

THIRTY-SEVENTH DAY - MARCH 3, 2016**LEGISLATIVE JOURNAL****ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION****THIRTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 3, 2016

PRAYER

The prayer was offered by Pastor Steve Lund, Christ the Servant Lutheran Church, Norfolk.

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 Senator Murante who was excused; and Senators Kolterman, Kuehn, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 746A. Placed on Select File.

LEGISLATIVE BILL 83. Placed on Select File with amendment.

ER176

1 1. On page 1, strike beginning with "the" in line 1 through
2 "provisions" in line 4 and insert "wages and sex discrimination; to amend
3 section 48-1220, Reissue Revised Statutes of Nebraska; to redefine a
4 term".

LEGISLATIVE BILL 710. Placed on Select File with amendment.

ER177

1 1. On page 1, line 3, after the semicolon insert "to provide
2 severability;".

(Signed) Matt Hansen, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 2, 2016, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Lautenbaugh, Scott
Nebraska Premium Tobacco
Melotz, Shawn
Papio Valley Preservation Association, Inc.
Prenda, Amy
Nebraska Cable Communications Association (Withdrawn 02/28/2016)

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:
<http://www.nebraskalegislature.gov/agencies/view.php>

MOTION(S) - Confirmation Report(s)

Senator Smith moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 767:

Board of Public Roads Classifications and Standards
Roger Figard
John F. Krager III
David Wacker
Timothy W. Weander

Voting in the affirmative, 38:

Baker	Crawford	Haar, K.	Kintner	Schnoor
Bloomfield	Davis	Hadley	Kolowski	Schumacher
Bolz	Ebke	Hansen	Krist	Seiler
Brasch	Fox	Harr, B.	Larson	Smith
Campbell	Friesen	Hilkemann	McCoy	Watermeier
Coash	Garrett	Howard	Pansing Brooks	Williams
Cook	Gloor	Hughes	Scheer	
Craighead	Groene	Johnson	Schilz	

Voting in the negative, 0.

Present and not voting, 7:

Chambers	McCollister	Morfeld	Stinner
Lindstrom	Mello	Riepe	

Excused and not voting, 4:

Kolterman	Kuehn	Murante	Sullivan
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The appointments were confirmed with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Senator Campbell moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 790:

Commission for the Deaf and Hard of Hearing
 Margaret Propp
 Peter Seiler

Voting in the affirmative, 33:

Baker	Craighead	Hadley	Larson	Schumacher
Bloomfield	Crawford	Hansen	Lindstrom	Smith
Bolz	Davis	Harr, B.	McCoy	Sullivan
Brasch	Ebke	Howard	Pansing Brooks	Watermeier
Campbell	Fox	Johnson	Riepe	Williams
Coash	Gloor	Kolowski	Schilz	
Cook	Haar, K.	Krist	Schnoor	

Voting in the negative, 0.

Present and not voting, 13:

Chambers	Groene	Kintner	Morfeld	Stinner
Friesen	Hilkemann	McCollister	Scheer	
Garrett	Hughes	Mello	Seiler	

Excused and not voting, 3:

Kolterman	Kuehn	Murante
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The appointments were confirmed with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator Campbell moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 790:

Foster Care Advisory Committee
Kristin Huber

Voting in the affirmative, 36:

Baker	Crawford	Harr, B.	Larson	Smith
Bloomfield	Davis	Hilkemann	McCoy	Sullivan
Bolz	Ebke	Howard	Pansing Brooks	Watermeier
Brasch	Fox	Johnson	Riepe	Williams
Campbell	Garrett	Kintner	Schilz	
Coash	Gloor	Kolowski	Schnoor	
Cook	Haar, K.	Krist	Schumacher	
Craighead	Hadley	Kuehn	Seiler	

Voting in the negative, 0.

Present and not voting, 11:

Chambers	Hansen	McCollister	Scheer
Friesen	Hughes	Mello	Stinner
Groene	Lindstrom	Morfeld	

Excused and not voting, 2:

Kolterman Murante

The appointment was confirmed with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 676. With Emergency Clause.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-1,140, 8-355, and 21-17,115, Revised Statutes Supplement, 2015; to revise powers of state-chartered banks, building and loan associations, and credit unions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Baker	Crawford	Hansen	Kuehn	Scheer
Bloomfield	Davis	Harr, B.	Larson	Schilz
Bolz	Ebke	Hilkemann	Lindstrom	Schnoor
Brasch	Fox	Howard	McCollister	Schumacher
Campbell	Friesen	Hughes	McCoy	Seiler
Chambers	Garrett	Johnson	Mello	Smith
Coash	Gloor	Kintner	Morfeld	Sullivan
Cook	Haar, K.	Kolowski	Pansing Brooks	Watermeier
Craighead	Hadley	Krist	Riepe	Williams

Voting in the negative, 0.

Present and not voting, 2:

Groene Stinner

Excused and not voting, 2:

Kolterman Murante

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 700.

A BILL FOR AN ACT relating to cities; to amend section 14-407, Reissue Revised Statutes of Nebraska, and section 19-4029.01, Revised Statutes Supplement, 2015; to require notice to neighborhood associations for actions relating to zoning and business improvement districts; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Baker	Davis	Hansen	Kuehn	Scheer
Bloomfield	Ebke	Harr, B.	Larson	Schilz
Bolz	Fox	Hilkemann	Lindstrom	Schnoor
Brasch	Friesen	Howard	McCollister	Seiler
Campbell	Garrett	Hughes	McCoy	Smith
Chambers	Gloor	Johnson	Mello	Stinner
Coash	Groene	Kintner	Morfeld	Sullivan
Cook	Haar, K.	Kolowski	Pansing Brooks	Watermeier
Crawford	Hadley	Krist	Riepe	Williams

Voting in the negative, 0.

Present and not voting, 2:

Craighead Schumacher

Excused and not voting, 2:

Kolterman Murante

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

LEGISLATIVE BILL 703.

A BILL FOR AN ACT relating to cities and villages; to amend sections 16-207 and 17-555, Revised Statutes Supplement, 2015; to change provisions relating to nuisances; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Baker	Crawford	Hadley	Krist	Scheer
Bloomfield	Davis	Hansen	Kuehn	Schilz
Bolz	Ebke	Harr, B.	Larson	Schnoor
Brasch	Fox	Hilkemann	Lindstrom	Schumacher
Campbell	Friesen	Howard	McCollister	Seiler
Chambers	Garrett	Hughes	McCoy	Smith
Coash	Gloor	Johnson	Mello	Stinner
Cook	Groene	Kintner	Pansing Brooks	Watermeier
Craighead	Haar, K.	Kolowski	Riepe	Williams

Voting in the negative, 0.

Present and not voting, 2:

Morfeld Sullivan

Excused and not voting, 2:

Kolterman Murante

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

LEGISLATIVE BILL 718.

A BILL FOR AN ACT relating to veterans aid; to amend section 80-411, Reissue Revised Statutes of Nebraska; to change requirements for submitting an application for a waiver of college tuition and fees; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Baker	Davis	Harr, B.	Lindstrom	Schumacher
Bloomfield	Ebke	Hilkemann	McCollister	Seiler
Bolz	Fox	Howard	McCoy	Smith
Brasch	Friesen	Hughes	Mello	Stinner
Campbell	Garrett	Johnson	Morfeld	Sullivan
Chambers	Gloor	Kintner	Pansing Brooks	Watermeier
Coash	Groene	Kolowski	Riepe	Williams
Cook	Haar, K.	Krist	Scheer	
Craighead	Hadley	Kuehn	Schilz	
Crawford	Hansen	Larson	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Kolterman Murante

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

LEGISLATIVE BILL 729. With Emergency Clause.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2201 and 76-2221, Revised Statutes Supplement, 2015; to provide an exemption for persons retained by a county to assist in the assessment of real property for taxation purposes; to eliminate a moratorium on enforcement of the act by the Real Property Appraiser Board involving certain mass appraisals; to harmonize provisions; to repeal the original sections; to outright repeal section 76-2251, Revised Statutes Supplement, 2015; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 734.

A BILL FOR AN ACT relating to universities and colleges; to amend section 85-502, Reissue Revised Statutes of Nebraska; to change provisions relating to residency; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

LEGISLATIVE BILL 735.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,290, Revised Statutes Cumulative Supplement, 2014; to provide a length limit exception for an articulated bus vehicle operated by a transit authority as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

LEGISLATIVE BILL 753.

A BILL FOR AN ACT relating to the Military Code; to amend section 55-161, Reissue Revised Statutes of Nebraska; to change provisions relating to absence from employment for military purposes; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB758 with 43 ayes, 1 nay, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 758.

A BILL FOR AN ACT relating to insurance; to amend section 21-104, Reissue Revised Statutes of Nebraska, and section 44-8216, Revised Statutes Cumulative Supplement, 2014; to prohibit limited liability companies from operating as insurers; to change provisions relating to special purpose financial captive insurers; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB776 with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 776.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2704.24 and 77-2791, Reissue Revised Statutes of Nebraska, sections 77-2712.03, 77-2793, and 77-3508, Revised Statutes Cumulative Supplement, 2014, and section 77-2716, Revised Statutes Supplement, 2015; to change provisions relating to a sales tax exemption for food, the streamlined sales and use tax agreement, income tax adjustments, income tax overpayments, claims for credit or refund, and homestead exemptions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB778 with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 778.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-2701, 8-2734, 45-334, 45-335, 45-346, and 45-348, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Nebraska Money Transmitters Act and the Nebraska Installment Sales Act; to eliminate obsolete provisions; to define a term; to change provisions relating to change in control; to harmonize provisions; to repeal the original sections; and to outright repeal section 8-2748, Revised Statutes Cumulative Supplement, 2014.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

The following bill was read and put upon final passage:

LEGISLATIVE BILL 786.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-605, Revised Statutes Cumulative Supplement, 2014; to change requirements for completion of death certificates and cremation permits; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Watermeier
Coash	Groene	Kolowski	Pansing Brooks	Williams
Cook	Haar, K.	Kolterman	Riepe	
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Sullivan

Excused and not voting, 1:

Murante

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB798 with 42 ayes, 1 nay, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 798.

A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend sections 81-2,239, 81-2,240, 81-2,244.01, 81-2,245.01, 81-2,248, 81-2,251.01, 81-2,251.06, 81-2,257, 81-2,259, 81-2,272.01, 81-2,272.24, and 81-2,277, Reissue Revised Statutes of Nebraska; to redefine terms and eliminate definitions; to update references to federal law; to change provisions relating to potentially hazardous food; to provide compliance requirements for salvage operations; to repeal adoption of and eliminate references to the Food Salvage Code; to eliminate provisions relating to a reduced oxygen packaging method and the use of linens and cloth napkins; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-2,246.01, 81-2,247, 81-2,254.01, 81-2,258, 81-2,272.25, 81-2,272.27, and 81-2,272.34, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 807.

A BILL FOR AN ACT relating to county attorneys; to amend section 23-1201, Reissue Revised Statutes of Nebraska; to change a provision relating to quarterly reports of criminal cases by county attorneys; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Baker	Davis	Hilkemann	Lindstrom	Schumacher
Bloomfield	Ebke	Howard	McCollister	Seiler
Bolz	Fox	Hughes	McCoy	Smith
Brasch	Friesen	Johnson	Mello	Stinner
Campbell	Garrett	Kintner	Morfeld	Sullivan
Chambers	Groene	Kolowski	Pansing Brooks	Watermeier
Coash	Haar, K.	Kolterman	Riepe	Williams
Cook	Hadley	Krist	Scheer	
Craighead	Hansen	Kuehn	Schilz	
Crawford	Harr, B.	Larson	Schnoor	

Voting in the negative, 0.

Present and not voting, 1:

Gloor

Excused and not voting, 1:

Murante

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

LEGISLATIVE BILL 811.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-370, Reissue Revised Statutes of Nebraska; to change provisions relating to motor vehicle registration; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	
Davis	Harr, B.	Larson	Schnoor	

Voting in the negative, 0.

Present and not voting, 1:

Baker

Excused and not voting, 1:

Murante

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

LEGISLATIVE BILL 840.

A BILL FOR AN ACT relating to the Health Carrier External Review Act; to amend sections 44-1305 and 44-1307, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the time allowed for certain internal grievances; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Baker	Davis	Hilkemann	Lindstrom	Schumacher
Bloomfield	Ebke	Howard	McCollister	Seiler
Bolz	Fox	Hughes	McCoy	Smith
Brasch	Friesen	Johnson	Mello	Stinner
Campbell	Garrett	Kintner	Morfeld	Sullivan
Chambers	Groene	Kolowski	Pansing Brooks	Watermeier
Coash	Haar, K.	Kolterman	Riepe	Williams
Cook	Hadley	Krist	Scheer	
Craighead	Hansen	Kuehn	Schilz	
Crawford	Harr, B.	Larson	Schnoor	

Voting in the negative, 0.

Present and not voting, 1:

Gloor

Excused and not voting, 1:

Murante

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

LEGISLATIVE BILL 859. With Emergency Clause.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-140 and 38-1,124, Reissue Revised Statutes of Nebraska; to change provisions relating to cease and desist orders; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Baker	Davis	Hilkemann	Lindstrom	Schumacher
Bloomfield	Ebke	Howard	McCollister	Seiler
Bolz	Fox	Hughes	McCoy	Smith
Brasch	Friesen	Johnson	Mello	Stinner
Campbell	Garrett	Kintner	Morfeld	Sullivan
Chambers	Groene	Kolowski	Pansing Brooks	Watermeier
Coash	Haar, K.	Kolterman	Riepe	Williams
Cook	Hadley	Krist	Scheer	
Craighead	Hansen	Kuehn	Schilz	
Crawford	Harr, B.	Larson	Schnoor	

Voting in the negative, 0.

Present and not voting, 1:

Gloor

Excused and not voting, 1:

Murante

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 864.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-327, 16-902, and 17-1002, Reissue Revised Statutes of Nebraska; to change provisions relating to a city or village requesting additional extraterritorial zoning jurisdiction; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

LEGISLATIVE BILL 898.

A BILL FOR AN ACT relating to the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act; to amend sections 38-1001, 38-1004, and 38-1075, Reissue Revised Statutes of Nebraska; to define a term; to exempt certain persons from credentialing requirements; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Bloomfield	Fox	Howard	McCollister	Seiler
Bolz	Friesen	Hughes	McCoy	Smith
Brasch	Garrett	Johnson	Mello	Stinner
Campbell	Gloor	Kintner	Morfeld	Sullivan
Chambers	Groene	Kolowski	Riepe	Watermeier
Coash	Haar, K.	Kolterman	Scheer	Williams
Cook	Hadley	Krist	Schilz	
Crawford	Hansen	Kuehn	Schnoor	
Davis	Hilkemann	Larson	Schumacher	

Voting in the negative, 0.

Present and not voting, 6:

Baker	Ebke	Lindstrom
Craighead	Harr, B.	Pansing Brooks

Excused and not voting, 1:

Murante

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

LEGISLATIVE BILL 921.

A BILL FOR AN ACT relating to agriculture; to eliminate provisions relating to organic food; and to outright repeal sections 81-2,233, 81-2,234, and 81-2,235, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Baker	Davis	Harr, B.	Larson	Schnoor
Bloomfield	Ebke	Hilkemann	Lindstrom	Schumacher
Bolz	Fox	Howard	McCollister	Seiler
Brasch	Friesen	Hughes	McCoy	Smith
Campbell	Garrett	Johnson	Mello	Stinner
Chambers	Gloor	Kintner	Morfeld	Sullivan
Coash	Groene	Kolowski	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolterman	Riepe	Williams
Craighead	Hadley	Krist	Scheer	
Crawford	Hansen	Kuehn	Schilz	

Voting in the negative, 0.

Excused and not voting, 1:

Murante

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB929 with 40 ayes, 1 nay, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 929. With Emergency Clause.

A BILL FOR AN ACT relating to transportation; to amend sections 60-119.01, 60-628.01, and 75-392, Revised Statutes Cumulative Supplement, 2014, and sections 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,147.02, 60-501, 75-363, 75-364, 75-366, and 75-393, Revised Statutes Supplement, 2015; to adopt and update references to certain federal provisions relating to low-speed vehicles, handicapped or disabled parking permits, the International Registration Plan, operators' licenses, persons handling source documents, hazardous materials, motor carrier regulations and their enforcement, and the unified carrier registration plan and agreement; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Baker	Davis	Harr, B.	Larson	Schumacher
Bloomfield	Ebke	Hilkemann	Lindstrom	Seiler
Bolz	Fox	Howard	McCollister	Smith
Brasch	Friesen	Hughes	Mello	Stinner
Campbell	Garrett	Johnson	Morfeld	Sullivan
Chambers	Gloor	Kintner	Pansing Brooks	Watermeier
Coash	Groene	Kolowski	Riepe	Williams
Cook	Haar, K.	Kolterman	Scheer	
Craighead	Hadley	Krist	Schilz	
Crawford	Hansen	Kuehn	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

McCoy Murante

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1035.

A BILL FOR AN ACT relating to the Secretary of State; to amend sections 52-1308, 52-1318, 52-1601, 52-1602, and 52-1603, Reissue Revised Statutes of Nebraska, and section 52-1312, Revised Statutes Supplement, 2015; to redefine farm product and to change provisions relating to the central filing system and the master lien list; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Baker	Ebke	Hilkemann	Lindstrom	Seiler
Bloomfield	Fox	Howard	McCollister	Smith
Brasch	Friesen	Hughes	Mello	Stinner
Campbell	Garrett	Johnson	Morfeld	Sullivan
Chambers	Gloor	Kintner	Pansing Brooks	Watermeier
Coash	Groene	Kolowski	Riepe	Williams
Cook	Haar, K.	Kolterman	Scheer	
Craighead	Hadley	Krist	Schilz	
Crawford	Hansen	Kuehn	Schnoor	
Davis	Harr, B.	Larson	Schumacher	

Voting in the negative, 0.

Present and not voting, 1:

Bolz

Excused and not voting, 2:

McCoy Murante

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

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 676, 700, 703, 718, 729, 734, 735, 753, 758, 776, 778, 786, 798, 807, 811, 840, 859, 864, 898, 921, 929, and 1035.

SENATOR SCHEER PRESIDING

GENERAL FILE

LEGISLATIVE BILL 857. Title read. Considered.

Committee AM2240, found on page 708, was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 886. Placed on General File.

LEGISLATIVE BILL 949. Indefinitely postponed.

(Signed) Mike Gloor, Chairperson

Judiciary

LEGISLATIVE BILL 757. Placed on General File.

LEGISLATIVE BILL 885. Placed on General File.

LEGISLATIVE BILL 1010. Placed on General File.

LEGISLATIVE BILL 1055. Placed on General File with amendment.
AM2257

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

2 sections:

3 Section 1. Section 29-1401, Revised Statutes Cumulative Supplement,

4 2014, is amended to read:

5 29-1401 (1) The district courts are hereby vested with power to call
6 grand juries.

7 (2) A grand jury may be called and summoned in the manner provided
8 by law on such day of a regular term of the district court in each year
9 in each county of the state as the district court may direct and at such
10 other times and upon such notice as the district court may deem
11 necessary.

12 (3) District courts shall call a grand jury in each case that a
13 petition meets the requirements of section 32-628, includes a recital as
14 to the reason for requesting the convening of the grand jury and a
15 specific reference to the statute or statutes which are alleged to have
16 been violated, and is signed not more than ninety days prior to the date
17 of filing under section 29-1401.02 by not less than ten percent of the
18 registered voters of the county who cast votes for the office of Governor
19 in such county at the most recent general election held for such office.

20 (4) District courts shall call a grand jury in each case upon
21 certification by the county coroner or coroner's physician that a person
22 has died while being apprehended by or while in the custody of a law
23 enforcement officer or detention personnel. In each case subject to this
24 subsection:

25 (a) Law enforcement personnel from the jurisdiction in which the
26 death occurred shall immediately secure the scene, preserve all evidence,
27 and investigate the matter as in any other homicide. The case shall be
1 treated as an open, ongoing matter until all evidence, reports, and other
2 relevant material which has been assembled are transferred to a
3 prosecuting attorney selected pursuant to subdivision (b) of this
4 subsection; and

5 (b) The county attorney or a member of his or her staff shall be the
6 prosecuting attorney. Except as provided in subdivision (d) of this
7 subsection, the prosecuting attorney shall, as soon as practicable,
8 select a team of three peace officers trained to investigate homicides.
9 At least two of such investigators shall be from agencies other than the
10 agency under which the death occurred. The team shall examine all
11 evidence concerning the cause of death and present the findings of its
12 investigation to the prosecuting attorney.

13 (c) A grand jury shall be impaneled within thirty days after the
14 certification by the county coroner or coroner's physician, unless the
15 court extends such time period upon the showing of a compelling reason;
16 and -

17 (d) In those cases in which the death has been certified by a
18 licensed practicing physician to be from natural causes, the county
19 attorney or a member of his or her staff may present such finding to a
20 grand jury without selecting a three-member team of peace officers to
21 investigate.

22 Sec. 2. Section 29-1404, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 29-1404 (1) Except as provided in subsection (2) of this section,
25 when ~~When~~ the foreperson ~~foreman~~ shall be appointed, an oath or

26 affirmation shall be administered to him or her in the following words:
27 Saving yourself and fellow jurors, you, as ~~foreperson foreman~~ of this
28 grand inquest, shall diligently inquire and true presentment make, of all
29 such matters and things as shall be given you in charge or otherwise come
30 to your knowledge, touching the present service. The counsel of the
31 state, your own and your fellows, you shall keep secret, unless called on
1 in a court of justice to make disclosures. You shall present no person
2 through malice, hatred, or ill will, nor shall you leave any person
3 unrepresented through fear, favor, or affection, or for any reward or hope
4 thereof; but in all your presentments you shall present the truth, the
5 whole truth, and nothing but the truth, according to the best of your
6 skill and understanding.

7 (2) For grand juries impaneled pursuant to subsection (4) of section
8 29-1401, when the foreperson shall be appointed, an oath or affirmation
9 shall be administered to him or her in the following words: Saving
10 yourself and fellow jurors, you, as foreperson of this grand inquest,
11 shall diligently inquire and true presentment make, of all such matters
12 and things as shall be given you in charge or otherwise come to your
13 knowledge, touching the present service. The counsel of the state, your
14 own and your fellows, you shall keep secret during the course of the
15 impaneled grand jury's investigation and deliberations, unless called on
16 in a court of justice to make disclosures. You shall present no person
17 through malice, hatred, or ill will, nor shall you leave any person
18 unrepresented through fear, favor, or affection, or for any reward or hope
19 thereof; but in all your presentments you shall present the truth, the
20 whole truth, and nothing but the truth, according to the best of your
21 skill and understanding.

22 Sec. 3. Section 29-1406, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 29-1406 (1) The grand jury, after being sworn, shall be charged as
25 to their duty by the judge, who shall call their attention particularly
26 to the obligation of secrecy which their oaths impose, and to such
27 offenses as he or she is by law required to specially charge.

28 (2) Upon impanelment of each grand jury, the court shall give to
29 such grand jury adequate and reasonable written notice of and shall
30 assure that the grand jury reasonably understands the nature of:

31 (a) Its duty to inquire into offenses against the criminal laws of
1 the State of Nebraska alleged to have been committed or, in the case of a
2 grand jury impaneled pursuant to subsection (4) of section 29-1401, its
3 duty to inquire into offenses against the criminal laws of the State of
4 Nebraska regarding the death of a person who has died while being
5 apprehended or while in the custody of a law enforcement officer or
6 detention personnel;

7 (b) Its right to call and interrogate witnesses;

8 (c) Its right to request the production of documents or other
9 evidence;

10 (d) The subject matter of the investigation and the criminal
11 statutes or other statutes involved, if these are known at the time the
12 grand jury is impaneled;

13 (e) The duty of the grand jury by an affirmative vote of twelve or
14 more members of the grand jury to determine, based on the evidence
15 presented before it, whether or not there is probable cause for finding
16 indictments and to determine the violations to be included in any such
17 indictments; ~~and~~

18 (f) The requirement that the grand jury may not return an indictment
19 in cases of perjury unless at least two witnesses to the same fact
20 present evidence establishing probable cause to return such an
21 indictment; and -

22 (g) In the case of a grand jury impaneled pursuant to subsection (4)
23 of section 29-1401, if the grand jury returns a no true bill:

24 (i) The grand jury shall create a grand jury report with the
25 assistance of the prosecuting attorney. The grand jury report shall
26 briefly provide an explanation of the grand jury's findings and any
27 recommendations the grand jury determines to be appropriate based upon
28 the grand jury's investigation and deliberations; and

29 (ii) The no true bill and the grand jury report shall be filed with
30 the court, where they shall be available for public review, along with
31 the grand jury transcript provided for in subdivision (2)(b) of section
1 29-1407.01.

2 Sec. 4. Section 29-1407.01, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 29-1407.01 (1) A certified or authorized reporter shall be present
5 at all grand jury sessions. All grand jury proceedings and testimony from
6 commencement to adjournment shall be reported.

7 (2)(a) Except as provided in subdivision (2)(b) of this section, the
8 reporter's notes and any transcripts which may be prepared shall be
9 preserved, sealed, and filed with the court. No release or destruction of
10 the notes or transcripts shall occur without prior court approval.

11 (b) In the case of a grand jury impaneled pursuant to subsection (4)
12 of section 29-1401, a transcript, including any exhibits of the grand
13 jury proceedings, shall be prepared at court expense and shall be filed
14 with the court where it shall be available for public review. Such
15 transcript shall not include the names of grand jurors or their
16 deliberations.

17 (3 ~~2~~) Upon application by the prosecutor, or by any witness after
18 notice to the prosecutor, the court, for good cause, may enter an order
19 to furnish to that witness a transcript of his or her own grand jury
20 testimony, or minutes, reports, or exhibits relating thereto.

21 (4 ~~3~~) Any witness summoned to testify before a grand jury, or an
22 attorney for such witness with the witness's written approval, shall be
23 entitled, prior to testifying, to examine and copy at the witness's
24 expense any statement in the possession of the prosecuting attorney or
25 the grand jury which such witness has made that relates to the subject
26 matter under inquiry by the grand jury. If a witness is proceeding in
27 forma pauperis, he or she shall be furnished, upon request, a copy of
28 such transcript and shall not pay a fee.

29 Sec. 5. Section 29-1420, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 29-1420 (1) Except as provided in subdivision (2)(g) of section
 1 29-1406, the The report of the grand jury shall not be made public except
 2 when the report is filed, including indictments, or when required by
 3 statute or except that all of the report or a portion thereof may be
 4 released if the judge of the district court finds that such a release
 5 will exonerate a person or persons who have requested such a release.
 6 (2) A district judge under whose direction a grand jury has been
 7 impaneled may, upon good cause shown, transfer to a court of competent
 8 jurisdiction in another county or jurisdiction any evidence gathered by
 9 the grand jury that offenses have been committed in such other county or
 10 jurisdiction.
 11 Sec. 6. Original sections 29-1404, 29-1406, 29-1407.01, and
 12 29-1420, Reissue Revised Statutes of Nebraska, and section 29-1401,
 13 Revised Statutes Cumulative Supplement, 2014, are repealed.

(Signed) Les Seiler, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 459. Introduced by Larson, 40.

WHEREAS, Drew Loberg of Randolph High School won the 2016 Class D State Wrestling Championship in the 152-pound division; and

WHEREAS, this was the first time Drew has won a state wrestling championship, having taken second place in the 2014 and 2015 championships; and

WHEREAS, Drew finished the season with an impressive record of 48-1; 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, SECOND SESSION:

1. That the Legislature congratulates Drew Loberg on his state wrestling championship.

2. That a copy of this resolution be sent to Drew Loberg and Randolph High School Head Wrestling Coach Mark Lech.

Laid over.

LEGISLATIVE RESOLUTION 460. Introduced by Larson, 40.

WHEREAS, Jason Hahlbeck of O'Neill High School won the 2016 Class C State Wrestling Championship in the 220-pound division; and

WHEREAS, this is the first time Jason has medaled at the state wrestling championship; and

WHEREAS, Jason finished his wrestling season with an impressive record of 38-4; and

WHEREAS, Jason was one of two wrestlers from the O'Neill High School wrestling team to win first place in the 2016 state championship; and

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

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

1. That the Legislature congratulates Jason Hahlbeck on his state wrestling championship.

2. That a copy of this resolution be sent to Jason Hahlbeck and O'Neill High School Head Wrestling Coach Bryan Corkle.

Laid over.

LEGISLATIVE RESOLUTION 461. Introduced by Larson, 40.

WHEREAS, Bailey Thompson of O'Neill High School won the 2016 Class C State Wrestling Championship in the 182-pound division; and

WHEREAS, this was the first time Bailey has won a state wrestling championship, having taken fourth place in the 2015 championship; and

WHEREAS, Bailey finished his wrestling season with an impressive record of 45-3; and

WHEREAS, Bailey was one of two wrestlers from the O'Neill High School wrestling team to win first place in the 2016 championship; and

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

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

1. That the Legislature congratulates Bailey Thompson on his state wrestling championship.

2. That a copy of this resolution be sent to Bailey Thompson and O'Neill High School Head Wrestling Coach Bryan Corkle.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB704:
AM2274 is available in the Bill Room.

Senator B. Harr filed the following amendment to LB830:
AM2314

(Amendments to Standing Committee amendments, AM2082)

- 1 1. On page 16, line 10, after the period insert "In determining
- 2 whether a state employee's request to use vacation leave is reasonable,
- 3 the employing agency shall consider the amount of vacation leave
- 4 requested, the number of days remaining prior to forfeiture during which
- 5 the state employee may take vacation leave, the amount of notice given to

6 the employing agency prior to the requested vacation leave, any effects
 7 on public safety, and other relevant factors.".

GENERAL FILE

LEGISLATIVE BILL 344. Senator Schnoor offered the following motion:
 MO195

Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Schnoor withdrew his motion to indefinitely postpone.

Title read. Considered.

Committee AM2112, found on page 628, was offered.

Senator McCoy offered the following amendment to the committee amendment:

AM2403

(Amendments to Standing Committee amendments, AM2112)

1 1. On page 1, strike beginning with "two-thirds" in line 18 through
 2 "district" in line 19 and insert "a majority of registered voters of the
 3 district at an election in accordance with the Election Act called by the
 4 board of directors and held in conjunction with a statewide primary or
 5 general election".

Pending.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 1093. Placed on General File with amendment.

AM2391

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

2 sections:

3 Section 1. Section 81-1210.01, Reissue Revised Statutes of Nebraska,
 4 is amended to read:

5 81-1210.01 For purposes of sections 81-1210.01 to 81-1210.03:

6 (1) Department means the Department of Economic Development;

7 (2) Internship means employment of a student in a professional or

8 technical position for a limited period of time, by a business in

9 Nebraska, in which the student (a) gains valuable work experience, (b)

10 increases knowledge that assists with career decisionmaking, and (c)

11 assists the business in accelerating short-term business objectives; and

12 (3) Student means any person who:

13 (a) Is enrolled full-time in a college, university, or other

14 institution of higher education ~~in Nebraska; or~~

15 ~~(b) Has residency in Nebraska and is enrolled full time in a~~

16 ~~college, university, or other institution of higher education in a state~~

17 ~~other than Nebraska; or~~

18 (b e) Applies for an internship within six months following
 19 graduation from (i) a college, university, or other institution of higher
 20 education in Nebraska or (ii) a college, university, or other institution
 21 of higher education in a state other than Nebraska if such person had
 22 residency in Nebraska during his or her enrollment in such college,
 23 university, or institution.

24 Sec. 2. Section 81-12,160, Revised Statutes Supplement, 2015, is
 25 amended to read:

26 81-12,160 (1) The department shall establish a financial assistance
 27 program to provide financial assistance to businesses operating in
 1 Nebraska that employ no more than five hundred employees or to
 2 individuals that have a prototype of a product or process for the
 3 purposes of commercializing such product or process. The applicant shall
 4 submit a feasibility study stating the potential sales and profit
 5 projections for the product or process.

6 (2) The department shall create a program with the following
 7 provisions to support commercialization of a product or process:

8 (a) Commercialization infrastructure documentation, including market
 9 assessments and start-up strategic planning;

10 (b) Promotion, marketing, advertising, and consulting;

11 (c) Management and business planning support;

12 (d) Linking companies and entrepreneurs to mentors;

13 (e) Preparing companies and entrepreneurs to acquire venture
 14 capital; and

15 (f) Linking companies to sources of capital.

16 (3) Funds shall be matched by nonstate funds equal to fifty percent
 17 of the funds requested. Matching funds may be from any nonstate source,
 18 including private foundations, federal or local government sources,
 19 quasi-governmental entities, or commercial lending institutions, or any
 20 other funds whose source does not include funds appropriated by the
 21 Legislature.

22 (4) The department shall not provide more than five hundred thousand
 23 dollars to any one project. Each year the department shall award at least
 24 two million dollars but not more than four million dollars under this
 25 section. The department may award up to four million dollars per year for
 26 financial assistance under this section.

27 (5) Financial assistance provided under this section shall be
 28 expended within twenty-four months after the date of the awarding
 29 decision.

30 (6) To carry out this section, the department shall contract with
 31 one statewide venture development organization that is incorporated in
 1 the State of Nebraska and exempt for federal tax purposes under section
 2 501(c)(3) of the Internal Revenue Code.

3 Sec. 3. Section 81-12,162, Revised Statutes Supplement, 2015, is
 4 amended to read:

5 81-12,162 (1) The department shall establish a small business
 6 investment program. The program:

7 (a) Shall provide grants to microloan delivery or microloan
 8 technical assistance organizations to:

- 9 (i) Better assure that Nebraska's microenterprises are able to
10 realize their full potential to create jobs, enhance entrepreneurial
11 skills and activity, and increase low-income households' capacity to
12 become self-sufficient;
- 13 (ii) Provide funding to foster the creation of microenterprises;
- 14 (iii) Establish the department as the coordinating office for the
15 facilitation of microlending and microenterprise development;
- 16 (iv) Facilitate the development of a permanent, statewide
17 infrastructure of microlending support organizations to serve Nebraska's
18 microenterprise and self-employment sectors;
- 19 (v) Enable the department to provide grants to community-based
20 microenterprise development organizations in order to encourage the
21 development and growth of microenterprises throughout Nebraska; and
- 22 (vi) Enable the department to engage in contractual relationships
23 with statewide microlending support organizations which have the capacity
24 to leverage additional nonstate funds for microenterprise lending.
25 To the maximum extent possible, the selection process should assure
26 that the distribution of such financial assistance provides equitable
27 access to the benefits of the Business Innovation Act by all geographic
28 areas of the state; and
- 29 (b) May identify and coordinate other state and federal sources of
30 funds which may be available to the department to enhance the state's
31 ability to facilitate financial assistance pursuant to the program.
- 1 (2) To establish the criteria for making an award to a microloan
2 delivery or microloan technical assistance organization, the department
3 shall consider:
- 4 (a) The plan for providing business development services and
5 microloans to microenterprises;
- 6 (b) The scope of services to be provided by the microloan delivery
7 or microloan technical assistance organization;
- 8 (c) The plan for coordinating the services and loans provided by the
9 microloan delivery or microloan technical assistance organization with
10 commercial lending institutions;
- 11 (d) The geographic representation of all regions of the state,
12 including both urban and rural communities and neighborhoods;
- 13 (e) The ability of the microloan delivery or microloan technical
14 assistance organization to provide for business development in areas of
15 chronic economic distress and low-income regions of the state;
- 16 (f) The ability of the microloan delivery or microloan technical
17 assistance organization to provide business training and technical
18 assistance to microenterprise clients;
- 19 (g) The ability of the microloan delivery or microloan technical
20 assistance organization to monitor and provide financial oversight of
21 recipients of microloans; and
- 22 (h) Sources and sufficiency of operating funds for the
23 microenterprise development organization.
- 24 (3) Awards made by the department to a microloan delivery or
25 microloan technical assistance organization may be used to:
- 26 (a) Satisfy matching fund requirements for other federal or private

27 grants;
28 (b) Establish a revolving loan fund from which the microloan
29 delivery or microloan technical assistance organization may make loans to
30 microenterprises;
31 (c) Establish a guaranty fund from which the microloan delivery or
1 microloan technical assistance organization may guarantee loans made by
2 commercial lending institutions to microenterprises;
3 (d) Provide funding for the operating costs of a microloan delivery
4 or microloan technical assistance organization not to exceed twenty
5 percent; and
6 (e) Provide grants to establish loan-loss reserve funds to match
7 loan capital borrowed from other sources, including federal
8 microenterprise loan programs.
9 (4) Any award of financial assistance to a microloan delivery or
10 microloan technical assistance organization shall meet the following
11 qualifications:
12 (a) Funds shall be matched by nonstate funds equivalent in money or
13 in-kind contributions or a combination of both equal to thirty-five
14 percent of the grant funds requested. Such matching funds may be from any
15 nonstate source, including private foundations, federal or local
16 government sources, quasi-governmental entities, or commercial lending
17 institutions, or any other funds whose source does not include funds
18 appropriated by the Legislature;
19 (b) Microloan funds shall be disbursed in microloans which do not
20 exceed one hundred thousand dollars or used to capitalize loan-loss
21 reserve funds for such loans; and
22 (c) A minimum of fifty percent of the microloan funds shall be used
23 by a microenterprise development assistance ~~organization organizations~~
24 for small business technical assistance.
25 The department ~~shall may~~ contract with ~~a one or more~~ statewide
26 microenterprise development assistance ~~organization organizations~~ to
27 carry out this section.
28 (5) For fiscal year 2016-17, the department shall award at least one
29 million two hundred fifty thousand dollars but not more than two million
30 dollars under this section. For fiscal year 2017-18 and each fiscal year
31 thereafter, the department shall award at least one million five hundred
1 thousand dollars but not more than two million dollars under this section
2 ~~Each year the department shall award at least one million dollars but not~~
3 ~~more than two million dollars under this section.~~
4 Sec. 4. The Board of Regents of the University of Nebraska approved
5 the creation of the Nebraska Innovation Campus in 2009. The objective of
6 the Nebraska Innovation Campus is to leverage the research and talent of
7 the University of Nebraska to produce economic development for the State
8 of Nebraska. The Board of Regents subsequently created the Nebraska
9 Innovation Campus Development Corporation whose function is to provide
10 strategic direction and oversight over the development of the Nebraska
11 Innovation Campus.
12 The Legislature finds that innovation is increasingly important in
13 the creation of new companies and the success of established ones. The

14 Legislature acknowledges the importance of achieving the objective of the
 15 Nebraska Innovation Campus which will require a long-term strategy and
 16 may require continuing state support.
 17 The Legislature determines that quantifiable measurements and
 18 benchmarks are required to track and evaluate the performance of the
 19 Nebraska Innovation Campus and its development corporation.
 20 The following measurements regarding the Nebraska Innovation Campus
 21 shall be reported to the Legislature by the Board of Regents, to the
 22 extent the information is not confidential information of a private
 23 sector company:
 24 (1) The percentage of investments by the state and university
 25 compared to private sector investments;
 26 (2) The number of square feet of construction;
 27 (3) The number of private sector companies located on Nebraska
 28 Innovation Campus;
 29 (4) The number of private sector jobs located on Nebraska Innovation
 30 Campus;
 31 (5) The amount of private sector research funding to the university
 1 attributable to Nebraska Innovation Campus;
 2 (6) The number of internships or other employment opportunities
 3 provided by private sector companies at Nebraska Innovation Campus to
 4 university students;
 5 (7) The percentage of facilities leased by private sector companies;
 6 (8) The number of new businesses started or supported at Nebraska
 7 Innovation Campus;
 8 (9) The number of conferences and participants at Nebraska
 9 Innovation Campus; and
 10 (10) The background and credentials of the appointments to the
 11 Nebraska Innovation Campus Development Corporation Board of Directors.
 12 The report shall be submitted electronically to the Clerk of the
 13 Legislature by December 1 of each year.
 14 Sec. 5. Original section 81-1210.01, Reissue Revised Statutes of
 15 Nebraska, and sections 81-12,160 and 81-12,162, Revised Statutes
 16 Supplement, 2015, are repealed.
 17 Sec. 6. Since an emergency exists, this act takes effect when passed
 18 and approved according to law.

(Signed) Heath Mello, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 938. Placed on General File with amendment.
AM2356

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Sections 1 to 30 of this act shall be known and may be
 4 cited as the 911 Service System Act.
 5 Sec. 2. The purpose of the 911 Service System Act is to establish
 6 the Public Service Commission as the statewide implementation and

7 coordinating authority to plan, implement, coordinate, manage, maintain,
8 and provide funding assistance for a 911 service system consistent and
9 compatible with national public safety standards advanced by recognized
10 standards and development organizations.

11 Sec. 3. It is the intent of the Legislature that:

12 (1) The commission plan, implement, coordinate, manage, maintain,
13 and provide funding assistance for a cost-efficient 911 service system:

14 (2) The commission provide for the coordination of 911 service on a
15 statewide basis;

16 (3) Local governing bodies be responsible for the dispatch and
17 provision of emergency services;

18 (4) As part of the coordination of statewide 911 service, the
19 commission secure stakeholder support and provide public education,
20 training, standards enforcement, dispute resolution, and program
21 evaluation for public safety answering points;

22 (5) The jurisdictions of the state, regional, and local governing
23 bodies be clearly defined and aligned to produce the most efficient
24 provision of 911 service, including next-generation 911 service
25 capability;

26 (6) The commission adopt statewide uniform standards for technical
27 support, training efficiency, and quality assurance for public safety
1 answering points;

2 (7) The express authority granted to the commission to implement the
3 911 Service System Act not be deemed to supersede or otherwise modify
4 section 86-124 or to provide the commission with any additional authority
5 not provided by law existing on the effective date of this act,
6 including, but not limited to, regulatory authority over originating
7 service providers; and

8 (8) Except as specifically provided in the 911 Service System Act,
9 nothing in the 911 Service System Act be deemed to supersede or modify
10 any commission authority provided by law or any commission order, rule,
11 or regulation existing on the effective date of this act.

12 Sec. 4. For purposes of the 911 Service System Act, the definitions
13 found in sections 5 to 24 of this act apply.

14 Sec. 5. Basic 911 service means an emergency telephone system which
15 automatically connects a 911 call to a designated public safety answering
16 point.

17 Sec. 6. Commission means the Public Service Commission.

18 Sec. 7. Emergency services means the provision through a public
19 safety agency of firefighting, law enforcement, ambulance, emergency,
20 medical, or other public emergency services, as determined by a local
21 governing body, to respond to and manage emergency incidents.

22 Sec. 8. Enhanced-911 service has the same meaning as in section
23 86-425.

24 Sec. 9. Enhanced wireless 911 service has the same meaning as in
25 section 86-448.

26 Sec. 10. Interconnected voice over Internet protocol service means
27 an interconnected voice over Internet protocol service as defined in 47
28 C.F.R. part 9, as such regulations existed on January 1, 2016.

- 29 Sec. 11. Internet protocol means the method by which data is sent
30 from one computer to another on the Internet or other networks.
- 31 Sec. 12. Internet protocol-enabled service means any service,
1 capability, functionality, or application provided using Internet
2 protocol, or any successor protocol, that enables a service user to send
3 or receive a communication in Internet protocol format including, but not
4 limited to, voice, data, or video.
- 5 Sec. 13. Local governing body means a county board, city council of
6 a city, board of trustees of a village, board of directors of any rural
7 or suburban fire protection district, or any governing body of an entity
8 created pursuant to the Interlocal Cooperation Act or the Joint Public
9 Agency Act.
- 10 Sec. 14. Network means (1) a legacy telecommunications network that
11 supports basic 911 service and enhanced-911 service or (2) a managed
12 Internet protocol network that is used for 911 calls, that can be shared
13 by all public safety answering points, and that provides the Internet
14 protocol transport infrastructure upon which independent application
15 platforms and core functional processes can be deployed, including, but
16 not limited to, those necessary for providing next-generation 911 service
17 capability. A network may be constructed from a mix of dedicated and
18 shared facilities and may be interconnected at local, regional, state,
19 national, and international levels.
- 20 Sec. 15. Next-generation 911 means an Internet protocol-based
21 system (1) comprised of networks, functional elements, and data bases
22 that replicate basic 911 service and enhanced-911 service features and
23 functions and provide additional capabilities and (2) designed to provide
24 access to emergency services from all connected communications sources
25 and to provide multimedia data capabilities for public safety answering
26 points and other emergency services organizations.
- 27 Sec. 16. Next-generation 911 service means 911 service using in
28 whole or in part next-generation 911.
- 29 Sec. 17. 911 call means any form of communication requesting any
30 type of emergency services by contacting a public safety answering point,
31 including voice or nonvoice communications as well as transmission of any
1 analog or digital data. 911 call includes a voice call, video call, text
2 message, or data-only call.
- 3 Sec. 18. 911 service means the service a public safety answering
4 point uses to receive and process 911 calls over a 911 service system.
- 5 Sec. 19. 911 service system means a coordinated system of
6 technologies, software applications, data bases, customer-premise
7 equipment components, and operations and management procedures used to
8 provide 911 service through the operation of an efficient and effective
9 network for accepting, processing, and delivering 911 calls to a public
10 safety answering point, including, but not limited to, basic 911 service,
11 enhanced-911 service, enhanced wireless 911 service, next-generation 911
12 service, and any emerging technologies, networks, and systems that allow
13 access to 911 service.
- 14 Sec. 20. Originating service provider means an entity that provides
15 the capability for customers to originate 911 calls to public safety

16 answering points.
17 Sec. 21. Public safety agency means an agency which provides
18 emergency services.
19 Sec. 22. Public safety answering point means a local governmental
20 entity responsible for receiving 911 calls and processing those calls
21 according to a specific operational policy.
22 Sec. 23. Service user means any person who initiates a 911 call to
23 receive emergency services.
24 Sec. 24. Stakeholder means a public safety answering point, a
25 public safety agency, and any person, organization, agency of government,
26 originating service provider, or other organization that has a vital
27 interest in the 911 service system.
28 Sec. 25. The commission shall:
29 (1) Serve as the statewide coordinating authority for the
30 implementation of the 911 service system;
31 (2) Be responsible for statewide planning, implementation,
1 coordination, funding assistance, deployment, and management and
2 maintenance of the 911 service system to ensure that coordinated 911
3 service is provided to all residents of the state at a consistent level
4 of service in a cost-effective manner;
5 (3) Be responsible for establishing mandatory and uniform technical
6 and training standards applicable to public safety answering points and
7 adopting and promulgating rules and regulations applicable to public
8 safety answering points for quality assurance standards; and
9 (4) Be responsible for consulting with and seeking advice and
10 assistance from stakeholders, including:
11 (a) Public safety answering points;
12 (b) Public safety agencies;
13 (c) Originating service providers, including at least one
14 representative from each of the following: A wireline local exchange
15 service provider, a wireless provider, and an interconnected voice over
16 Internet protocol service provider;
17 (d) Municipal and county officials; and
18 (e) The Chief Information Officer.
19 Sec. 26. The commission shall appoint a state 911 director to
20 manage the department established within the commission for the 911
21 service system. The commission shall ensure that the department has all
22 necessary staffing and resources. The commission may retain contracted
23 experts or consultants who may be required for the administration of the
24 911 Service System Act. The commission and the state 911 director shall
25 establish an advisory committee to provide input on technical training,
26 quality assurance, funding, and operation and maintenance of the 911
27 service system. Advisory committee members shall be approved by the
28 commission.
29 Sec. 27. (1) The commission and the state 911 director shall
30 develop and prepare a plan for a 911 service system, to be approved by
31 the commission, and to be implemented by the commission and the state 911
1 director on or after July 1, 2018. The commission shall hold at least two
2 public hearings on the plan: One hearing at least ninety days prior to

3 the adoption of the plan; and one hearing at least thirty days prior to
4 the adoption of the plan. The commission shall present the adopted plan
5 to the Appropriations Committee of the Legislature and the Transportation
6 and Telecommunications Committee of the Legislature no later than
7 December 1, 2017. The state 911 director, with the approval of the
8 commission, shall prepare and provide a report to the Appropriations
9 Committee and the Transportation and Telecommunications Committee on the
10 progress of the development of the plan no later than February 1, 2017.
11 The report shall be submitted electronically.

12 (2) The plan adopted by the commission shall, at a minimum, detail
13 the following:

14 (a) The costs associated with the implementation and estimated
15 ongoing operation and maintenance of the 911 service system. The
16 discussion of costs shall detail which costs the commission determines
17 should be paid from the Enhanced Wireless 911 Fund and the 911 Service
18 System Fund, which costs would be the obligation of local governing
19 bodies, and how the proposed costs represent a cost-effective plan;

20 (b) Recommendations to the Legislature for cost recovery for the
21 implementation, operation, and maintenance of the 911 service system;

22 (c) The commission's proposal for carrying out its role as
23 coordinator of the 911 service system;

24 (d) A recommendation of the number of public safety answering points
25 that should be maintained in the state that are capable of next-
26 generation 911 service; and

27 (e) Recommendations for any additional legislation required to
28 implement the 911 service system.

29 Sec. 28. The 911 Service System Fund is created. The fund shall
30 consist of money transferred from the Enhanced Wireless 911 Fund, any
31 federal funds received for implementation and development of 911 service,
1 and any other money designated for credit to the 911 Service System Fund.

2 The fund shall be used for the costs of administering the fund and for
3 the purposes specified in the 911 Service System Act. The fund shall not
4 be subject to any fiscal-year limitation or lapse provision of unexpended
5 balance at the end of any fiscal year or biennium. 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. 29. The express authority granted to the commission to
10 implement the 911 Service System Act shall not be deemed to supersede or
11 otherwise modify section 86-124 or to provide the commission with any
12 additional authority not provided by law existing on the effective date
13 of this act, including, but not limited to, regulatory authority over
14 originating service providers.

15 Sec. 30. The 911 Service System Act terminates on June 30, 2018.

16 Sec. 31. Section 86-163, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 86-163 The commission shall file with the Clerk of the Legislature
19 an annual report on or before September 30 of each year on the status of
20 the Nebraska telecommunications industry. The report shall be submitted

21 in electronic format. The report shall:

22 (1) Describe the quality of telecommunications service being
23 provided to the citizens of Nebraska;

24 (2) Describe the availability of diverse and affordable
25 telecommunications service to all of the people of Nebraska;

26 (3) Describe the level of telecommunications service rates;

27 (4) Describe the use and continued need for the Nebraska

28 Telecommunications Universal Service Fund;

29 (5) Describe the availability and location of 911 service and E-911
30 service as required by section 86-437;

31 (6) Describe the availability and location of wireless 911 service
1 or enhanced wireless 911 service as required by section 86-460;

2 (7) Address the need for further legislation to achieve the purposes
3 of the Nebraska Telecommunications Regulation Act; ~~and~~

4 (8) Address the funding level of the Nebraska Competitive Telephone
5 Marketplace Fund and an accounting of commission expenses related to its

6 duties under section 86-127; and -

7 (9) Assess, based on information provided by public safety answering
8 points, the level of wireless E-911 location accuracy compliance for
9 wireless carriers.

10 Sec. 32. Section 86-458, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 86-458 The commission shall hold a public hearing annually to
13 determine the amount of revenue necessary to carry out the Enhanced
14 Wireless 911 Services Act and the 911 Service System Act. After the
15 hearing, the commission shall determine the amount of money to be
16 deposited in the Enhanced Wireless 911 Fund for the following year and
17 shall set the surcharge subject to the limitation in section 86-457.

18 Sec. 33. Section 86-463, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 86-463 The Enhanced Wireless 911 Fund is created. The fund shall
21 consist of the surcharges credited to the fund, any money appropriated by
22 the Legislature, any federal funds received for wireless emergency
23 communication except as otherwise provided in section 28 of this act, and
24 any other funds designated for credit to the fund. Money in the fund
25 shall be used for the costs of administering the fund and the purposes
26 specified in section 86-465 unless otherwise directed by federal law with
27 respect to any federal funds. Money shall be transferred from the fund to
28 the 911 Service System Fund at the direction of the Legislature. The
29 costs of administering the Enhanced Wireless 911 Fund ~~fund~~ shall be kept
30 to a minimum. The money in the Enhanced Wireless 911 Fund ~~fund~~ shall not
31 be subject to any fiscal-year limitation or lapse provision of unexpended
1 balance at the end of any fiscal year or biennium. ~~Interest accruing to~~
2 ~~the fund from invested fund balances may be transferred to the General~~
3 ~~Fund at the direction of the Legislature through June 30, 2010.~~ Any money
4 in the Enhanced Wireless 911 Fund available for investment shall be
5 invested by the state investment officer pursuant to the Nebraska Capital
6 Expansion Act and the Nebraska State Funds Investment Act.

7 Sec. 34. Original sections 86-163, 86-458, and 86-463, Reissue

8 Revised Statutes of Nebraska, are repealed.

9 Sec. 35. Since an emergency exists, this act takes effect when
10 passed and approved according to law.

(Signed) Jim Smith, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 462. Introduced by Hadley, 37.

WHEREAS, Canada and the United States share a rich and vibrant history, founded on the values of freedom, the rule of law, and democracy, as well as a commitment to security and defense partnerships both in North America and abroad; and

WHEREAS, Canada and the State of Nebraska enjoy robust and flourishing ties based upon culture, sport, education, agriculture, innovation, and a mutual appreciation for the beauty and bounty of our prairies and plains; and

WHEREAS, both Canada, celebrating 150 years of Confederation, and the State of Nebraska, celebrating 150 years of Statehood, will observe historic milestones in the year 2017; and

WHEREAS, Canada is the largest customer of the United States, with a combined \$760 billion in goods and services traded between the two nations, and there are nearly nine million jobs in the United States that depend on trade and investment with our nation's northern neighbor; and

WHEREAS, Canada is the leading export market for the State of Nebraska, with a combined \$2.4 billion in merchandise trade between Nebraska and Canada, which is part of the broader trade and investment relationship with Canada that supports 57,400 Nebraska jobs; and

WHEREAS, the people of the State of Nebraska and Canada are closely connected through family ties, travel, and tourism, with Canadians spending \$21 million during 85,600 visits to Nebraska in 2013.

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

1. That the Legislature acknowledges the long and rich history of friendship and commerce between the State of Nebraska and the neighboring nation of Canada by proclaiming March 15, 2016, Canada Day at the Nebraska State Capitol.

2. That a copy of this resolution be sent to the Consul General of Canada in Minneapolis, Minnesota, the Ambassador of Canada to the United States of America, and the Secretary of the State of Nebraska.

Laid over.

LEGISLATIVE RESOLUTION 463. Introduced by Campbell, 25.

PURPOSE: The purpose of this interim study is to examine ways to improve the coverage of hearing aid costs for Nebraska families. The study

committee shall coordinate with the Commission for the Deaf and Hard of Hearing and work with interested stakeholders to identify the areas of concern, conduct necessary research, and explore various ways to address the needs identified. The issues addressed by this interim study shall include, but not be limited to:

- (1) How other states cover hearing aid costs;
- (2) Whether hearing aid coverage should be included as an essential health benefit under the federal Patient Protection and Affordable Care Act;
- (3) An examination of health insurance coverage options for persons requiring hearing aids; and
- (4) Recommendations on how to improve the services being provided by the hearing aid banks.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 464. Introduced by Groene, 42; Bloomfield, 17; Brasch, 16; Craighead, 6; Davis, 43; Ebke, 32; Fox, 7; Friesen, 34; Harr, B., 8; Hughes, 44; Johnson, 23; Kintner, 2; Krist, 10; Kuehn, 38; Lindstrom, 18; McCollister, 20; Murante, 49; Scheer, 19; Schnoor, 15; Schumacher, 22; Sullivan, 41; Watermeier, 1.

PURPOSE: The purpose of this interim study is to examine the effects of the use of tax-increment financing (TIF) by municipalities pursuant to Article VIII, section 12, of the Constitution of Nebraska and section 18-2147 of the Revised Statutes of Nebraska. The issues addressed by this interim study shall include, but not be limited to:

- (1) An examination of how the use of TIF affects the property tax base of local taxing entities;
- (2) An examination of how the use of TIF affects state spending under the Tax Equity and Educational Opportunities Support Act;
- (3) An examination of whether TIF has been used under the Community Development Law more broadly or extensively than the Legislature intended; and
- (4) Recommendations as to whether there should be state oversight or a state approval process for municipalities' TIF projects.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

AMENDMENT(S) - Print in Journal

Senator Campbell filed the following amendment to LB746:
AM2381 is available in the Bill Room.

Senator Kolterman filed the following amendment to LB447:
AM2344

(Amendments to E&R amendments, ER174)

- 1 1. Strike original section 46 and insert the following new section:
- 2 Sec. 48. The Class V Retirement System Payment Processing Fund is
- 3 created for the purpose of transferring funds as specified in section
- 4 79-986 and for paying expenses associated with the transfer of such
- 5 funds. The fund shall consist of the amounts transferred from the
- 6 custodial bank that holds the assets of a retirement system provided for
- 7 under the Class V School Employees Retirement Act to make payments for
- 8 purposes specified in the Class V School Employees Retirement Act and to
- 9 pay administrative expenses incurred under this section by the Public
- 10 Employees Retirement Board. The fund shall reside with the Nebraska
- 11 Public Employees Retirement Systems for the sole purpose of conducting
- 12 the transactions necessary to implement this section. Any money in the
- 13 fund 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 The Nebraska Public Employees Retirement Systems, Public Employees
- 17 Retirement Board, State Treasurer, Nebraska Investment Council, and
- 18 employees of each of such agencies shall not have responsibility to
- 19 review or verify the accuracy of the requests for transfer of funds for
- 20 payments and shall not be liable for any claims, suits, losses, damages,
- 21 fees, and costs related to the payment of such benefits, refunds, and
- 22 expenses.
- 23 2. On page 1, line 7, after "on" insert "or after"; and strike lines
- 24 11 through 18 and insert the following new subsection:
- 25 (2) Each political subdivision which offers such a defined benefit
- 26 plan shall conduct an experience study at least once every four years to
- 1 review the actuarial assumptions used to determine funding needs for its
- 2 defined benefit plan. Each such political subdivision shall
- 3 electronically file a copy of the most recent actuarial experience study
- 4 with the committee by October 15, 2016, and shall electronically file a
- 5 copy of each study completed pursuant to this subsection by the next
- 6 October 15 after completion of the study.
- 7 3. On page 13, strike beginning with the second comma in line 28
- 8 through "2016" in line 29.
- 9 4. On page 14, line 18, strike "and".

- 10 5. On page 19, line 11, strike beginning with "employed" through
 11 "system" and insert "for a retirement system provided for under the Class
 12 V School Employees Retirement Act"; in lines 18 and 19, 23, and 30 and
 13 31, strike beginning with "Class" through "system" and insert "retirement
 14 system provided for under the Class V School Employees Retirement Act";
 15 and strike beginning with "the" in line 24 through "retirement" in line
 16 25 and insert "such".
- 17 6. On page 25, line 17, strike "34, and" and insert "and 34"; and in
 18 line 18 strike "46".
- 19 7. On page 40, line 19, strike "and" and show as stricken; and in
 20 line 20 after the second comma insert "and".
- 21 8. On page 55, line 28, after "between" insert "the date the annuity
 22 begins and"; and in line 29 strike beginning with "sixtieth" through
 23 "her".
- 24 9. On page 58, lines 15 and 27; page 59, lines 8 and 20; and page
 25 60, line 2, strike "adjustment", show as stricken, and insert
 26 "adjustments".
- 27 10. On page 61, line 19, strike "board's", show as stricken, and
 28 insert "board of trustees".
- 29 11. On page 88, line 11, strike the first "a" and insert "an
 30 electronic"; in line 25 after "the" insert "retirement system provided
 31 for under the"; and in line 26 strike the first "System" and insert
 1 "Act".
- 2 12. Renumber sections 47 and 48 as sections 46 and 47, respectively.

Senator Krist filed the following amendment to LB830:
 AM2290

(Amendments to Standing Committee amendments, AM2082)

- 1 1. On page 16, line 10, after the period insert "This subsection
 2 shall not apply to state employees who are exempt from the State
 3 Personnel System pursuant to subdivisions (1)(a) through (s) of section
 4 81-1316".

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 3, 2016, at 11:07 a.m. were the following: LBs 676e, 700, 703, 718, 729e, 734, 735, 753, 758, 776, 778, 786, 798, 807, 811, 840, 859e, 864, 898, 921, 929e, and 1035.

(Signed) Jamie Leishman
 Clerk of the Legislature's Office

COMMITTEE REPORT(S)

Education

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Pete Goldschmidt - Technical Advisory Committee for Statewide Assessment

Aye: 7 Baker, Groene, Kolowski, Krist, Pansing Brooks, Schnoor, Sullivan.
Nay: 0. Absent: 1 Morfeld. Present and not voting: 0.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Randy Schmailzl - Nebraska Educational Telecommunications Commission

Aye: 7 Baker, Groene, Kolowski, Krist, Pansing Brooks, Schnoor, Sullivan.
Nay: 0. Absent: 1 Morfeld. Present and not voting: 0.

(Signed) Kate Sullivan, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Mello - LB83

Bloomfield, Ebke, Fox, Groene, Hilkemann, Schilz - LB768

Baker, Coash, Kintner, Kolterman, Lindstrom, Scheer - LB768

Friesen, Hughes, Johnson, Kuehn, Murante, Williams - LB768

VISITOR(S)

Visitors to the Chamber were 23 students and teachers from the Career Academy of Lincoln; 12 students from home schools across the state; Nate Lore from Lincoln; members of the Nebraska Academy of Nutrition and Dietetics; 21 fourth-grade students and teachers from Immanuel Lutheran, Columbus; Mariclaire, Merrilee, and Kristin Prill from Kearney; and 20 fourth-grade students and teacher from St. John's School, Seward.

The Doctor of the Day was Dr. George Voigtlander from Pawnee City.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Schumacher, the Legislature adjourned until 10:00 a.m., Monday, March 7, 2016.

Patrick J. O'Donnell
Clerk of the Legislature