

SIXTIETH DAY - APRIL 9, 2015**LEGISLATIVE JOURNAL****ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION****SIXTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, April 9, 2015

PRAYER

The prayer was offered by Senator Lindstrom.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Hadley presiding.

The roll was called and all members were present except Senators Garrett, Hansen, Krist, Mello, Morfeld, Schilz, and Seiler who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-ninth day was approved.

GENERAL FILE

LEGISLATIVE BILL 414. Senator Chambers renewed his motion, MO84, found on page 1083, to indefinitely postpone.

Senator Chambers moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Chambers requested a record vote on the motion to indefinitely postpone.

Voting in the affirmative, 12:

Chambers	Ebke	Groene	Riepe
Crawford	Friesen	Hughes	Schnoor
Davis	Gloor	Johnson	Schumacher

Voting in the negative, 20:

Craighead	Harr, B.	Krist	Mello	Smith
Haar, K.	Hilkemann	Kuehn	Morfeld	Stinner
Hadley	Kolowski	Lindstrom	Nordquist	Sullivan
Hansen	Kolterman	McCollister	Scheer	Williams

Present and not voting, 15:

Baker	Brasch	Cook	Larson	Pansing Brooks
Bloomfield	Campbell	Howard	McCoy	Schilz
Bolz	Coash	Kintner	Murante	Watermeier

Excused and not voting, 2:

Garrett	Seiler
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The Chambers motion to indefinitely postpone failed with 12 ayes, 20 nays, 15 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

SENATOR KRIST PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 42 ayes, 0 nays, and 7 not voting.

Senator Chambers requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 29:

Bloomfield	Hadley	Krist	Morfeld	Smith
Bolz	Hansen	Kuehn	Murante	Stinner
Coash	Harr, B.	Larson	Nordquist	Sullivan
Craighead	Hilkemann	Lindstrom	Riepe	Watermeier
Garrett	Kolowski	McCollister	Scheer	Williams
Haar, K.	Kolterman	Mello	Schilz	

Voting in the negative, 14:

Baker	Crawford	Friesen	Hughes	Schnoor
Campbell	Davis	Gloor	Johnson	Schumacher
Chambers	Ebke	Groene	Kintner	

Present and not voting, 3:

Brasch	Cook	McCoy
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Excused and not voting, 3:

Howard	Pansing Brooks	Seiler
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Advanced to Enrollment and Review Initial with 29 ayes, 14 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Schumacher filed the following amendment to LR7CA:
AM921

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. At the general election in November 2016 the following
4 proposed amendment to the Constitution of Nebraska shall be submitted to
5 the electors of the State of Nebraska for approval or rejection:
6 To amend Article III, section 7:
7 III-7 Until the general election to be held in November 2020, one-
8 half of the members of the Legislature, or as nearly thereto as may be
9 practicable, shall be elected for a term of four years in November of
10 every even-numbered year. For the elections in November of 2020 and 2022,
11 the Legislature shall proportion the number of members to be elected for
12 either a four-year term or a six-year term so that beginning with the
13 election in November of 2024, and November of every even-numbered year
14 thereafter, one-third of the members of the Legislature, or as nearly
15 thereto as may be practicable, shall be elected for a term of six years.
16 ~~The At the general election to be held in November 1964, one half the~~
17 ~~members of the Legislature, or as nearly thereto as may be practicable,~~
18 ~~shall be elected for a term of four years and the remainder for a term of~~
19 ~~two years, and thereafter all members shall be elected for a term of four~~
20 ~~years, with the manner of such election shall to be determined by the~~
21 Legislature. When the Legislature is redistricted, the members elected
22 prior to the redistricting shall continue in office, and the law
23 providing for such redistricting shall where necessary specify the newly
24 established district which they shall represent for the balance of their
25 term. Each member shall be nominated and elected in a nonpartisan manner
26 and without any indication on the ballot that he or she is affiliated
27 with or endorsed by any political party or organization. Each member of
1 the Legislature shall receive a salary of not to exceed one thousand
2 dollars per month during the term of his or her office. In addition to
3 his or her salary, each member shall receive an amount equal to his or
4 her actual expenses in traveling by the most usual route once to and
5 returning from each regular or special session of the Legislature.
6 Members of the Legislature shall receive no pay nor perquisites other
7 than his or her salary and expenses, and employees of the Legislature
8 shall receive no compensation other than their salary or per diem.
9 Sec. 2. The proposed amendment shall be submitted to the electors
10 in the manner prescribed by the Constitution of Nebraska, Article XVI,
11 section 1, with the following ballot language:
12 A constitutional amendment to transition members of the Legislature

13 from four-year terms to six-year terms.

14 For

15 Against.

Senator Bolz filed the following amendment to LB320:
AM1066

(Amendments to E and R amendments, ER60)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Sections 1 to 9 of this act shall be known and may be
4 cited as the Aging and Disability Resource Center Demonstration Project
5 Act.

6 Sec. 2. The Legislature finds that:

7 (1) The state should anticipate and prepare for significant growth
8 in the number of older Nebraskans and the future needs of persons with
9 disabilities, both of which will require costly long-term care services;

10 (2) The state should improve access to existing services and support
11 for persons with disabilities;

12 (3) The state should provide a streamlined approach to identify the
13 needs of older Nebraskans and persons with disabilities through uniform
14 assessments and a single point of contact; and

15 (4) Nebraskans would benefit from statewide public information
16 campaigns to educate older Nebraskans, persons with disabilities, and
17 their caregivers on the availability of services and support.

18 Sec. 3. The purpose of the Aging and Disability Resource Center
19 Demonstration Project Act is to evaluate the feasibility of establishing
20 aging and disability resource centers statewide to provide information
21 about long-term care services and support available in the home and
22 community for older Nebraskans or persons with disabilities, family
23 caregivers, and persons who request information or assistance on behalf
24 of others and to assist eligible individuals to access the most
25 appropriate public and private resources to meet their long-term care
26 needs.

1 Sec. 4. For purposes of the Aging and Disability Resource Center
2 Demonstration Project Act:

3 (1) Aging and disability resource center means a community-based
4 entity established to provide information about long-term care services
5 and support and to facilitate access to options counseling to assist
6 eligible individuals and their representatives in identifying the most
7 appropriate services to meet their long-term care needs;

8 (2) Area agency on aging has the meaning found in section 81-2208;

9 (3) Center for independent living has the definition found in 29
10 U.S.C. 796a, as such section existed on January 1, 2015;

11 (4) Department means the State Unit on Aging of the Division of
12 Medicaid and Long-Term Care of the Department of Health and Human
13 Services or any successor agency designated by the state to fulfill the
14 responsibilities of section 305(a)(1) of the federal Older Americans Act
15 of 1965, 42 U.S.C 3025(a)(1), as such section existed on January 1, 2015;

16 (5) Eligible individual means a person who has lost, never acquired,

17 or has one or more conditions that affect his or her ability to perform
18 basic activities of daily living that are necessary to live
19 independently;
20 (6) Options counseling means a service that assists an eligible
21 individual in need of long-term care and his or her representatives to
22 make informed choices about the services and settings which best meet his
23 or her long-term care needs and that uses uniform assessments and
24 encourages the widest possible use of community-based options to allow an
25 eligible individual to live as independently as possible in the setting
26 of his or her choice;
27 (7) Representative means a person designated as a legal guardian,
28 designated by a power of attorney or a health care power of attorney, or
29 chosen by law, by a court, or by an eligible individual seeking services,
30 but use of the term representative shall not be construed to disqualify
31 an individual who retains all legal and personal autonomy;
1 (8) Uniform assessment means a single standardized tool used to
2 assess a defined population at a specific time; and
3 (9) University Center for Excellence in Developmental Disability
4 Education, Research and Service means the federally designated University
5 Center for Excellence in Developmental Disability Education, Research and
6 Service of the Munroe-Meyer Institute at the University of Nebraska
7 Medical Center.
8 Sec. 5. The department shall award grants for three aging and
9 disability resource center demonstration projects. The department shall
10 adopt criteria for evaluating proposals to operate an aging and
11 disability resource center demonstration project based on the
12 requirements in section 6 of this act and release a request for proposals
13 within sixty days after the operative date of this section.
14 Sec. 6. The aging and disability resource center demonstration
15 projects shall be established to evaluate the feasibility of establishing
16 aging and disability resource centers statewide as a means of promoting
17 appropriate, effective, and efficient use of long-term care resources.
18 The aging and disability resource center demonstration projects shall
19 operate through June 30, 2018. Each aging and disability resource center
20 demonstration project shall provide one or more of the following
21 services:
22 (1) Comprehensive information on the full range of available public
23 and private long-term care programs, options, financing, service
24 providers, and resources within a community, including information on the
25 availability of integrated long-term care;
26 (2) Assistance in accessing and applying for public benefits
27 programs;
28 (3) Options counseling;
29 (4) A convenient point of entry to the range of publicly supported
30 long-term care programs for an eligible individual;
31 (5) A process for identifying unmet service needs in communities and
1 developing recommendations to respond to those unmet needs;
2 (6) Facilitation of person-centered transition support to assure
3 that an eligible individual is able to find the services and support that

4 are most appropriate to his or her need;

5 (7) Mobility management to promote the appropriate use of public
6 transportation services by a person who does not own or is unable to
7 operate an automobile; and

8 (8) A home care provider registry that will provide a person who
9 needs home care with the names of home care providers and information
10 about his or her rights and responsibilities as a home care consumer.

11 Sec. 7. (1) Within sixty days after the release date of a request
12 for proposals under section 5 of this act, an area agency on aging, after
13 consultation with a collaboration of organizations that serve aging
14 persons and persons with disabilities, including, but not limited to,
15 centers for independent living and the University Center for Excellence
16 in Developmental Disability Education, Research and Service, and with
17 other organizations, including, but not limited to, organizations
18 providing advocacy, protection, and safety for aging persons and persons
19 with disabilities, may submit to the department a proposal to establish
20 an aging and disability resource center demonstration project. The
21 proposal shall specify how organizations currently serving eligible
22 individuals will be engaged in the process of delivery of services
23 through the aging and disability resource center demonstration project.
24 The proposal shall be developed in consultation with eligible individuals
25 and their representatives. The proposal shall indicate how resources will
26 be utilized by the collaborating organizations to fulfill the
27 responsibilities of an aging and disability resource center demonstration
28 project.

29 (2) Two or more area agencies on aging may develop a joint proposal
30 to establish an aging and disability resource center demonstration
31 project to serve all or a portion of their planning-and-service areas. A
1 joint proposal shall provide information on how the services described in
2 section 6 of this act will be provided in the counties to be served by
3 the aging and disability resource center demonstration project described
4 in the joint proposal.

5 Sec. 8. Within thirty days after receipt of a proposal developed
6 pursuant to subsection (1) or (2) of section 7 of this act, the
7 department shall review the proposal and determine whether the proposal
8 is eligible for funding. The department shall select three proposals for
9 funding. The department shall enter into a contract with an independent
10 institution having experience in evaluating aging and disability programs
11 for an evaluation of the aging and disability resource center
12 demonstration projects. The contract shall require that a report
13 evaluating the demonstration projects be presented to the Clerk of the
14 Legislature prior to December 1 of 2016, 2017, and 2018.

15 Sec. 9. The department shall reimburse each area agency on aging
16 operating an aging and disability resource center demonstration project
17 on a schedule agreed to by the department and the area agency on aging.
18 Such reimbursement shall be made from (1) state funds appropriated by the
19 Legislature, (2) federal funds allocated to the department for the
20 purpose of establishing and operating aging and disability resource
21 centers, and (3) other funds as available.

22 Sec. 10. Section 68-1107, Revised Statutes Cumulative Supplement,
23 2014, is amended to read:

24 68-1107 (1) The Aging Nebraskans Task Force is created. The purposes
25 ~~purpose~~ of the task force are (a) to develop and facilitate
26 implementation of a statewide strategic plan for addressing the needs of
27 the aging population in the state and (b) to develop a state plan
28 regarding individuals with Alzheimer's or related disorders as provided
29 in section 13 of this act. The task force shall provide a forum for
30 collaboration among state, local, community, public, and private
31 stakeholders in long-term care programs.

1 (2)(a) The executive committee of the task force shall include as
2 voting members the chairperson of the Health and Human Services Committee
3 of the Legislature, a member of the Appropriations Committee of the
4 Legislature appointed by the Executive Board of the Legislative Council,
5 a member of the Health and Human Services Committee of the Legislature
6 appointed by the Executive Board of the Legislative Council, a member of
7 the Legislature's Planning Committee appointed by the Executive Board of
8 the Legislative Council, and an at-large member appointed by the
9 Executive Board of the Legislative Council. The voting members of the
10 executive committee shall choose a chairperson and vice-chairperson from
11 among the voting members.

12 (b) The chief executive officer of the Department of Health and
13 Human Services or his or her designee and the Chief Justice of the
14 Supreme Court or his or her designee shall be nonvoting, ex officio
15 members of the executive committee of the task force.

16 (c) The remaining four members of the task force shall be nonvoting
17 members appointed by the executive committee of the task force through an
18 application and selection process, representing stakeholders in the long-
19 term care system and may include a representative of the Division of
20 Medicaid and Long-Term Care Advisory Committee on Aging, representatives
21 of health care providers, elder law attorneys, representatives of the
22 long-term care ombudsman program, health care economists, geriatric
23 specialists, family caregivers of seniors in at-home care, providers of
24 services to the elderly, seniors currently or previously in institutional
25 care, and aging advocacy organizations.

26 (3) The executive committee of the task force shall advise the task
27 force regarding the interaction among the three branches of government
28 related to long-term care programs and services. The members of the
29 executive committee shall each represent his or her own branch of
30 government, and no member of the executive committee shall participate in
31 actions that could be deemed to be the exercise of the duties and
1 prerogatives of another branch of government or that improperly delegate
2 the powers and duties of any branch of government to another branch of
3 government.

4 (4) The task force shall work with administrators of area agencies
5 on aging, nursing home and assisted-living residence providers,
6 hospitals, rehabilitation centers, managed care companies, senior citizen
7 centers, community stakeholders, advocates for elder services and
8 programs, the Center for Public Affairs Research of the College of Public

9 Affairs and Community Service at the University of Nebraska at Omaha, and
10 seniors statewide to establish effective community collaboration for
11 informed decisionmaking that supports the provisions of effective and
12 efficient long-term care services.

13 (5) The task force shall create a statewide strategic plan for long-
14 term care services in Nebraska which shall consider, but not be limited
15 to:

16 (a) Promotion of independent living through provision of long-term
17 care services and support that enable an individual to live in the
18 setting of his or her choice;

19 (b) Provision of leadership to support sound fiscal management of
20 long-term care budgets so that Nebraska will be able to meet the
21 increasing demand for long-term care services as a growing portion of the
22 state's population reaches the age of eighty years;

23 (c) Expedited creation of workforce development and training
24 programs specific to the needs of and in response to Nebraska's growing
25 aging population;

26 (d) The identification of gaps in the service delivery system that
27 contribute to the inefficient and ineffective delivery of services; and

28 (e) Development of a process for evaluating the quality of
29 residential and home and community-based long-term care services and
30 support.

31 Sec. 11. Section 68-1108, Revised Statutes Cumulative Supplement,
1 2014, is amended to read:

2 68-1108 (1) On or before December 15, 2014, the Aging Nebraskans
3 Task Force shall present electronically to the Legislature a report of
4 recommendations for the statewide strategic plan described in section
5 68-1107. The Department of Health and Human Services shall also annually
6 report electronically to the Legislature the percentage growth of
7 medicaid spending for people over sixty-five years of age for no fewer
8 than five years following acceptance of the application to the State
9 Balancing Incentive Payments Program pursuant to section 81-3138.

10 (2) The task force shall develop a state plan as provided in section
11 13 of this act and electronically deliver the state plan to the Governor
12 and the Legislature on or before December 15, 2016. The task force shall
13 make a presentation of the state plan to the Health and Human Services
14 Committee of the Legislature on or before December 15, 2016.

15 Sec. 12. Section 68-1109, Revised Statutes Cumulative Supplement,
16 2014, is amended to read:

17 68-1109 The Aging Nebraskans Task Force terminates on January 1,
18 2017 ~~June 30, 2016~~, unless extended by the Legislature.

19 Sec. 13. (1) The Aging Nebraskans Task Force shall develop a state
20 plan regarding individuals with Alzheimer's and related disorders. The
21 task force shall work with the chief executive officer of the Department
22 of Health and Human Services, the Public Guardian, the area agencies on
23 aging, organizations advocating for patients and caregivers for patients
24 with Alzheimer's or related disorders, the law enforcement community,
25 patients with Alzheimer's or related disorders, caregivers for patients
26 with Alzheimer's or related disorders, client advocacy organizations,

27 health care provider advocacy organizations, private health care
28 providers, and community-based health professionals.
29 (2) The task force shall:
30 (a) Assess the current and future impact of Alzheimer's and related
31 disorders on residents of the state;
1 (b) Determine the existing services and resources in the state that
2 address the needs of individuals with Alzheimer's and related disorders
3 and their families and caregivers; and
4 (c) Develop recommendations to respond to escalating needs for the
5 services and resources described in subdivision (b) of this subsection.
6 (3) In fulfilling the duties described in subsection (1) of this
7 section, the task force shall examine:
8 (a) Trends and needs in the state relating to populations with
9 Alzheimer's or related disorders, including (i) the state's role in the
10 provision of long-term care, (ii) family caregiver support, (iii) the
11 provision of early-stage diagnoses, assistance, support, and medical
12 services, (iv) younger onset of Alzheimer's or related disorders, (v)
13 ethnic populations at higher risk, and (vi) risk reduction;
14 (b) Existing services, resources, and capacity available to
15 individuals with Alzheimer's or related disorders, including:
16 (i) The type, cost, availability, and adequacy of services,
17 including, (A) home and community-based resources, (B) respite care, (C)
18 residential long-term care, and (D) geriatric-psychiatric units for
19 individuals with associated behavioral disorders;
20 (ii) Dementia-specific training requirements for individuals who are
21 employed to provide care to individuals with Alzheimer's or related
22 disorders;
23 (iii) Quality of care measures for services delivered across the
24 continuum of care;
25 (iv) The capacity of public safety and law enforcement to respond to
26 individuals with Alzheimer's or related disorders; and
27 (v) State support to institutions of higher learning for research on
28 Alzheimer's or related disorders;
29 (c) The need for state policy or action in order to provide clear,
30 coordinated services and support to individuals with Alzheimer's or
31 related disorders and their families and caregivers; and
1 (d) Strategies to identify gaps in services.
2 Sec. 14. Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of this act become
3 operative three calendar months after the adjournment of this legislative
4 session. The other sections of this act become operative on their
5 effective date.
6 Sec. 15. Original sections 68-1107, 68-1108, and 68-1109, Revised
7 Statutes Cumulative Supplement, 2014, are repealed.
8 Sec. 16. Since an emergency exists, this act takes effect when
9 passed and approved according to law.

GENERAL FILE

LEGISLATIVE BILL 141. Title read. Considered.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 230. Placed on General File with amendment.
AM752

1 1. On page 3, line 6, after the period insert "The ascertained share
2 payable to the holder of the treasurer's tax deed or tax sale certificate
3 shall not exceed the amount the holder paid for the tax sale certificate,
4 including accrued interest, costs incurred by the holder, and a
5 reasonable attorney's fee.".

(Signed) Mike Gloor, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 227A. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 227, One Hundred Fourth Legislature, First Session, 2015.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 175. Introduced by Williams, 36.

WHEREAS, Nebraska is nationally recognized for quality of life, economic growth, and innovation; and

WHEREAS, the high quality of life Nebraskans enjoy is the product of strong communities; and

WHEREAS, strong communities demonstrate characteristics that include commitment, passion, and vision; and

WHEREAS, Lexington has committed to the future development of the community by focusing on key projects to improve the quality of life for residents including revitalizing the downtown area, renovating the Majestic Theatre, and investing in the new Lexington FieldHouse; and

WHEREAS, Lexington has also committed to creating economic activity including the expansion of manufacturing, renovating the Lexington Regional Health Center, and increasing access to housing; and

WHEREAS, these efforts have created a strong community that benefits current and future residents of Lexington and the State of Nebraska; and

WHEREAS, on April 7, 2015, Lexington received the Governor's Showcase Community Award in recognition of the community's forward-thinking and dedication to future development.

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

1. That the Legislature congratulates Lexington for receiving the Governor's Showcase Community Award.
2. That a copy of this resolution be sent to the City of Lexington and Mayor John Fagot.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Smith filed the following amendment to LB642:

AM931

(Amendments to Standing Committee amendments, AM402)

- 1 1. Insert the following new sections:
- 2 Sec. 5. Section 60-3,122, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 60-3,122 (1) Any person may, in addition to the application required
- 5 by section 60-385, apply to the department for license plates designed by
- 6 the department to indicate that he or she is a survivor of the Japanese
- 7 attack on Pearl Harbor if he or she:
- 8 (a) Was a member of the United States Armed Forces on December 7,
- 9 1941;
- 10 (b) Was on station on December 7, 1941, during the hours of 7:55
- 11 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or
- 12 offshore at a distance not to exceed three miles;
- 13 (c) Was discharged or otherwise separated with a characterization of
- 14 honorable from the United States Armed Forces; and
- 15 (d) Holds a current membership in a Nebraska Chapter of the Pearl
- 16 Harbor Survivors Association.
- 17 (2) The license plates shall be issued upon the applicant paying the
- 18 regular license fee ~~and an additional fee of five dollars~~ and furnishing
- 19 proof satisfactory to the department that the applicant fulfills the
- 20 requirements provided by subsection (1) of this section. ~~The additional~~
- 21 ~~fee shall be remitted to the State Treasurer for credit to the Nebraska~~
- 22 ~~Veteran Cemetery System Operation Fund.~~ Any number of motor vehicles,
- 23 trailers, semitrailers, or cabin trailers owned by the applicant may be
- 24 so licensed at any one time. Motor vehicles and trailers registered under
- 25 section 60-3,198 shall not be so licensed.
- 26 (3) If the license plates issued pursuant to this section are lost,
- 1 stolen, or mutilated, the recipient of the plates shall be issued
- 2 replacement license plates upon request and without charge.
- 3 Sec. 6. Section 60-3,124, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:
- 5 60-3,124 (1) Any person who is a veteran of the United States Armed

6 Forces, who was discharged or otherwise separated with a characterization
7 of honorable or general (under honorable conditions), and who is
8 classified by the United States Department of Veterans Affairs as one
9 hundred percent service-connected disabled may, in addition to the
10 application required in section 60-385, apply to the Department of Motor
11 Vehicles for license plates designed by the department to indicate that
12 the applicant is a disabled veteran. The inscription on the license
13 plates shall be D.A.V. immediately below the license plate number to
14 indicate that the holder of the license plates is a disabled veteran.
15 (2) The plates shall be issued upon the applicant paying the regular
16 license fee ~~and an additional fee of five dollars~~ and furnishing proof
17 satisfactory to the department that the applicant is a disabled veteran.
18 ~~The additional fee shall be remitted to the State Treasurer for credit to~~
19 ~~the Nebraska Veteran Cemetery System Operation Fund.~~ Any number of motor
20 vehicles, trailers, semitrailers, or cabin trailers owned by the
21 applicant may be so licensed at any one time. Motor vehicles and trailers
22 registered under section 60-3,198 shall not be so licensed.
23 (3) If the license plates issued under this section are lost,
24 stolen, or mutilated, the recipient of the plates shall be issued
25 replacement license plates as provided in section 60-3,157.
26 2. Renumber the remaining section and correct the repealer
27 accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Hansen, Hilkemann, Kintner - LB591

VISITORS

Visitors to the Chamber 50 fourth-grade students from Grand Island Northwest Elementary; and 5 students from Banner County.

RECESS

At 11:59 a.m., on a motion by Senator Bolz, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators Coash, Garrett, B. Harr, Kintner, Larson, and Mello who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 141. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB152:
AM1150

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. (1) The mayor and the council of any city or board of
- 4 trustees of any village, in addition to other powers granted by law, may
- 5 by ordinance or resolution provide for direct borrowing from a financial
- 6 institution for the purposes outlined in this section. Loans made under
- 7 this section shall not be restricted to a single year and may be repaid
- 8 in installment payments.
- 9 (2) The mayor and the council of any city or board of trustees of
- 10 any village may borrow directly from a financial institution for the
- 11 purchase of real or personal property, construction of improvements, or
- 12 refinancing of existing indebtedness upon a certification in the
- 13 ordinance or resolution authorizing the direct borrowing that:
- 14 (a) Financing the purchase of property, construction of
- 15 improvements, or refinancing of existing indebtedness through traditional
- 16 bond financing would be impractical;
- 17 (b) Financing the purchase of property, construction of
- 18 improvements, or refinancing of existing indebtedness through traditional
- 19 bond financing could not be completed within the time restraints facing
- 20 the city or village; or
- 21 (c) Financing the purchase of property, construction of
- 22 improvements, or refinancing of existing indebtedness through direct
- 23 borrowing would generate taxpayer savings over traditional bond
- 24 financing.
- 25 (3) Prior to approving direct borrowing under this section, the
- 26 council or board of trustees shall include in any public notice required
- 27 for meetings a clear notation that an ordinance or resolution authorizing
- 1 direct borrowing from a financial institution will appear on the agenda.
- 2 (4) The total amount of indebtedness from direct borrowing under
- 3 this section shall not exceed:
- 4 (a) For a city of the metropolitan class, city of the primary class,
- 5 city of the first class, or city of the second class, ten percent of the
- 6 municipal budget of the city; and
- 7 (b) For any village, twenty percent of the municipal budget of the
- 8 village.
- 9 (5) Prior to approving direct borrowing under this section, a
- 10 municipality shall consider, to the extent possible, proposals from

11 multiple financial institutions.
 12 (6) For purposes of this section, financial institution means a
 13 state-chartered or federally-chartered bank, savings bank, building and
 14 loan association, or savings and loan association.
 15 Sec. 2. The Revisor of Statutes shall assign section 1 of this act
 16 to Chapter 18.

GENERAL FILE

LEGISLATIVE BILL 519. Title read. Considered.

Committee AM1044, found on page 1009, was offered.

Senator Sullivan offered the following amendment to the committee amendment:

AM1181

(Amendments to Standing Committee amendments, AM1044)

1 1. On page 6, line 30, after "allocated" insert ", after actual and
 2 necessary administrative expenses,"; in line 31 after the period insert
 3 "No more than five percent of each allocation may be retained by the
 4 agency to which the allocation is made or the agency administering the
 5 fund to which the allocation is made for actual and necessary expenses
 6 incurred by such agency for administration, evaluation, and technical
 7 assistance related to the purposes of the allocation.".
 8 2. On page 7, line 5, after the period insert "For fiscal year
 9 2016-17, an amount equal to ten percent of the revenue allocated to the
 10 Education Innovation Fund and to the Nebraska Opportunity Grant Fund for
 11 fiscal year 2015-16 shall be retained in the Nebraska Education
 12 Improvement Fund. For fiscal year 2017-18 through 2020-21, an amount
 13 equal to ten percent of the revenue received by the Nebraska Education
 14 Improvement Fund in the prior fiscal year shall be retained in the
 15 fund."; strike beginning with "ten" in line 6 through the second "fund"
 16 in line 7 and insert "the remainder of the fund shall be"; strike
 17 beginning with "State" in line 11 through "Education" in line 12 and
 18 insert "Expanded Learning Opportunity Grant Fund"; strike beginning with
 19 "State" in line 14 through "Education" in line 15 and insert "Department
 20 of Education Innovative Grant Fund"; and strike beginning with
 21 "Coordinating" in line 17 through "Education" in line 18 and insert
 22 "Postsecondary Innovative Grant Fund".
 23 3. On page 10, strike beginning with "No" in line 5 through the
 24 period in line 7; and after line 10 insert the following new subsection:
 25 "(7) The Department of Education Innovative Grant Fund is created.
 26 The fund shall be administered by the State Department of Education and
 1 shall consist of transfers pursuant to section 9-812, repayments of grant
 2 funds, and interest payments received in the course of administering this
 3 section. The fund shall be used to carry out this section. Any money in
 4 the fund available for investment shall be invested by the state
 5 investment officer pursuant to the Nebraska Capital Expansion Act and the
 6 Nebraska State Funds Investment Act.".

7 4. On page 11, strike beginning with "No" in line 11 through the
 8 period in line 13; and after line 16 insert the following new subsection:
 9 "(5) The Postsecondary Innovative Grant Fund is created. The fund
 10 shall be administered by the Coordinating Commission for Postsecondary
 11 Education and shall consist of transfers pursuant to section 9-812,
 12 repayments of grant funds, and interest payments received in the course
 13 of administering this section. The fund shall be used to carry out this
 14 section. Any money in the fund available for investment shall be invested
 15 by the state investment officer pursuant to the Nebraska Capital
 16 Expansion Act and the Nebraska State Funds Investment Act.".
 17 5. On page 18, line 2, strike "2015" and insert "2016".
 18 6. On page 20, line 2, strike "2016", show as stricken, and insert
 19 "2021".
 20 7. On page 38, strike beginning with "Up" in line 28 through line
 21 31.
 22 8. On page 39, strike line 1; and in line 2 before "The" insert "(1)
 23 The Expanded Learning Opportunity Grant Fund is created. The fund shall
 24 be administered by the State Department of Education and shall consist of
 25 transfers pursuant to section 9-812, repayments of grant funds, and
 26 interest payments received in the course of administering the Expanded
 27 Learning Opportunity Grant Program Act. The fund shall be used to carry
 28 out the Expanded Learning Opportunity Grant Program Act. Any money in the
 29 fund available for investment shall be invested by the state investment
 30 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
 31 State Funds Investment Act.
 1 (2)".

SENATOR GLOOR PRESIDING

Senator Coash moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 2 nays, and 21 not voting.

The Sullivan amendment was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Scheer offered the following amendment to the committee amendment:

FA42

Amend AM1044

Change the NDE percentage from 10% of funds to 25% of funds. Reduce the Opportunity funds from 62% down to 50%. Reduce gap funding (LB 36) from 9% down to 6%.

Senator Scheer withdrew his amendment.

Senator Sullivan offered the following amendment to the committee amendment:

FA43

Amend AM1181

On page 1, line 7, after "allocation" insert "except no amount of the allocation to the Nebraska Opportunity Grant Fund may be used for such purposes".

The Sullivan amendment was adopted with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

Senator Sullivan offered the following amendment to the committee amendment:

AM1192

(Amendments to Standing Committee amendments, AM1044)

- 1 1. Strike section 3 and all amendments thereto.
- 2 2. On page 7, line 14, strike "Ten" and insert "Twenty"; strike
- 3 lines 17 through 19; in line 20 strike "(d)" and insert "(c)"; in line 23
- 4 strike "(e)" and insert "(d)"; and in line 25 strike "(f)" and insert
- 5 "(e)".
- 6 3. On page 41, lines 8 through 11, strike the new matter and
- 7 reinstate the stricken matter.
- 8 4. Renumber the remaining sections and correct internal references
- 9 accordingly.

SENATOR WATERMEIER PRESIDING

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

The committee amendment, as amended, was adopted with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 176. Introduced by Pansing Brooks, 28.

WHEREAS, for over 140 years, the YMCA has had a presence in Nebraska as a volunteer-led charitable organization. The 15 YMCAs in the state have served to strengthen our communities by addressing local needs and providing opportunities through youth development, healthy living, and social responsibility; and

WHEREAS, over 260,000 Nebraskans of all ages, races, faiths, abilities, and economic backgrounds, in over 300 communities statewide, benefit directly each year from the YMCA's extensive programs designed to nurture

the potential of children and improve the health and well-being of children, families, and seniors; and

WHEREAS, the YMCA is the youth development leader in Nebraska, actively engaging over 138,000 youths annually in afterschool enrichment and early learning childcare programs, outdoor education at summer day camps and residence camps, youth sports with a focus on character development, swim lessons and water safety, teen leadership, and the YMCA Youth in Government Program; and

WHEREAS, the YMCAs believe in good health for all Nebraskans, and partner and collaborate with community organizations to leverage donated resources and nonprofit expertise to improve access to health and well-being through chronic disease prevention programs such as the YMCA Diabetes Prevention Program endorsed by the United States Centers for Disease Control and Prevention, the Livestrong Foundation cancer survivor program, the EnhanceFitness program for seniors with arthritis, and others; and

WHEREAS, the YMCAs in Nebraska collectively provide over \$4 million in direct financial assistance to individuals and families so that everyone has access to YMCA programs and services and no one is turned away for inability to pay; and

WHEREAS, 15,300 volunteers statewide commit nearly 200,000 hours annually of their time and expertise, the financial equivalent of over \$4 million annually, making the YMCA one of the largest volunteer-led organizations in the state.

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

1. That the Legislature recognizes the YMCAs of Nebraska for their contributions to the citizens of Nebraska.
2. That the Legislature declares April 14, 2015, as YMCA Day in Nebraska.

Laid over.

LEGISLATIVE RESOLUTION 177. Introduced by Kolowski, 31.

WHEREAS, the speech team at Skutt Catholic High School in Omaha won the 2015 Class B State Speech Tournament; and

WHEREAS, the Skutt Catholic Skyhawks speech team earned their first place finish with a score of 174 points; and

WHEREAS, the win gave the Skutt Catholic Skyhawks speech team their fourth state championship in a row; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Skutt Catholic High School speech team on winning the 2015 Class B State Speech Tournament.

2. That a copy of this resolution be sent to the Skutt Catholic High School speech team and Coach Matt Eledge.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 449. Title read. Considered.

Committee AM1035, found on page 1026, was adopted with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 132. Title read. Considered.

Committee AM582, found on page 752, was adopted with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 561. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 243. Title read. Considered.

Committee AM787, found on page 801, was offered.

Pending.

AMENDMENT(S) - Print in Journal

Senator B. Harr filed the following amendment to LB554:
AM1182

(Amendments to Standing Committee amendments, AM744)

1 1. On page 1, lines 5 and 9, strike "General" and insert "Roads
2 Operations Cash"; in line 10 strike "lines 14 and 17," and insert "line
3 15, strike '\$-0-' and insert '\$190,000.00'; in line 17"; and in line 11
4 before the period insert "; in line 27 after 'to' insert 'Jason Sullivan
5 and'; and in line 30 after 'to' insert 'Kent Sprague and'".

VISITORS

Visitors to the Chamber 15 students and teacher from Doane College, Crete; 50 fourth-grade students from Hawthorne Elementary, Hastings; 18 Centura

FFA students from Cairo; 95 fourth-grade students from Field Club Elementary, Omaha; 12 ninth- through twelfth-grade FFA students, teacher, and sponsor from Nelson; members of a UNL Leadership class; and 16 high school Dundy County FFA students from Benkelman.

ADJOURNMENT

At 4:59 a.m., on a motion by Speaker Hadley, the Legislature adjourned until 9:00 a.m., Friday, April 10, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

