

FORTY-FIFTH DAY - MARCH 20, 2018**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION****FORTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 20, 2018

PRAYER

The prayer was offered by Dr. Darrell Sutton, Revival Tabernacle Church, Red Cloud.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Albrecht, Bolz, Ebke, Kolowski, Kuehn, McCollister, Morfeld, Murante, Stinner, Thibodeau, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fourth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 299. Placed on Select File with amendment.

ER133

1 1. On page 1, strike beginning with "sections" in line 2 through
2 "2016" in line 4 and insert "section 84-910, Reissue Revised Statutes of
3 Nebraska, sections 84-901.02 and 84-920, Revised Statutes Cumulative
4 Supplement, 2016, and section 84-907.06, Revised Statutes Supplement,
5 2017".

(Signed) Anna Wishart, Chairperson

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to LB1084:
AM2453 is available in the Bill Room.

Senator Briese filed the following amendment to LB1084:
FA120
Strike Section 1.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 343, 344, 345, 346, 347, 348, 349, and 350 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 343, 344, 345, 346, 347, 348, 349, and 350.

MOTION(S) - Confirmation Report(s)

Senator Friesen moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 920:

Nebraska Information Technology Commission
 LaShonna Dorsey
 Terry Haack
 Dorest Harvey
 Thomas Nutt
 Gerald Warren
 Walter G. Weir

Voting in the affirmative, 32:

Baker	Clements	Hilkemann	McDonnell	Vargas
Blood	Crawford	Howard	Pansing Brooks	Walz
Bostelman	Erdman	Kolterman	Quick	Watermeier
Brasch	Friesen	Krist	Riepe	Williams
Brewer	Groene	Larson	Scheer	
Briese	Halloran	Lindstrom	Schumacher	
Chambers	Hilgers	Linehan	Smith	

Voting in the negative, 0.

Present and not voting, 4:

Hansen	Harr	Hughes	Lowe
--------	------	--------	------

Excused and not voting, 13:

Albrecht	Geist	McCollister	Stinner	Wishart
Bolz	Kolowski	Morfeld	Thibodeau	
Ebke	Kuehn	Murante	Wayne	

The appointments were confirmed with 32 ayes, 0 nays, 4 present and not voting, and 13 excused and not voting.

Senator Riepe moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 996:

Division of Medicaid and Long Term Care-Department of Health and Human Services
 Matthew A. Van Patton, Director

Voting in the affirmative, 28:

Albrecht	Erdman	Hughes	Linehan	Smith
Bostelman	Geist	Kolowski	McCollister	Watermeier
Brewer	Groene	Kolterman	McDonnell	Wayne
Briese	Halloran	Kuehn	Riepe	Williams
Clements	Hilgers	Larson	Scheer	
Crawford	Hilkemann	Lindstrom	Schumacher	

Voting in the negative, 0.

Present and not voting, 16:

Baker	Friesen	Krist	Quick
Brasch	Hansen	Lowe	Thibodeau
Chambers	Harr	Morfeld	Vargas
Ebke	Howard	Pansing Brooks	Walz

Excused and not voting, 5:

Blood	Bolz	Murante	Stinner	Wishart
-------	------	---------	---------	---------

The appointment was confirmed with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Senator Riepe moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 996:

Commission for the Deaf and Hard of Hearing
 Jeremy Fitzpatrick
 Stacie L. Ray
 Diane Schutt
 Norman B. Weverka

Voting in the affirmative, 25:

Baker	Crawford	Hansen	Kuehn	Riepe
Bostelman	Ebke	Harr	Lindstrom	Smith
Brewer	Erdman	Hilgers	McCollister	Watermeier
Briese	Geist	Hilkemann	McDonnell	Wayne
Clements	Groene	Howard	Pansing Brooks	Williams

Voting in the negative, 0.

Present and not voting, 20:

Albrecht	Halloran	Krist	Morfeld	Stinner
Brasch	Hughes	Larson	Quick	Thibodeau
Chambers	Kolowski	Linehan	Scheer	Vargas
Friesen	Kolterman	Lowe	Schumacher	Walz

Excused and not voting, 4:

Blood	Bolz	Murante	Wishart
-------	------	---------	---------

The appointments were confirmed with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 42. Placed on Final Reading.
LEGISLATIVE BILL 104. Placed on Final Reading.
LEGISLATIVE BILL 157. Placed on Final Reading.
LEGISLATIVE BILL 379. Placed on Final Reading.
LEGISLATIVE BILL 685. Placed on Final Reading.
LEGISLATIVE BILL 697. Placed on Final Reading.
LEGISLATIVE BILL 702. Placed on Final Reading.
LEGISLATIVE BILL 724. Placed on Final Reading.

LEGISLATIVE BILL 773. Placed on Final Reading.
 ST48

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

1. On page 1, line 1, "section" has been struck and "sections 28-632, 28-634, and" inserted; in line 2 "to redefine terms; to change provisions relating to prohibited uses of scanning devices and encoding machines;" has been inserted after the semicolon; and in line 4 "section" has been struck and "sections" inserted.

2. On page 3, line 4, "section" has been struck and "sections 28-632, 28-634, and" inserted; and in line 5 "is" has been struck and "are" inserted.

LEGISLATIVE BILL 913. Placed on Final Reading.
LEGISLATIVE BILL 931. Placed on Final Reading.
LEGISLATIVE BILL 993. Placed on Final Reading.

LEGISLATIVE BILL 1078. Placed on Final Reading.
 ST47

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

1. In the Bolz amendment, page 6, line 12, "the" has been inserted after "to".
2. On page 1, the matter beginning with "the" in line 1 through line 5 has been struck and "juveniles; to amend sections 43-285 and 43-1311.02, Reissue Revised Statutes of Nebraska, and sections 43-1303, 43-4318, and 43-4406, Revised Statutes Supplement, 2017; to provide for waiver of notice of placement notifications; to provide for a written sibling placement report and change provisions relating to sibling visitation and placement; to provide for additional information relating to foster care placements as prescribed; to require reporting of allegations of sexual abuse as prescribed; to eliminate obsolete provisions regarding the N-FOCUS system; to harmonize provisions; and to repeal the original sections." inserted.
3. On page 8, line 7, "43-4318" has been struck and "43-285 and 43-1311.02, Reissue Revised Statutes of Nebraska, and sections 43-1303, 43-4318," inserted.

LEGISLATIVE BILL 1090. Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 993A. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 993, One Hundred Fifth Legislature, Second Session, 2018; and to declare an emergency.

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB1090:
FA121
Strike the enacting clause.

GENERAL FILE

LEGISLATIVE BILL 596. Senator Chambers withdrew his motion, MO239, found on page 829 and considered on page 853, to bracket until April 4, 2018.

Senator Chambers offered the following motion:
MO273
Bracket until April 18, 2018.

Senator Chambers withdrew his motion to bracket.

Senator Groene withdrew his amendment, AM1500, found on page 453.

Senator Kuehn withdrew his amendment, FA112, found on page 828.

Committee AM621, found on page 971, First Session, 2017, and considered on pages 828 and 853, was renewed.

Senator Groene offered his amendment, AM2315, found on page 921, to the committee amendment.

SPEAKER SCHEER PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Baker moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

The Groene amendment was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 903. Placed on Select File with amendment.

ER134

1 1. On page 1, strike lines 2 through 6 and insert "81-2237, 81-2238,
2 81-2239, 81-2242, 81-2243, 81-2244, 81-2245, 81-2246, 81-2247, 81-2248,
3 81-2250, 81-2251, 81-2252, 81-2253, 81-2254, 81-2255, 81-2258, 81-2259,
4 81-2260, 81-2261, 81-2262, and 81-2264, Reissue Revised Statutes of
5 Nebraska; to change reimbursement provisions under the Nebraska Community
6 Aging Services Act; to change provisions of the Long-Term Care Ombudsman
7 Act relating to complaints and investigations, rulemaking authority,
8 long-term care facility residents, resident representatives, and access
9 to medical and personal records; to define and redefine terms; to
10 harmonize provisions; to repeal the original sections; and to declare an
11 emergency."

LEGISLATIVE BILL 745. Placed on Select File.

LEGISLATIVE BILL 1098. Placed on Select File.

LEGISLATIVE BILL 901. Placed on Select File with amendment.

ER135

1 1. On page 1, strike beginning with "3-404" in line 1 through line 5
2 and insert "3-402, Revised Statutes Cumulative Supplement, 2016, and

3 section 3-404, Revised Statutes Supplement, 2017; to define a term; to
 4 change permit application and issuance requirements relating to
 5 regulation of certain structures by the Division of Aeronautics of the
 6 Department of Transportation; to provide a duty for the Nebraska National
 7 Guard as prescribed; to harmonize provisions; and to repeal the original
 8 sections.".

(Signed) Anna Wishart, Chairperson

GENERAL FILE

LEGISLATIVE BILL 873. Title read. Considered.

Committee AM2065, found on page 807, was offered.

Senator Chambers offered his amendment, AM2370, found on page 936, to the committee amendment.

The Chambers amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Senator Morfeld offered his amendment, AM2259, found on page 991, to the committee amendment.

SPEAKER SCHEER PRESIDING

Senator Schumacher requested a division of the question on the Morfeld amendment.

The Chair sustained the division of the question.

The first Morfeld amendment, to the committee amendment, is as follows:
 AM2519

(Amendments to Standing Committee amendments, AM2065)

1 1. Insert the following new sections:

2 Sec. 104. (1) For purposes of this section:

3 (a) Municipality means a city or village; and

4 (b) Short-term rental means a residential property, including a
 5 single-family dwelling or a unit in a condominium, cooperative, or time-
 6 share, that is rented wholly or partly for a fee for a period not longer
 7 than thirty consecutive days.

8 (2) A municipality shall not adopt or enforce an ordinance or other
 9 regulation that expressly or effectively prohibits the use of a property
 10 as a short-term rental.

11 (3) A municipality may adopt or enforce an ordinance or other
 12 regulation that specifically regulates property used as a short-term
 13 rental only if the municipality demonstrates that the primary purpose of
 14 the ordinance or other regulation is to protect the public's health and
 15 safety. An ordinance or other regulation authorized by this subsection

16 includes:

17 (a) Requirements addressing:

18 (i) Fire and building codes;

19 (ii) Health and sanitation;

20 (iii) Traffic control; and

21 (iv) Solid or hazardous waste and pollution control; and

22 (b) Requirements regarding the designation of an emergency contact

23 for the property.

24 (4) A municipality may adopt or enforce an ordinance or other

25 regulation that imposes a sales tax or an occupation tax on short-term

26 rentals if the tax is otherwise permitted by applicable law.

1 (5) A municipality may adopt or enforce an ordinance or other

2 regulation that limits or prohibits the use of a short-term rental only

3 if the law limits or prohibits the use of a short-term rental for the

4 purpose of:

5 (a) Housing sex offenders;

6 (b) Operating a structured sober living home or similar enterprise;

7 (c) Selling illegal drugs;

8 (d) Selling alcohol or another activity that requires a permit or

9 license under the Nebraska Liquor Control Act; or

10 (e) Operating a sexually oriented business.

11 (6) A municipality shall apply an ordinance or other regulation

12 regulating land use to a short-term rental in the same manner as another

13 similar property. An ordinance or other regulation described by this

14 subsection includes:

15 (a) Residential use and other zoning matters;

16 (b) Noise and other nuisances; and

17 (c) Property maintenance.

18 (7) This section shall not be construed to affect regulations of a

19 private entity, including a homeowners association organized under the

20 Condominium Property Act or the Nebraska Condominium Act.

21 Sec. 343. Section 77-2701, Revised Statutes Supplement, 2017, is

22 amended to read:

23 77-2701 Sections 77-2701 to 77-27,135.01, 77-27,222, 77-27,235,

24 77-27,236, and 77-27,238 and section 344 of this act shall be known and

25 may be cited as the Nebraska Revenue Act of 1967.

26 Sec. 344. (1) For purposes of this section, online hosting platform

27 means a marketplace connected by computer to one or more other computers

28 or networks, as through a commercial electronic information service or

29 the Internet, through which (a) a seller or hotel operator may rent or

30 furnish any room or rooms, lodgings, or accommodations in a hotel, a

31 motel, an inn, a tourist camp, a tourist cabin, or any other place, (b)

1 such room or rooms, lodgings, or accommodations may be advertised or

2 listed, and (c) a purchaser or occupant may arrange for the occupancy of

3 such room or rooms, lodgings, or accommodations.

4 (2) The Tax Commissioner may enter into an agreement with an online

5 hosting platform to permit the online hosting platform to collect and pay

6 the applicable sales taxes imposed under the Local Option Revenue Act,

7 the Nebraska Revenue Act of 1967, the Nebraska Visitors Development Act,

8 and sections 13-318 to 13-326 and 13-2813 to 13-2816 on behalf of the
 9 seller or hotel operator otherwise required to collect such taxes for
 10 transactions consummated through the online hosting platform. Upon
 11 entering into such agreement with the online hosting platform, the Tax
 12 Commissioner shall waive the tax collection responsibility of a seller or
 13 hotel operator for transactions consummated through the online hosting
 14 platform for which the online hosting platform has assumed this
 15 responsibility. The online hosting platform shall give written notice to
 16 each seller or hotel operator which is covered by the agreement between
 17 the online hosting platform and the Tax Commissioner.
 18 (3) Upon entering into an agreement with the Tax Commissioner under
 19 this section, the online hosting platform shall report aggregate
 20 information on the tax return prescribed by the Tax Commissioner,
 21 including an aggregate of gross receipts, exemptions, adjustments, and
 22 taxable receipts of all transactions subject to the agreement.
 23 Sec. 345. The Revisor of Statutes shall assign section 104 of this
 24 act to Chapter 18.
 25 2. Renumber the remaining sections and correct the repealer
 26 accordingly.

The second Morfeld amendment, to the committee amendment, is as follows:
 AM2520

(Amendments to Standing Committee amendments, AM2065)

1 1. Insert the following new subsection:
 2 "(4) Taxes payable by an online hosting platform on transactions
 3 subject to the agreement shall be subject to audit only by the Tax
 4 Commissioner at his or her sole discretion. Any such audit shall be
 5 conducted on the basis of returns and supporting documents filed by the
 6 online hosting platform with the Tax Commissioner. An online hosting
 7 platform shall not be required to disclose any personally identifiable
 8 information relating to any seller, hotel operator, purchaser, or
 9 occupant involved in any such transaction."

Pending.

AMENDMENT(S) - Print in Journal

Senator Stinner filed the following amendment to LB944:
 AM2464

(Amendments to Standing Committee amendments, AM1699)

1 1. Purpose: Correct an omission of an appropriation that should have
 2 been included in the original amendment.

3 Amendment:

4 a. Insert the following new section:

5 Sec. 7. AGENCY NO. 14 — PUBLIC SERVICE COMMISSION
 6 Program No. 60 - Grain Warehouse Surveillance/Moisture Testing
 7

	<u>FY2017-18</u>	<u>FY2018-19</u>
8 <u>CASH FUND</u>	<u>24,000</u>	<u>-0-</u>
9 <u>PROGRAM TOTAL</u>	<u>24,000</u>	<u>-0-</u>

- 10 SALARY LIMIT -0- -0-
 11 ; and
 12 b. Renumber the remaining sections and correct internal references
 13 accordingly.
 14 2. Purpose: Eliminate an incorrect federal regulation reference.
 15 Amendment:
 16 a. On page 45, line 25, strike the first comma and insert "or" and
 17 strike ", or 333(g)".
 18 3. Purpose: To add a fund created in LB945 to the list of cash funds
 19 in the Department of Economic Development.
 20 Amendment:
 21 a. On page 102, line 5, after "Fund" insert ", Nebraska Film Office
 22 Fund".
 23 4. Purpose: Eliminate unnecessary Health Care Cash Fund transfers.
 24 Amendment:
 25 a. On page 111, strike lines 11 and 12 and show as stricken; in line
 26 13 strike "(cc)", show as stricken, and insert "(bb)"; in line 17 strike
 1 "(dd)", show as stricken, and insert "(cc)"; in line 21 strike "(ee)",
 2 show as stricken, and insert "(dd)"; in line 25 strike "(ff)", show as
 3 stricken, and insert "(ee)"; and in line 29 strike "(gg)", show as
 4 stricken, and insert "(ff)";
 5 b. On page 112, line 2, strike "(hh)", show as stricken, and insert
 6 "(gg)"; in line 6 strike "(ii)", show as stricken, and insert "(hh)"; in
 7 line 10 strike "(jj)", show as stricken, and insert "(ii)"; in line 14
 8 strike "(kk)", show as stricken, and insert "(jj)"; in line 18 strike
 9 "(ll)", show as stricken, and insert "(kk)"; in line 22 strike "(mm)",
 10 show as stricken, and insert "(ll)"; and in line 26 strike "(nn)" and
 11 insert "(mm)";
 12 c. On page 116, strike lines 14 and 15 and show as stricken; in line
 13 16 strike "(z)", show as stricken, and insert "(y)"; in line 20 strike
 14 "(aa)", show as stricken, and insert "(z)"; in line 24 strike "(bb)" and
 15 insert "(aa)"; and in line 28 strike "(cc)" and insert "(bb)"; and
 16 d. On page 117, line 1, strike "(dd)" and insert "(cc)"; in line 5
 17 strike "(ee)" and insert "(dd)"; and in line 9 strike "(ff)" and insert
 18 "(ee)".
 19 5. Purpose: Correct the intended cut to health insurance for the Tax
 20 Commissioner, adding \$536.
 21 Amendment:
 22 a. On page 124, line 11, strike "163,398" and insert "163,934"; and
 23 in line 13 strike "212,459" and insert "212,995".

Senator Stinner filed the following amendment to LB945:
 AM2463

(Amendments to Standing Committee amendments, AM1700)

- 1 Purpose: To include interest accruals in the funds to be
 2 transferred from the Nebraska Progress Loan Fund to the Intern Nebraska
 3 Cash Fund.
 4 Amendment:
 5 On page 2, line 4, after "Fund" insert "plus any accrued interest".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 353. Introduced by Lowe, 37; Halloran, 33.

PURPOSE: The purpose of this study is to determine the feasibility and fiscal impact of hiring outside consultants to perform an efficiency review of state agencies. The people of this state expect that their government will efficiently provide services and will responsibly and effectively spend tax dollars. With the great fiscal challenges facing the state, these expectations and challenges require occasional review of the ways state agencies conduct business.

An efficiency review means a study to identify:

- (1) Areas of state agency operations that can be improved to make the delivery of services more cost-effective;
- (2) Outdated practices that can be eliminated;
- (3) Increased statewide efficiencies;
- (4) Potential new sources of non-tax funding; and
- (5) Methods to make state agencies more accountable to the people of the state.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator McCollister name added to LB1132.

VISITORS

Visitors to the Chamber were Trevor Brass and Kimberly Barton from UNL Law School; 12 members of the YMCA's of Nebraska from across the state; 20 third-grade students from College View Academy, Lincoln; 20 twelfth-grade students from Lincoln Northeast High School; 63 fourth-grade students from Trumble Park Elementary, Papillion; Alex Schadenberg from London, Ontario; and 20 civic students, teacher, and sponsor from Lincoln Northeast.

RECESS

At 11:53 a.m., on a motion by Senator McDonnell, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Briese, Chambers, Groene, Kolterman, Kuehn, McCollister, Stinner, and Watermeier who were excused until they arrive.

AMENDMENT(S) - Print in Journal

Senator Wishart filed the following amendment to LB944:
AM2514

(Amendments to Standing Committee amendments, AM1699)

1 1. On page 48, strike lines 5 through 18 and insert:
2 "No funds appropriated or distributed under the Federal Title X
3 program shall be used for abortion or abortion as a method of family
4 planning. No funds shall be granted to an organization that provides
5 directive counseling in favor of abortion.
6 Title X organizations shall provide neutral, factual information,
7 nondirective counseling, or referral upon request. An otherwise qualified
8 organization shall not be disqualified from receipt of Title X funds when
9 the organization can demonstrate objective independence between their
10 Title X services and other services not funded by Title X funds,
11 including abortion services. Objective independence means financial
12 separation of a recipient's Title X funding from all other funds held by
13 the organization in accordance with accounting standards promulgated by
14 the Financial Accounting Standards Board. An organization shall not use
15 Title X funds for any other services, including, but not limited to,
16 abortion services.
17 To demonstrate financial separation, each Title X organization shall
18 provide a detailed monthly record of Title X expenditures to the
19 Department of Health and Human Services on the last business day of the
20 month subsequent to the month the expenditure occurred. Failure to comply
21 with this monthly reporting requirement shall result in program
22 disqualification for such organization.
23 It is the intent of the Legislature that Title X funds shall be
24 distributed statewide and that the Department of Health and Human
25 Services shall ensure that a network is maintained that is sufficient in
26 numbers and types of providers to assure that Title X services will be
1 accessible without unreasonable delay.".

Senator Wishart filed the following amendment to LB944:
AM2515

(Amendments to Final Reading copy)

1 1. On page 48, strike lines 5 through 18 and insert:
2 "No funds appropriated or distributed under the Federal Title X
3 program shall be used for abortion or abortion as a method of family
4 planning. No funds shall be granted to an organization that provides
5 directive counseling in favor of abortion.
6 Title X organizations shall provide neutral, factual information,
7 nondirective counseling, or referral upon request. An otherwise qualified
8 organization shall not be disqualified from receipt of Title X funds when
9 the organization can demonstrate objective independence between their
10 Title X services and other services not funded by Title X funds,
11 including abortion services. Objective independence means financial
12 separation of a recipient's Title X funding from all other funds held by
13 the organization in accordance with accounting standards promulgated by
14 the Financial Accounting Standards Board. An organization shall not use
15 Title X funds for any other services, including, but not limited to,
16 abortion services.
17 To demonstrate financial separation, each Title X organization shall
18 provide a detailed monthly record of Title X expenditures to the
19 Department of Health and Human Services on the last business day of the
20 month subsequent to the month the expenditure occurred. Failure to comply
21 with this monthly reporting requirement shall result in program
22 disqualification for such organization.
23 It is the intent of the Legislature that Title X funds shall be
24 distributed statewide and that the Department of Health and Human
25 Services shall ensure that a network is maintained that is sufficient in
26 numbers and types of providers to assure that Title X services will be
1 accessible without unreasonable delay."

Senator Blood filed the following amendment to LB295:
AM2052

(Amendments to Standing Committee amendments, AM1418)

1 1. Insert the following new section:
2 Sec. 12. (1) Each qualified school that admits and enrolls students
3 who receive education scholarships shall conduct a public hearing on its
4 annual budget prior to adopting the budget. Notice of the time and place
5 of such hearing, together with a summary of the budget, shall be
6 published at least four calendar days prior to the date set for hearing
7 in a newspaper of general circulation within the county in which the
8 qualified school is located. The qualified school's budget shall include:
9 (a) The total amount of education scholarships received in the prior
10 year, how such funds will be used for the coming year, and the percentage
11 of such funds that will be utilized for costs directly related to the
12 classroom, for costs of educational administration, and for other
13 purposes; and
14 (b) The cost of tuition charged to students who receive education
15 scholarships and the cost of tuition charged to students who do not

- 16 receive education scholarships, including any indices or tuition scales.
 17 (2) Following the public hearing required under subsection (1) of
 18 this section, the qualified school shall file its budget with the Auditor
 19 of Public Accounts.
 20 2. On page 1, line 3, strike "13" and insert "14".
 21 3. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 873. The first Morfeld amendment, AM2519, found in this day's Journal, to the committee amendment, was offered.

The first Morfeld amendment was adopted with 25 ayes, 1 nay, 15 present and not voting, and 8 excused and not voting.

The second Morfeld amendment, AM2520, found in this day's Journal, to the committee amendment, was offered.

The second Morfeld amendment lost with 3 ayes, 25 nays, 16 present and not voting, and 5 excused and not voting.

Committee AM2065, found on page 807 and considered in this day's Journal, as amended, was renewed.

Senator Wayne moved for a call of the house. The motion prevailed with 23 ayes, 1 nay, and 25 not voting.

Senator Wayne requested a roll call vote on the committee amendment, as amended.

Voting in the affirmative, 27:

Baker	Hansen	Krist	Quick	Wayne
Blood	Harr	Lindstrom	Riepe	Williams
Bolz	Hilkemann	McCollister	Smith	Wishart
Briese	Howard	McDonnell	Stinner	
Chambers	Kolowski	Morfeld	Vargas	
Crawford	Kolterman	Pansing Brooks	Walz	

Voting in the negative, 14:

Albrecht	Clements	Geist	Hilgers	Larson
Bostelman	Ebke	Groene	Hughes	Lowe
Brewer	Erdman	Halloran	Kuehn	

Present and not voting, 5:

Linehan	Murante	Scheer	Schumacher	Thibodeau
---------	---------	--------	------------	-----------

Excused and not voting, 3:

Brasch Friesen Watermeier

The committee amendment, as amended, was adopted with 27 ayes, 14 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Larson offered the following motion:

MO275

Indefinitely postpone.

Senator Larson withdrew his motion to indefinitely postpone.

Senator Geist offered the following amendment:

FA122

Amend AM2065

Strike Sections 334, 335 and 336.

SPEAKER SCHEER PRESIDING

PRESIDENT FOLEY PRESIDING

Pending.

CONFLICT OF INTEREST STATEMENT

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

AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to LB1054:

AM2531

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

2 section:

3 Section 1. (1) For purposes of this section, wind energy generation

4 project means a project for the construction of a facility for the

5 generation of electricity using wind that is subject to sections 70-1001

6 to 70-1028.

7 (2) No wind energy generation project shall be constructed in a

8 county after August 1, 2018, until the county has zoning regulations or a

9 zoning resolution as described in section 23-114 which addresses:

10 (a) Protection of property value for nonparticipating property

11 owners adjacent to or impacted by the wind energy generation project;

12 (b) Fixed-distance setbacks measured from buildings used for

13 residential purposes and setbacks measured from property lines. The
 14 setbacks shall not be variable distances based on the height of a
 15 turbine. The determination of setbacks based on surface danger area due
 16 to issues such as collapse and ice-throw shall ensure that the surface
 17 danger area does not overlap a nonparticipating property owner's
 18 property;
 19 (c) Noise standards restricting the low-level noise generated by the
 20 operation of a wind turbine so that it does not exceed a specified A-
 21 weighted, equivalent sound level or specified A-weighted decibels at the
 22 property line of the wind energy generation project. The measure of noise
 23 shall meet the following requirements:
 24 (i) Any instrument used to measure noise shall meet sound level
 25 meter performance specifications of the American National Standards
 26 Institute or the International Electrotechnical Commission for wind class
 27 I;
 1 (ii) The procedures used to measure noise shall meet the
 2 requirements of the American National Standards Institute, the
 3 International Electrotechnical Commission, or the International
 4 Organization for Standardization for the measurement of sound or its
 5 characteristics; and
 6 (iii) The procedures shall not include procedures based on the
 7 International Electrotechnical Commission Standard IEC 61400-11 (2002)
 8 regarding noise measurement techniques;
 9 (d) Evaluation of adverse environmental impacts and mitigation plans
 10 for the protection of the environment, including domesticated animals,
 11 wildlife, wildlife habitat, water, vegetation, scenic areas, and historic
 12 areas. The evaluation shall include consultation with local, state, and
 13 federal agencies with jurisdiction over affected portions of the
 14 environment; and
 15 (e) Decommissioning terms and conditions which must be in place
 16 before construction begins. The terms and conditions shall include a site
 17 restoration plan and surety to be held by the county to pay for
 18 decommissioning, which may include, but not be limited to, a performance
 19 bond for each wind turbine.

Senator McCollister filed the following amendment to LB776:
 AM2512

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 47-101, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 47-101 The Jail Standards Board shall each January, and at such
 6 other time or times from time to time as it may deem necessary,
 7 prescribe, in writing, rules for the regulation and government of the
 8 jails upon the following subjects: (1) The cleanliness of the jail and
 9 prisoners; (2) the classification of prisoners in regard to sex, age, and
 10 crime, and also persons with physical or mental disabilities; (3) beds,
 11 ~~and~~ clothing, and diet; (4) warming, lighting, and ventilation of the
 12 jail; (5) the employment of medical and surgical aid when necessary; (6)

13 employment, temperance, and instruction of the prisoners; (7) the
14 supplying of each prisoner with a Bible or other written religious
15 material; (8) the intercourse between prisoners and their counsel and
16 other persons including access to telephones or videoconferencing as
17 required in section 2 of this act; (9) the discipline of prisoners for
18 violation of the rules of the jail; and (10) such other matters as the
19 board may deem necessary to promote the welfare of the prisoners.

20 Sec. 2. (1) Each county jail shall make available either a prepaid
21 telephone call system or collect telephone call system, or a combination
22 thereof, for telephone services for inmates. Under either system, the
23 provision of inmate telephone services shall be subject to the
24 requirements of this section.

25 (2) Under a prepaid system, funds may be deposited into an inmate
26 account in order to pay for telephone calls. The provider of the inmate
27 telephone services, as an additional means of payment, shall permit the
1 recipient of inmate collect telephone calls to establish an account with
2 that provider in order to deposit funds for advance payment of those
3 collect telephone calls. The provider of the inmate telephone services
4 shall also allow inmates to communicate on the telephone, or by
5 videoconferencing, with an attorney or attorneys without charge and
6 without monitoring or recording by the county jail or law enforcement.

7 (3) A county operating a county jail may receive revenue for the
8 reasonable operating costs for establishing and administering such
9 telephone services system or videoconferencing system, but shall not
10 receive excessive commissions or bonus payments. In determining the
11 amount of such reasonable operating costs, the Jail Standards Board may
12 consider for comparative purposes the rates for inmate calling services
13 provided in 47 C.F.R. part 64. Amounts in excess of the reasonable
14 operating costs include, but are not limited to, any excessive
15 commissions and bonus payments, as determined by the Jail Standards
16 Board, including, but not limited to, awards paid to a county for
17 contracting with an entity that provides such service.

18 (4) Nothing in this section shall require a county jail to provide
19 or administer a prepaid telephone call system.

20 (5) For the purposes of this section, collect telephone call system
21 means a system pursuant to which recipients are billed for the cost of an
22 accepted telephone call initiated by an inmate.

23 Sec. 3. The Jail Standards Board shall ensure that county jails are
24 providing inmates with means to communicate by telephone or
25 videoconferencing with inmates' families, loved ones, and counsel.

26 Sec. 4. Section 47-108, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 47-108 It shall be the duty of the district court in its charge to
29 the grand jury to inform the jury of the provisions of sections 47-101 to
30 47-116 and sections 2 and 3 of this act and all rules, plans, or
31 regulations established by the Jail Standards Board relating to county
1 jails and prison discipline.

2 Sec. 5. Section 47-109, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 47-109 The grand jury of each county in this state may, while in
5 attendance, visit the jail, examine its state and condition, and examine
6 and inquire into the discipline and treatment of prisoners, their habits,
7 diet, and accommodations. If the grand jury visits a jail, it shall be
8 its duty to report to the court in writing, whether the rules of the Jail
9 Standards Board have been faithfully kept and observed, or whether any of
10 the provisions of sections 47-101 to 47-116 and sections 2 and 3 of this
11 act, have been violated, pointing out particularly in what the violation,
12 if any, consists. It shall also be the duty of the county board of each
13 county of this state to visit the jail of its county once during each of
14 its sessions in January, April, July, and October of each year.
15 Sec. 6. Section 47-116, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 47-116 If the sheriff or jailer, having charge of any county jail,
18 shall neglect or refuse to conform to all or any of the rules and
19 regulations established by the Jail Standards Board, or to perform any
20 other duty required of him or her by sections 47-101 to 47-116 and
21 sections 2 and 3 of this act, he or she shall, upon conviction thereof
22 for each case of such failure or neglect of duty, pay into the county
23 treasury of the proper county for the use of such county a fine of not
24 less than five dollars nor more than one hundred dollars, to be assessed
25 by the district court of the proper district.

26 Sec. 7. Section 47-201, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 47-201 The Jail Standards Board shall, ~~each in the month of~~ January
29 ~~of each year~~, and at such other time or times as it may deem necessary,
30 prescribe written rules for the regulation and government of the
31 municipal jails upon the subjects of (1) the cleanliness of the jail and
1 prisoners, (2) the classification of prisoners in regard to sex, age,
2 crime, and ~~also persons with physical or mental disabilities mental~~
3 ~~infirmity~~, (3) beds, clothing, and diet, (4) warming, lighting, and
4 ~~ventilation ventilating~~ of the jail, (5) the employment of medical and
5 surgical aid, (6) the employment, temperance, and instruction of the
6 prisoners, (7) the intercourse between prisoners and their attorneys and
7 other persons, including access to telephones or videoconferencing as
8 required by section 8 of this act, (8) the discipline of prisoners, (9)
9 the keeping of records of the jail, and (10) any other matters concerning
10 jails and their government as the board may deem necessary.

11 Sec. 8. (1) Each city jail shall make available either a prepaid
12 telephone call system or collect telephone call system, or a combination
13 thereof, for telephone services for inmates. Under either system, the
14 provision of inmate telephone services shall be subject to the
15 requirements of this section.

16 (2) Under a prepaid system, funds may be deposited into an inmate
17 account in order to pay for telephone calls. The provider of the inmate
18 telephone services, as an additional means of payment, shall permit the
19 recipient of inmate collect telephone calls to establish an account with
20 that provider in order to deposit funds for advance payment of those
21 collect telephone calls. The provider of the inmate telephone services

22 shall also allow inmates to communicate on the telephone, or by
 23 videoconferencing, with an attorney or attorneys without charge and
 24 without monitoring or recording by the city jail or law enforcement.
 25 (3) A city operating a city jail may receive revenue for the
 26 reasonable operating costs for establishing and administering such
 27 telephone services system or videoconferencing system, but shall not
 28 receive excessive commissions or bonus payments. In determining the
 29 amount of such reasonable operating costs, the Jail Standards Board may
 30 consider for comparative purposes the rates for inmate calling services
 31 provided in 47 C.F.R. part 64. Amounts in excess of the reasonable
 1 operating costs include, but are not limited to, any excessive
 2 commissions and bonus payments, as determined by the Jail Standards
 3 Board, including, but not limited to, awards paid to a city for
 4 contracting with an entity that provides such service.
 5 (4) Nothing in this section shall require a city jail to provide or
 6 administer a prepaid telephone call system.
 7 (5) For the purposes of this section, collect telephone call system
 8 means a system pursuant to which recipients are billed for the cost of an
 9 accepted telephone call initiated by an inmate.
 10 Sec. 9. The Jail Standards Board shall ensure that city jails are
 11 providing inmates with means to communicate by telephone or
 12 videoconferencing with inmates' families, loved ones, and counsel.
 13 Sec. 10. Section 47-206, Reissue Revised Statutes of Nebraska, is
 14 amended to read:
 15 47-206 The officer in charge of any municipal prison or jail who
 16 fails to comply with the provisions of sections 47-201 to 47-205 and
 17 sections 8 and 9 of this act or the rules prescribed by the Jail
 18 Standards Board shall be guilty of a Class V misdemeanor.
 19 Sec. 11. Original sections 47-101, 47-108, 47-109, 47-116, 47-201,
 20 and 47-206, Reissue Revised Statutes of Nebraska, are repealed.

GENERAL FILE

LEGISLATIVE BILL 1005. Title read. Considered.

Committee AM2204, found on page 853, was adopted with 35 ayes, 0 nays, and 14 present and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 1 nay, and 10 present and not voting.

LEGISLATIVE BILL 921. Title read. Considered.

Committee AM1935, found on page 848, was offered.

Senator Krist offered the following motion:

MO276

Bracket until April 18, 2018.

Pending.

SPEAKER'S MAJOR PROPOSAL

March 20, 2018

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

Dear Mr. O'Donnell:

Please be advised that pursuant to Rule 1, Section 17, the Executive Board has approved Speaker Scheer's request that LB944 be designated as a 2018 Speaker Major Proposal.

Respectfully,
(Signed) Dan Watermeier, Chairman
Executive Board

C: Speaker Jim Scheer

BILLS ON FIRST READING

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

LEGISLATIVE BILL 894A. Introduced by Blood, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 894, One Hundred Fifth Legislature, Second Session, 2018.

LEGISLATIVE BILL 686A. Introduced by Blood, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 686, One Hundred Fifth Legislature, Second Session, 2018.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 738. Placed on General File with amendment.

AM1789

1 1. On page 8, line 21, strike "2019" and insert "2020".

(Signed) Jim Smith, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 354. Introduced by Watermeier, 1; Clements, 2.

WHEREAS, the Lourdes Central Catholic boys' basketball team won the 2018 Class D-1 Boys' State Basketball Championship; and

WHEREAS, the 32-25 championship victory took place on March 10, 2018, at Pinnacle Bank Arena in Lincoln; and

WHEREAS, the 2018 Lourdes Central Catholic Knights' championship is the first time in the history of Class D-1 that a team has won three straight state titles; and

WHEREAS, Head Coach Joe Tynon led the team to an outstanding season; and

WHEREAS, throughout the season, the members of the Lourdes Central Catholic Knights basketball team have demonstrated that hard work, dedication, and discipline produce remarkable results; and

WHEREAS, the team members are positive role models for young athletes in the community and throughout the region; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community.

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

1. That the Legislature recognizes and congratulates the Lourdes Central Catholic boys' basketball team and its coaches on winning the 2018 Class D-1 Boys' State Basketball Championship.

2. That copies of this resolution be sent to the Lourdes Central Catholic basketball team and to Head Coach Joe Tynon.

Laid over.

LEGISLATIVE RESOLUTION 355. Introduced by Watermeier, 1.

WHEREAS, the Falls City Sacred Heart boys' basketball team won the 2018 Class D-2 Boys' State Basketball Championship; and

WHEREAS, the 59-42 championship victory took place on March 10, 2018, at Pinnacle Bank Arena in Lincoln; and

WHEREAS, Head Coach Doug Goltz led the team to an outstanding 25-3 season; and

WHEREAS, throughout the season, the members of the Falls City Sacred Heart Irish basketball team have demonstrated that hard work, dedication, and discipline produce remarkable results; and

WHEREAS, the team members are positive role models for young athletes in the community and throughout the region; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community.

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

1. That the Legislature recognizes and congratulates the Falls City Sacred Heart boys' basketball team and its coaches on winning the 2018 Class D-2 Boys' State Basketball Championship.

2. That copies of this resolution be sent to the Falls City Sacred Heart basketball team and to Head Coach Doug Goltz.

Laid over.

VISITORS

Visitors to the Chamber were an eleventh-grade exchange student, Reza Sholamova, from Tajikistan and local coordinator, Mandy Mandachit, of the Academic Year in America group.

RECESS

At 6:00 p.m., on a motion by Senator Erdman, the Legislature recessed until 6:30 p.m.

AFTER RECESS

The Legislature reconvened at 6:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senator Crawford who was excused; and Senators Bostelman, Groene, Hilgers, Linehan, Morfeld, Pansing Brooks, Stinner, Watermeier, and Wayne who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 921. The Krist motion, MO276, found in this day's Journal, to bracket until April 18, 2018, was renewed.

Senator Harr moved the previous question. The question is, "Shall the debate now close?"

Senator Harr moved for a call of the house. The motion prevailed with 18 ayes, 2 nays, and 29 not voting.

The motion to cease debate failed with 22 ayes, 12 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 681. Placed on General File with amendment. AM2207 is available in the Bill Room.

LEGISLATIVE BILL 731. Placed on General File with amendment. AM2432 is available in the Bill Room.

LEGISLATIVE BILL 788. Placed on General File with amendment. AM2184

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

3 Section 1. Section 38-145, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 38-145 (1) The appropriate board shall establish continuing
6 competency requirements for persons seeking renewal of a credential.

7 (2) The purposes of continuing competency requirements are to ensure

8 (a) the maintenance by a credential holder of knowledge and skills

9 necessary to competently practice his or her profession, (b) the

10 utilization of new techniques based on scientific and clinical advances,

11 and (c) the promotion of research to assure expansive and comprehensive

12 services to the public.

13 (3) Each board shall consult with the department and the appropriate

14 professional academies, professional societies, and professional

15 associations in the development of such requirements.

16 (4)(a) For a profession for which there are no continuing education

17 requirements on December 31, 2002, the requirements may include, but not

18 be limited to, any one or a combination of the continuing competency

19 activities listed in subsection (5) of this section.

20 (b) For a profession for which there are continuing education

21 requirements on December 31, 2002, continuing education is sufficient to

22 meet continuing competency requirements. The requirements may also

23 include, but not be limited to, any one or a combination of the

24 continuing competency activities listed in subdivisions (5)(b) through

25 (5)(p) of this section which a credential holder may select as an

26 alternative to continuing education.

27 (5) Continuing competency activities may include, but not be limited

1 to, any one or a combination of the following:

2 (a) Continuing education;

3 (b) Clinical privileging in an ambulatory surgical center or

4 hospital as defined in section 71-405 or 71-419;

5 (c) Board certification in a clinical specialty area;

6 (d) Professional certification;

7 (e) Self-assessment;

8 (f) Peer review or evaluation;

9 (g) Professional portfolio;

10 (h) Practical demonstration;

11 (i) Audit;

12 (j) Exit interviews with consumers;
13 (k) Outcome documentation;
14 (l) Testing;
15 (m) Refresher courses;
16 (n) Inservice training;
17 (o) Practice requirement; or
18 (p) Any other similar modalities.
19 (6) Beginning with the first license renewal period which begins on
20 or after October 1, 2018, the continuing competency requirements for a
21 nurse midwife, dentist, physician, physician assistant, nurse
22 practitioner, podiatrist, and veterinarian who prescribes controlled
23 substances shall include at least five hours of continuing education
24 biennially regarding prescribing opiates as defined in section 28-401.
25 The continuing education may include education regarding prescribing and
26 administering opiates, the risks and indicators regarding development of
27 addiction to opiates, and emergency opiate situations. One-half hour of
28 the five hours of continuing education shall cover the prescription drug
29 monitoring program described in sections 71-2454 to 71-2456. This
30 subsection terminates on January 1, 2029.
31 Sec. 2. Original section 38-145, Reissue Revised Statutes of
1 Nebraska, is repealed.

LEGISLATIVE BILL 790. Placed on General File with amendment.
AM2422 is available in the Bill Room.

LEGISLATIVE BILL 924. Placed on General File with amendment.
AM2181 is available in the Bill Room.

(Signed) Merv Riepe, Chairperson

AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB640:
AM2445 is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 921. The Krist motion, MO276, found in this day's
Journal, to bracket until April 18, 2018, was renewed.

Senator Lowe moved the previous question. The question is, "Shall the
debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not
voting.

Senator Krist moved for a call of the house. The motion prevailed with 29
ayes, 2 nays, and 18 not voting.

Senator Krist requested a roll call vote, in reverse order, on the motion to bracket.

Voting in the affirmative, 15:

Blood	Hansen	Howard	McDonnell	Schumacher
Bolz	Harr	Kolowski	Pansing Brooks	Vargas
Chambers	Hilkemann	McCollister	Quick	Wishart

Voting in the negative, 23:

Albrecht	Erdman	Hilgers	Lowe	Thibodeau
Brasch	Friesen	Hughes	Murante	Watermeier
Brewer	Geist	Kolterman	Riepe	Williams
Briese	Groene	Kuehn	Scheer	
Clements	Halloran	Larson	Stinner	

Present and not voting, 8:

Baker	Ebke	Lindstrom	Smith
Bostelman	Krist	Linehan	Walz

Excused and not voting, 3:

Crawford	Morfeld	Wayne
----------	---------	-------

The Krist motion to bracket failed with 15 ayes, 23 nays, 8 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Krist offered the following motion:

MO277

Reconsider the vote taken to bracket.

Pending.

AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB921:

AM2030

1 1. Insert the following new sections:

2 Section 1. Section 81-2101, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 81-2101 Sections 81-2101 to 81-2143 and section 4 of this act shall
5 be known and may be cited as the State Electrical Act.

6 Sec. 3. Section 81-2108, Reissue Revised Statutes of Nebraska, is

7 amended to read:

8 81-2108 (1) Except as provided in subsection (2) of this section or

9 in section 81-2110 or 81-2112 or section 4 of this act, no person shall,
 10 for another, wire for or install electrical wiring, apparatus, or
 11 equipment unless he or she is licensed by the board as a Class B
 12 electrical contractor, an electrical contractor, a Class A master
 13 electrician, a Class B master electrician, or a fire alarm installer.
 14 (2) Except as provided in section 81-2106, 81-2110, or 81-2112 or
 15 section 4 of this act, no person shall wire for or install electrical
 16 wiring, apparatus, or equipment or supervise an apprentice electrician
 17 unless such person is licensed as a Class B journeyman electrician, a
 18 journeyman electrician, a residential journeyman electrician, or a fire
 19 alarm installer and is employed by a Class B electrical contractor, an
 20 electrical contractor, a Class A master electrician, a Class B master
 21 electrician, or a fire alarm installer.
 22 For purposes of this section, the holder of a fire alarm installer
 23 license shall only supervise those apprentices engaged in the
 24 installation of fire alarm equipment and apparatus operating at fifty
 25 volts or less.
 26 (3) No person licensed under the State Electrical Act may lend his
 27 or her license to any person or knowingly permit the use of such license
 1 by another.
 2 Sec. 4. A person who is a directional boring contractor may install
 3 underground conduit under the direct supervision of a Class A master
 4 electrician, Class B master electrician, journeyman electrician, or Class
 5 B journeyman electrician who is employed by an electrical contractor.
 6 2. Renumber the remaining sections and correct the repealer
 7 accordingly.

Senator Larson filed the following amendment to LB921:
 AM2551

(Amendments to Standing Committee amendments, AM1935)

1 1. On page 6, line 4, after the period insert "Farm installations
 2 constructed pursuant to this subsection shall be subject to inspection as
 3 a commercial or industrial installation under subsection (1) of section
 4 81-2124, unless exempt under subdivision (5) of section 81-2121.".

GENERAL FILE

LEGISLATIVE BILL 948. Title read. Considered.

Committee AM1931, found on page 748, was offered.

Senator Harr offered the following amendment to the committee
 amendment:

AM2473

(Amendments to Standing Committee amendments, AM1931)

1 1. Strike sections 6 and 7.
 2 2. Renumber the remaining sections accordingly.

Senator Chambers offered the following motion:

MO278

Bracket until April 18, 2018.

Senator Chambers withdrew his motion to bracket.

Pending.

AMENDMENT(S) - Print in Journal

Senator Harr filed the following amendment to LB948:

AM2507

(Amendments to Standing Committee amendments, AM1931)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike original section 32.

Senator Harr filed the following amendment to LB948:

AM2494

(Amendments to Standing Committee amendments, AM1931)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike original section 19.

Senator Harr filed the following amendment to LB948:

AM2497

(Amendments to Standing Committee amendments, AM1931)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike original section 22.

Senator Harr filed the following amendment to LB948:

AM2478

(Amendments to Standing Committee amendments, AM1931)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike original section 5.

Senator Harr filed the following amendment to LB948:

AM2476

(Amendments to Standing Committee amendments, AM1931)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike original section 3.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 356. Introduced by Brasch, 16; Albrecht, 17; Baker, 30; Blood, 3; Bolz, 29; Bostelman, 23; Brewer, 43; Briese, 41; Clements, 2; Ebke, 32; Erdman, 47; Friesen, 34; Geist, 25; Groene, 42; Halloran, 33; Hansen, 26; Harr, 8; Hilgers, 21; Hilkemann, 4; Howard, 9; Kolowski, 31; Kolterman, 24; Krist, 10; Kuehn, 38; Larson, 40; Lindstrom, 18; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Murante, 49; Pansing Brooks, 28; Quick, 35; Riepe, 12; Scheer, 19; Stinner, 48; Thibodeau, 6; Walz, 15; Watermeier, 1; Wayne, 13; Williams, 36.

WHEREAS, Down syndrome is a congenital disorder caused by having an extra 21st chromosome; and

WHEREAS, the date for World Down Syndrome Day being the 21st day of the 3rd month was selected to signify the uniqueness of the triplication (trisomy) of the 21st chromosome which causes Down syndrome; and

WHEREAS, one in every 691 babies in the United States is born with Down syndrome, making Down syndrome the most common genetic condition; and

WHEREAS, approximately 400,000 Americans have Down syndrome and about 6,000 babies with Down syndrome are born in the United States each year; and

WHEREAS, while research and early intervention have resulted in dramatic improvements in the life span and potential of those who are affected, more research is needed into diseases and illnesses that are more prevalent among people who have Down syndrome; and

WHEREAS, possessing a wide range of abilities, people with Down syndrome are active participants in educational, occupational, social, and recreational circles of our communities; and

WHEREAS, individuals living with Down syndrome should have equal opportunity to achieve their desired goals of self-fulfillment, be valued for their achievements, be included in their community, and be encouraged to reach their full potential;

WHEREAS, in 2011, The United Nations General Assembly declared March 21 as World Down Syndrome Day; and

WHEREAS, in 2016, the Nebraska Legislature adopted Legislative Bill 891 to provide new and expectant parents with supportive and accurate information about a Down syndrome diagnosis that their child receives.

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

1. That the Nebraska Legislature joins numerous countries, states, and communities by designating March 21, 2018, as Down Syndrome Awareness Day in Nebraska.

2. That the Nebraska Legislature recognizes the accomplishments of those in the state with Down syndrome and their families.

Laid over.

ADJOURNMENT

At 9:53 p.m., on a motion by Senator Ebke, the Legislature adjourned until 9:00 a.m., Wednesday, March 21, 2018.

Patrick J. O'Donnell
Clerk of the Legislature