

**FIFTY-FIFTH DAY - APRIL 5, 2018**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FIFTH LEGISLATURE**  
**SECOND SESSION**  
**FIFTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, April 5, 2018

**PRAYER**

The prayer was offered by Pastor Nathan Metzger, American Lutheran Church, Adams.

**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, Briese, Groene, Hansen, Hilgers, Howard, Kolterman, Linehan, McDonnell, Murante, Pansing Brooks, Thibodeau, Vargas, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 1358, line 39, strike "with amendment".  
Page 1358, strike lines 40, 41, and 42.  
The Journal for the fifty-third day was approved as corrected.

The Journal for the fifty-fourth day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 807A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 6 present and not voting, and 14 excused and not voting.

**LEGISLATIVE BILL 989.** Senator Friesen renewed his motion, MO323, found on page 1412, to bracket until April 18, 2018.

Senator Larson moved the previous question. The question is, "Shall the debate now close?" The motion failed with 23 ayes, 3 nays, and 23 not voting.

**SPEAKER SCHEER PRESIDING**

Senator Wishart moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 4 nays, and 20 not voting.

The Friesen motion to bracket failed with 4 ayes, 27 nays, 14 present and not voting, and 4 excused and not voting.

The Larson amendment, AM2787, found on page 1400 and considered on page 1412, to the committee amendment, was renewed.

Senator Larson moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 4 nays, and 20 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 30 ayes, 3 nays, and 16 not voting.

Senator Wishart requested a roll call vote, in reverse order, on the Larson amendment.

Voting in the affirmative, 32:

Albrecht	Groene	Linehan	Quick	Vargas
Baker	Hansen	Lowe	Riepe	Walz
Blood	Harr	McCollister	Scheer	Watermeier
Bolz	Hilkemann	McDonnell	Schumacher	Wishart
Chambers	Howard	Morfeld	Smith	
Crawford	Larson	Murante	Stinner	
Ebke	Lindstrom	Pansing Brooks	Thibodeau	

Voting in the negative, 1:

Krist

Present and not voting, 13:

Bostelman	Briese	Friesen	Hughes	Williams
Brasch	Clements	Geist	Kolowski	
Brewer	Erdman	Halloran	Kuehn	

Excused and not voting, 3:

Hilgers          Kolterman          Wayne

The Larson amendment was adopted with 32 ayes, 1 nay, 13 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

**LEGISLATIVE RESOLUTION 1CA.** Considered.

Senator Morfeld offered his motion, MO317, found on page 1398, to recommit to the Government, Military and Veterans Affairs Committee.

**SENATOR WILLIAMS PRESIDING**

Senator Murante offered the following motion:

MO326

Bracket until April 18, 2018.

Senator Murante withdrew his motion to bracket.

Senator Murante offered the following motion:

MO325

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Murante moved for a call of the house. The motion prevailed with 29 ayes, 1 nay, and 19 not voting.

Senator Murante requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 24:

Albrecht	Clements	Halloran	Lowe	Stinner
Bostelman	Erdman	Hilkemann	Murante	Thibodeau
Brasch	Friesen	Hughes	Riepe	Watermeier
Brewer	Geist	Larson	Scheer	Williams
Briese	Groene	Linehan	Smith	

Voting in the negative, 18:

Blood	Hansen	Krist	Pansing Brooks	Wayne
Bolz	Harr	McCollister	Quick	Wishart
Chambers	Howard	McDonnell	Schumacher	
Crawford	Kolowski	Morfeld	Vargas	

Present and not voting, 4:

Baker	Ebke	Lindstrom	Walz
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Excused and not voting, 3:

Hilgers	Kolterman	Kuehn
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The Murante motion to invoke cloture failed with 24 ayes, 18 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**RESOLUTION(S)****LEGISLATIVE RESOLUTION 477.** Introduced by Stinner, 48.

WHEREAS, Jaron Anderson, Tony Espino, Tucker Fuentes, and David Karpf, members of Troop 17 of Gering, have completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

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

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 13 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

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

WHEREAS, Jaron, Tony, Tucker, and David, through their hard work and perseverance, have joined other high achievers who are Eagle Scouts, such as astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Jaron Anderson, Tony Espino, Tucker Fuentes, and David Karpf on achieving the rank of Eagle Scout.
2. That copies of this resolution be sent to Jaron Anderson, Tony Espino, Tucker Fuentes, and David Karpf.

Laid over.

**LEGISLATIVE RESOLUTION 478.** Introduced by McDonnell, 5.

WHEREAS, Holy Ghost Catholic Church in Omaha will be celebrating its 100th anniversary on May 20, 2018; and

WHEREAS, Holy Ghost Catholic Church was established as a mission of the Order of St. Augustine, with the first Mass being celebrated on March 17, 1918; and

WHEREAS, Holy Ghost Catholic Church officially joined the Archdiocese of Omaha on August 1, 1986; and

WHEREAS, Holy Ghost Catholic Church has been a center of activity in South Omaha since its beginning, operating a school from 1922 to 2013, a child care center from 1994 to 2014, serving the community through various philanthropic efforts, such as helping the poor through its St. Vincent de Paul Society, and hosting annual community events like Lenten fish fries, chicken dinners, Husker football nights, the Game On Event, Thanksgiving

turkey dinner, youth baseball and basketball tournaments, and the June Jamboree Festival; and

WHEREAS, Holy Ghost Catholic Church will commemorate its centennial on the Feast of Pentecost, Sunday, May 20, 2018, with a Mass celebrated by Archbishop George J. Lucas, along with current and former pastors and assistants, followed by a parish dinner. Other events connected to the centennial are a parish photo directory, stewardship event, a parish family night, and dedication of the Pastor Center.

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

1. That the Legislature congratulates Holy Ghost Catholic Church in Omaha on celebrating its 100th anniversary.
2. That a copy of this resolution be sent to Holy Ghost Catholic Church.

Laid over.

**LEGISLATIVE RESOLUTION 479.** Introduced by Halloran, 33.

WHEREAS, Tom Hastings, a proud Nebraskan and long-serving president of the Hastings Area Chamber of Commerce is retiring in May 2018; and

WHEREAS, Tom brought more than twenty years of experience in the banking industry in Clay Center to his position in the Chamber. Tom previously served as president of the Clay Center Community Club and oversaw a dramatic expansion of its membership; and

WHEREAS, Tom has worked diligently to promote economic growth in Hastings through the creation and support of a variety of activities and events hosted by the Chamber, including: Legislative luncheons, Coffee with the Senator, Whoopers & Hoopers, the annual meeting and awards banquet, Business After Hours, Retail Roundtables, and others; and

WHEREAS, by his very nature, no one is a stranger to Tom, and he has always made a point of bringing people and ideas together for the betterment of the economic, civic, and cultural life in Hastings; and

WHEREAS, Tom has been praised by members of the Hastings community for his experience and hard work in adding and retaining businesses and thereby improving local commerce and attracting membership to the Chamber; and

WHEREAS, Tom has promised, following sixteen years as president of the Chamber, to continue promoting the Hastings community in any way he can.

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

1. That the Legislature expresses its appreciation to Tom Hastings for his devotion to the Hastings community and his dedication in serving the Hastings Area Chamber of Commerce as its president for sixteen years.
2. That a copy of this resolution be sent to Tom Hastings.

Laid over.

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

Senator Friesen filed the following amendment to LB994:  
AM2799

(Amendments to E&R amendments, ER158)

- 1 1. On page 3, line 11, strike "commission" and insert "Public
- 2 Service Commission".

Senator Harr filed the following amendment to LB807:  
AM2831

(Amendments to Standing Committee amendments, AM2392)

- 1 1. Insert the following new sections:
- 2 Sec. 4. The Willa Cather National Statuary Hall Cash Fund is
- 3 created. The fund shall be administered by the Nebraska State Historical
- 4 Society. The fund shall consist of privately donated funds pursuant to
- 5 subdivision (2)(b) of section 3 of this act. Any money in the fund
- 6 available for investment shall be invested by the state investment
- 7 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
- 8 State Funds Investment Act.
- 9 Sec. 7. The Chief Standing Bear National Statuary Hall Cash Fund is
- 10 created. The fund shall be administered by the Commission on Indian
- 11 Affairs. The fund shall consist of privately donated funds pursuant to
- 12 subdivision (2)(b) of section 6 of this act. Any money in the fund
- 13 available for investment shall be invested by the state investment
- 14 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
- 15 State Funds Investment Act.
- 16 Sec. 8. Since an emergency exists, this act takes effect when passed
- 17 and approved according to law.
- 18 2. On page 1, line 19, strike "Oh" and insert "O".
- 19 3. On page 3, after line 10 insert the following new subsection:
- 20 "(4) The committee shall execute the requirements of this section no
- 21 later than June 30, 2023.".
- 22 4. On page 4, line 4, strike "shall" and insert "may"; and after
- 23 line 21 insert the following new subsection:
- 24 "(4) The committee shall execute the requirements of this section no
- 25 later than June 30, 2023.".
- 26 5. Renumber the remaining sections and correct internal references
- 1 accordingly.

Senator Linehan filed the following amendment to LB1081:  
AM2823

- 1 1. Strike the Linehan amendment, AM2593, and all amendments thereto,
- 2 and insert the following new sections:
- 3 Sec. 20. Sections 20 to 26 of this act shall be known and may be
- 4 cited as the Nebraska Reading Improvement Act.
- 5 Sec. 21. It is the intent of the Legislature that:
- 6 (1) School boards develop policies to facilitate reading instruction
- 7 and intervention services to address student reading needs, including,
- 8 but not limited to, dyslexia;

9 (2) All teachers for kindergarten through grade three should be  
10 effective reading teachers as evidenced by (a) evaluations based on  
11 classroom observations and student improvement on reading assessments or  
12 (b) specialized training in reading improvement;  
13 (3) Each student and his or her parents or guardians be informed of  
14 the student's reading progress; and  
15 (4) Each student in a public school be able to read at or above  
16 grade level by third grade.  
17 Sec. 22. (1) For school year 2019-20 and each school year  
18 thereafter, each school district shall administer an approved reading  
19 assessment three times during the school year to all students in  
20 kindergarten through grade three, except for any student receiving  
21 specialized instruction for limited English proficiency who has been  
22 receiving such instruction for less than two years, any student receiving  
23 special education services for whom such assessment would conflict with  
24 the individualized education plan, and any student receiving services  
25 under a plan pursuant to the requirements of section 504 of the federal  
26 Rehabilitation Act of 1973, 29 U.S.C. 794, or Title II of the federal  
27 Americans with Disabilities Act of 1990, 42 U.S.C. 12131 to 12165, as  
1 such acts and sections existed on January 1, 2018, for whom such  
2 assessment would conflict with such section 504 or Title II plan. The  
3 first administration of such assessment for each such school year shall  
4 occur within the first thirty days of the school year.  
5 (2) For purposes of the Nebraska Reading Improvement Act, an  
6 approved reading assessment means an assessment of student reading skills  
7 approved by the State Department of Education which:  
8 (a) Measures progress toward proficiency in the reading skills  
9 assessed pursuant to subsection (5) of section 79-760.03 on the statewide  
10 assessment of reading for grade three;  
11 (b) Is valid and reliable;  
12 (c) Is aligned with academic content standards for reading adopted  
13 by either the State Board of Education pursuant to section 79-760.01 or  
14 the school district administering such assessment pursuant to section  
15 79-760.02;  
16 (d) Allows teachers access to results in a reasonable time period as  
17 established by the department, not to exceed fifteen working days; and  
18 (e) Is commercially available and complies with requirements  
19 established by the department.  
20 (3) On or before March 1, 2019, and on or before each March 1  
21 thereafter, the department shall make public the list of approved reading  
22 assessments for the subsequent school year and the threshold level of  
23 performance for each such assessment. A student performing below the  
24 threshold level shall be identified as having a reading deficiency for  
25 purposes of the Nebraska Reading Improvement Act.  
26 (4) Diagnostic assessments used within a supplemental reading  
27 intervention program do not require department approval.  
28 Sec. 23. (1) Any student in kindergarten, grade one, grade two, or  
29 grade three shall be identified as having a reading deficiency if such  
30 student performs below the threshold level determined pursuant to section

31 22 of this act on an approved reading assessment. A student who is  
1 identified as having a reading deficiency pursuant to this subsection  
2 shall remain identified as having a reading deficiency until the student  
3 performs at or above the threshold level on an approved reading  
4 assessment.

5 (2) Nothing in the Nebraska Reading Improvement Act shall prohibit a  
6 school district from identifying any other student as having a reading  
7 deficiency.

8 Sec. 24. (1) Each school district shall provide a supplemental  
9 reading intervention program for the purpose of ensuring that students  
10 can read at or above grade level at the end of third grade. School  
11 districts may work collaboratively with a reading specialist at the State  
12 Department of Education, with educational service units, with learning  
13 communities, or through interlocal agreements to develop and provide such  
14 supplemental reading intervention programs. Each supplemental reading  
15 intervention program shall:

16 (a) Be provided to any student identified as having a reading  
17 deficiency;

18 (b) Be implemented during regular school hours in addition to  
19 regularly scheduled reading instruction unless otherwise agreed to by a  
20 parent or guardian; and

21 (c) Make available a summer reading program each summer for any  
22 student who has been enrolled in grade one or higher and is identified as  
23 continuing to have a reading deficiency at the conclusion of the school  
24 year preceding such summer reading program. Such summer reading program  
25 may be held in conjunction with existing summer programs in the school  
26 district or in a community reading program not affiliated with the school  
27 district or may be offered online.

28 (2) The supplemental reading intervention program may also include:

29 (a) Reading intervention techniques that are based on scientific  
30 research and best practices;

31 (b) Diagnostic assessments to frequently monitor student progress  
1 throughout the school year and adjust instruction accordingly;

2 (c) Intensive intervention using strategies selected from the  
3 following list to match the weaknesses identified in the diagnostic  
4 assessment:

5 (i) Development in phonemic awareness, phonics, fluency, vocabulary,  
6 and reading comprehension;

7 (ii) Explicit and systematic instruction with detailed explanations,  
8 extensive opportunities for guided practice, and opportunities for error  
9 corrections and feedback; or

10 (iii) Daily targeted individual or small-group reading intervention  
11 based on student needs as determined by diagnostic assessment data  
12 subject to planned extracurricular school activities;

13 (d) Strategies and resources to assist with reading skills at home,  
14 including parent-training workshops and suggestions for parent-guided  
15 home reading; or

16 (e) Access to before-school or after-school supplemental reading  
17 intervention with a teacher or tutor who has specialized training in



18 reading intervention.

19 Sec. 25. (1) The school of any student who is identified as having  
 20 a reading deficiency shall notify such student's parents or guardians  
 21 either in writing or by electronic communication no later than fifteen  
 22 working days after the identification of the reading deficiency that the  
 23 student has been identified as having a reading deficiency and that an  
 24 individual reading improvement plan will be established and shared with  
 25 the parents or guardians.

26 (2) Any student who is identified as having a reading deficiency  
 27 shall receive an individual reading improvement plan no later than thirty  
 28 days after the identification of such reading deficiency. The reading  
 29 improvement plan may be created by the teacher, the principal, other  
 30 pertinent school personnel, and the parents or guardians of the student  
 31 and shall describe the reading intervention services the student will  
 1 receive through the supplemental reading intervention program pursuant to  
 2 section 24 of this act to remedy such reading deficiency. Each such  
 3 student shall receive reading intervention services through the  
 4 supplemental reading intervention program pursuant to section 24 of this  
 5 act until the student is no longer identified as having a reading  
 6 deficiency.

7 Sec. 26. (1) The State Department of Education may provide  
 8 technical assistance as needed to assist school boards in carrying out  
 9 the Nebraska Reading Improvement Act.

10 (2) The department may adopt and promulgate rules and regulations to  
 11 carry out the act.

12 2. Renumber the remaining sections accordingly.

#### **MOTION(S) - Print in Journal**

Senator Friesen filed the following motion to LB989:  
 MO324

Recommit to the Transportation and Telecommunications Committee.

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

Senator Friesen filed the following amendment to LB989:  
 AM2828

(Amendments to Standing Committee amendments, AM2612)

1 1. On page 1, strike lines 11 through 21 and insert the following  
 2 new subdivision:  
 3 "(1) Automated driving system means the hardware and software that  
 4 are collectively capable of performing the entire dynamic driving task on  
 5 a sustained basis regardless of whether it is limited to a specific  
 6 operational design domain. This term applies to levels 3, 4, and 5  
 7 automation but does not apply to levels 0, 1, and 2 automation or level 3  
 8 automation if the motor vehicle has been certified as having met Federal  
 9 Motor Vehicle Safety Standards, Title 49 of the Code of Federal  
 10 Regulations, as such title existed on January 1, 2018. This term does not  
 11 include the following, individually: (a) Adaptive cruise control systems;

12 (b) blind-spot detection systems; (c) camera systems; (d) collision  
13 avoidance or detection systems; (e) emergency braking systems; (f) lane-  
14 departure assistance or warning systems; (g) lane-keeping assistance  
15 systems; (h) parking assistance systems; or (i) queuing assistance  
16 systems;".

Senator Erdman filed the following amendment to LB731:  
AM2830

(Amendments to Standing Committee amendments, AM2432)

1 1. Insert the following new section:  
2 Sec. 67. Section 38-1707, Reissue Revised Statutes of Nebraska, is  
3 amended to read:  
4 38-1707 Massage therapy establishment means any duly licensed place  
5 or vehicle in which a massage therapist practices his or her profession  
6 of massage therapy.  
7 2. Renumber the remaining sections and correct internal references  
8 accordingly.  
9 3. Correct the operative date and repealer sections so that the  
10 section added by this amendment becomes operative three calendar months  
11 after the adjournment of this legislative session.

Senator Harr filed the following amendment to LB807A:  
AM2834

1 1. Strike the original section and insert the following new  
2 sections:  
3 Section 1. There is hereby appropriated (1) \$500,000 from the Willa  
4 Cather National Statuary Hall Cash Fund for FY2018-19 and (2) \$500,000  
5 from the Willa Cather National Statuary Hall Cash Fund for FY2019-20 to  
6 the Nebraska State Historical Society, for Program 648, to aid in  
7 carrying out the provisions of Legislative Bill 807, One Hundred Fifth  
8 Legislature, Second Session, 2018.  
9 No expenditures for permanent and temporary salaries and per diems  
10 for state employees shall be made from funds appropriated in this  
11 section.  
12 Sec. 2. There is hereby appropriated (1) \$500,000 from the Chief  
13 Standing Bear National Statuary Hall Cash Fund for FY2018-19 and (2)  
14 \$500,000 from the Chief Standing Bear National Statuary Hall Cash Fund  
15 for FY2019-20 to the Commission on Indian Affairs, for Program 584, to  
16 aid in carrying out the provisions of Legislative Bill 807, One Hundred  
17 Fifth Legislature, Second Session, 2018.  
18 No expenditures for permanent and temporary salaries and per diems  
19 for state employees shall be made from funds appropriated in this  
20 section.  
21 Sec. 3. Since an emergency exists, this act takes effect when passed  
22 and approved according to law.

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

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

Senator Thibodeau name added to LB855.

**VISITORS**

Visitors to the Chamber were 20 high school students and teachers from Lincoln High and Lincoln Northeast; 12 seventh-grade students from St. Michael's School, Albion; Marcia and Jeff Shea from Memphis, TN; 17 fourth-grade students from Faith Lutheran School, Lincoln; UNL students, Lauryn Wengert and Kelsey Linzell; 25 sixth- through eighth-grade students and teachers from Park Middle School, Lincoln; 10 sixth- through eighth-grade students and teachers from Culler Middle School, Lincoln; 22 fourth-grade students from Cross County Community Schools, Stromsburg; and Nila Chappellear from Arlington.

**RECESS**

At 12:01 p.m., on a motion by Senator Walz, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator Hughes presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Bolz, Bostelman, Friesen, Groene, Harr, Hilgers, Hilkemann, Kuehn, Pansing Brooks, Vargas, Watermeier, Wayne, and Williams who were excused until they arrive.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 670.** Placed on Select File with amendment.  
ER173 is available in the Bill Room.

**LEGISLATIVE BILL 1120.** Placed on Select File with amendment.  
ER172 is available in the Bill Room.

**LEGISLATIVE BILL 873.** Placed on Select File with amendment.  
ER170

1 1. In the Standing Committee amendments, AM2065:  
2 a. On page 103, line 13, strike "National", show as stricken, and  
3 insert "national";

4 b. On page 128, line 8, strike "governing body", show as stricken, 5 and insert "city council or village board of trustees";

6 c. On page 140, line 26, strike "municipality" and insert "city of the first class, city of the second class, or village"; and in line 27 8 strike "municipality" and insert "city or village";

9 d. On page 144, line 24, strike "form" and insert "plan";

10 e. On page 158, line 26, reinstate the stricken comma; and

11 f. On page 189, line 25, strike "are" and insert "is".

12 2. On page 1, strike beginning with "cities" in line 1 through line 13 22 and insert "government; to amend sections 8-205, 13-1302, 14-403.01, 14 15-1102, 16-115, 16-118, 16-316, 16-321.01, 16-610, 16-611, 16-614, 15 16-629, 16-645, 16-648, 16-663, 16-671.01, 16-674, 16-675, 16-808, 16 18-1720, 19-201, 19-402, 19-403, 19-404, 19-405, 19-409, 19-411, 19-412, 17 19-413, 19-416, 19-417, 19-419, 19-421, 19-422, 19-423, 19-432, 19-433, 18 19-502, 19-503, 19-601, 19-603, 19-604, 19-605, 19-606, 19-607, 19-608, 19 19-609, 19-610, 19-611, 19-612, 19-613, 19-613.01, 19-615, 19-616, 20 19-617, 19-618, 19-619, 19-620, 19-645, 19-646, 19-647, 19-648, 19-662, 21 19-701, 19-702, 19-703, 19-704, 19-705, 19-706, 19-707, 19-708, 19-709, 22 19-710, 19-901, 19-902, 19-903, 19-904, 19-904.01, 19-905, 19-907, 23 19-908, 19-909, 19-910, 19-911, 19-912, 19-912.01, 19-913, 19-914, 24 19-915, 19-916, 19-917, 19-918, 19-919, 19-920, 19-921, 19-923, 19-925, 25 19-927, 19-928, 19-929, 19-930, 19-931, 19-932, 19-1103, 19-1104, 26 19-1301, 19-1302, 19-1303, 19-1304, 19-1305, 19-1306, 19-1307, 19-1308, 27 19-1309, 19-1310, 19-1311, 19-1312, 19-1401, 19-1402, 19-1403, 19-1404, 1 19-1501, 19-1502, 19-1826, 19-1829, 19-1830, 19-1833, 19-1834, 19-1836, 2 19-1839, 19-1846, 19-2101, 19-2102, 19-2103, 19-2104, 19-2105, 19-2106, 3 19-2201, 19-2202, 19-2203, 19-2302, 19-2303, 19-2304, 19-2401, 19-2403, 4 19-2405, 19-2406, 19-2410, 19-2411, 19-2412, 19-2413, 19-2414, 19-2416, 5 19-2417, 19-2419, 19-2420, 19-2421, 19-2422, 19-2423, 19-2424, 19-2425, 6 19-2426, 19-2428, 19-2429, 19-2430, 19-2432, 19-2701, 19-2901, 19-2902, 7 19-2904, 19-2905, 19-2907, 19-2908, 19-2909, 19-3052, 19-3101, 19-3302, 8 19-3303, 19-3304, 19-3305, 19-3306, 19-3307, 19-3308, 19-3309, 19-3310, 9 19-3311, 19-3312, 19-3313, 19-3314, 19-3315, 19-3315.01, 19-3316, 10 19-3317, 19-3318, 19-3319, 19-3320, 19-3321, 19-3322, 19-3323, 19-3324, 11 19-3325, 19-3326, 19-3327, 19-3701, 19-3801, 19-4019, 19-4022, 19-4032, 12 19-4035, 19-4036, 19-4629, 19-4630, 19-4632, 19-4633, 19-4634, 19-4636, 13 19-4638, 19-4701, 19-5001, 23-206, 23-339, 31-505, and 90-106, Reissue 14 Revised Statutes of Nebraska, sections 16-119, 16-238, 16-304, 16-305, 15 16-308, 16-309, 16-312, 16-313, 16-314, 16-317, 16-318, 16-319, 16-320, 16 16-321, 16-322, 16-323, 16-324, 16-326, 16-327, 16-401, 16-402, 16-403, 17 16-404, 16-405, 16-406, 16-501, 16-502, 16-503, 16-606, 16-609, 16-615, 18 16-618, 16-621, 16-624, 16-626, 16-627, 16-630, 16-631, 16-632, 16-637, 19 16-646, 16-647, 16-649, 16-650, 16-651, 16-652, 16-653, 16-654, 16-661, 20 16-662, 16-664, 16-665, 16-672, 16-672.07, 16-679, 16-680, 16-691, 21 16-691.01, 16-692, 16-693, 16-697, 16-699, 16-6,100, 16-702, 16-706, 22 16-707, 16-712, 16-713, 16-714, 16-716, 16-717, 16-718, 16-719, 16-720, 23 16-722, 16-723, 16-727, 16-728, 18-2705, 19-922, 19-2402, 19-2404, 24 19-2407, 19-2418, 19-2427, 19-4017, 19-4017.01, 19-4018, 19-4021, 25 19-4026, 19-4027, 19-4028, 19-4029, 19-4029.01, 19-4029.04, 19-4029.05,

26 19-4033, 19-4034, 19-4037, 19-5203, 19-5205, and 19-5207, Revised  
 27 Statutes Cumulative Supplement, 2016, and sections 13-2705, 17-108.02,  
 28 17-121, 18-2709, 19-401, 19-415, 19-418, 19-602, 19-926, 19-1101,  
 29 19-1102, 19-1827, 19-3501, 19-4030, 19-4031, 32-538, 32-539, and 77-2701,  
 30 Revised Statutes Supplement, 2017; to change provisions relating to  
 31 cities of particular classes and villages; to correct and include city  
 1 and village references as prescribed; to eliminate obsolete provisions;  
 2 to repeal definitions; to provide for interlocal agreements between  
 3 cities and villages and counties as prescribed for the abatement,  
 4 removal, or prevention of nuisances; to change provisions relating to how  
 5 population thresholds for municipalities are determined as prescribed; to  
 6 redefine terms; to change references to cities, villages, and governing  
 7 bodies; to redefine economic development program to include early  
 8 childhood infrastructure development for cities of the first and second  
 9 class and villages under the Local Option Municipal Economic Development  
 10 Act; to expand the number of municipalities that may elect to create a  
 11 land bank, change provisions relating to land bank board requirements,  
 12 and change land bank powers under the Nebraska Municipal Land Bank Act;  
 13 to change provisions relating to comprehensive plans for cities to  
 14 provide for an early childhood element as prescribed; to authorize short-  
 15 term rentals and an online hosting platform, sales tax collection  
 16 procedures, Tax Commissioner duties, and a report relating to such  
 17 rentals; to provide powers and duties for municipalities with respect to  
 18 short-term rentals; to eliminate a requirement relating to use of the  
 19 official state slogan and symbol on state letterhead and envelopes as  
 20 prescribed; to harmonize provisions; to provide a duty for the Revisor of  
 21 Statutes; to repeal the original sections; and to outright repeal  
 22 sections 19-101, 19-104, 19-407, and 19-924, Reissue Revised Statutes of  
 23 Nebraska, and sections 19-102 and 19-103, Revised Statutes Supplement,  
 24 2017.".

25 3. On page 2 strike lines 1 through 20.

(Signed) Anna Wishart, Chairperson

### **GENERAL FILE**

**LEGISLATIVE BILL 1065.** Title read. Considered.

Committee AM1890, found on page 1167, was offered.

Senator Chambers offered the following motion:

MO327

Bracket until April 18, 2018.

**SPEAKER SCHEER PRESIDING**

**SENATOR LINDSTROM PRESIDING**

Pending.

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

Senator Thibodeau filed the following amendment to LB1120:  
AM2835 is available in the Bill Room.

Senator Williams filed the following amendment to LB496:  
AM2816

(Amendments to AM1378)

- 1 1. Strike amendments 3 and 4 and insert the following new
- 2 amendments:
- 3 3. On page 5, strike beginning with "cities" in line 12 through
- 4 "villages" in line 13 and insert "a rural community".
- 5 4. On page 7, line 18, strike "and"; and strike lines 19 through 29
- 6 and insert the following new subdivisions:
- 7 "(30) Rural community means any municipality in a county with a
- 8 population of fewer than one hundred thousand inhabitants as determined
- 9 by the most recent federal decennial census; and
- 10 (31) Workforce housing means:
- 11 (a) Housing that meets the needs of today's working families;
- 12 (b) Housing that is attractive to new residents considering
- 13 relocation to a rural community;
- 14 (c) Owner-occupied housing units that cost not more than two hundred
- 15 seventy-five thousand dollars to construct or rental housing units that
- 16 cost not more than two hundred thousand dollars per unit to construct.
- 17 For purposes of this subdivision (c), housing unit costs shall be updated
- 18 annually by the Department of Economic Development based upon the most
- 19 recent increase or decrease in the Producer Price Index for all
- 20 commodities, published by the United States Department of Labor, Bureau
- 21 of Labor Statistics;
- 22 (d) Owner-occupied and rental housing units for which the cost to
- 23 substantially rehabilitate exceeds fifty percent of a unit's assessed
- 24 value; and
- 25 (e) Upper-story housing."
- 26 5. Renumber the remaining sections and correct the repealer
- 1 accordingly.

Senator Wayne filed the following amendment to LB873:  
AM2827

(Amendments to Standing Committee amendments, AM2065)

- 1 1. Insert the following new sections:
- 2 Sec. 343. Section 77-2602, Revised Statutes Cumulative Supplement,
- 3 2016, is amended to read:
- 4 77-2602 (1) Every stamping agent engaged in distributing or selling
- 5 cigarettes at wholesale in this state shall pay to the Tax Commissioner
- 6 of this state a special privilege tax. This shall be in addition to all
- 7 other taxes. It shall be paid prior to or at the time of the sale, gift,
- 8 or delivery to the retail dealer in the several amounts as follows: On
- 9 each package of cigarettes containing not more than twenty cigarettes,
- 10 sixty-four cents per package; and on packages containing more than twenty

11 cigarettes, the same tax as provided on packages containing not more than  
12 twenty cigarettes for the first twenty cigarettes in each package and a  
13 tax of one-twentieth of the tax on the first twenty cigarettes on each  
14 cigarette in excess of twenty cigarettes in each package.

15 (2) Beginning October 1, 2004, the State Treasurer shall place the  
16 equivalent of forty-nine cents of such tax in the General Fund. The State  
17 Treasurer shall reduce the amount placed in the General Fund under this  
18 subsection by the amount prescribed in subdivision (3)(d) of this  
19 section. For purposes of this section, the equivalent of a specified  
20 number of cents of the tax shall mean that portion of the proceeds of the  
21 tax equal to the specified number divided by the tax rate per package of  
22 cigarettes containing not more than twenty cigarettes.

23 (3) The State Treasurer shall distribute the remaining proceeds of  
24 such tax in the following order:

25 (a) First, beginning July 1, 1980, the State Treasurer shall place  
26 the equivalent of one cent of such tax in the Nebraska Outdoor Recreation  
1 Development Cash Fund. For fiscal year distributions occurring after  
2 FY1998-99, the distribution under this subdivision shall not be less than  
3 the amount distributed under this subdivision for FY1997-98. Any money  
4 needed to increase the amount distributed under this subdivision to the  
5 FY1997-98 amount shall reduce the distribution to the General Fund;

6 (b) Second, beginning July 1, 1993, the State Treasurer shall place  
7 the equivalent of three cents of such tax in the Health and Human  
8 Services Cash Fund to carry out sections 81-637 to 81-640. For fiscal  
9 year distributions occurring after FY1998-99, the distribution under this  
10 subdivision shall not be less than the amount distributed under this  
11 subdivision for FY1997-98. Any money needed to increase the amount  
12 distributed under this subdivision to the FY1997-98 amount shall reduce  
13 the distribution to the General Fund;

14 (c) Third, beginning October 1, 2002, and continuing until all the  
15 purposes of the Deferred Building Renewal Act have been fulfilled, the  
16 State Treasurer shall place the equivalent of seven cents of such tax in  
17 the Building Renewal Allocation Fund. The distribution under this  
18 subdivision shall not be less than the amount distributed under this  
19 subdivision for FY1997-98. Any money needed to increase the amount  
20 distributed under this subdivision to the FY1997-98 amount shall reduce  
21 the distribution to the General Fund;

22 (d) Fourth, until July 1, 2009, the State Treasurer shall place in  
23 the Municipal Infrastructure Redevelopment Fund the sum of five hundred  
24 twenty thousand dollars each fiscal year to carry out the Municipal  
25 Infrastructure Redevelopment Fund Act. The Legislature shall appropriate  
26 the sum of five hundred twenty thousand dollars each year for fiscal year  
27 2003-04 through fiscal year 2008-09;

28 (e) Fifth, beginning July 1, 2001, and continuing until June 30,  
29 2008, the State Treasurer shall place the equivalent of two cents of such  
30 tax in the Information Technology Infrastructure Fund. The distribution  
31 under this subdivision shall not be less than two million fifty thousand  
1 dollars. Any money needed to increase the amount distributed under this  
2 subdivision to two million fifty thousand dollars shall reduce the

3 distribution to the General Fund;

4 ~~(f) Sixth, beginning July 1, 2001, and continuing until June 30,~~  
5 ~~2016, the State Treasurer shall place one million dollars each fiscal~~  
6 ~~year in the City of the Primary Class Development Fund. If necessary, the~~  
7 ~~State Treasurer shall reduce the distribution of tax proceeds to the~~  
8 ~~General Fund pursuant to subsection (2) of this section by such amount~~  
9 ~~required to fulfill the one million dollars to be distributed pursuant to~~  
10 ~~this subdivision;~~

11 ~~(g) Seventh, beginning July 1, 2001, and continuing until June 30,~~  
12 ~~2016, the State Treasurer shall place one million five hundred thousand~~  
13 ~~dollars each fiscal year in the City of the Metropolitan Class~~  
14 ~~Development Fund. If necessary, the State Treasurer shall reduce the~~  
15 ~~distribution of tax proceeds to the General Fund pursuant to subsection~~  
16 ~~(2) of this section by such amount required to fulfill the one million~~  
17 ~~five hundred thousand dollars to be distributed pursuant to this~~  
18 ~~subdivision;~~

19 ~~(f) Sixth (h) Eighth, beginning July 1, 2008, and continuing until~~  
20 ~~June 30, 2009, the State Treasurer shall place the equivalent of two~~  
21 ~~million fifty thousand dollars of such tax in the Nebraska Public Safety~~  
22 ~~Communication System Cash Fund. Beginning July 1, 2009, and continuing~~  
23 ~~until June 30, 2016, the State Treasurer shall place the equivalent of~~  
24 ~~two million five hundred seventy thousand dollars of such tax in the~~  
25 ~~Nebraska Public Safety Communication System Cash Fund. Beginning July 1,~~  
26 ~~2016, and every fiscal year thereafter, the State Treasurer shall place~~  
27 ~~the equivalent of three million eight hundred twenty thousand dollars of~~  
28 ~~such tax in the Nebraska Public Safety Communication System Cash Fund. If~~  
29 ~~necessary, the State Treasurer shall reduce the distribution of tax~~  
30 ~~proceeds to the General Fund pursuant to subsection (2) of this section~~  
31 ~~by such amount required to fulfill the distribution pursuant to this~~  
1 ~~subdivision; and~~

2 ~~(g) Seventh (i) Ninth, beginning July 1, 2016, and every fiscal year~~  
3 ~~thereafter, the State Treasurer shall place the equivalent of one million~~  
4 ~~two hundred fifty thousand dollars of such tax in the Nebraska Health~~  
5 ~~Care Cash Fund. If necessary, the State Treasurer shall reduce the~~  
6 ~~distribution of tax proceeds to the General Fund pursuant to subsection~~  
7 ~~(2) of this section by such amount required to fulfill the distribution~~  
8 ~~pursuant to this subdivision.~~

9 (4) If, after distributing the proceeds of such tax pursuant to  
10 subsections (2) and (3) of this section, any proceeds of such tax remain,  
11 the State Treasurer shall place such remainder in the Nebraska Capital  
12 Construction Fund.

13 (5) The Legislature hereby finds and determines that the projects  
14 funded from the Municipal Infrastructure Redevelopment Fund and the  
15 Building Renewal Allocation Fund are of critical importance to the State  
16 of Nebraska. It is the intent of the Legislature that the allocations and  
17 appropriations made by the Legislature to such funds or, in the case of  
18 allocations for the Municipal Infrastructure Redevelopment Fund, to the  
19 particular municipality's account not be reduced until all contracts and  
20 securities relating to the construction and financing of the projects or



21 portions of the projects funded from such funds or accounts of such funds  
 22 are completed or paid or, in the case of the Municipal Infrastructure  
 23 Redevelopment Fund, the earlier of such date or July 1, 2009, and that  
 24 until such time any reductions in the cigarette tax rate made by the  
 25 Legislature shall be simultaneously accompanied by equivalent reductions  
 26 in the amount dedicated to the General Fund from cigarette tax revenue.  
 27 Any provision made by the Legislature for distribution of the proceeds of  
 28 the cigarette tax for projects or programs other than those to (a) the  
 29 General Fund, (b) the Nebraska Outdoor Recreation Development Cash Fund,  
 30 (c) the Health and Human Services Cash Fund, (d) the Municipal  
 31 Infrastructure Redevelopment Fund, (e) the Building Renewal Allocation  
 1 Fund, (f) the Information Technology Infrastructure Fund, (g) ~~the City of~~  
 2 ~~the Primary Class Development Fund, (h) the City of the Metropolitan~~  
 3 ~~Class Development Fund, (i) the Nebraska Public Safety Communication~~  
 4 System Cash Fund, and ~~(h) (i)~~ the Nebraska Health Care Cash Fund shall  
 5 not be made a higher priority than or an equal priority to any of the  
 6 programs or projects specified in subdivisions (a) through ~~(h) (i)~~ of  
 7 this subsection.

8 Sec. 345 Section 77-2701.04, Revised Statutes Cumulative Supplement,  
 9 2016, is amended to read:

10 77-2701.04 For purposes of sections 77-2701.04 to 77-2713 and  
 11 section 346 of this act, unless the context otherwise requires, the  
 12 definitions found in sections 77-2701.05 to 77-2701.55 shall be used.  
 13 2. On page 132, line 23, after "If" insert "there is" and strike  
 14 "is" and show as stricken; and in lines 24 and 25 strike "published" and  
 15 show as stricken.  
 16 3. On page 146, line 21, strike the new matter and reinstate the  
 17 stricken matter.  
 18 4. On page 147, line 3, strike the new matter and reinstate the  
 19 stricken matter.  
 20 5. On page 247, line 31, after the last comma insert "sections  
 21 90-552 and 90-553, Revised Statutes Cumulative Supplement, 2016,".  
 22 6. Renumber the remaining sections, correct internal references, and  
 23 correct the repealer accordingly.

Senator Ebke filed the following amendment to LB670:  
 AM2822

(Amendments to E & R amendments, ER173)

1 1. Strike sections 1 and 14 and insert the following new section:  
 2 Sec. 13. Sections 1, 2, 3, 4, 5, 10, 11, 12, and 15 of this act  
 3 become operative three calendar months after the adjournment of this  
 4 legislative session. The other sections of this act become operative on  
 5 their effective date.  
 6 2. On page 30, strike beginning with "sections" in line 29 through  
 7 "and" in line 30 and insert "section".  
 8 3. Renumber the remaining sections accordingly.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 480.** Introduced by Walz, 15; Wayne, 13.

WHEREAS, the University of Notre Dame women's basketball team won the 2018 NCAA Division I Women's Basketball Tournament; and

WHEREAS, Jessica (Jess) Shepard, a graduate of Fremont High School, was the highest scoring player for the Notre Dame Fighting Irish in the championship game with 19 points; and

WHEREAS, the points scored by Jess were critical in the 61-58 victory over the 2017 national runner-up, Mississippi State; and

WHEREAS, to get to the championship game, Notre Dame won their semi-final game against the previously undefeated University of Connecticut (UConn) Huskies with a score of 91 to 89 in double overtime; and

WHEREAS, despite an ankle sprain in the second half, Jess finished the game against UConn with 15 points and 11 rebounds; and

WHEREAS, the Legislature recognizes the accomplishments of current and former Nebraskans.

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

1. That the Legislature congratulates Jessica Shepard and the Notre Dame women's basketball team for winning the 2018 NCAA Division I Women's Basketball Tournament.

2. That a copy of this resolution be sent to Jessica Shepard.

Laid over.

**LEGISLATIVE RESOLUTION 481.** Introduced by Kolterman, 24.

WHEREAS, herpes zoster (shingles) is a disease caused by the same virus (zoster) that causes chickenpox, and, therefore, any individual who has contracted chickenpox is at risk for shingles, corresponding to approximately ninety-eight percent of adults in the United States; and

WHEREAS, nearly one in three people in the United States will contract shingles in their lifetime, corresponding to an estimated one million people annually; and

WHEREAS, risk of shingles increases with age, with nearly half of those affected over sixty years of age and half of those living until eighty-five years of age developing shingles; and

WHEREAS, shingles is a viral infection that causes a painful rash that can be severe, along with other symptoms, including long-term nerve pain, fever, headache, chills, upset stomach, muscle weakness, skin infection, scarring, and a decrease or loss of vision or hearing; and

WHEREAS, as many as twenty percent of adults who have contracted shingles will develop postherpetic neuralgia, a debilitating complication of shingles that causes severe pain that may interfere with sleep and recreational activities and is associated with clinical depression; and

WHEREAS, vaccines have reduced the burden of widespread and often fatal diseases, enabling individuals to lead longer and healthier lives while reducing health care costs; and

WHEREAS, much attention has been paid to the importance of childhood vaccinations, but there is a general lack of awareness of vaccines recommended for adults and a misperception that immunizations are unnecessary for healthy adults; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) and the Advisory Committee on Immunization Practices (ACIP) recommend that healthy adults fifty years of age and older be vaccinated against shingles to prevent shingles and shingles-related complications; and

WHEREAS, despite the recommendations of CDC officials and other experts that healthy adults be vaccinated against shingles, as of 2015, only thirty percent of eligible adults had received the shingles vaccine; and

WHEREAS, the annual economic burden for shingles in American adults is estimated to be between \$782 million and \$5 billion; and

WHEREAS, the Institute of Medicine has stated that one of the six causes of excess costs in the U.S. healthcare system is missed prevention opportunities; and

WHEREAS, millions of American adults go without routine and recommended vaccinations because our medical system is not set up to ensure that adults receive regular preventive healthcare; and

WHEREAS, as the month of August is observed as National Immunization Awareness Month, adults in Nebraska should be encouraged to speak with their healthcare providers to ensure that they have been properly vaccinated against shingles according to current CDC and ACIP recommendations.

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

1. That April is designated as Shingles Awareness and Improvement Month in Nebraska, in order to increase public awareness of the importance of adults receiving vaccines against shingles, to promote outreach and education efforts concerning adult vaccination, and to encourage health care practitioners to discuss vaccines for shingles with adult patients.

Laid over.

#### **GENERAL FILE**

**LEGISLATIVE BILL 1065.** The Chambers motion, MO327, found in this day's Journal, to bracket until April 18, 2018, was renewed.

Senator Chambers withdrew his motion to bracket.

Senator Murante offered the following amendment to the committee amendment:

AM2842

(Amendments to Standing Committee amendments, AM1890)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Section 32-101, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 32-101 Sections 32-101 to 32-1551 and section 2 of this act shall be  
6 known and may be cited as the Election Act.  
7 Sec. 2. Beginning July 1, 2019, the electronic poll books for a  
8 precinct shall contain the list of registered voters and the sign-in  
9 register for the precinct combined in one data base and shall include the  
10 registration information and the digital signatures for the registered  
11 voters of the precinct.  
12 Sec. 3. Section 32-301, Revised Statutes Supplement, 2017, is  
13 amended to read:  
14 32-301 (1) The Secretary of State shall implement, in a uniform and  
15 nondiscriminatory manner, a single, uniform, official, centralized,  
16 interactive computerized statewide voter registration list defined,  
17 maintained, and administered at the office of the Secretary of State that  
18 contains the name and registration information of every legally  
19 registered voter in the state and assigns a unique identifier to each  
20 legally registered voter in the state. The computerized list shall serve  
21 as the single system for storing and managing the official list of  
22 registered voters throughout the state and shall comprise the voter  
23 registration register. The computerized list shall be coordinated with  
24 other agency data bases within the state and shall be available for  
25 electronic access by election commissioners and county clerks. The  
26 computerized list shall serve as the official voter registration list for  
1 the conduct of all elections under the Election Act and beginning July 1,  
2 2019, shall be the basis for electronic poll books at each precinct if  
3 applicable. The Secretary of State shall provide such support as may be  
4 required so that election commissioners and county clerks are able to  
5 electronically enter voter registration information obtained by such  
6 officials on an expedited basis at the time the information is received.  
7 The Secretary of State shall provide adequate technological security  
8 measures to prevent unauthorized access to the computerized list.  
9 (2) The election commissioner or county clerk shall provide for the  
10 registration of the electors of the county. Upon receipt of a voter  
11 registration application in his or her office from an eligible elector,  
12 the election commissioner or county clerk shall enter the information  
13 from the application in the voter registration register and may create an  
14 electronic image, photograph, microphotograph, or reproduction in an  
15 electronic digital format to be used as the voter registration record.  
16 The election commissioner or county clerk shall provide a precinct list  
17 of registered voters for each precinct for the use of judges and clerks  
18 of election in their respective precincts on election day. Beginning July  
19 1, 2019, the election commissioner or county clerk may provide an  
20 electronic poll book as described in section 2 of this act to meet the  
21 requirements for a precinct list of registered voters. An electronically  
22 prepared list of registered voters in a form prescribed by the Secretary  
23 of State shall meet the requirements for a precinct list of registered

24 voters.

25 (3) The digital signatures in the possession of the Secretary of  
26 State, the election commissioner, or the county clerk shall not be public  
27 records as defined in section 84-712.01 and are not subject to disclosure  
28 under sections 84-712 to 84-712.09.

29 Sec. 4. Section 32-304, Revised Statutes Supplement, 2017, is  
30 amended to read:

31 32-304 (1) The Secretary of State in conjunction with the Department  
1 of Motor Vehicles shall, ~~on or before September 1, 2015, develop and~~  
2 implement a registration application process which may be used statewide  
3 to register to vote and update voter registration records electronically  
4 using the Secretary of State's web site. An applicant who has a valid  
5 Nebraska motor vehicle operator's license or state identification card  
6 may use the application process to register to vote or to update his or  
7 her voter registration record with changes in his or her personal  
8 information or other information related to his or her eligibility to  
9 vote. For each electronic application, the Secretary of State shall  
10 obtain a copy of the electronic representation of the applicant's  
11 signature from the Department of Motor Vehicles' records of his or her  
12 motor vehicle operator's license or state identification card for  
13 purposes of voter registration and electronic poll books.

14 (2) The application shall contain substantially all the information  
15 provided in section 32-312 and the following informational statements:

16 (a) An applicant who submits this application electronically is  
17 affirming that the information in the application is true. Any applicant  
18 who submits this application electronically knowing that any of the  
19 information in the application is false shall be guilty of a Class IV  
20 felony under section 32-1502 of the statutes of Nebraska. The penalty for  
21 a Class IV felony is up to two years imprisonment and twelve months post-  
22 release supervision, a fine of up to ten thousand dollars, or both;

23 (b) An applicant who submits this application electronically is  
24 agreeing to the use of his or her digital signature from the Department  
25 of Motor Vehicles' records of his or her motor vehicle operator's license  
26 or state identification card for purposes of voter registration;

27 (c) To vote at the polling place on election day, the completed  
28 application must be submitted on or before the third Friday before the  
29 election; and

30 (d) The election commissioner or county clerk will, upon receipt of  
31 the application for registration, send an acknowledgment of registration  
1 to the applicant indicating whether the application is proper or not.

2 Sec. 5. Section 32-330, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 32-330 (1) Except as otherwise provided in subsection (3) of section  
5 32-301, the ~~The~~ voter registration register shall be a public record. Any  
6 person may examine the register at the office of the election  
7 commissioner or county clerk, but no person other than the election  
8 commissioner, county clerk, or law enforcement shall be allowed to make  
9 copies of the register. Copies of the register shall only be used for  
10 list maintenance as provided in section 32-329 or law enforcement

11 purposes. The electronic records of the original voter registrations  
 12 created pursuant to section 32-301 may constitute the voter registration  
 13 register. The election commissioner or county clerk shall withhold  
 14 information in the register designated as confidential under section  
 15 32-331. No portion of the register made available to the public and no  
 16 list distributed pursuant to this section shall include the digital  
 17 signature of any voter.

18 (2) The election commissioner or county clerk shall make available  
 19 for purchase a list of registered voters that contains the information  
 20 required under section 32-312 and, if requested, a list that only  
 21 contains registered voters who have voted in an election held more than  
 22 thirty days prior to the request for the list. The election commissioner  
 23 or county clerk shall establish the price of the lists at a rate that  
 24 fairly covers the actual production cost of the lists, not to exceed  
 25 three cents per name. Lists shall be used solely for purposes related to  
 26 elections, political activities, voter registration, law enforcement, or  
 27 jury selection. Lists shall not be used for commercial purposes.

28 (3) Any person who acquires a list of registered voters under  
 29 subsection (2) of this section shall take and subscribe to an oath in  
 30 substantially the following form:

31 I hereby swear that I will use the list of registered voters  
 1 of ..... County, Nebraska, only for the purposes prescribed in section  
 2 32-330 and for no other purpose and that I will not permit the use or  
 3 copying of such list for unauthorized purposes.

4 I hereby declare under the penalty of election falsification that  
 5 the statements above are true to the best of my knowledge.

6 The penalty for election falsification is a Class IV felony.

7 (Signature of person acquiring list) .....

8 Subscribed and sworn to before me this .... day of ..... 20.. .

9 (Name of officer) .....

10 (Official title of officer) .....

11 (4) The election commissioner or county clerk shall provide, upon  
 12 request and free of charge, a complete and current listing of all  
 13 registered voters and their addresses to the Clerk of the United States  
 14 District Court for the District of Nebraska. Such list shall be provided  
 15 no later than December 31 of each even-numbered year.

16 (5) The election commissioner or county clerk shall provide, upon  
 17 request and free of charge, a complete and current listing of all  
 18 registered voters and their addresses to the state party headquarters of  
 19 each political party and to the county chairperson of each political  
 20 party. Such list shall be provided no later than thirty-five days prior  
 21 to the statewide primary and statewide general elections.

22 Sec. 6. Section 32-913, Reissue Revised Statutes of Nebraska, is  
 23 amended to read:

24 32-913 (1) The clerks of election shall have a list of registered  
 25 voters of the precinct and a sign-in register at the polling place on  
 26 election day. The list of registered voters shall be used for guidance on  
 27 election day and may be in the form of a computerized, typed, or  
 28 handwritten list or precinct registration cards. Registered voters of the

29 precinct shall place and record their signature in the sign-in register  
30 before receiving any ballot. The list of registered voters and the sign-  
31 in register may be combined into one document at the discretion of the  
1 election commissioner or county clerk including beginning July 1, 2019,  
2 by the use of an electronic poll book. If a combined document is used, a  
3 clerk of election may list the names of the registered voters in a  
4 separate book in the order in which they voted.

5 (2) Within twenty-four hours after the polls close in the precinct,  
6 the precinct inspector or one of the judges of election shall deliver the  
7 precinct list of registered voters and the precinct sign-in register to  
8 the election commissioner or county clerk. The election commissioner or  
9 county clerk shall file and preserve the list and register. No member of  
10 a receiving board who has custody or charge of the precinct list of  
11 registered voters and the precinct sign-in register shall permit the list  
12 or register to leave his or her possession from the time of receipt until  
13 he or she delivers them to another member of the receiving board or to  
14 the precinct inspector or judge of election for delivery to the election  
15 commissioner or county clerk.

16 Sec. 7. This act becomes operative on July 1, 2019.

17 Sec. 8. Original sections 32-101, 32-330, and 32-913, Reissue  
18 Revised Statutes of Nebraska, and sections 32-301 and 32-304, Revised  
19 Statutes Supplement, 2017, are repealed.

The Murante amendment was adopted with 31 ayes, 0 nays, 15 present and  
not voting, and 3 excused and not voting.

The committee amendment, AM1890, as amended, was adopted with 36  
ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present  
and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1065A.** Title read. Considered.

Senator Murante offered his amendment, FA143, found on page 1394.

The Murante amendment was adopted with 36 ayes, 0 nays, 10 present and  
not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 10 present  
and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1058.** Title read. Considered.

Committee AM2527, found on page 1165, was offered.

Pending.

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

Senator McDonnell filed the following amendment to LB791:

FA146

Amend AM2708

On page one, line three (1), strike "The chief of police, sheriff"

Senator Quick filed the following amendment to LB791:

FA147

Amend AM2708

On page 1, line 3 strike (1) The Chief of Police, sheriff and replace with (1) Sheriff, the Chief of Police.

Senator Hansen filed the following amendment to LB791:

AM2838

(Amendments to Standing Committee amendments, AM2708)

1 1. On page 1, line 8, strike "seven calendar" and insert "five business".

Senator Hansen filed the following amendment to LB791:

AM2840

1 1. On page 5, line 25, strike "abrogate" and insert "nullify".

Senator Hansen filed the following amendment to LB791:

AM2847

1 1. Strike sections 1 and 2.

2 2. Renumber the remaining sections, correct internal references, and

3 correct the repealer accordingly.

Senator Hansen filed the following amendment to LB791:

AM2848

(Amendments to Final Reading copy)

1 1. Strike sections 3 and 4.

2 2. Renumber the remaining sections, correct internal references, and

3 correct the repealer accordingly.

Senator Quick filed the following amendment to LB791:

AM2837

(Amendments to Standing Committee amendments, AM2708)

1 1. On page 1, line 15; page 2, line 2; and page 4, line 29, strike

2 "ten" and insert "nine".

**GENERAL FILE**

**LEGISLATIVE BILL 1058.** Senator Chambers offered the following motion:

MO328

Bracket until April 18, 2018.



Senator Chambers withdrew his motion to bracket.

Committee AM2527, found on page 1165 and considered in this day's Journal, was renewed.

Senator Bolz moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

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

Senator Murante requested a roll call vote on the committee amendment.

Voting in the affirmative, 20:

Bostelman	Erdman	Kolterman	McDonnell	Smith
Brewer	Friesen	Lindstrom	Murante	Stinner
Briese	Groene	Linehan	Riepe	Watermeier
Clements	Halloran	Lowe	Scheer	Williams

Voting in the negative, 24:

Albrecht	Chambers	Hilkemann	McCollister	Thibodeau
Baker	Crawford	Howard	Morfeld	Vargas
Blood	Ebke	Hughes	Pansing Brooks	Walz
Bolz	Geist	Kolowski	Quick	Wayne
Brasch	Hansen	Krist	Schumacher	

Excused and not voting, 5:

Harr	Hilgers	Kuehn	Larson	Wishart
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The committee amendment lost with 20 ayes, 24 nays, and 5 excused and not voting.

The Chair declared the call raised.

#### **SENATOR WILLIAMS PRESIDING**

Senator Halloran moved for a call of the house. The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

Senator Halloran requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 23:

Bostelman	Erdman	Larson	Murante	Watermeier
Brewer	Friesen	Lindstrom	Riepe	Wayne
Briese	Groene	Linehan	Scheer	Williams
Clements	Halloran	Lowe	Smith	
Ebke	Kolterman	McDonnell	Stinner	

Voting in the negative, 21:

Albrecht	Chambers	Hughes	Pansing Brooks	Walz
Baker	Crawford	Kolowski	Quick	
Blood	Geist	Krist	Schumacher	
Bolz	Hansen	McCollister	Thibodeau	
Brasch	Howard	Morfeld	Vargas	

Present and not voting, 1:

Hilkemann

Excused and not voting, 4:

Harr	Hilgers	Kuehn	Wishart
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Failed to advance to Enrollment and Review Initial with 23 ayes, 21 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

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

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

Senator Thibodeau name added to LB1120.

Senator Brasch name added to LR395.

#### **VISITORS**

Visitors to the Chamber were 9 eighth-grade students, teacher, and sponsors from St. Rose of Lima School, Crofton; Mick, Mary, and Ben Ashman from Lincoln; 4 members of the York Young Professional Group; 15 eighth-grade students and teachers from St. Mary's School, Lincoln; 44 fourth-grade students, teachers, and sponsors from North Bend Central Elementary; 69 fourth-grade students from Longfellow Elementary, Hastings; 11 tenth-through twelfth-grade students and teachers from Minatare Public Schools; and 13 fourth-grade students from Allen Consolidated Schools.

The Doctor of the Day was Dr. Jason Bespalec from Geneva.

**ADJOURNMENT**

At 5:40 p.m., on a motion by Senator Kolowski, the Legislature adjourned until 9:00 a.m., Friday, April 6, 2018.

Patrick J. O'Donnell  
Clerk of the Legislature

