATOR KRIST: THANK YOU, SENATOR KINTNER AND SENATOR EBKE. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB53]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR SCHEER WOULD YIELD TO A QUESTION. [LB53]

SENATOR KRIST: SENATOR SCHEER, WILL YOU YIELD? [LB53]

SENATOR SCHEER: I CERTAINLY WILL. THANK YOU. [LB53]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. WITH THE PROPOSED AMENDMENT THAT SENATOR KINTNER IS GOING TO HAVE DRAWN UP, WOULD YOU OPPOSE THAT AMENDMENT OR...I DON'T LIKE TO SEE BILLS HIJACKED. IS THAT WHAT YOU SEE GOING ON HERE AND WOULD YOU OPPOSE THAT AMENDMENT? [LB53]

SENATOR SCHEER: WELL, AS I STATED EARLIER ON THE FLOOR, I WOULD NOT BE SUPPORTIVE OF THAT. THAT WAS NOT THE INTENT OF THE BILL. THE INTENT OF THE BILL WAS SIMPLY WHAT IS IN FRONT OF YOU. AND IT MAY OR MAY NOT BE A GREAT IDEA, AS SENATOR SCHUMACHER HAS IMPLIED, AND SENATOR KINTNER. BUT CERTAINLY THERE PROBABLY WOULD HAVE BEEN OTHER DISCUSSION AT



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THE HEARING. AND IN FAIRNESS TO LAW ENFORCEMENT OR ANYONE ELSE THAT MAY HAVE WANTED TO TESTIFY IN FAVOR OF THAT, BY BROADENING THE BILL THEY DIDN'T GET THE OPPORTUNITY AND I BELIEVE THAT, IF THAT IS THE CASE, THEN, YOU KNOW, THAT BILL SHOULD BE DRAFTED AS SUCH AND INTRODUCED NEXT YEAR, OBVIOUSLY, BECAUSE IT'S TOO LATE TO DO ANYTHING NOW. [LB53]

SENATOR BLOOMFIELD: OKAY. [LB53]

SENATOR SCHEER: SO TO ANSWER YOUR QUESTION, I WOULD OPPOSE THAT AMENDMENT IF IT DID SURFACE. [LB53]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. MY SON HAPPENS TO LIVE IN OKLAHOMA AND THEY HAVE BUT ONE PLATE AND IT SEEMS TO WORK WELL DOWN THERE. AS I MENTIONED BEFORE, I DON'T LIKE TO SEE BILLS HIJACKED. I THINK THAT MIGHT BE WHAT WE'RE DOING HERE WITH WHAT APPEARS TO BE A GOOD IDEA. BUT I DO WONDER IF LAW ENFORCEMENT DOESN'T DESERVE THE POSSIBILITY TO COME IN AND TESTIFY IF THAT'S IN FACT WHAT WE'RE GOING TO CHANGE THIS TO IS THE COMPLETE REMOVAL OF THAT FRONT PLATE. SOUNDS LIKE A GOOD IDEA TO ME, BUT THERE ARE PEOPLE WITH DIFFERENT IDEAS AND I'D YIELD THE REMAINDER OF MY TIME TO SENATOR SCHEER IF HE'D LIKE TO HAVE IT. [LB53]

SENATOR KRIST: SENATOR SCHEER WAIVES. THANK YOU, SENATOR BLOOMFIELD AND SENATOR SCHEER. SENATOR SMITH, YOU'RE RECOGNIZED. [LB53]

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I WANTED TO JUST RISE HERE AND DISAGREE WITH SENATOR KINTNER'S PROPOSED AMENDMENT. I AM CONCERNED THAT THERE COULD BE UNINTENDED CONSEQUENCES AND THAT SUCH AN AMENDMENT WOULD BE WELL BEYOND THE INTENT OF SENATOR SCHEER'S BILL. I DO ENCOURAGE SENATOR KINTNER TO BRING HIS IDEA, TO BRING HIS BILL TO THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE AND LET US HEAR A FULL DISCUSSION ON IT. BUT UNTIL THEN I WOULD CERTAINLY DISAGREE WITH ATTEMPTING TO AMEND SENATOR SCHEER'S CURRENT AMENDMENT OR BILL WITH SUCH A PROPOSAL. AND I DO APPRECIATE SENATOR SCHEER AND HIS THOUGHTFUL APPROACH TO THIS ISSUE. AND I STAND IN SUPPORT OF HIS BILL AND HIS AMENDMENT. THANK YOU, MR. PRESIDENT. [LB53]

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SENATOR KRIST: THANK YOU, SENATOR SMITH. SEEING NO ONE ELSE IN THE QUEUE, SENATOR SCHEER, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB53]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. JUST TO REFRESH EVERYONE'S MIND, THE AMENDMENT SIMPLY, IN INTRODUCED COPY ON PAGE 3, LINE 4, STRIKE "NONREFUNDABLE" AND INSERT "ANNUAL NONREFUNDABLE REGISTRATION." IT'S A THREE-WORD CHANGE AND I WOULD URGE YOUR SUPPORT ON AM762. THANK YOU, MR. PRESIDENT. [LB53]

SENATOR KRIST: THANK YOU, SENATOR SCHEER. COLLEAGUES, YOU'VE HEARD THE CLOSING ON AM762 TO LB53. QUESTION IS, SHALL THE AMENDMENT BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB53]

CLERK: 32 AYES, 0 NAYS ON ADOPTION OF SENATOR SCHEER'S AMENDMENT. [LB53]

SENATOR KRIST: THE AMENDMENT IS ADOPTED. RETURNING TO DISCUSSION ON LB53, SEEING NO ONE IN THE QUEUE, SENATOR SCHEER, YOU'RE RECOGNIZED TO CLOSE ON YOUR BILL. [LB53]

SENATOR SCHEER: VERY BRIEFLY, IT JUST SIMPLY, IN CERTAIN INSTANCES WHERE VEHICLES ARE MANUFACTURED WITHOUT A FRONT BRACKET FOR A LICENSE PLATE OR A PLACE TO PUT THAT, IT ALLOWS FOR THE INDIVIDUAL TO PAY A FEE ON A YEARLY BASIS THAT WOULD PROVIDE HIM WITH A STICKER FOR THE FRONT WINDSHIELD THAT LAW ENFORCEMENT COULD NOTE TO MAKE SURE THAT THE VEHICLE WAS LICENSED PROPERLY AND REGISTERED, AND IT WOULD ONLY APPLY TO A SMALL MINORITY OF VEHICLES. THANK YOU VERY MUCH, MR. PRESIDENT. [LB53]

SENATOR KRIST: THANK YOU, SENATOR SCHEER. YOU'VE HEARD THE CLOSING ON LB53. THE QUESTION IS THE ADVANCEMENT OF LB53 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB53]

CLERK: 25 AYES, 3 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB53. [LB53]

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SENATOR KRIST: LB53 ADVANCES. NEXT ITEM. [LB53]

CLERK: LB311 IS A BILL OFFERED BY THE TRANSPORTATION COMMITTEE AND SIGNED BY ITS MEMBERSHIP. (READ TITLE.) INTRODUCED ON JANUARY 15 OF LAST YEAR, REFERRED TO THE TRANSPORTATION COMMITTEE, THE BILL WAS ADVANCED TO GENERAL FILE. I HAVE A COMMITTEE AMENDMENT, AS WELL AS AN AMENDMENT TO THE...I'M SORRY. I HAVE A COMMITTEE AMENDMENT, MR. PRESIDENT. (AM386, LEGISLATIVE JOURNAL PAGE 692, FIRST SESSION, 2015.) [LB311]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR SMITH, AS CHAIRMAN OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON LB311. [LB311]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND AGAIN, GOOD MORNING, COLLEAGUES. LB311 WAS INTRODUCED BY THE MEMBERS OF THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE AND ADVANCED LAST SESSION TO THE FLOOR IN AN 8-0 VOTE. THERE IS A STANDING COMMITTEE AMENDMENT, AS MENTIONED. THE BILL IS A TECHNICAL REVISION BILL INTRODUCED ON THE BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES. THE BILL MAKES REVISIONS TO THE NEBRASKA COMMERCIAL LICENSE ACT TO UPDATE AND CONFORM NEBRASKA LAW TO THE MINIMUM FEDERAL REQUIREMENTS THAT GOVERN THE ISSUANCE OF CDLs. REVISIONS ARE MADE TO THE DEFINED TERMS "GROSS COMBINATION WEIGHT RATING" AND "GROSS VEHICLE WEIGHT RATING." ALSO, OBSOLETE OPERATIVE DATES ARE REMOVED FROM LAW. THE BILL MAKES CHANGES TO THE COMMERCIAL LEARNER'S PERMIT. CURRENTLY, THE COMMERCIAL LEARNER'S PERMIT IS VALID FOR 180 DAYS AND MAY BE RENEWED ONLY ONCE DURING THE TWO-YEAR PERIOD FOLLOWING ITS ISSUANCE. THE BILL PROVIDES THAT THE COMMERCIAL LEARNER'S PERMIT SHALL BE VALID FOR 180 DAYS AND THAT UPON EXPIRATION MAY BE RENEWED FOR AN ADDITIONAL 180 DAYS. WHEN RENEWED, THE COMMERCIAL LEARNER'S PERMIT HOLDER WILL NOT BE REQUIRED TO RETAKE THE GENERAL AND ENDORSEMENT KNOWLEDGE WRITTEN TESTS. AND FINALLY, THE COMMERCIAL DRIVER'S ACT IS CLARIFIED THAT THE SECRETARY OF STATE IS AUTHORIZED TO ACCESS SOCIAL SECURITY NUMBERS OF CDL APPLICANTS FOR PURPOSES OF VOTER REGISTRATION. THANK YOU, MR. PRESIDENT. [LB311]

SENATOR KRIST: THANK YOU, SENATOR SMITH. AS THE CLERK STATED, THERE ARE COMMITTEE AMENDMENTS. AS THE CHAIR, AGAIN, SENATOR SMITH, YOU'RE

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RECOGNIZED TO OPEN ON THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE AMENDMENT. [LB311]

SENATOR SMITH: THANK YOU AGAIN, MR. PRESIDENT. THE COMMITTEE AMENDMENT IS TECHNICAL IN NATURE. IT MODIFIES THE DEFINITIONS OF "GROSS COMBINATION WEIGHT RATING" AND "GROSS VEHICLE WEIGHT RATING." THESE ARE TERMS USED IN THE COMMERCIAL DRIVER'S LICENSE ACT. ELIMINATED IS THE LANGUAGE THAT WOULD HAVE REDEFINED "GROSS COMBINATION WEIGHT RATING" AND "GROSS VEHICLE WEIGHT RATING" FOR PURPOSES OF ENFORCEMENT OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS AS ENFORCED BY THE NEBRASKA STATE PATROL. THANK YOU, MR. PRESIDENT. [LB311]

SENATOR KRIST: THANK YOU, SENATOR SMITH. THE FLOOR IS NOW OPEN FOR DEBATE ON AM386 AND LB311. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB311]

SENATOR SCHNOOR: SENATOR SMITH, WILL YOU YIELD TO A QUESTION, PLEASE? [LB311]

SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB311]

SENATOR SMITH: YES. [LB311]

SENATOR SCHNOOR: JUST A QUICK CLARIFICATION, OBVIOUSLY, THERE'S TECHNICAL DATA THAT'S BEING CHANGED. BUT AS FAR AS THE PROCESS GOES FOR THIS CDL LEARNER'S PERMIT, YOU CAN NOW, INSTEAD OF JUST HOLDING IT FOR SIX MONTHS, YOU CAN REAPPLY AND THEN HOLD IT FOR ONE YEAR WITH, YOU KNOW, TWO SEPARATE PERIODS? IS THAT THE MAJOR CHANGE THAT WE'RE LOOKING AT? [LB311]

SENATOR SMITH: I WOULD SAY THAT IS THE MOST OF IT, YES. [LB311]

SENATOR SCHNOOR: OKAY, THAT'S ALL I HAVE. THANK YOU. [LB311]

SENATOR KRIST: THANK YOU, SENATOR SCHNOOR. SEEING NO ONE ELSE WISHING TO SPEAK, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE ON YOUR COMMITTEE AMENDMENTS. SENATOR SMITH WAIVES CLOSING. THE QUESTION

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FOR THE BODY IS THE ADOPTION OF AM386 TO LB311. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH? PLEASE RECORD, MR. CLERK. [LB311]

CLERK: 29 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LB311]

SENATOR KRIST: AM386 IS ADOPTED. [LB311]

CLERK: MR. PRESIDENT, SENATOR FRIESEN WOULD MOVE TO AMEND WITH AM1967. (LEGISLATIVE JOURNAL PAGE 479.) [LB311]

SENATOR KRIST: SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB311]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, AM1967 IS LB785, A BILL THAT WAS HEARD IN TRANSPORTATION COMMITTEE ON JANUARY 25 OF THIS YEAR. IT WAS ADVANCED TO GENERAL FILE 7-1. THE BILL HAD NO OPPOSITION. AM1967 IS ENABLING LEGISLATION WHICH ALLOWS THE DEPARTMENT OF MOTOR VEHICLES THE OPTION TO UPDATE THE MODEL CURRENTLY BEING USED TO ISSUE DRIVER'S LICENSES AND STATE IDENTIFICATION CARDS TO RESIDENTS OF NEBRASKA. THE BILL HAS THREE PRIMARY PROVISIONS. IT ALLOWS THE DEPARTMENT OF MOTOR VEHICLES TO ASSUME RESPONSIBILITY FOR THE DELIVERY OF ALL DRIVER'S LICENSING SERVICES, INCLUDING FEE COLLECTION AND THE ISSUING OF A TEMPORARY DOCUMENT. THE BILL ELIMINATES THE REQUIREMENT THAT DRIVER'S LICENSING SERVICES BE PROVIDED IN ALL COUNTIES. AND IT PROVIDES THAT IN THE COUNTIES WHERE THE DEPARTMENT OF MOTOR VEHICLES DELIVERS ALL ASPECTS OF DRIVER'S LICENSING SERVICES, THE COUNTY PORTION OF THE FEE SHALL BE CREDITED TO THE DEPARTMENT OF MOTOR VEHICLES CASH FUND. IN RETURN, THE COUNTY WILL NOT BE REQUIRED TO PROVIDE OFFICE SPACE OR STAFF FOR FEE COLLECTION. THE CURRENT REQUIREMENT TO HAVE DRIVER'S LICENSE SERVICING IN EVERY COUNTY IS THE BUSINESS MODEL THAT HAS BEEN IN PLACE SINCE THE DEPARTMENT BEGAN ISSUING LICENSES IN 1950s. OVER THE YEARS THE DEMOGRAPHICS OF NEBRASKA HAVE CHANGED AND THE EXPECTATIONS OF OUR RESIDENTS REGARDING GOVERNMENT SERVICES HAVE CHANGED AND LAWS AND REQUIREMENTS HAVE CHANGED. AS A RESULT, STATE AGENCIES NEED TO BE ABLE TO MODIFY THEIR BUSINESS MODELS TO ACCOUNT FOR THESE CHANGES. THE CURRENT SERVICE DELIVERY MODEL CREATES SIGNIFICANT WORKLOAD IMBALANCE ACROSS THE STATE. MANY STATIONS HAVE FEW AND SOMETIMES NO CUSTOMERS ALL DAY WHILE OTHER STATIONS

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EXPERIENCE UP TO THREE- TO FOUR-HOUR WAIT TIMES ON THE BUSIEST DAYS. THIS CREATES INEFFICIENCIES IN STATE GOVERNMENT AND, WORST OF ALL, INCONVENIENCE FOR THE CUSTOMERS. ADDITIONALLY, NEW TECHNOLOGY IS AVAILABLE TO ASSIST IN MAKING DRIVER'S LICENSE SERVICES MORE CUSTOMER FRIENDLY AND EFFICIENT. HOWEVER, THE COST TO REPLICATE THEM IN THE CURRENT 97 OFFICES IS COST PROHIBITIVE. THE DEPARTMENT OF MOTOR VEHICLES IS A PROACTIVE AGENCY WANTING TO REVISE THEIR BUSINESS MODEL TO BETTER MEET THE NEEDS OF RESIDENTS OF NEBRASKA. AND WHAT I SEE THE BILL...THE MAJOR PORTION I SEE WITH THIS BILL IS JUST ALLOWING THE DEPARTMENT OF MOTOR VEHICLES THE FLEXIBILITY TO DESIGN A PROGRAM THAT WORKS THE BEST. WE TALK ABOUT CREATING EFFICIENCIES IN STATE GOVERNMENT AND ALLOWING THE DIRECTORS TO MANAGE THEIR DEPARTMENTS IN EFFICIENT WAYS THAT SAVE US TAX DOLLARS. AND SO THIS TO ME IS...IT DOES TAKE AWAY SOME OF THE MICROMANAGING WE HAVE PROBABLY DONE IN THE PAST AND ALLOWS THE DIRECTOR TO DELIVER SERVICES TO OUR RESIDENTS THAT ARE MOST EFFICIENT AND COST EFFECTIVE IN THE WAY THEY DO IT. AND IN THE END, IF OUR CUSTOMERS, IF OUR CLIENTS, IF OUR CONSTITUENTS AREN'T SERVED WELL, WE SHOULD MAKE THE DIRECTOR ANSWER TO THAT. SO I THINK THIS GIVES THE DIRECTOR A LITTLE BIT MORE FLEXIBILITY IN ALLOWING HOW THEY OFFER SERVICES IN NEBRASKA AND I STRONGLY SUPPORT THIS AMENDMENT. THANK YOU. [LB311 LB785]

SENATOR KRIST: THANK YOU, SENATOR FRIESEN. YOU'VE HEARD THE OPENING TO AM1967. THOSE WISHING TO SPEAK: SENATOR DAVIS, CRAWFORD, BLOOMFIELD, AND SCHEER. SENATOR DAVIS, YOU'RE RECOGNIZED. [LB311]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I WANTED TO TALK A LITTLE BIT ABOUT THE GOOD AND THE BAD OF THIS BILL. SO I THINK THE GOOD OF THE BILL IS WE NEED TO GIVE THE DEPARTMENT THE FLEXIBILITY THAT THEY NEED TO DO THE JOB THAT THEY ARE ASSIGNED BY THE LEGISLATURE AND BY THE STATE. MY CONCERN IS REPRESENTING A VERY RURAL PART OF THE STATE AND PEOPLE HAVING TO MAKE LONG-DISTANCE COMMUTES FOR THE PURPOSE OF GETTING A LICENSE. SO I JUST WANT TO GET THAT ON THE RECORD THAT I THINK IT'S IMPORTANT THAT THE DEPARTMENT FIND A SOLUTION THAT WORKS TO SATISFY WHAT THEY'RE TRYING TO DO BUT AT THE SAME TIME DOESN'T PUT AN UNDUE BURDEN ON PEOPLE WHO LIVE IN VERY RURAL PARTS OF THE STATE. THANK YOU. [LB311]

SENATOR KRIST: THANK YOU, SENATOR DAVIS. SENATOR CRAWFORD, YOU ARE RECOGNIZED. [LB311]

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SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR FRIESEN WOULD JUST RESPOND TO A COUPLE OF QUESTIONS? [LB311]

SENATOR KRIST: SENATOR FRIESEN, WILL YOU YIELD? [LB311]

SENATOR FRIESEN: YES, I WOULD. [LB311]

SENATOR CRAWFORD: YES. I'M SORRY, I DIDN'T CATCH WHEN YOU SAID WHAT THE BILL NUMBER WAS, THIS WAS ORIGINALLY INTRODUCED AS. [LB311]

SENATOR FRIESEN: I THINK IT WAS LB785, LB785. [LB311 LB785]

SENATOR CRAWFORD: LB785, THANK YOU. COULD...AND I APOLOGIZE IF I MISSED IT WHEN YOU SAID IT EARLIER. DID ANYONE TESTIFY IN OPPOSITION TO LB785? [LB311 LB785]

SENATOR FRIESEN: I DON'T RECALL ANY OPPOSITION TESTIMONY, BUT THERE WERE SOME QUESTIONS RAISED IN SOME OF THE RURAL AREAS OF HOW SERVICES WOULD BE PROVIDED THERE. [LB311]

SENATOR CRAWFORD: WAS THERE ANY DISCUSSION ABOUT HOW THIS WOULD IMPACT COUNTY COSTS? [LB311]

SENATOR FRIESEN: FROM THE COUNTY STANDPOINT, I MEAN, THOSE COUNTIES THAT HAVE TO PROVIDE THIS SERVICE, THEY'RE PROVIDING SPACE, WHICH IS IN TIGHT SUPPLY SO...AND THE DOLLAR AMOUNTS, I DO HAVE A CHART HERE WE COULD...I COULD PASS ON TO YOU THAT SHOWS THE DIFFERENT DOLLAR AMOUNTS. AND REALLY THE LARGEST IMPACT HAS TO DO WITH IN THE OMAHA AND LINCOLN AREAS, THE LARGER CITIES. BUT IN THE SMALLER COUNTIES, THE FEES THAT ARE COLLECTED ARE VERY SMALL. AND I GUESS JUST THE INCONVENIENCE OF A DRIVER'S LICENSE, A PERSON WHO IS GETTING TO TAKE THE TEST TO HAVE TO GO TO THE COURTHOUSE OR WHEREVER IF THEY'RE LOCATED IN A DIFFERENT LOCATION, TO GO AND PAY YOUR FEE THERE, THE INCONVENIENCE OF THAT ALONE, I GUESS EVERYBODY REALIZED THIS WOULD JUST SPEED UP THE PROCESS AND MAKE IT EASIER. [LB311]

SENATOR CRAWFORD: SO IN A URBAN COUNTY, WHERE THERE'S A HIGH DEMAND FOR THESE SERVICES, THE DEPARTMENT COULD SET UP OFFICES

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SOMEWHERE ELSE AND THE COUNTY WOULD NO LONGER HAVE TO PROVIDE SPACE OR STAFF IN ANY WAY FOR THIS PROCESS; IT WOULD ALLOW THE DEPARTMENT TO PROVIDE IT IN WAYS THAT ARE CONVENIENT IN THAT COUNTY. AM I UNDERSTANDING THAT CORRECTLY? [LB311]

SENATOR FRIESEN: RIGHT, IT WOULD ALLOW THE DIRECTOR TO MOVE PEOPLE AROUND TO WHERE THEY'RE NEEDED MOST. AND IF YOU LOOK AT SOME OF THE RURAL AREAS OF THE STATE THAT ARE SERVED, WE HAVE, YOU KNOW, 15 COUNTIES WHERE THEY'RE OPEN ONLY ONCE A MONTH. WE HAVE 20 COUNTIES THAT ARE OPEN ONCE EVERY TWO WEEKS. [LB311]

SENATOR CRAWFORD: YEAH. [LB311]

SENATOR FRIESEN: AND TO STAFF THOSE AND TO HAVE PEOPLE CLOSE TO THOSE AREAS TO SERVICE THEM COSTS A LOT OF MONEY TOO. [LB311]

SENATOR CRAWFORD: IN SARPY COUNTY WE HAVE THE OPPOSITE PROBLEM OF JUST AN OVERFLOW IN THE OFFICE. AND SO IF THE DEPARTMENT...WOULD THE DEPARTMENT BE ABLE THEN, PERHAPS, IN SARPY COUNTY TO PROVIDE MULTIPLE LOCATIONS TO SERVE THE PEOPLE IN THAT COUNTY WHERE THERE'S A HIGHER DEMAND? [LB311]

SENATOR FRIESEN: I THINK THE IDEA OF THIS BILL WAS TO ALLOW THEM TO STUDY IT A LITTLE BETTER AND AT LEAST ADD MAYBE MORE EMPLOYEES OR MORE LOCATIONS, WHICHEVER THEY THOUGHT THEY COULD DO, TO BETTER OFFER SERVICES TO THE CONSTITUENTS. [LB311]

SENATOR CRAWFORD: THANK YOU. THANK YOU. THANK YOU, MR. PRESIDENT. [LB311]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD AND SENATOR FRIESEN. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB311]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR FRIESEN WOULD YIELD. [LB311]

SENATOR KRIST: SENATOR FRIESEN, WILL YOU YIELD? [LB311]



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SENATOR FRIESEN: YES, I WOULD. [LB311]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. THE COUNTIES I REPRESENT HAVE THE ABILITY TO GET THESE LICENSES ONCE A WEEK. YOU MENTIONED THERE ARE OTHERS THAT HAVE THE ABILITY ONLY ONCE A MONTH. I ASSUME ARTHUR COUNTY IS PROBABLY ONE OF THOSE OUT IN THE WESTERN PART OF THE STATE. WHERE DO THOSE PEOPLE GO IF THAT SERVICE IS NOT AVAILABLE AT ALL IN THEIR COUNTY? WHERE DO THEY HAVE TO GO? [LB311]

SENATOR FRIESEN: WELL, THIS IS KIND OF LEFT FLEXIBLE YET. THE DESIGN PROCESS IS STILL IN MOTION, I GUESS. AND WHAT THEY WOULD LIKE TO DO IS BE ABLE TO LOCATE IN SOME OF THE LARGER COMMUNITIES. AND THEY ARE WORRIED ABOUT THE TRAVEL DISTANCES, SO THEY'RE TRYING TO HOLD THAT DOWN. BUT THEY WOULD MAKE IT SO THAT YOU CAN HAVE AN APPOINTMENT TO GO. AND THAT WAY, YOU FOR SURE COULD GET IN ON THE TIME THAT YOU SCHEDULED AND YOU COULD GET YOUR LICENSE STUFF ALL TAKEN CARE OF AT ONE TIME. AND SO THEY WERE GOING TO WORK MORE ON APPOINTMENTS. WHEN YOU LOOK AT HOW WE DO THE DRIVER'S LICENSE CURRENTLY, EVERY FIVE YEARS YOU CAN RENEW ONLINE, SO REALLY THIS AFFECTS PEOPLE PROBABLY ONLY ONCE EVERY TEN YEARS, SO. [LB311]

SENATOR BLOOMFIELD: OKAY. I GUESS I SHARE SOME OF THE SAME CONCERNS THAT SENATOR DAVIS DOES. WHEN I LOOK OUT AT HIS DISTRICT, WE MIGHT END UP WITH ONLY ONE PLACE WHERE SOMEBODY GETTING A NEW LICENSE, YOU KNOW, HE MIGHT HAVE TO DRIVE 200 MILES OR GET SOMEBODY TO TAKE HIM 200 MILES TO TAKE THE TEST AND GET THE LICENSE. THAT CONCERNS ME A LITTLE. I'M ALL FOR REDUCING GOVERNMENT AND CUTTING FEES WHERE WE CAN, BUT I DON'T BELIEVE THAT PROVIDING SPACE IN THE COURTHOUSE IN ONE OF THESE COUNTIES IS PROBABLY A BIG ISSUE WHERE THERE'S VERY LITTLE TAKING PLACE ANYWAY. [LB311]

SENATOR FRIESEN: WELL, I THINK SOME OF THE NUMBERS THAT I SAW, I MEAN, SHE DID HAVE SOME NUMBERS PUT TOGETHER TO WHERE MOST PEOPLE WOULD NEVER DRIVE MORE THAN 75 MILES ON A ROUND TRIP. I DON'T KNOW WHAT...THAT WOULD BE THE EXTREME, YOU KNOW, WHEN YOU GET OUT TO CLEAR WESTERN NEBRASKA. AND LIKE I SAID, THIS GIVES THE DIRECTOR THE FLEXIBILITY TO DO THINGS. THERE'S NOTHING SET YET AS TO WHERE SHE'S GOING TO LOCATE THESE OR WHAT PROCESS SHE'LL USE, BUT IT DOES GIVE HER THE FLEXIBILITY TO DESIGN A SYSTEM. AND LIKE I WAS SAYING EARLIER,

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DOWN THE ROAD, IF WE WANT TO MICROMANAGE DEPARTMENTS, I MEAN, IF THEIR GOAL...AND I TAKE IT AS THE WAY I WOULD LIKE TO SEE US MANAGE THINGS, IS TO SERVE OUR CONSTITUENTS WITH THE BEST POSSIBLE SERVICE THEY COULD GET FOR THE MONEY EXPENDED. AND SO DOWN THE ROAD, IF THEY DON'T DO THAT JOB, WE NEED TO HOLD HER ACCOUNTABLE. AND I THINK SHE WANTS...SHE'S CURRENTLY...TRULY BELIEVES SHE CAN OFFER A BETTER SERVICE AT A LOWER COST THAN WHAT WE CURRENTLY UNDER STATUTES REQUIRE THEM TO DO. [LB311]

SENATOR BLOOMFIELD: OKAY. I HAVE NOT LOOKED AT THE BILL THAT YOU'RE TRYING TO AMEND IN HERE YET. BUT IF SHE IS TRYING TO GET THAT DOWN TO A 75-MILE ROUND TRIP, I'VE GOT TO THINK THEY'RE DRIVING FURTHER THAN THAT NOW. I HAVE TO DRIVE 45 MILES ROUND TRIP AND I LIVE IN A SMALL, FAIRLY DECENTLY POPULATED COUNTY. SO I DON'T KNOW HOW... [LB311]

SENATOR FRIESEN: I SAID... [LB311]

SENATOR BLOOMFIELD: ...CHERRY COUNTY WOULD GET THAT DONE IN A 75-MILE RANGE. [LB311]

SENATOR FRIESEN: I SAID THE MAJORITY OF PEOPLE; I DIDN'T SAY ALL. [LB311]

SENATOR BLOOMFIELD: OKAY, THANK YOU, SENATOR. THANK YOU, MR. PRESIDENT. [LB311]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD AND SENATOR FRIESEN. SENATOR DAVIS, YOU'RE RECOGNIZED. [LB311]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. AND I'M GOING TO ENLIGHTEN PEOPLE A LITTLE BIT ON THE DISCUSSION THAT I HAD WITH RHONDA LAHM ABOUT THIS ISSUE WITH REGARD TO MY PARTICULAR DISTRICT. SO THAT EVERYONE IN HERE REMEMBERS, I HAVE ABOUT 21 PERCENT OF THE STATE IN MY DISTRICT. SO WHEN DIRECTOR LAHM CAME TO SEE ME ABOUT THE SUGGESTION, WHICH I FULLY SUPPORT...I WANT YOU TO UNDERSTAND THAT. I JUST HAVE THESE GRAVE CONCERNS ABOUT FORCING PEOPLE TO HAVE THESE LONG COMMUTES. SO WHEN DIRECTOR LAHM CAME TO SEE ME ABOUT THAT, I ASKED HER, I SAID, WELL TELL ME WHERE YOU THINK YOU MIGHT ENVISION THIS TAKING PLACE. SHE SAID, WELL, REALLY THE NUMBER OF PEOPLE IN YOUR

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DISTRICT WOULD REALLY ONLY JUSTIFY ONE LOCATION, 21 PERCENT OF THE STATE, ONE LOCATION. I SAID, WELL, SO WHERE ARE WE LOOKING AT? WELL, MAYBE VALENTINE, AND THAT WOULD BE GREAT, BUT MY DISTRICT INCLUDES A LOT OF GROUND THAT'S NOT NEAR VALENTINE. ON THE SOUTH END, PEOPLE COULD GO TO NORTH PLATTE. THAT'S STILL GOING TO BE A 70-MILE TRIP ONE WAY. ON THE WEST END, AT HYANNIS, WE WOULD GO TO ALLIANCE, PERHAPS. THAT'S 60 MILES. BUT EVEN IN THE PANHANDLE WHERE WE'VE GOT SCOTTSBLUFF, CHADRON, ALLIANCE, GORDON, RUSHVILLE, CRAWFORD IS SOMEWHAT...COMMUNITIES THAT ARE NOT SMALL, PROBABLY ONLY SCOTTSBLUFF. SO WE'VE GOT SOME REALLY SIGNIFICANT THINGS THAT NEED TO BE WORKED OUT. I WOULD CERTAINLY LIKE TO SEE A PLAN PUT TOGETHER RATHER THAN ESSENTIALLY JUST TURNING IT OVER AND SAYING, OKAY, DO WHAT YOU CAN, BECAUSE WE...YOU KNOW, OBVIOUSLY IT'S GOING TO BE A REAL HARDSHIP FOR PEOPLE TO MAKE THAT LONG TRIP. I'M ALL BEHIND TRYING TO DO AS MUCH AS WE CAN ON-LINE WITH THOSE TECHNIQUES THAT ARE AVAILABLE. THE PEOPLE I'M REALLY THINKING ABOUT ARE THE STUDENTS. YOU HAVE TO PULL SOMEONE OUT OF SCHOOL TO HAVE THEM DRIVE 80 MILES TO TAKE THEIR TEST. WHAT IF THEY FAIL THE TEST? THEN THEY'VE GOT TO DO IT AGAIN. SO WE NEED TO...I NEED TO HAVE SOME COMFORT WITH THAT AND I THINK SENATOR BLOOMFIELD UNDERSTANDS THAT. THANK YOU. [LB311]

SENATOR KRIST: THANK YOU, SENATOR DAVIS. SEEING NO ONE ELSE IN THE QUEUE, SENATOR FRIESEN, YOU'RE RECOGNIZED TO CLOSE ON AM1967. [LB311]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. JUST RECEIVED A NOTE, BUT WE DID RECEIVE ONE LETTER OF SUPPORT AT LEAST FROM THE SARPY COUNTY TREASURER IN SUPPORT OF THE BILL. AGAIN, I WANT TO REALLY EXPRESS MY...I GUESS THE DESIRE THAT THIS BILL JUST AUTHORIZES THE DIRECTOR TO LOOK AT CHANGES THAT OFFER US A BETTER SERVICE. AND I THINK IN THE LONG RUN THIS IS WHAT ALL STATE DEPARTMENTS SHOULD BE LOOKING AT DOING IS TO LOOK FOR WAYS WHERE WE CAN LOWER OUR COSTS, OFFER A BETTER SERVICE TO ALL OF OUR CONSTITUENTS. AND WE CAN'T ALL DRIVE A CADILLAC. THERE IS GOING TO BE SOME INCONVENIENCES, I UNDERSTAND THAT. BUT I TRULY BELIEVE SHE'S GOING TO TRY TO MITIGATE AS MUCH OF THAT AS SHE CAN IN HOW SHE DECIDES THOSE LOCATIONS AND HOW SHE DECIDES TO OFFER THOSE SERVICES THERE. THIS BILL JUST RELIEVES THEM OF SOME OF THE CONSTITUTIONAL OR THE REGULATORY REQUIREMENTS THAT THEY'RE CURRENTLY UNDER AND ALLOWS HER TO MANAGE HER DEPARTMENT, I THINK A LITTLE BIT MORE FLEXIBLY, AND HOPEFULLY SHE CAN SOW SOME SAVINGS IN THE LONG RUN. THANK YOU, MR. PRESIDENT. [LB311]

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SENATOR KRIST: THANK YOU, SENATOR FRIESEN. YOU'VE HEARD THE CLOSING ON AM1967 TO LB311. THE QUESTION IS THE ADOPTION OF AM1967. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB311]

CLERK: 27 AYES, 1 NAY, MR. PRESIDENT, ON THE ADOPTION OF SENATOR FRIESEN'S AMENDMENT. [LB311]

SENATOR KRIST: AM1967 IS ADOPTED. SEEING NO ONE ELSE IN THE QUEUE, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE ON LB311. SENATOR SMITH WAIVES CLOSING. THE QUESTION IS THE ADVANCEMENT OF LB311 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB311]

CLERK: 30 AYES, 1 NAY ON THE ADVANCEMENT OF THE BILL, MR. PRESIDENT. [LB311]

SENATOR KRIST: LB311 ADVANCES. NEXT ITEM. [LB311]

CLERK: LB400 IS A BILL BY SENATOR SMITH. (READ TITLE.) INTRODUCED ON JANUARY 16 OF LAST YEAR, REFERRED TO THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE, THE BILL WAS ADVANCED TO GENERAL FILE. I HAVE NO AMENDMENTS PENDING AT THIS TIME, MR. PRESIDENT. [LB400]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON LB400. [LB400]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. COLLEAGUES, LB400 IS A FAIRLY SIMPLE BILL INTENDED TO STREAMLINE CANDIDATE FILING REQUIREMENTS AND TO GAIN EFFICIENCIES WITH RESPECT TO CERTAIN FINANCIAL DOCUMENTS. THE IDEA FOR LB400 WAS BROUGHT TO ME BY SECRETARY OF STATE JOHN GALE, AS WELL AS FROM MY LOCAL COUNTY ELECTION COMMISSIONER. LB400 DEALS WITH THE FINANCIAL C-1 STATEMENT WHICH ALL OF US ARE VERY FAMILIAR WITH AS ELECTED OFFICIALS. ACCORDING TO THOSE WHO DEAL DIRECTLY WITH CANDIDATE FILINGS, THE CURRENT C-1 DEADLINES CAN BE THE SOURCE OF CONFUSION AND DISRUPTION. UNDER CURRENT LAW, A NEW CANDIDATE FOR OFFICE MUST FILE A C-1 STATEMENT WITH THE LOCAL ELECTION OFFICER AND THE NADC WHEN THEY RUN FOR OFFICE. THAT C-1 IS

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FOR THE PRIOR CALENDAR YEAR. SO IF AFTER JANUARY 1, THE C-1 MUST COVER THE PREVIOUS CALENDAR YEAR AND FILED WITH NADC WITHIN FIVE DAYS OF FILING FOR ELECTED OFFICE. IF BEFORE JANUARY 1, STILL THE C-1 MUST COVER THE PREVIOUS CALENDAR YEAR. HOWEVER, THE CANDIDATE FILING BEFORE JANUARY 1, LET'S SAY DECEMBER, WOULD NEED TO FILE A SECOND C-1 FOR THE SUBSEQUENT YEAR, BUT THIS TIME ONLY WITH THE NADC AND THAT BEING BY APRIL 1. THEN THERE'S THE ADDITIONAL COMPLEXITY THAT IF YOU DON'T MEET THESE DEADLINES, YOU'RE NOT ELIGIBLE FOR ELECTION. SO IT IS UNCLEAR WHAT WOULD HAPPEN IF SOMEBODY DID FAIL TO FILE THEIR C-1 BY APRIL 1 YET WAS STILL ON THE BALLOT. SO FAR THIS HAS NOT OCCURRED BECAUSE OUR LOCAL ELECTION OFFICIALS AND THE SECRETARY OF STATE'S OFFICE GO WELL BEYOND THE CALL OF DUTY AND SPEND CONSIDERABLE TIME MAKING SURE EVERYBODY IS PROPERLY FILED. IN FACT, WHEN MY OFFICE ALERTED NEAL ERICKSON, THE DEPUTY SECRETARY OF STATE FOR ELECTIONS, THAT THE BILL HAD MADE ITS WAY TO THE AGENDA, HE COMMENTED THAT IT WAS TOO BAD THE BILL DIDN'T COME UP EARLIER. HE SAID HIS OFFICE IS ALREADY HAVING TO DO A LOT OF UNNECESSARY WORK THIS YEAR TO ENSURE CANDIDATES HAVE TURNED IN THE REQUIRED C-1 DOCUMENT. HE ESTIMATES THAT HIS OFFICE IS CURRENTLY TRYING TO TRACK DOWN 15 TO 20 PROSPECTIVE CANDIDATES FOR OFFICE TO GET THEIR NECESSARY PAPERWORK. LB400 WOULD FIRST ELIMINATE SOME OF THIS CONFUSION BY REQUIRING CANDIDATES TO FILE THE C-1 DOCUMENT DIRECTLY WITH THE ACCOUNTABILITY AND DISCLOSURE OFFICE, WHERE IT BELONGS. THE FILING OFFICER COULD THEN JUST CHECK WITH THE...JUST CHECK WITH ONE ENTITY, THAT IS ACCOUNTABILITY AND DISCLOSURE, TO CONFIRM THAT THE FORMS HAVE BEEN FILED. SECOND, THE BILL MOVES UP THE FILING DEADLINE FOR C-1 FORMS TO MARCH 1. THIS DATE COINCIDES WITH THE CANDIDATE FILING DEADLINE. FINALLY, LB400 PROVIDES THAT IF SOMEBODY FILING FOR OFFICE FAILS TO FILE THE C-1 FIVE DAYS AFTER THE MARCH 1 DEADLINE, WHICH WOULD BE MARCH 6, THEIR NAME WOULD NOT BE PLACED ON THE BALLOT. WITH RESPECT TO THOSE CANDIDATES THAT QUALIFY WITHOUT FILING, SUCH AS WRITE-INS, THEY WOULD HAVE FIVE DAYS TO FILE THE C-1 AFTER BECOMING A CANDIDATE. AGAIN, FAILURE TO FILE THE C-1 WOULD RESULT IN THE CANDIDATE NOT APPEARING ON THE BALLOT, THEIR NAME NOT APPEARING ON THE BALLOT. LB400 STREAMLINES THE CANDIDATE FILING PROCESS AND MAKES FOR A MORE EFFICIENT PROCESS. THE BILL HAD A PUBLIC HEARING IN FRONT OF GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE ON FEBRUARY 19 OF LAST YEAR. THERE IS A VERY SMALL FISCAL NOTE OF \$1,200. ACCOUNTABILITY AND DISCLOSURE WOULD NEED TO REVISE AND REPRINT CERTAIN FORMS. THERE WERE NO OPPONENTS AND IT ADVANCED WITH SEVEN MEMBERS IN FAVOR AND ONE ABSENT. THAT'S ALL

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THERE IS, COLLEAGUES, TO LB400, AND I URGE YOU TO VOTE GREEN. THANK YOU. [LB400]

SENATOR KRIST: THANK YOU, SENATOR SMITH. YOU'VE HEARD THE OPENING ON LB400. SEEING NO ONE IN THE QUEUE...EXCUSE ME. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB400]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. WILL SENATOR SMITH YIELD TO A COUPLE QUESTIONS? [LB400]

SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB400]

SENATOR SMITH: YES. [LB400]

SENATOR SCHUMACHER: SENATOR SMITH, ON THE C-1 FORM, IS THAT THE FORM WHERE YOU DECLARE WHETHER YOU HAD INCOME OF MORE THAN \$1,000 FROM ANY PARTICULAR SOURCE AND YOUR ASSETS? [LB400]

SENATOR SMITH: THE FINANCIALS, YES. [LB400]

SENATOR SCHUMACHER: MARCH 1 MAY NOT BE ENOUGH TIME FOR YOU TO GET YOUR 1099s ON ANY DIVIDEND PAYMENTS OR INTEREST PAYMENTS AND TO HAVE THOSE NUMBERS TO FILE IF YOU HAD A STOCK THAT MAYBE PAID... YOU WEREN'T SURE IF IT PAID \$900 IN DIVIDENDS OR \$1,100 IN DIVIDENDS. AND THAT, I THINK, AT LEAST THE WAY... THAT'S HOW I ALWAYS RATIONALIZED WAS SUCH A LATE FILING DATE, BECAUSE IT'S A REAL, REAL HASSLE IF FOR SOME REASON YOUR 1099 DIDN'T COME IN THE MAIL OR IT GOT LOST WITH OUR SUPER-DUPER POSTAL SYSTEM, AND THEN YOU'VE GOT TO TRY TO HUNT IT BACK DOWN. YOU KNOW, I GUESS THAT'S ONE THING THAT JUMPS TO MIND FROM A CANDIDATE'S PERSPECTIVE. THERE MAY BE A REASON, UNBEKNOWNST TO US SINCE WE'RE ALL SO YOUNG IN THE BODY, WHY IT WAS APRIL 1. THE SECOND QUESTION IS, AS YOU'VE STRUCTURED THE BILL, IF YOU MADE A LOT OF MONEY IN THE PRIOR YEAR BUT YOU FILED BEFORE JANUARY 1, DO YOU GET PAST THE ELECTION WITHOUT HAVING TO MAKE THAT DISCLOSURE, OR YOU ACQUIRED A LOT OF ASSETS? DOES IT DELAY THE DISCLOSURE BY A YEAR? [LB400]

SENATOR SMITH: I WOULD SAY IT COULD POSSIBLY DO THAT, SENATOR SCHUMACHER. I'M NOT CERTAIN ON YOUR FIRST QUESTION THOUGH IF THAT

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INFORMATION IS NOT AVAILABLE EARLIER THAN THE DATE YOU SUGGESTED. I WOULD LIKE TO HAVE A LITTLE FURTHER CONVERSATION WITH YOU ON THAT. BUT AGAIN, THIS IS INTENDED TO BRING THAT APRIL 1 DATE IN LINE WITH THE PREVIOUS YEAR'S DATE. [LB400]

SENATOR SCHUMACHER: THANK YOU, SENATOR SMITH. I KNOW IT'S BEEN MY EXPERIENCE AS A PAYER AND WHERE YOU HAVE TO ISSUE THESE 1099s THAT YOU'VE GOT TILL I THINK IT'S THE END OF JANUARY TO ISSUE THEM. AND THEN EVEN AFTER THAT, THEY'RE OFTEN CORRECTED FROM BROKERAGE HOUSES AND PENSION FUNDS AND WHATEVER, CORRECTED 1099s THAT ARE ISSUED, MY EXPERIENCE IS, AS LATE AS INTO MARCH. AND YOU DON'T...SO THE DUST HASN'T SETTLED ON YOUR TAX RETURN, REALLY, UNTIL VERY, VERY LATE IN THE GAME AND THAT MIGHT BE APRIL 1. AND THEN IF YOU FIND...I SUPPOSE YOU COULD FILE AN AMENDED ONE, BUT I THINK THERE'S A REASON FOR THE MADNESS OF APRIL 1. I JUST DON'T KNOW WHAT IT IS, BUT I SUSPECT IT'S THE FACT THAT YOU MAY NOT KNOW ALL OF YOUR INCOME STATEMENTS AND YOUR STATEMENTS FROM VARIOUS SOURCES ARE SUBJECT TO AMENDMENT TILL FAIRLY LATE IN THE GAME. I WOULD THINK THAT IF WE ADVANCE THIS BILL, THOSE ARE ISSUES WE'D WANT TO CLEAR UP BEFORE SELECT FILE. BUT THERE MAY BE GOOD REASON FOR THE APRIL 1 DATE. THANK YOU. [LB400]

SENATOR KRIST: THANK YOU, SENATOR SCHUMACHER AND SENATOR SMITH. SEEING NO ONE ELSE WISHING TO SPEAK, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE ON LB400. [LB400]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND I WILL NOT TAKE LONG IN MY HOLDING...ON MY CLOSING. REFERRING TO BACK TO WHAT SENATOR SCHUMACHER WAS NOTING, I THINK HE BROUGHT UP SOME GOOD POINTS. BUT AGAIN, WE'RE TRYING TO ALIGN THOSE DATES AS THEY EXIST IN PREVIOUS YEARS ALREADY. THERE'S ALWAYS THE OPPORTUNITY TO AMEND ANY FILING, SO THAT OPPORTUNITY REMAINS THERE. SO WITH THAT, THANK YOU, COLLEAGUES. I URGE YOUR SUPPORT OF LB400. [LB400]

SENATOR KRIST: YOU'VE HEARD THE CLOSING ON LB400. THE QUESTION IS THE ADVANCEMENT TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB400]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB400.  
[LB400]

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SENATOR KRIST: LB400 ADVANCES. NEXT ITEM. [LB400]

CLERK: LB400A, A BILL BY SENATOR SMITH. (READ TITLE.) [LB400A]

SENATOR KRIST: SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON LB400A.  
[LB400A]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND AGAIN, THIS IS THE A BILL  
FOR THAT SMALL FISCAL NOTE THAT WE DISCUSSED IN THE OPENING ON LB400.  
THANK YOU. [LB400A LB400]

SENATOR KRIST: YOU'VE HEARD THE OPENING AND, I ASSUME, THE CLOSING ON  
LB400A. THE QUESTION IS THE ADVANCEMENT OF LB400A TO E&R INITIAL. ALL  
THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK.  
[LB400A]

CLERK: 25 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB400A.  
[LB400A]

SENATOR KRIST: LB400A ADVANCES. NEXT ITEM. [LB400A]

CLERK: LB378 IS A BILL BY SENATOR GROENE. (READ TITLE.) INTRODUCED ON  
JANUARY 16 OF LAST YEAR, REFERRED TO THE URBAN AFFAIRS COMMITTEE AT  
THAT TIME, ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE  
AMENDMENTS, MR. PRESIDENT. (AM637, LEGISLATIVE JOURNAL PAGE 729, FIRST  
SESSION, 2015.) [LB378]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR GROENE, YOU'RE  
RECOGNIZED TO OPEN ON LB378. [LB378]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. AS THEY SAY, ALL POLITICS IS  
LOCAL. LB378...AND I'LL GET TO THAT. PRESENTLY UNDER STATUTE 16-697.02,  
THE MAYOR AND CITY COUNCIL HAVE THE POWER TO BORROW MONEY AND  
PLEDGE AS SECURITY THE PROPERTY AND CREDIT OF THE CITY IN ORDER TO  
BUY AND IMPROVE LAND FOR PARKS, RECREATIONAL FACILITIES, AND PUBLIC  
GROUNDS, AS LONG AS AUTHORITY IS FIRST OBTAINED BY PLACING THE  
PROPOSAL ON THE BALLOT AT A GENERAL ELECTION AND OBTAINING A  
MAJORITY OF THE VOTE. THIS BILL PROTECTS THE CITIZENS BY ADDING THE



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SPECIFIC TYPE OF FINANCING TO THE BALLOT LANGUAGE SO THAT THE VOTER CAN MAKE AN INFORMED DECISION. IT MAKES A DIFFERENCE REGARDING DECISION THE VOTER WILL MAKE ON THE PROPOSAL IF THE PROJECT WILL BE FUNDED BY REVENUE BONDS, PAID FOR THE PROJECT'S OWN REVENUES, OR GENERAL OBLIGATION BONDS PAID BY THE CITY'S GENERAL FUND, WHICH IS GENERATED BY PROPERTY, SALES, AND MISCELLANEOUS TAXES. THIS BILL FURTHER MANDATES THAT ANY PROPOSED REFINANCING OF REVENUE...OF THE BONDS MUST BE PUT BACK TO A VOTE OF THE PEOPLE IN ORDER TO CHANGE THE FINANCING. THERE WAS OPPOSITION BY THE LEAGUE OF MUNICIPALITIES, WAS THE ONLY ONE. AND FOLLOWING, SENATOR CRAWFORD FROM URBAN AFFAIRS COMMITTEE WILL INTRODUCE AM637. THE LEAGUE SAID IF THAT WAS ADOPTED THEIR OPPOSITION WILL DESIST. AND I'LL LEAVE THAT TO SENATOR CRAWFORD TO EXPLAIN IT. I GAVE YOU A HANDOUT FROM 1992. IN NORTH PLATTE...AND I WANT TO MAKE SURE EVERYBODY UNDERSTANDS I'M NOT BLAMING THE PRESENT ADMINISTRATION. THIS IS 25, 23 YEARS AGO, WHAT HAPPENED, BUT IT STILL HAUNTS OUR CITY; IT STILL HAUNTS THE TAXPAYERS OF NORTH PLATTE. AND WHEN I BANGED ON DOORS, THIS IS ONE OF THE BIGGEST ISSUES. IT JUST KEEPS COMING BACK. THIS WON'T HELP THE CITY OF...THE CITIZENS OF NORTH PLATTE ON THIS ISSUE, BUT IT WILL HELP CITIZENS OF OTHER COMMUNITIES IN THE FUTURE. THEY WANTED TO BUILD A GOLF COURSE BACK IN THE DAY WHEN DESTINATION GOLF COURSES WAS THE BIGGEST FAD. THREE TIMES THE VOTERS TURNED IT DOWN. THE FOURTH TIME...I GAVE YOU SOME PAGES OF THE BROCHURE THAT WAS HANDED OUT AND PASSED AROUND AND THE ADVERTISEMENTS IN THE PAPER. IF YOU READ ON THE BOTTOM OF THE FIRST PAGE: "YES" VOTE ALLOWS PROGRESS TOWARD NO-TAX-DOLLARS GOLF COURSE TO CONTINUE. ON THE SECOND PAGE IT'S GOT A LINE IN THERE, "HOW DO I VOTE WITH THE CONFUSING WORDS (SIC--WORDING) ON THE BALLOT? THE ANSWER IS..."YES"...WITHOUT TAX DOLLARS!" IT WENT ON AND ON TO EXPLAIN TO PEOPLE WHAT A REVENUE BOND AND HOW IT WOULD NEVER COST THE TAXPAYERS ANYTHING. WELL, THE PEOPLE VOTED ON IT. BUT IF YOU LOOK AT PAGE 4, I'VE GOT THE LANGUAGE OF THE BALLOT ISSUE. IT JUST SAYS THEY'RE GOING TO BUILD, GIVE THEM AUTHORITY TO BUILD AN 18-HOLE MUNICIPAL GOLF COURSE, DOES NOT MENTION THE PART THAT THEY PROMISED IT WOULD BE REVENUE BONDS. WELL, GUESS WHAT? THE REVENUE DIDN'T COME IN THREE YEARS LATER. WITH ONE READING OF THE CITY COUNCIL THE REVENUE BONDS WERE RENEGOTIATED AND TO GENERAL OBLIGATION BONDS. TWENTY-TWO YEARS LATER...ON PAGE 5 IS THE LETTER FROM THE LEAGUE OF MUNICIPALITIES THAT SAYS THEY WOULD NOT HAVE OPPOSITION IF WE ADOPTED THE AMENDMENT. I GOT THIS FROM MY CITY CLERK, THE VERY LAST PAGE. TWENTY-TWO YEARS LATER, TAXPAYERS IN NORTH PLATTE HAVE

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LOST...ALL OF THEIR KENO FUNDS HAVE GONE TO MAKE THE BOND PAYMENTS. WE HAVE HAD NO IMPROVEMENTS IN OUR PARKS. A TOTAL OF \$15 MILLION IN A LITTLE COMMUNITY OF 25,000 PEOPLE WHERE OUR PROPERTY TAXES ARE \$3 MILLION TO \$4 MILLION A YEAR. SO FIVE YEARS OF PROPERTY TAXES BASICALLY HAVE GONE TO PAY OFF THIS BOND. WHAT HAS HAPPENED IN ALL COMMUNITIES, NO MATTER WHAT SIZE, THIS...MY BILL ONLY COVERS CLASS I CITIES, WHICH ARE 500,000 TO 100,000. BUT EVERY TOWN HAS THE CERTAIN TYPES WE CALL THE GOOD OLD BOYS, AND ELECTED OFFICIALS GET A LOT OF PRESSURE FROM THOSE INDIVIDUALS SOMETIMES IF THEY HAPPEN TO BE THE ONES THAT BOUGHT THE BONDS. WE NEED TO PROTECT OUR LOCAL CITY COUNCILS, OUR LOCAL MAYORS FROM UNDUE PRESSURE IN A SITUATION LIKE THIS THAT THEY SAY, WE HAVE TO GO BACK TO THE PEOPLE IF WE WANT TO CHANGE THESE BONDS, THIS FUNDING MECHANISM. AND THAT'S WHAT THIS DOES. THREE TIMES THE PEOPLE OF NORTH PLATTE TURNED THAT DOWN. THE FOURTH TIME THEY WERE PROMISED IT WOULD BE REVENUE BONDS AND IT WOULDN'T COST ANYTHING. TWO YEARS LATER IT WAS CHANGED TO GENERAL OBLIGATION BONDS. IT WON'T DO ANYTHING FOR MY CITIZENS, NORTH PLATTE. THE \$15 MILLION IS GONE. ABOUT EVERY FIVE YEARS IT'S ON ACCRETIAN LAND AND THE RIVER WASHES OUT AND WE LOSE ABOUT FOUR HOLES AND WE'VE GOT TO REBUILD IT, BUT THAT'S OUR PROBLEM. BUT THERE'S AN AWFUL LOT OF BOND ELECTIONS OUT THERE AND IT'S ONLY FAIR TO THE TAXPAYERS THAT WE PUT ON THE BALLOT HOW THEY PLAN TO FINANCE THAT ENTERTAINMENT CENTER, COMMUNITY CENTER, GOLF COURSE, SO THAT THEY ARE HELD TO IT. SO I WILL APPRECIATE YOUR HELP IN CLARIFYING THIS BILL GIVING OUR LOCAL ELECTED OFFICIALS, WHO DON'T GET PAID ANYTHING ON THE CITY COUNCIL, SOME ABILITY TO STAND UP TO UNDUE PRESSURE FROM INDIVIDUALS WHO MIGHT TAKE A LOSS BECAUSE THEY MADE A BAD INVESTMENT ON A REVENUE BOND. THE TAXPAYERS...THIS WILL PROTECT THE TAXPAYERS IN THE FUTURE. IF THAT GOLF COURSE WOULD HAVE WENT BROKE, INVESTORS WOULD HAVE LOST THEIR MONEY, JUST LIKE THE KEARNEY ARCHWAY LOST 67 PERCENT OF THEIR VALUE. BUT THAT'S THE RISK YOU TAKE IN AMERICAN INVESTING. SOMEBODY WOULD HAVE CAME ALONG AND BOUGHT THE GOLF COURSE FOR 20 CENTS ON A DOLLAR, WE WOULD HAVE BEEN FINE. WE WOULD HAVE BEEN OPERATING. BUT INSTEAD, WE BAILED OUT SOME BOND INVESTORS WHO TOOK A RISK AND DECIDED THEY DIDN'T LIKE THAT RISK. SO I WANT TO HELP PROTECT OTHER COMMUNITIES, OTHER TAXPAYERS, AND THIS LEGISLATION WOULD DO THAT. SO THANK YOU, MR. PRESIDENT. [LB378]

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SENATOR KRIST: THANK YOU, SENATOR GROENE. AS THE CLERK STATED, THERE ARE COMMITTEE AMENDMENTS. SENATOR CRAWFORD, AS THE CHAIR OF THE URBAN AFFAIRS COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON AM637. [LB378]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. THE COMMITTEE AMENDMENT, AM637, IS A WHITE-COPY AMENDMENT THAT REPLACES THE UNDERLYING BILL. ONE OF THE TWO PROVISIONS IN THE GREEN COPY OF LB378 WAS A REQUIREMENT THAT IF THE CITY OF THE FIRST CLASS DECIDES TO CHANGE THE TYPE OF FINANCING BEING USED, THE PROPOSAL TO REFINANCE MUST BE PLACED ON THE BALLOT FOR VOTER APPROVAL. AM637 WOULD NARROW THIS REQUIREMENT SO THAT A PROPOSAL TO REFINANCE WOULD ONLY HAVE TO BE PLACED ON THE BALLOT IF THE TYPE OF SECURITY IS BEING CHANGED FROM REVENUE BONDS TO GENERAL OBLIGATION BONDS. THE PRIMARY CONCERN RAISED BY OPPONENTS OF LB378 AT THE HEARING WAS THAT REQUIRING A VOTE OF PEOPLE TO REFINANCE THE OTHER WAY--FROM GENERAL OBLIGATION BONDS TO REVENUE BONDS--WOULD UNNECESSARILY ADD COST TO THE CITY, AND OTHER REFINANCING DECISIONS A CITY MIGHT MAKE THAT PUT TAXPAYERS UNDER NO RISK SHOULD BE ABLE TO BE PURSUED WITHOUT A VOTE OF THE PEOPLE. TYPICALLY, CHANGING FROM GENERAL OBLIGATION BONDS TO REVENUE BONDS WOULD REPRESENT A COST SAVINGS TO THE CITY AND ALLEVIATE TAXPAYER BURDEN, SO AM637 WOULD ONLY REQUIRE A NEW VOTE IN CASES WHERE THE TAXPAYERS WOULD BE PLACED AT FURTHER RISK AS THE RESULT OF THE REFINANCING. I WOULD ALSO NOTE THAT THE CHANGES IN LB378 AND AM637 ONLY APPLY TO CITIES OF THE FIRST CLASS AND ONLY APPLY TO THE PROJECTS AUTHORIZED UNDER SECTION 16-697.02, WHICH ARE PARKS AND RECREATIONAL FACILITIES. SO THE REQUIREMENT THAT THE BALLOT...FOR THE BALLOT LANGUAGE TO EXPLAIN THE FINANCING ONLY APPLIES TO FIRST-CLASS CITIES AND TO THE...TO BORROWING IN THIS SPECIFIC CHAPTER WHICH COVERS PARKS AND RECREATIONAL FACILITIES IN FIRST-CLASS CITIES. THANK YOU, MR. PRESIDENT. [LB378]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD. YOU'VE HEARD THE OPENING ON THE COMMITTEE AMENDMENT, AM637, AND THE UNDERLYING LB378. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB378]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT. A QUESTION, AND I THINK I'LL ADDRESS IT TO COMMITTEE CHAIR SENATOR CRAWFORD. [LB378]

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SENATOR KRIST: SENATOR CRAWFORD, WILL YOU YIELD? [LB378]

SENATOR CRAWFORD: YES. [LB378]

SENATOR JOHNSON: WHY IS IT LIMITED TO JUST FIRST-CLASS CITIES? [LB378]

SENATOR CRAWFORD: THAT WAS THE BILL THAT WAS PRESENTED TO US AND ALSO...AND SO THAT WE DID NOT DECIDE TO MAKE IT ANY BROADER THAN THAT. [LB378]

SENATOR JOHNSON: OKAY, THANK YOU. I WILL NOW DEFER TO SENATOR GROENE FOR THE SAME QUESTION IF HE WILL YIELD. [LB378]

SENATOR KRIST: SENATOR GROENE, WILL YOU YIELD? [LB378]

SENATOR GROENE: AS YOU KNOW, SENATOR JOHNSON, I'M SURE THAT DIFFERENT CLASSES OF CITIES HAVE THEIR OWN SETS OF RULES. AND IN THIS EXISTING LEGISLATION, THE STATUTE WAS UNDER THE CLASS I CITIES, AND THAT AFFECTED MY...NORTH PLATTE AND A COUPLE OTHER TOWNS IN MY AREA, SO I JUST STAYED TO THE AREA WHERE IT WAS...I WOULD HAVE HAD TO BASICALLY DO TWO LEGISLATIONS I THINK TO GET INTO CLASS I OR OMAHA AND LINCOLN. [LB378]

SENATOR JOHNSON: OKAY, THANK YOU. [LB378]

SENATOR GROENE: YES. [LB378]

SENATOR JOHNSON: MY...THANK YOU. I INTRODUCED A BILL LAST YEAR, BECAUSE IT WAS STRICTLY METROPOLITAN CITIES, AND DID NOT INCLUDE CITIES OF THE FIRST CLASS, SECOND CLASS, OR VILLAGES. AND I JUST WONDERED WHY NOW WE'RE STARTING TO SINGLE OUT FIRST-CLASS CITIES AGAINST OTHERS. THE CITY THAT I WAS MAYOR, WE'RE A SECOND-CLASS CITY AROUND 4,500 PEOPLE NOW. THERE'S A PREDICTION THAT IT COULD BE A FIRST-CLASS CITY BY 2020 AND IT'S MOVING, DEFINITELY MOVING IN THAT DIRECTION. AND SO AT THAT POINT WE WOULD GO FROM ONE REGULATION TO THE OTHER. SO I HAVE SOME MORE QUESTIONS, BUT I'LL ADDRESS THOSE OFF OF THE MIKE. THANK YOU. [LB378]

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SENATOR KRIST: THANK YOU, SENATOR JOHNSON, SENATOR CRAWFORD, AND SENATOR GROENE. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB378]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. WOULD SENATOR CRAWFORD YIELD TO A QUESTION? [LB378]

SENATOR KRIST: SENATOR CRAWFORD, WILL YOU YIELD? [LB378]

SENATOR CRAWFORD: YES. [LB378]

SENATOR SCHUMACHER: SENATOR CRAWFORD, DO VILLAGES AND SECOND-CLASS CITIES HAVE THE SAME FLEXIBILITY OF SHIFTING FROM A REVENUE BOND TO A GENERAL OBLIGATION BOND THAT APPARENTLY NORTH PLATTE DID? [LB378]

SENATOR CRAWFORD: I AM NOT SURE. I WILL JUST...MY LEGAL COUNSEL SAID HE WOULD GO CHECK QUICKLY, SO I'LL TRY TO GET BACK ON THE MIKE TO ANSWER THAT QUESTION. [LB378]

SENATOR SCHUMACHER: OH, OKAY. THANK YOU. YOU KNOW, IF IT HAPPENED THE WAY SENATOR GROENE SAID, THAT'S WRONG. THAT'S REALLY WRONG TO SELL A BOND SAYING IT'S A REVENUE BOND, THUS, YOU'RE GOING TO...THE PURCHASER IS GOING TO WANT MORE INTEREST BECAUSE HE HAS LESS SECURITY AND HE BUYS THE BOND WITH A HIGHER INTEREST RATE. AND THEN TO SHIFT OVER MAGICALLY TO A GENERAL OBLIGATION BOND, WHICH IS WORTH A WHOLE LOT MORE THAN A REVENUE BOND, PARTICULARLY IF THE REVENUE FROM THE PROJECT ISN'T WORTH VERY MUCH, THAT IS JUST PLAIN WRONG. I'M SURPRISED THAT SOMEBODY DIDN'T RAISE THE ISSUE LEGALLY WITH THAT PARTICULAR MANEUVER. AND JUST SO IT'S CLEAR, IF IN FACT IT IS...THE SECOND-CLASS CITIES AND THE VILLAGES HAVE THIS AND RETAIN THIS ABILITY TO FLIP-FLOP AND MAKE ESSENTIALLY A GIFT TO SOMEBODY BECAUSE THEY MADE A BAD INVESTMENT, IF THEY HAVE THAT AUTHORITY, THEN MAYBE WE SHOULD ALERT THEM THAT THEY MAY BE CREATING PROBLEMS FOR THEMSELVES. YOU KNOW, I'M BEGINNING TO WONDER WHETHER OR NOT THERE'S EVEN A SECURITIES LAW VIOLATION THERE. AND IF THERE'S NO GOOD REASON FOR ALLOWING SUCH A GIFT TO BE MADE BY A CITY OF THE FIRST CLASS, THEN I WOULD THINK THERE'S NO GOOD REASON FOR THAT AUTHORITY TO BE MADE BY ANYBODY. THOSE BONDS ARE ISSUED; THAT DEAL IS DONE. AND TOO MANY TIMES WE'RE SEEING RECENTLY, WHETHER IT'S IN REVENUE

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COMMITTEE OR SOME OTHER WRINKLES HERE, THAT PEOPLE WANT TO COME IN AFTER THE FACT AND HAVE THE LEGISLATURE REWRITE A DEAL OR THE CITY COUNCIL REWRITE A DEAL SIMPLY BECAUSE THEY HAVE POLITICAL INFLUENCE OR A GOOD LOBBYIST. THAT'S NOT OUR ROLE TO REWRITE THE PAST. AND SO I THINK THAT AS THIS BILL PROGRESSES IT'S A LEGITIMATE QUESTION TO ASK, WHY JUST FIRST-CLASS CITIES THAT ARE NOW PREVENTED FROM SINNING? WHY DON'T EVERYBODY HAVE TO FOLLOW THE RULE? WHY ISN'T EVERYBODY PRECLUDED FROM SUDDENLY MAKING GIFTS TO INVESTORS WHO TOOK A CHANCE AND THE CHANCE WENT SOUR? THAT'S LIFE. DONALD TRUMP EXPLAINED IT THIS MORNING. BANKRUPTCY IS JUST A FACT OF LIFE, YOU KNOW, SO LET'S MAKE NEBRASKA GREAT AGAIN AND TAKE A LOOK AT THIS ISSUE. THANK YOU. [LB378]

SENATOR KRIST: THANK YOU, SENATOR SCHUMACHER. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB378]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I'D LIKE TO ASK WHETHER SENATOR CRAWFORD WOULD YIELD TO A QUESTION. [LB378]

SENATOR KRIST: SENATOR CRAWFORD, WILL YOU YIELD? [LB378]

SENATOR CRAWFORD: YES. [LB378]

SENATOR HILKEMANN: THIS SEEMS LIKE A VERY COMMONSENSE BILL THAT WE'RE DEALING WITH HERE, BUT ARE THERE ANY UNINTENDED CONSEQUENCES THAT YOUR COMMITTEE DISCUSSED ABOUT DOING THIS PARTICULAR THING THAT WE MAY NOT BE AWARE OF? [LB378]

SENATOR CRAWFORD: WELL, THE CONCERN ABOUT...WE HAD CONCERNS ABOUT UNINTENDED CONSEQUENCES OF THE INITIAL BILL, WHICH WAS TO SAY THAT ANY KIND OF REFINANCING WOULD HAVE TO GO BACK TO THE VOTERS. AND WE FELT THAT ACTUALLY CITIES COULD SAVE MONEY AND REDUCE RISKS TO TAXPAYERS AND SO IT SHOULD ONLY GO BACK TO THE VOTERS WHEN IT WAS GOING TO PUT ADDED RISK ON THE TAXPAYERS. SO I THINK IT'S...IN TERMS OF THE AMENDMENT, WAS INTENDED TO DEAL WITH THE UNINTENDED CONSEQUENCES. [LB378]

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SENATOR HILKEMANN: THANK YOU, SENATOR CRAWFORD. YOU KNOW, SENATOR GROENE, WHEN YOU GO THROUGH THIS, I WAS REMINDED OF THAT AD THAT USED TO COME ON THE PAPER...OR ON THE TELEVISION: LET'S GET A ROPE. THANK YOU. [LB378]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN AND SENATOR CRAWFORD. SENATOR GROENE, YOU'RE RECOGNIZED. [LB378]

SENATOR GROENE: WE'VE LOOKED AND THERE'S ANOTHER CHAPTER 15 THAT HANDLES SECOND-CLASS CITIES, VILLAGES. I THINK IT'S 5,800 PEOPLE ARE WHAT THEY...BUT WE ALSO WENT TO THE ELECTION COMMISSIONER AND GOT ALL OF THE BOND ISSUES IN THE LAST 15 YEARS, AND THEIRS WERE SWIMMING POOLS AND GOLF COURSES AND SOCCER FIELDS. AND ALL OF THAT SHOULD BE GOING TO THE VOTER. PERSONALLY, I THINK WE NEED STUDIES HERE TO FIND OUT IF ALL OF THOSE ISSUES ARE BEING HANDLED CORRECTLY BY MUNICIPALITIES AND THAT THEY ARE BEING TAKEN TO THE VOTER. BUT ONE OF THE BIG ADVANTAGES TO THIS BILL WOULD BE THAT IT HAS TO SAY ON THE BALLOT HOW THE FINANCING WILL BE HANDLED, WHICH IT IS NOT NOW. SO AT LEAST THE VOTER, NO MATTER WHAT, WILL KNOW. IF IT'S GENERAL OBLIGATION BONDS, IT HAS TO SAY THAT ON THE BALLOT THE WAY WE READ...THE WAY WE WROTE THE BILL. IF IT'S COMING OUT OF GENERAL FUNDS, IT NEEDS TO SAY THAT. IF IT'S A PROPERTY TAX INCREASE, IT NEEDS TO SAY THAT. WHERE IT WILL GO BACK TO THE VOTER IS ONLY IF IT'S REVENUE BONDS BEING CONVERTED TO GENERAL OBLIGATION BONDS. SO THERE'S TWO PARTS TO THIS BILL AND...BUT I THINK WE OUGHT TO LOOK AT THIS, BECAUSE THERE'S AN AWFUL LOT OF PROMISES MADE OUT THERE ABOUT ECONOMIC DEVELOPMENT AND HOW IT'S GOING TO HELP THE CITY AND IT WON'T COST US MUCH. AND WE NEED TO LOOK AT ALL CLASSES TO SEE HOW IT'S BEING SOLD AND HOW WELL INFORMED THE VOTERS ARE, BUT THAT'S ANOTHER DAY. RIGHT NOW I WANT TO HELP FIRST-CLASS CITIES, THE TAXPAYERS TO BE PROTECTED, TO BE TOLD THE TRUTH, AND THE TRUTH UPHELD BY THE ELECTED OFFICIALS. SO THANK YOU. [LB378]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB378]

SENATOR CRAWFORD: THANK YOU. I WAS JUST GOING TO RESPOND--WITH WHAT WE'VE LEARNED SO FAR--SENATOR SCHUMACHER'S QUESTION, AND ALSO IT IS ANOTHER ANSWER TO SENATOR HILKEMANN'S QUESTION AS WELL. THE BILL WAS BROUGHT AS AN AMENDMENT TO THE FIRST-CLASS CITY PARKS AND

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RECREATIONAL FACILITY FUNDING CHAPTER, SO IT'S A VERY NARROW FOCUS OF THE BILL. AND AGAIN, AS WE DISCUSSED EARLIER, THE PEOPLE WHO SAW THE BILL AND READ THE BILL AND SHOWED UP TO TESTIFY SHOWED UP GIVEN THAT THE BILL HAD THAT NARROWER FOCUS TO IT. WE DID NOT SEE A SPECIFIC CHAPTER FOR PARKS AND RECREATION IN THE SECOND CLASS OR VILLAGE. BUT AGAIN, THE INITIAL BILL WAS FIRST-CLASS CITIES ONLY, AND SO THAT WAS WHAT THE DISCUSSION WAS AT THE HEARING. I WILL ALSO SAY THAT WHEN WE WERE DISCUSSING THE BILL AS A COMMITTEE, THE FACT THAT IT WAS FOCUSED ON PARKS AND RECREATIONAL FACILITIES WE THOUGHT WAS A WORTHWHILE SORT OF PILOT TEST OF THIS KIND OF LANGUAGE BECAUSE IT WOULD HAVE A VERY NARROW FOCUS AND WE COULD SEE IF THERE WERE ANY UNINTENDED CONSEQUENCES AS CITIES APPLIED IT IN THOSE CASES. AND THE PARKS AND RECREATIONAL CASES WE FELT WERE A BIT MORE OPTIONAL FOR CITIES THAN IN SOME OTHER SITUATIONS WHERE THEY MAY HAVE LESS FLEXIBILITY AND MORE URGENCY ON THOSE KINDS OF BONDS. SO, ALSO, I JUST WANT TO CLARIFY THAT THIS BILL ADDS LANGUAGE ABOUT WHAT KINDS OF BONDS ARE BEING LET TO THE BALLOT. SO TO SENATOR SCHUMACHER'S QUESTION, THE BALLOT LANGUAGE FOR OTHER BONDING WOULDN'T NECESSARILY SAY THAT, SO IT WOULD BE JUST THE DISCUSSION THAT'S BEING HELD AROUND THE BOND. AND YOU WOULD BE HOLDING THE CITY COUNCIL, HOLDING OTHER FOLKS ACCOUNTABLE FOR WHAT THEY'RE SAYING THE FINANCING IS GOING TO BE AND THAT THEY MAINTAIN THAT PROMISE. SO AGAIN, THE BILL AS AMENDED HAS THIS NARROW FOCUS ON PARKS AND RECREATIONAL AND FIRST-CLASS CITIES, AND THE NARROW FOCUS WHEN THE FINANCE CHANGE PUTS ADDITIONAL RISK ON THE TAXPAYER. [LB378]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD. SEEING NO ONE ELSE IN THE QUEUE, WILL YOU CONSIDER THAT YOUR CLOSING OR WOULD YOU LIKE TO CLOSE ON THE COMMITTEE AMENDMENT? [LB378]

SENATOR CRAWFORD: NO, THAT WOULD BE FINE, THANKS. [LB378]

SENATOR KRIST: OKAY. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF AM637 TO LB378. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB378]

CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF COMMITTEE AMENDMENTS. [LB378]



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SENATOR KRIST: COMMITTEE AMENDMENTS ARE ADOPTED. NO ONE ELSE IN THE QUEUE. SENATOR GROENE, DO YOU WANT TO CLOSE ON LB378? [LB378]

SENATOR GROENE: I WON'T TAKE A LOT OF TIME. AS SENATOR CRAWFORD SAID, THIS IS NARROW ON THE PARKS AND RECREATIONAL. THERE'S OTHER PROBLEMS OUT THERE, BUT THIS ONE IS NARROW AND IT FIXES AND GIVES SOME, AS WE COMMONLY SAY, SOME MORE ACCOUNTABILITY, MORE TRANSPARENCY. AND I WANT TO MAKE SURE SO I DON'T GET RUN OUT OF TOWN BY THE PRESENT CITY ADMINISTRATOR AND MAYOR, THEY'RE GOOD PEOPLE. I DON'T THINK THIS WOULD HAVE EVER HAPPENED UNDER THEM, BUT THEY'RE THE ONES FACED WITH MAKING THE PAYMENTS YET ON THAT MISTAKE OF 22 YEARS AGO. SO THANK YOU, AND PLEASE VOTE GREEN ON LB378. [LB378]

SENATOR KRIST: THANK YOU, SENATOR GROENE. YOU HEARD THE CLOSING ON LB378. THE QUESTION BEFORE YOU IS THE ADVANCEMENT TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB378]

CLERK: 31 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB378. [LB378]

SENATOR KRIST: LB378 ADVANCES. ITEMS? [LB378]

CLERK: MR. PRESIDENT, I HAVE NOTICE OF HEARINGS FROM THE GOVERNMENT COMMITTEE AND THE HEALTH AND HUMAN SERVICES COMMITTEE, SIGNED BY THEIR RESPECTIVE CHAIRS; CONFIRMATION REPORT FROM THE EDUCATION COMMITTEE. AND EDUCATION COMMITTEE REPORTS LB734 TO GENERAL FILE, LB692, LB726 TO GENERAL FILE WITH AMENDMENTS. SENATOR KRIST WOULD LIKE TO PRINT AMENDMENTS TO LB28. SENATOR COOK WOULD OFFER A NEW RESOLUTION, LR429, THAT WILL BE LAID OVER. SENATOR HUGHES AND FRIESEN WOULD LIKE TO ADD THEIR NAME TO LR378CA, SENATOR FOX TO LB708 AND LB801. (LEGISLATIVE JOURNAL PAGES 487-492.) [LB734 LB692 LB726 LB28 LR429 LR378CA LB708 LB801]

MR. PRESIDENT, SENATOR GARRETT WOULD MOVE TO ADJOURN THE BODY UNTIL THURSDAY MORNING, FEBRUARY 4, AT 9:00 A.M.

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SENATOR KRIST: YOU HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE.  
OPPOSED, NAY. WE ARE ADJOURNED UNTIL TOMORROW MORNING AT 9:00.