

FIRST DAY - JANUARY 4, 2017**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION****FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 4, 2017

PRAYER

The prayer was offered by Senator Kolterman.

ROLL CALL

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Fifth Legislature, First Session of the Legislature of Nebraska, assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:00 a.m., on Wednesday, January 4, 2017, and was called to order by President Foley.

The roll was called and the following members were present:

Albrecht, Joni	Hansen, Matt	McDonnell, Mike
Baker, Roy	Harr, Burke J.	Morfeld, Adam
Blood, Carol	Hilgers, Mike	Murante, John
Bolz, Kate	Hilkemann, Robert	Pansing Brooks, Patty
Bostelman, Bruce	Howard, Sara	Quick, Dan
Brasch, Lydia	Hughes, Dan	Riepe, Merv
Brewer, Tom	Kintner, Bill	Scheer, Jim
Briese, Tom	Kolowski, Rick	Schumacher, Paul
Chambers, Ernie	Kolterman, Mark A.	Smith, Jim
Craighead, Joni	Krist, Bob	Stinner, John P.
Crawford, Sue	Kuehn, John L.	Vargas, Tony
Ebke, Laura	Larson, Tyson	Walz, Lynne
Erdman, Steve	Lindstrom, Brett	Watermeier, Dan
Friesen, Curt	Linehan, Lou Ann	Wayne, Justin
Geist, Suzanne	Lowe, John S.	Williams, Matt
Groene, Mike	McCollister, John S.	Wishart, Anna
Halloran, Steve		

MOTION - Temporary Clerk and Sergeant at Arms

Senator Harr moved to appoint Mr. Patrick J. O'Donnell as temporary Clerk of the Legislature and Mr. Ron Witkowski as temporary Sergeant at Arms.

The motion prevailed.

MOTION - Committee on Credentials

Senator Brasch moved that we proceed to the election of five persons to serve as the Committee on Credentials, who will forthwith report to the Legislature on the credentials of those claiming to be elected to the Legislature in the General Election in November 2016.

The motion prevailed.

Senator Hughes moved to elect the following five members of the Legislature to serve on the Committee on Credentials: Senators Harr, Krist, Schumacher, Smith, and Watermeier.

The motion prevailed.

REPORT OF COMMITTEE ON CREDENTIALS

State of Nebraska

United States of America,) ss.
State of Nebraska)

Secretary of State
State Capitol
Lincoln, Nebraska

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the One Hundred Fifth Legislature, First Session, 2017.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Fifth Legislature, First Session, 2017.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 4, 2017.

(SEAL)

(Signed) John A. Gale
Secretary of State

DISTRICT/NAME	ELECTED
1 Dan Watermeier	November 8, 2016
2 Bill Kintner	November 4, 2014
3 Carol Blood	November 8, 2016
4 Robert Hilkemann	November 4, 2014
5 Mike McDonnell	November 8, 2016
6 Joni Craighead	November 4, 2014
7 Tony Vargas	November 8, 2016
8 Burke J. Harr	November 4, 2014
9 Sara Howard	November 8, 2016
10 Bob Krist	November 4, 2014
11 Ernie Chambers	November 8, 2016
12 Merv Riepe	November 4, 2014
13 Justin Wayne	November 8, 2016
14 Jim Smith	November 4, 2014
15 Lynne M. Walz	November 8, 2016
16 Lydia Brasch	November 4, 2014
17 Joni Albrecht	November 8, 2016
18 Brett Lindstrom	November 4, 2014
19 Jim Scheer	November 8, 2016
20 John S. McCollister	November 4, 2014
21 Mike Hilgers	November 8, 2016
22 Paul Schumacher	November 4, 2014
23 Bruce Bostelman	November 8, 2016
24 Mark A. Kolterman	November 4, 2014
25 Suzanne Geist	November 8, 2016
26 Matt Hansen	November 4, 2014
27 Anna Wishart	November 8, 2016
28 Patty Pansing Brooks	November 4, 2014
29 Kate Bolz	November 8, 2016
30 Roy Baker	November 4, 2014
31 Rick Kolowski	November 8, 2016
32 Laura Ebke	November 4, 2014
33 Steve Halloran	November 8, 2016
34 Curt Friesen	November 4, 2014
35 Dan Quick	November 8, 2016
36 Matt Williams	November 4, 2014
37 John S. Lowe Sr.	November 8, 2016
38 John L. Kuehn	November 4, 2014
39 Lou Ann Linehan	November 8, 2016
40 Tyson Larson	November 4, 2014
41 Tom Briese	November 8, 2016
42 Michael Groene	November 4, 2014
43 Tom Brewer	November 8, 2016
44 Dan Hughes	November 4, 2014
45 Sue Crawford	November 8, 2016
46 Adam Morfeld	November 4, 2014
47 Steve Erdman	November 8, 2016
48 John P. Stinner Sr.	November 4, 2014
49 John Murante	November 8, 2016

MOTION - Credentials Committee Report

Senator Smith moved to approve the attached report as certified and presented by the Secretary of State, and furthermore, the committee takes notice of statutory Section 32-1111, R.R.S., which states in part that when an election is contested, the person holding the certificate of election shall exercise the duties of office until the election contest is decided.

The motion prevailed.

NOTICE OF ELECTION CONTEST

Nebraska Unicameral Legislature

<u>John Sciara, candidate</u>)	
Plaintiff)	
)	Patrick J. O'Donnell, Clerk
vs)	Clerk of the Legislature
<u>Ernest W. Chambers, candidate</u>)	
Defendant)	

Petition of Qualifications Challenge

- I. Pursuant to Nebraska Legislature Rule book, rule 10, sec 3, qualification challenges may be brought only by an unsuccessful candidate. Qualification challenges must be brought within forty days following the General Election.
- II. Pursuant to the Nebraska State Constitution, Article III, sec 8, qualification for the office of member of the Legislature require that the candidate has resided within the district from which he is elected for the term of one year next before his election.
- III. Pursuant to the Nebraska State Constitution, Article III, sec 10, the Legislature shall determine the rules of its proceedings and be the judge of the election, returns, and qualifications of its members.
- IV. Pursuant to rule 10, sec 3, a qualifications challenge shall be brought by filing a petition of qualifications challenge with the Clerk, and by serving a copy of the petition on the purported winner.
- V. Pursuant to rule 10, sec 1, each election contest and qualifications challenge filed with the Clerk shall be referred by the Clerk to the Reference Committee, who in turn shall refer the matter to a specially created committee to consider such contest or challenge. The committee shall consist of an odd number of members, shall have a minimum of five members and shall consist of members appointed by the Executive Board. The chairperson of such committee shall be appointed by the Executive Board.

VI. Pursuant to rule 10, sec 4, election contests and qualifications challenges shall be heard and determined as expeditiously as possible under adversary procedures wherein each party to the proceedings has a reasonable opportunity to present his claim, any defense and arguments, and to respond to those of his opponents. All parties may be represented by counsel.

Election contests and qualifications challenges shall be heard and determined in accordance with the applicable provisions of the Nebraska statutes, the Nebraska Constitution, and the United States Constitution. Judicial decisions which bear on a point of law in a contest or challenge shall be admissible in the arguments of the parties and the deliberations and decisions of the committee. Judicial decisions applicable to a point of law or to a fact situation to the committee shall be given weight as precedent.

VII. It is my belief that through the conversations with numerous people, that Senator Chambers, while having a residence in North Omaha, actually domiciles in Bellevue, making him ineligible under the Nebraska Constitution for failing to meet the requirement to reside in the district for one year prior to election date.

As the unsuccessful candidate that meets all of the requirements under the Nebraska Constitution, I request that the Clerk of the Legislature meet his obligations under the Rules of the Legislature to have the reference committee establish a committee to determine the validity of my eligibility challenge in a expedited manner before the start of the new session of the Legislature.

(Signed) John Sciara
4038 Seward St
Omaha NE 68111
402 378-2102

Nebraska Unicameral Legislature

John Sciara,)	
Plaintiff)	
)	
vs.)	AFFIDAVIT OF SERVICE
)	
Ernie Chambers)	
Defendant)	

State of Nebraska

County of Douglas

John Sciara, being first duly sworn on oath, disposes and states that on

November 15th, 2016 he did deliver in person one copy of Plaintiff's petition for qualification challenge to Senator Chambers office with the State Capitol.

(Signed) John Sciara

Subscribed and Sworn to before me this 15th day of November, 2016

(Signed) Kathy Briden
Notary Public

MOTION - Escort Chief Justice

Senator Morfeld moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the members of the Legislature.

The motion prevailed.

The Chair appointed Senators Ebke, Kolterman, Riepe, Pansing Brooks, and Harr to serve on said committee.

MEMBERS' OATH OF OFFICE

STATE OF NEBRASKA)
) ss.
LANCASTER COUNTY)

Do you and each of you solemnly swear (or affirm) that you will support the constitution of the United States, and the constitution of the State of Nebraska, and will faithfully discharge the duties of members of the Legislature according to the best of your ability, and that at the election at which you were chosen to fill said office, you have not improperly influenced in any way the vote of any elector, and have not accepted, nor will you accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote you may give or withhold on any bill, resolution, or appropriation).

- | | | |
|------------------|------------------|-----------------|
| Albrecht, Joni | Geist, Suzanne | Quick, Dan |
| Blood, Carol | Halloran, Steve | Scheer, Jim |
| Bolz, Kate | Hilgers, Mike | Vargas, Tony |
| Bostelman, Bruce | Howard, Sara | Walz, Lynne M. |
| Brewer, Tom | Kolowski, Rick | Watermeier, Dan |
| Briese, Tom | Linehan, Lou Ann | Wayne, Justin |
| Chambers, Ernie | Lowe, John S. | Wishart, Anna |
| Crawford, Sue | McDonnell, Mike | |
| Erdman, Steve | Murante, John | |

The committee escorted the Chief Justice from the Chamber.

MOTION - Adopt Temporary Rules

Senator Schumacher moved that the rules, as now in our possession, be adopted for today only, Wednesday, January 4, 2017.

Senator Kuehn requested a roll call vote on the adoption of the temporary rules.

The motion to adopt temporary rules prevailed with 45 ayes, 4 nays, and 0 not voting.

MOTION - Election of Officers

Senator Krist moved that the following officers, recommended by the Executive Board, be elected to serve for the One Hundred Fifth Legislature:

Clerk of the Legislature	Patrick J. O'Donnell
Assistant Clerk of the Legislature	Richard K. Brown
Sergeant at Arms	Ron Witkowski

The motion prevailed.

MOTION - Election of Speaker

Senator Watermeier moved to proceed to the election of the Speaker of the Legislature.

The motion prevailed.

Senator Williams placed his name in nomination.

Senator Scheer placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Schumacher, Bolz, and Hughes as tellers.

Senator Williams	22
Senator Scheer	<u>27</u>
	49

Senator Scheer was duly elected Speaker of the Legislature.

EASE

The Legislature was at ease from 10:55 a.m. until 11:10 a.m.

MOTION - Committee on Committees Members

Senator Craighead moved to proceed to the election of the remaining twelve members of the Committee on Committees, and that we authorize the members residing within each of the three districts, as enumerated in Rule 3, Sec. 2, to nominate four members to be elected by the legislative body to serve on the Committee on Committees.

The motion prevailed.

Senators Schumacher, Kolterman, Morfeld, and Pansing Brooks were nominated from District 1.

Senators Smith, Harr, Howard, and Hilkemann were nominated from District 2.

Senators Groene, Erdman, Friesen, and Kuehn were nominated from District 3.

Senator Craighead moved the approval of the nominees to the Committee on Committees.

The motion prevailed.

The Chair declared the nominees duly elected.

MOTION - Chairperson of Executive Board

Senator Chambers moved to proceed to the election of the Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Watermeier placed his name in nomination.

Senator Krist placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Albrecht, Crawford, and Friesen as tellers.

Senator Watermeier 28
Senator Krist 21
49

Senator Watermeier was duly elected Chairperson of the Executive Board.

MOTION - Vice Chairperson of Executive Board

Senator Hilkemann moved to proceed to the election of the Vice Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Hughes nominated Senator Kuehn.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Kuehn.

The motion prevailed.

Senator Kuehn was duly elected Vice Chairperson of the Executive Board.

MOTION - Executive Board Members

Senator Williams moved to proceed to the election of the other six members of the Executive Board of the Legislative Council as outlined in 50-401.01.

The motion prevailed.

Senators Bolz and Crawford were nominated from District 1.

Senators Chambers and McCollister were nominated from District 2.

Senators Larson and Hughes were nominated from District 3.

Senator Williams moved the approval of the nominees to the Executive Board of the Legislative Council.

The motion prevailed.

The Chair declared the nominees duly elected.

MOTION - Standing Committee Chairpersons

Senator Ebke moved to proceed to the election of the standing committee chairpersons, in accordance with Rule 3, Sec. 8(a).

The motion prevailed.

CHAIRPERSON - Agriculture

Senator Brasch placed her name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Brasch.

The motion prevailed.

Senator Brasch was duly elected Chairperson of the Agriculture Committee.

CHAIRPERSON - Appropriations

Senator Stinner placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Stinner.

The motion prevailed.

Senator Stinner was duly elected Chairperson of the Appropriations Committee.

CHAIRPERSON - Banking, Commerce and Insurance

Senator Lindstrom placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Lindstrom.

The motion prevailed.

Senator Lindstrom was duly elected Chairperson of the Banking, Commerce and Insurance Committee.

CHAIRPERSON - Business and Labor

Senator Harr placed his name in nomination.

Senator Albrecht placed her name in nomination.

Senator Harr moved for a call of the house. The motion prevailed with 48 ayes, 0 nays, and 1 not voting.

The Chair declared the nominations closed.

The Chair appointed Senators Kuehn, McCollister, and Morfeld as tellers.

Senator Harr	23
Senator Albrecht	<u>26</u>
	49

Senator Albrecht was duly elected Chairperson of the Business and Labor Committee.

The Chair declared the call raised.

CHAIRPERSON - Education

Senator Baker placed his name in nomination.

Senator Groene placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Walz, Brasch, and Wayne as tellers.

Senator Baker	21
Senator Groene	<u>28</u>
	49

Senator Groene was duly elected Chairperson of the Education Committee.

CHAIRPERSON - General Affairs

Senator McCollister placed his name in nomination.

Senator Larson placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Kolowski, Ebke, and Halloran as tellers.

Senator McCollister	18
Senator Larson	<u>31</u>
	49

Senator Larson was duly elected Chairperson of the General Affairs Committee.

CHAIRPERSON - Government, Military and Veterans Affairs

Senator Murante placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Murante.

The motion prevailed.

Senator Murante was duly elected Chairperson of the Government, Military and Veterans Affairs Committee.

CHAIRPERSON - Health and Human Services

Senator Riepe placed his name in nomination.

Senator Howard placed her name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Briese, McDonnell, and Hilgers as tellers.

Senator Riepe	27
Senator Howard	<u>22</u>
	49

Senator Riepe was duly elected Chairperson of the Health and Human Services Committee.

CHAIRPERSON - Judiciary

Senator Ebke placed her name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Ebke.

The motion prevailed.

Senator Ebke was duly elected Chairperson of the Judiciary Committee.

CHAIRPERSON - Natural Resources

Senator Kolowski placed his name in nomination.

Senator Hughes placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Linehan, Quick, and Vargas as tellers.

Senator Kolowski	19
Senator Hughes	<u>30</u>
	49

Senator Hughes was duly elected Chairperson of the Natural Resources Committee.

CHAIRPERSON - Nebraska Retirement Systems

Senator Kolterman placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Kolterman.

The motion prevailed.

Senator Kolterman was duly elected Chairperson of the Nebraska Retirement Systems Committee.

CHAIRPERSON - Revenue

Senator Smith placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Smith.

The motion prevailed.

Senator Smith was duly elected Chairperson of the Revenue Committee.

CHAIRPERSON - Transportation and Telecommunications

Senator Friesen placed his name in nomination.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Friesen.

The motion prevailed.

Senator Friesen was duly elected Chairperson of the Transportation and Telecommunications Committee.

CHAIRPERSON - Urban Affairs

Senator Crawford placed her name in nomination.

Senator Wayne placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Blood, Wishart, and Hilkemann as tellers.

Senator Crawford	19
Senator Wayne	<u>30</u>
	49

Senator Wayne was duly elected Chairperson of the Urban Affairs Committee.

MOTION - Special and Select Committee Chairpersons

Senator Lindstrom moved to proceed to the election of the special and select committee chairpersons, in accordance with Rule 3, Sec. 8(a).

The motion prevailed.

CHAIRPERSON - Rules

Senator Hansen placed his name in nomination.

Senator Hilgers placed his name in nomination.

Senator Kuehn requested, pursuant to Article III, Section 11, that the vote for Chairperson of the Rules Committee be taken viva voce and entered into the Journal.

Senator Morfeld raised a point of order on whether the Chair could rule on constitutional provisions.

The Chair ruled Senator Kuehn's request is in order.

Senator Morfeld challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Kintner requested a roll call vote on the motion to overrule the Chair.

The Morfeld motion to overrule the Chair prevailed with 29 ayes, 19 nays, and 1 excused and not voting.

The Chair was overruled.

The Chair declared the nominations closed.

The Chair appointed Senators Lowe, Erdman, and Bostelman as tellers.

Senator Hansen	20
Senator Hilgers	<u>28</u>
	48

Senator Hilgers was duly elected Chairperson of the Rules Committee.

CHAIRPERSON - Enrollment and Review

Senator Hansen nominated Senator Wishart.

Senator Hansen moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Wishart.

The motion prevailed.

Senator Wishart was duly elected Chairperson of the Enrollment and Review Committee.

MOTION - Election Returns

Senator Murante moved that a committee of three be appointed to escort the Secretary of State to the Chamber to deliver the election returns of the General Election of November 2016.

The motion prevailed.

The Chair appointed Senators Kolowski, Craighead, and Murante to serve on said committee.

The committee escorted Secretary of State, John A. Gale, to the rostrum where he delivered the following report.

REPORT FROM THE SECRETARY OF STATE

January 4, 2017

Speaker of the Legislature
One Hundred Fifth Legislature, First Session 2017
State Capitol
Lincoln, Nebraska

Honorable Speaker:

In accordance with Article IV, Section 4 of the Constitution of the State of Nebraska, I have the honor of herewith delivering to you, under Seal, the abstract of votes cast in the ninety-three counties of the State of Nebraska at the General Election held on November 8, 2016, for the offices of Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Chief Justice of the Supreme Court, Supreme Court Justices, Court of Appeals Judges and Nebraska Workers Compensation Judges which votes are required by law to be canvassed by the Nebraska State Legislature, pursuant to Section 32-1039 R.S. Nebraska 1943, Reissue of 2016 as submitted to me for delivery to the Honorable Speaker of the Legislature.

I also deliver to you, under Seal, the list of candidates receiving the highest vote for each particular office enumerated. The certificate of the Secretary of State accompanies this list.

The original abstract sheets containing the tabulation of votes from the ninety-three counties with reference to a Referendum ordered by Petition of the People, Referendum Number 426 is on file in this office. A certification

of these returns is attached.

Inasmuch as these abstract sheets are part of the records of the Office of Secretary of State, we respectfully request that they be returned to our office files immediately upon the completion of your official canvass.

Respectfully submitted,
(Signed) John A. Gale
Secretary of State

CERTIFICATE

State of Nebraska

United States of America,) ss. Secretary of State
State of Nebraska) State Capitol
Lincoln, Nebraska

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct list of the candidates for the offices of Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Chief Justice of the Supreme Court, Supreme Court Justices, Court of Appeals Judges and Nebraska Workers Compensation Judges receiving the highest number of votes cast at the General Election in the State of Nebraska held on November 8, 2016.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 4, 2017.

(SEAL) (Signed) John A. Gale
Secretary of State

- Public Service Commission, District 4 - Rod Johnson
- Public Service Commission, District 5 - Mary Ridder
- Board of Regents of the University of Nebraska, Dist 6 - Paul Kenney
- Board of Regents of the University of Nebraska, Dist 7 - Bob Phares
- State Board of Education - Dist 1 - Patricia A. Koch Johns
- State Board of Education - Dist 2 - Lisa Fricke
- State Board of Education - Dist 3 - Rachel Wise
- State Board of Education - Dist 4 - John Witzel
- Chief Justice of the Supreme Court - Michael G. Heavican
- Supreme Court Justice, District 3 - William B. Cassel
- Supreme Court Justice, District 6 - John F. Wright
- Court of Appeals Judge, District 1 - Riko E. Bishop
- Court of Appeals Judge, District 3 - Francie Riedmann Weis
- Court of Appeals Judge, District 5 - Everett O. Inbody
- Court of Appeals Judge, District 6 - Frankie J. Moore
- Nebraska Workers Compensation Judge - Daniel R. Fridrich
- Nebraska Workers Compensation Judge - James R. Coe
- Nebraska Workers Compensation Judge - John R. Hoffert

CERTIFICATE

State of Nebraska

United States of America,) ss.
 State of Nebraska)

Secretary of State
 State Capitol
 Lincoln, Nebraska

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct listing of the Referendum ordered by Petition of the People, Referendum Number 426, showing the number of votes cast at the General Election in the State of Nebraska held on November 8, 2016.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 4, 2017.

(SEAL)

(Signed) John A. Gale
 Secretary of State

2016 General Election
 Referendum Measure

Referendum ordered by Petition of the People Referendum No. 426:

Shall Legislative Bill 268 enacted by the First Session of the One Hundred Fourth Legislature, the purpose of which is to eliminate the death penalty and change the maximum penalty for the crime of murder in the first degree to life imprisonment.

Retain	320,719
Repeal	494,151

The Secretary of State was escorted from the Chamber.

Senator Crawford moved pursuant to Article IV, Section 4, to approve the report of the Secretary of State and the candidates stated therein be declared duly elected.

The motion prevailed.

MOTION - Inaugural Ceremonies

Senator Kolowski moved to arrange to hold the inaugural ceremonies for the newly elected state officials on Thursday, January 5, 2017, at 1:30 p.m.

The motion prevailed.

COMMUNICATION(S)

January 4, 2017

Senator Dan Watermeier
Executive Board Chairperson
Room 2000, State Capitol Building
Lincoln NE 68509

Dear Senator Watermeier,

On November 15, 2016, the attached Petition of Qualifications Challenge, contesting the results of the election of the 11th Legislative District, was filed with my office by Mr. John Sciara.

Pursuant to Rule 10, Section 1(d), I am forwarding this petition to you as Chair of the Reference Committee, in order that such matter may be referenced to a specially created committee appointed to consider such challenge.

If you have any questions please do not hesitate to contact my office.

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

VISITOR(S)

The Doctor of the Day was Dr. Josue D. Gutierrez from Lincoln.

ADJOURNMENT

At 3:10 p.m., on a motion by Speaker Scheer, the Legislature adjourned until 10:00 a.m., Thursday, January 5, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

SECOND DAY - JANUARY 5, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 5, 2017

PRAYER

The prayer was offered by Senator Bolz.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator Watermeier who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

MOTION - Adopt Temporary Rules

Senator Hilgers moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the twelfth legislative day.

The motion prevailed.

COMMITTEE ON COMMITTEES PRELIMINARY REPORT

Senator Craighead offered the following Committee on Committees report:

Agriculture (8)

Rm. 2102 - Tuesday

Brasch (C), Albrecht, Blood, Chambers, Halloran, Harr, Krist, Lowe

Appropriations (9)

Rm. 1524 - Monday & Tuesday

Rm. 1003 - Wednesday, Thursday, & Friday

Stinner (C), Bolz, Hilkemann, Kintner, Kuehn, McDonnell, Vargas, Watermeier, Wishart

Banking, Commerce and Insurance (8)

Rm. 1507 - Monday & Tuesday

Lindstrom (C), Baker, Brewer, Craighead, Kolterman, McCollister, Schumacher, Williams

Business and Labor (7)

Rm. 2102 - Monday

Albrecht (C), Chambers, Crawford, Halloran, Hansen, Howard, Lowe

Education (8)

Rm. 1525 - Monday & Tuesday

Groene (C), Ebke, Erdman, Kolowski, Linehan, Morfeld, Pansing Brooks, Walz

General Affairs (8)

Rm. 1510 - Monday

Larson (C), Blood, Brasch, Harr, Krist, Quick, Riepe, Wayne

Government, Military and Veterans Affairs (8)

Rm. 1507 - Wednesday, Thursday, & Friday

Murante (C), Blood, Brewer, Briese, Craighead, Hilgers, Lowe, Wayne

Health and Human Services (7)

Rm. 1510 - Wednesday, Thursday, & Friday

Riepe (C), Crawford, Erdman, Howard, Kolterman, Linehan, Williams

Judiciary (8)

Rm. 1113 - Wednesday, Thursday, & Friday

Ebke (C), Baker, Chambers, Halloran, Hansen, Krist, Morfeld, Pansing Brooks

Natural Resources (8)

Rm. 1525 - Wednesday, Thursday, & Friday

Hughes (C), Albrecht, Bostelman, Geist, Kolowski, McCollister, Quick, Walz

Nebraska Retirement Systems (6)

Rm. 1525 - At call of Chair

Kolterman (C), Bolz, Groene, Kolowski, Lindstrom, Stinner

Revenue (8)

Rm. 1524 - Wednesday, Thursday, & Friday

Smith (C), Brasch, Friesen, Groene, Harr, Larson, Lindstrom, Schumacher

Transportation and Telecommunications (8)

Rm. 1113 - Monday & Tuesday

Friesen (C), Bostelman, Briese, Geist, Hilgers, Hughes, Murante, Smith

Urban Affairs (7)

Rm. 1510 - Tuesday

Wayne (C), Crawford, Hansen, Howard, Larson, Quick, Riepe

Committee on Committees (13)

Craighead (C)

District 1:	District 2:	District 3:
Kolterman	Harr	Erdman
Morfeld	Hilkemann	Friesen
Pansing Brooks	Howard	Groene
Schumacher	Smith (VC)	Kuehn

Enrollment and Review (1)

Wishart (C)

Reference (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

Rules (6)

Hilgers (C), Harr, Krist, Kuehn, Schumacher, Scheer (ex officio)

Executive Board of the Legislative Council (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

MESSAGES FROM THE GOVERNOR

May 10, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the State Racing Commission:

Helen Abbott Feller, 1121 18 Street, Wisner, NE 68791

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

May 10, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Nebraska Information Technology Commission:

Shane Greckel, 54172 887 Road, Bloomfield, NE 68718
Daniel Spray, 1005 Woodcrest, Norfolk, NE 68701

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 1, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is appointed as the Chief Medical Officer and Director of the Department of Health and Human Services - Division of Public Health:

Thomas L. Williams, M.D., 17728 Harney Street, Omaha, NE 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Ethanol Board:

Randy Gard, 3927 Meadow Way Trail, Grand Island, NE 68803

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Coordinating Commission for Postsecondary Education:

Gwenn Aspen, 445 N. 61 Street, Omaha, NE 68132

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Crime Victim's Reparation Committee:

Joe P. Kelly, County Attorney's Office, 575 S. 10 Street, Lincoln, NE 68508
Rita G. Sanders, City of Bellevue, 210 W. Mission Avenue, Bellevue, NE 68005
Jeffrey Davis, Sarpy County Sheriff's Office, 8335 Platteview Road,
Papillion, NE 68046

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Technical Advisory Committee on Statewide Assessment:

Chad W. Buckendahl, Ph.D., 2467 Cordoba Bluff Ct., Las Vegas, NV 89135

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

August 31, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Motor Vehicle Industry Licensing Board:

Dennis Schworer, 417 Ridgewood Drive, Bellevue, NE 68005
Stephen Budke, 920 Dillon Circle, North Platte, NE 69101

Also, contingent upon your approval, the following individual is being reappointed to the Motor Vehicle Industry Licensing Board:

William Ashburn, 4608 Hawthorne Drive, Lincoln, NE 68516

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 9, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Child Abuse Prevention Fund Board:

Lisa Knoche, 3440 S. 39 Street, Unit B, Lincoln, NE 68506
Mary Beth Hanus, 12619 Orchard Avenue, Omaha, NE 68104

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 9, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Personnel Board:

Mary Shanahan, 4930 South 72nd Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

December 15, 2016

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Arts Council:

Stephen Bader, 14724 O Circle, Omaha, NE 68137

Also, contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Paula L. Pflueger, 11811 Koenigstein Avenue, Norfolk, NE 68701
Reven Wright, 21 Red Fox Lane, Kearney, NE 68845
Melissa Marvin, 15928 Lake Street, Omaha, NE 68116

Candy Henning, 6015 The Knolls, Lincoln, NE 68512

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 3, 2017

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Tourism Commission:

Mitch Glidden, 507 SW 1st Street, Mullen, NE 69152

Also, contingent upon your approval, the following individuals are being reappointed to the Nebraska Tourism Commission:

Roger Dixon, 16641 Howard Circle, Omaha, NE 68118
Carol Schlegel, 37785 Road 721, Culberston, NE 69024
Tony Moody, 7956 S. 171 Street, Omaha, NE 68136

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 3, 2017

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska State Fair Board:

Dennis Hoffman, 301 Main Street, Thedford, NE 69166

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 3, 2017

Mr. President, Speaker Hadley
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Game and Parks Commission:

James Ernst, 11 Wildwood Drive, Columbus, NE 68601
Henry Rick Brandt, 17851 South 12th Street, Roca, NE 68430

Also, contingent upon your approval, the following individual is being reappointed to the Game and Parks Commission:

Patrick Berggren, 1109 South 5th Avenue, Broken Bow, NE 68822

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

ATTORNEY GENERAL'S OPINIONOpinion 16-010

TO: Senator Mike Groene
Nebraska Legislature

FROM: Douglas J. Peterson, Attorney General
L. Jay Bartel, Assistant Attorney General

RE: Propriety of the Use of Tax Increment Financing for the Acquisition, Planning and Preparation for Development of Undeveloped Vacant Land Under Neb. Rev. Stat. § 18-2123 (2012).

Neb. Rev. Stat. § 18-2123 (2012) provides, in part, that "[u]pon a determination, by resolution, of the governing body of the city in which such land is located, that the acquisition and development of undeveloped vacant land, not within a substandard or blighted area, is essential to the proper clearance or redevelopment of substandard or blighted areas or a necessary part of the general community redevelopment program of the city,..., the acquisition, planning, and preparation for development or disposal of such land shall constitute a redevelopment project which may be undertaken by the authority...." During the recent legislative session, you introduced LB 719, which proposes to amend § 18-2123 to provide that "[t]ax-increment financing as provided in section 18-2147 shall not be used for the acquisition, planning, and preparation for development or disposal of undeveloped vacant land as described in subsection (1) of [§ 18-2123], nor shall undeveloped vacant land be declared or designated blighted and substandard to qualify for the use of tax-increment financing." LB 719, § 1. You have requested our opinion as to whether tax increment financing may currently be used for the acquisition, planning, and preparation for development of undeveloped vacant land authorized under § 18-2123, and, if so, whether use of tax increment financing for this purpose is consistent with Neb. Const. art. VIII, § 12.

At the outset, we note it is our long-standing policy not to provide opinions to members of the Legislature on the interpretation or constitutionality of existing statutes. Op. Att'y Gen. No. 157 (Dec. 24, 1985). Accordingly, we normally would decline to provide an opinion on the question presented. As you have proposed legislation which could be impacted by our conclusion, we will proceed to respond to your question.

A. Community Development and Tax Increment Financing ["TIF"]

The Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2144 (2012 and Cum. Supp. 2014) ["CDL"] generally "authorizes a city to define and acquire substandard or blighted areas and redevelop them in

accordance with an approved redevelopment plan which in turn shall conform to the general plan for the municipality as a whole." *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 36, 277 N.W.2d 423, 425 (1979). Cities or villages may create a division or department to function as a community development agency, or may establish a Community Redevelopment Authority ["CRA"] to prepare and carry out redevelopment plans for areas which have been declared substandard and blighted. Neb. Rev. Stat. §§ 18-2101.01, 18-2102 and 18-2102.01 (2012). After a redevelopment plan has been prepared and approved, a CRA may contract with redevelopers regarding the use of property for residential, commercial, industrial, or recreational purposes or other public purposes within a community development area in accordance with the redevelopment plan, and "provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with the redevelopment plan." Neb. Rev. Stat. § 18-2107(4) (2012). Section 18-2123 of the CDL provides:

Upon a determination, by resolution, of the governing body of the city in which such land is located, that the acquisition and development of undeveloped vacant land, not within a substandard or blighted area, is essential to the proper clearance or redevelopment of substandard or blighted areas or a necessary part of the general community redevelopment program of the city, or that the acquisition and development of land outside the city, but within a radius of three miles thereof, is necessary or convenient to the proper clearance or redevelopment of one or more substandard or blighted areas within the city or is a necessary adjunct to the general community redevelopment program of the city, the acquisition, planning, and preparation for development of such land shall constitute a redevelopment project which may be undertaken by the authority in the manner provided in the foregoing sections.

Redevelopment projects may be funded by the use of "Tax Increment Financing" ["TIF"], which allows the increased property taxes generated by the redevelopment to be used to finance the redevelopment. Neb. Rev. Stat. §§ 18-2147 to 18-2153 (2007); 350 N.A.C. § 18.001.01. After a redevelopment project is approved, the city or CRA may issue TIF bonds to finance the project. *See* Neb. Rev. Stat. § 18-2124(3) (2012). A redevelopment plan may provide that real property taxes in a redevelopment project shall be divided "for a period not to exceed fifteen years after the effective date of such provision. . . ." Neb. Rev. Stat. § 18-2147(1) (2012). Taxing entities can levy taxes on real property in the project on the redevelopment project valuation, also known as the base value, which means "the assessed valuation on the taxable property in a redevelopment project last certified to the political subdivisions in the year prior to the effective date of the provision authorizing the dividing of ad valorem tax pursuant to" Neb. Rev. Stat. §§ 18-2103(21) and 18-2147 (2012). 310 N.A.C. § 18.002.15. The portion of tax assessed on real property in the

redevelopment project in excess of the base value for the current year, the redevelopment project excess valuation, is accounted for separately and used to pay off the financing or debt incurred for the project for a period not to exceed fifteen years. Neb. Rev. Stat. § 18-1247(1)(b) (2012). Notice of the provision for dividing taxes must be sent by the city or CRA to the county assessor on or before August 1 in the calendar year that the division of real property taxes is to become effective. Neb. Rev. Stat. § 18-2147(3) (2012); 350 N.A.C. § 18.003.03.

B. Constitutional Authorization of TIF

In 1978, a constitutional amendment was presented to voters to approve authorizing cities and villages to issue bonds and other evidence of indebtedness to acquire and redevelop substandard and blighted property in a redevelopment project, and to pledge and apply to pay off such indebtedness all taxes levied on the value of real property in excess of the prior year's valuation on property in the project area for a period not to exceed fifteen years. 1978 Neb. Laws, LB 469, § 1. The amendment was adopted and became Neb. Const. art. VIII, § 12. In 1984, this provision was amended to allow cities and villages to incur indebtedness to rehabilitate substandard and blighted property, in addition to permitting acquisition and redevelopment. 1984 Neb. Laws, LR 227. An amendment altering the financing provisions relating to redevelopment of substandard and blighted property by further defining the project area was approved in 1988. 1987 Neb. Laws, LR 11. Neb. Const. art. VIII, § 12, currently provides as follows:

For the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project as determined by law, any city or village of the state may, notwithstanding any other provision in the Constitution, and without regard to charter limitations and restrictions, incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise. Notwithstanding any other provision in the Constitution or local charter, such cities or villages may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies, which taxes shall be at such rate for a period not to exceed fifteen years, on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to such rehabilitation, acquisition, or redevelopment.

When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

C. Analysis

Section 18-2123 authorizes the acquisition, planning, and preparation for development of undeveloped vacant land as a redevelopment project where the land "is not within a substandard or blighted area." As Neb. Const. art. VIII, § 12, authorizes the use of TIF based "on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to [] rehabilitation, acquisition, or redevelopment", the issue is whether TIF can be used in connection with the acquisition and development of undeveloped vacant land under § 18-2123 since such land is not within an area designated as "blighted and substandard."

The Nebraska Supreme Court has recognized the following general rules governing the interpretation of constitutional provisions:

The intent and understanding of [the] framers [of a constitutional provision] and the people who adopted it as expressed in the instrument is the main inquiry in construing it. . . . The words of a constitutional provision will be interpreted and understood in their most natural and obvious meaning unless the subject indicates or the text suggests they are used in a technical sense. The court may not supply any supposed omission, or add words to or take words from the provision as framed. It must be construed as a whole, and no part will be rejected as meaningless or surplusage, if it can be avoided. If the meaning is clear, the court will give to it the meaning that obviously would be accepted and understood by the layman. . . . It is permissible to consider the facts of history in determining the meaning of the language of the Constitution. . . . It is also appropriate and helpful to consider, in connection with the historical background, the evil and mischief attempted to be remedied, the objects sought to be accomplished, and the scope of the remedy its terms imply.

State ex rel. Spire v. Beermann, 235 Neb. 384, 389-90, 455 N.W.2d 749, 752 (1990) (quoting *State ex rel. State Railway Comm'n v. Ramsey*, 151 Neb. 333, 340-41, 37 N.W.2d 502, 508 (1949) (citations omitted)).

As noted previously, art. VIII, § 12, was added to the Nebraska Constitution in 1978. As originally approved by the voters, the amendment provided that cities or villages could acquire and develop "substandard or blighted property" in a redevelopment project, and issue bonds or other evidence of indebtedness for the redevelopment to be repaid by property taxes on the assessed value of the property in excess of the assessed value for the year prior to acquisition and redevelopment for a period not to exceed fifteen years. 1978 Neb. Laws LB 469, § 1. A 1984 amendment, however, removed the word "or" between "substandard" and "blighted", replacing the word with "and". 1984 Neb. Laws LR 227, § 1. This is consistent with the CDL, which refers to development or redevelopment of

"substandard and blighted areas". See Neb. Rev. Stat. §§ 18-2102 (2012) (Declaring intent to allow cities and villages to renew "substandard and blighted areas"); 18-2103(20) (Cum. Supp. 2014) (Defining community redevelopment area as "a substandard and blighted area which the community redevelopment authority designates as appropriate for a renewal project"); 18-2107(4) (2012) (Granting CRAs various powers to rehabilitate or redevelop "substandard and blighted areas"); 18-2109 (2012) (Requiring redevelopment project area be designated as a "substandard and blighted area" prior to preparation of a redevelopment plan.).¹ The plain language of both art. VIII, § 12, and the CDL, requires limiting the use of TIF to fund redevelopment projects only if they are included in an area designated as "substandard and blighted". Accordingly, on its face, the use of TIF for the acquisition, planning, and preparation for development of undeveloped vacant land that is not within a substandard and blighted area under § 18-2123 would appear to be inconsistent with art. VIII, § 12.

In analyzing this question, however, it is necessary to consider the impact of the Nebraska Supreme Court's decision in *Fitzke v. City of Hastings*, 255 Neb. 46, 582 N.W.2d 301 (1998) [*Fitzke*]. In *Fitzke*, owners of property located near an area within the City of Hastings ["City"] challenged the City's determination that undeveloped agricultural land added to an existing redevelopment area was blighted and substandard, and granting the use of TIF for development of a campground on the land. Based on a "Blight and Substandard Determination Study" prepared by a consultant retained by the City's CRA, the City declared a portion of the City [Area 7] "blighted and substandard" and approved a redevelopment plan for the area. 255 Neb. at 48, 582 N.W.2d at 305. City officials were approached by a person with a plan to develop a campground on an undeveloped parcel of property in the northern part of the City which was being used as a cornfield. The proposed campground site was located outside of Area 7. *Id.* The consulting firm that performed the original blighted and substandard study for Area 7 could not conclude that the additional land met such criteria, but recommended it be included in Area 7. The City Council approved a resolution to add the land and "declare the expanded Area 7 as blighted and/or substandard." *Id.* at 49, 582 N.W.2d at 305. The CRA modified the Area 7 redevelopment plan to provide for development of a campground in the area added by the resolution, and, as an incentive, approved a grant to the developer to be repaid through TIF. *Id.* at 50, 582 N.W.2d at 305. The CRA then entered into a redevelopment contract for construction of the campground. *Id.*, 582 N.W.2d at 306.

The *Fitzke*'s and other owners of property near the proposed campground challenged the legality of including the campground site in Area 7, and the

¹ The terms "Substandard areas" and "Blighted area" are defined, respectively, in Neb. Rev. Stat. § 18-2103(10) and (11) (Cum. Supp. 2014).

grant of TIF. *Id.* at 50-51, 582 N.W.2d at 306. The trial court found the addition of land to Area 7 was improper because "[l]and may not be added to an existing redevelopment area unless it is established that the additional land is itself blighted or substandard." *Id.* at 51, 582 N.W.2d at 306. The trial court further determined that, "[u]nless necessary to relieve blight or substandard conditions on a specific site the mere incorporation of land into a redevelopment area is not sufficient to qualify the land for a blight or substandard designation...", and that there was "no showing that the proposed development would eliminate any identifiable blight or substandard condition." *Id.* Ultimately, the trial court concluded that the blighted and substandard designation of the expanded Area 7 was "contrary to the specific limitations of the relevant statutes of the State of Nebraska and [was] invalid...", and rescinded the redevelopment contract, declaring it "void from its inception." *Id.*

On appeal, the Nebraska Supreme Court addressed the propriety of the trial court's finding that the blighted and substandard designation was invalid, and its determination that the redevelopment contract and grant of TIF were therefore void. Discussing the CDL generally, the court recognized that "statutes similar to the CDL have been interpreted as applying to areas rather than individual properties, and courts have refused to invalidate blight determinations with respect to an area merely because a single parcel within the area would not be considered blighted if viewed in isolation." 255 Neb. at 58, 582 N.W.2d at 310. Indeed, the court recognized it "acknowledged this 'area rule' in" a prior case. *Id.* (citing *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 41, 277 N.W.2d 423, 428 (1979)).

Noting it was "undisputed" that the land which included the proposed campground site "consisted of undeveloped land used exclusively as a cornfield prior to its incorporation in Area 7...", and that the CRA's "consultant was unable to state that this parcel was itself blighted or substandard within the meaning of the CDL...", the court found that, "in light of the area rule", it "disagreed with the conclusion of the district court that land may not be added to an existing redevelopment area unless the additional land is itself blighted or substandard." *Id.* at 59-60, 582 N.W.2d at 310-11. The court stated that "[t]he CDL does not specifically address the question of the incorporation of territory into an existing community development area which has previously been declared blighted or substandard." *Id.* at 59, 582 N.W.2d at 311. Prior to addressing this question, the court discussed various provisions of the CDL, including: (1) identification of a community development area declared to be substandard and blighted; (2) formulation of a redevelopment plan for the area; and (3) implementation of the redevelopment by means such as acquisition, sale, leasing, and contracting for redevelopment. *Id.* at 60, 582 N.W.2d at 311. Included in the court's discussion was reference to § 18-2123, which it stated "provides that undeveloped and vacant land situated within a city but not within a substandard or blighted area may not constitute a

redevelopment project under the CDL unless the governing body of the city first determines by resolution that such land 'is essential to the proper clearance or redevelopment of substandard or blighted areas or is a necessary part of the general community redevelopment program of the city.'" *Id.* at 61, 582 N.W.2d at 311.

Following this discussion of the CDL, the court stated:

Under this statutory scheme, a private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment....If a private development project is ineligible for tax increment financing because it is located on land which is not blighted or substandard within the meaning of the CDL, it logically follows that eligibility could not be created by simply incorporating the project site into an adjacent area which has been declared blighted or substandard and revising the redevelopment plan for that area to include the project. Such a result would be contrary to the legislative intent underlying the CDL, which is to eliminate blighted and substandard urban areas through a cooperative effort of the public and private sectors, not to aid private developers. We therefore hold that under the CDL, land cannot be added to an existing community redevelopment area unless (1) the additional land is declared blighted or substandard within the meaning of the CDL *or* (2) the additional land is reasonably necessary to accomplish the implementation of the existing redevelopment plan. *Id.* at 61, 582 N.W.2d at 311-12 (citations omitted) (emphasis in original).

Applying this test, the court noted it was undisputed that the land which included the campground site "was not itself blighted or substandard within the meaning of the CDL...", and that the district court found there was "no showing that the proposed development would eliminate any identifiable blight or substandard condition" of Area 7. *Id.* at 62, 582 N.W.2d at 312. The record also did not show "that the incorporation of this tract into Area 7 was reasonably necessary to carry out the redevelopment plan for Area 7...." Further, "the record contain[ed] no facts establishing that the development of the campground was necessary for the elimination of blight and substandard conditions in the original Area 7, pursuant to the original redevelopment plan." *Id.* In view of these facts, the court concluded that, "[w]hile construction and operation of the campground may have been a desirable economic development for Hastings, this factor alone [did] not justify incorporating the campground site into an existing redevelopment area to permit the use of tax increment financing as an incentive to the developer." *Id.* The court thus affirmed the district court's finding that the

expansion of Area 7 to include the campground was arbitrary and not supported by the evidence, and its determination that the redevelopment contract authorizing the TIF grant "was invalid and void ab initio." *Id.*

Fitzke establishes that undeveloped land may be added to a redevelopment area if it is either declared "blighted and substandard" or is "reasonably necessary to accomplish" implementation of an existing redevelopment plan. Section 18-2123 authorizes the governing body of a city to acquire and develop undeveloped vacant land within the city, even though it is not in a substandard or blighted area, if the governing body determines by resolution that it "is essential to the proper clearance or redevelopment of substandard or blighted areas or a necessary part of the general community development program of the city...." The requirement that the acquisition or development of the undeveloped vacant land be "essential" to redevelopment or "a necessary part" of the city's community development program is akin to the test announced by the court in *Fitzke*, which recognizes that, if undeveloped land is not itself substandard and blighted, it can be included in a redevelopment area (and thus be eligible for TIF) if it is "reasonably necessary" to implementation of an existing redevelopment plan.² Accordingly, the use of TIF for the purposes set out in § 18-2123 may be deemed proper for undeveloped vacant land which is not within a substandard and blighted area, provided the land is "essential" to redevelopment of substandard or blighted areas or a "necessary part" of the community redevelopment program.³

CONCLUSION

Neb. Const. art. VIII, § 12, authorizes the use of TIF "for the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project" within "a designated blighted and substandard

² Of course, if undeveloped vacant land is within a substandard and blighted area, § 18-2123 is not applicable. Also, if undeveloped vacant land is declared substandard and blighted under § 18-2109 as part of a redevelopment plan for a redevelopment project area, the TIF authorization contained in § 18-2147 would apply. We express no opinion as to whether undeveloped or vacant land may be declared substandard and blighted.

³ Section 18-2123 also authorizes "the acquisition and development of land outside the city, but within a radius of three miles thereof, [which] is necessary or convenient to the proper clearance or redevelopment of one or more substandard or blighted areas within the city or is a necessary adjunct to the general community redevelopment program of the city...." Given the similar "necessity" requirement for the acquisition and development of land outside the city limits in this portion of the statute, this presumably also authorize the use of TIF in connection land acquired for these purposes.

area." As § 18-2123 relates to acquisition or development of undeveloped vacant land which is "not within a substandard or blighted area", applying the literal language of art. VIII, § 12, appears to foreclose the use of TIF in relation to the acquisition, planning, and preparation for development of such land as a redevelopment project. In *Fitzke*, however, the Nebraska Supreme Court held that, under the CDL, land cannot be added to an existing community redevelopment area and qualify for TIF unless "(1) the additional land is declared blighted or substandard within the meaning of the CDL or (2) the additional land is reasonably necessary to accomplish the implementation of the existing redevelopment plan." 255 Neb. at 61, 582 N.W.2d at 312 (emphasis in original). The requirement in § 18-2123 that the acquisition or development of the undeveloped vacant land be "essential" to redevelopment or "a necessary part" of the city's community development program is akin to the test announced by the court in *Fitzke* recognizing that, if undeveloped land is not itself substandard and blighted, it can be included in a redevelopment area (and thus be eligible for TIF) if it is "reasonably necessary" to implementation of an existing redevelopment plan. Accordingly, despite the "substandard and blighted" requirement in art. VIII, § 12, the *Fitzke* decision indicates that the use of TIF for the purposes set out in § 18-2123 may be proper for undeveloped vacant land which is not within a substandard and blighted area, provided the land is "essential" to redevelopment of substandard and blighted areas or a "necessary part" of the community redevelopment program. As the question of whether TIF may be used in connection with the acquisition, planning, preparation, and development of undeveloped vacant land under § 13-2123 is not certain, you may wish to pursue clarifying legislation.⁴

Very truly yours,
Douglas J. Peterson
Attorney General
(Signed) L. Jay Bartel
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

07-1062-29

⁴ LB 719, of course, is not limited to amending § 18-2123 to provide that TIF may not be used for the acquisition, planning, and preparation for development of undeveloped vacant land under the limited circumstances set out in that statute. It would, in addition, provide that no undeveloped vacant land can "be declared or designated blighted and substandard to qualify for the use of" TIF.

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>

COMMUNICATION(S)

Received a copy of Senate Joint Resolution 4, Sections 3 and 8, from the state of Oklahoma calling for a convention of the states under Article V of the United States Constitution for the purpose of proposing amendments to the United States Constitution related to balancing the federal budget, imposing fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government, and limiting the terms of office for its officials and for members of Congress.

**2016 INTERIM REPORT
 ON THE DISPOSITION OF
 INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
498	Study Nebraska Right to Farm Act		X	
535	Study means to assist livestock producers marketing in direct and regional markets			X
536	Study to investigate means to reduce conflict between pesticide use and sensitive crops	X		
537	Study animal ID authorities of the Department of Agriculture			X
569	Study means to fund a grant program authorized under the Livestock Growth Act			X
570	Study Activities of the Department of Agriculture with respect to an ag promotion and development program authorized by §2-3815			X
573	Study to examine the history and current commercial activity with respect to industrial hemp			X
595	Study to examine food deserts		X	

598	Study to examine copyright barriers to ownership privileges and provision of repair services for ag machinery and equipment and other consumer items			X
612	Study issues within the jurisdiction of the Agriculture Committee (Nebraska Brand Committee)		X	

Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
502	Interim study to examine the use of revolving funds within the Dept. of Administrative Services	X		
509	Interim study to examine the funding history, programs, and services offered by the Cooperative Extension Service of the University of Nebraska			X
517	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund	X		
552	Interim study to develop a plan to address funding and budgetary issues relating to climate change		X	
577	Interim study to examine issues under the jurisdiction of the Appropriations Committee		X	
580	Interim study to examine the Dept. of Health and Human Services' policies for dealing with disallowances and audit exceptions by the federal government which have resulted in large fines and having to return money to the federal government		X	
588	Interim study to determine best practices in drafting tax legislation and determining the fiscal impact of tax policies		X	

Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
430	Interim study to examine whether the Nebraska Banking Act should be updated		X	
431	Interim study to examine whether the Securities Act of Nebraska should be updated		X	
493	Interim study to examine whether the Nebraska Appraisal Management Company Registration Act should be updated		X	
508	Interim study to examine possible changes to the Nebraska Model Business Corporation Act		X	
521	Interim study to examine the business practices of pharmacy benefit managers as those practices relate to such managers' arrangements with private entities, insurers, pharmacies, and the State of Nebraska			X
554	Interim study to examine information regarding air ambulance costs			X
591	Interim study to examine and make recommendations on improving health care coverage plans available to Nebraska small businesses with fifty or less employees			X

Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
512	Interim study to examine the Commission of Industrial Relations		Hearing held Oct. 21, 2016	
520	Interim study to provide a review of the administration and enforcement of the Employee Classification Act by the Dept. of Labor			X

533	Interim study to examine promoting career education and training that can lead to job readiness for middle-skill jobs		Hearing held Oct. 21, 2016	
556	Interim study to examine the conveyances currently covered by the Conveyance Safety Act			X

Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
587	Interim study to examine the issues within the jurisdiction of the Education Committee		X	
564	Interim study to examine education in Nebraska		X	
586	Interim study to examine the effects of transferring public school employees from the system of district-based health insurance plans to the Nebraska State Insurance Program		X	
559	Interim study to examine the feasibility and impact of implementing the Civics Education Initiative in Nebraska through legislation or in partnership with the State Board of Education			X
581	Interim study to examine the positive and negative effects of federal education funding if Nebraska would choose not to accept federal funds that are tied to federal mandates			X

General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
541	Interim study to examine the economic benefits of keno		X	
542	Interim study to examine the issues within the jurisdiction of the General Affairs Committee		X	

567	Interim study to examine and review the sale of alcohol in Whiteclay and the need for additional funding for law enforcement		X	
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Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
504	Interim study to examine the numerous deadlines involved in the election process		X	
530	Interim study to examine the voting processes and procedures available for citizens who are hospitalized or who reside in nursing homes or extended care facilities		X	
557	Interim study to examine what actions the State of Nebraska needs to take to meet the United States Department of Defense's mandates regarding energy and renewable resources		X	
558	Interim study to evaluate the governance structure of the Nebraska Educational Telecommunications Commission		X	
583	Interim study to examine administrative law judges in Nebraska		X	
596	Interim study to examine issues within the jurisdiction of the Government, Military & Veterans Affairs Committee		X	
597	Interim study to examine financing mechanisms available to various political subdivisions to issue bonds or assume future payment obligations without a direct vote of taxpayers		X	

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
397	Interim study to monitor the health care transformation in Nebraska			X
412	Interim study to improve communication access for movie theaters in Nebraska to ensure all persons can fully experience the movie theater experience			X
415	Urge the Nebraska congressional delegation to support and co-sponsor Senate Bill 1989 entitled Primary Care Enhancement Act of 2015			X
463	Interim study to examine ways to improve the coverage of hearing aid costs for Nebraska families			X
499	Interim study to examine any issues within the jurisdiction of the Health and Human Services Committee		X	
507	Interim study to examine the development of a public notification system to broadcast alerts when vulnerable adults go missing		X	
510	Interim study to examine how to best integrate palliative care into the overall medical care structure of our health care system			X
513	Interim study to examine workforce issues within the child welfare and juvenile justice systems		X	
514	Interim study to examine the availability of transition services for youth who will leave or have left the juvenile justice system while in an out-of-home placement	X		

522	Interim study to examine the issue of how to best educate the public and create awareness about the risks associated with sun exposure and ultraviolet radiation exposure			X
523	Interim study to examine Nebraska law regarding the protection of children who have reached eighteen years of age but have not yet reached the age of majority		X	
529	Interim study to examine the ongoing implementation of the federal Preventing Sex Trafficking and Strengthening Families Act of 2014 and related state law and policy		X	
544	Interim study to examine the alternative response demonstration projects created in LB 853, 2014			X
545	Interim study to examine medicaid and the Children's Health Insurance Program, with an emphasis on children that are eligible but unenrolled in these programs			X
548	Interim study to examine issues surrounding youth tobacco use			X
551	Interim study to explore and assess the use of congregate care in Nebraska for youth in the child welfare and juvenile justice systems			X
553	Interim study to examine issues surrounding the Medicaid Reform Council			X
572	Interim study to examine issues surrounding the Division of Veterans' Homes of the Dept. of Health and Human Services and wait times for admission to the veterans' homes system			X
574	Interim study to examine aspects of Nebraska's medicaid program that include share of cost or resource spend down components			X

575	Interim study to continue the ongoing study of access to healthcare in Nebraska			X
582	Interim study to examine how, through better coordination of health services, the state can better assist low-income individuals currently without insurance			X
590	Interim study to examine options to offer incentives to health care professionals who provide free care and services to qualified recipients			X
602	Interim study to examine existing barriers to the delivery of health care services through telehealth technologies in Nebraska			X
603	Interim study to examine the issues faced by residents of mobile home communities			X

Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
506	Interim study to examine the efficacy of testing and monitoring programs, particularly the 24/7 sobriety program, in reducing recidivism for driving under the influence and controlled substance offenses		X	
518	Interim study to review issues surrounding child custody proceedings and parenting time determinations as they pertain to families of divorce			X
525	Interim study to examine issues associated with treating an individual licensed under the Nebr. Real Estate License Act as a professional for purposes of civil actions for professional negligence			X

527	Interim study to examine possible legislative reforms to Nebraska's mandatory minimum sentencing laws			X
532	Interim study to evaluate the effectiveness and success of the Office of Violence Prevention			X
543	Interim study to examine possible legislative reforms to Nebraska laws relating to birth certificates			X
546	Interim study to examine whether Nebraska's occupational licensing boards are exposed to liability under antitrust laws			X
549	Interim study to examine issues relating to utilization of the U visa program in Nebraska			X
550	Interim study to examine the feasibility of creating a common data collection site for county jail information necessary to receive funding under the County Justice Reinvestment Grant Program		X	
560	Interim study to examine the origins and utility of using court fees as a source of funding in Nebraska			X
561	Interim study to examine the effectiveness, economic stability, and long-term viability of the Youth Rehabilitation and Treatment Center in Kearney and the Youth Rehabilitation and Treatment Center in Geneva		X	
566	Interim study to examine the availability of education, rehabilitation, and reentry support for incarcerated men and women		X	
568	Interim study to examine the membership, role, and duties of the Nebraska Police Standards Advisory Council			X
576	Interim study to examine children's access to legal counsel in juvenile proceedings across the state of Nebraska			X
578	Interim study to examine the Developmental Disabilities Court-Ordered Custody Act			X

584	Interim study to examine the possibility of providing direct and statewide funding for legal representation in order to provide more equitable access to civil justice in Nebraska			X
589	Interim study to examine issues within the jurisdiction of the Judiciary Committee			X

Natural Resources

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
402	Interim study to examine issues surrounding the blending of various fuels in Nebraska and the impact of right to blend laws in other states			X
579	Interim study to examine issues relating to solar energy development		X	

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
483	Examine public employees' retirement systems administered by the Public Employees Retirement Board		X	
534	Examine whether the state can divest from fossil fuels and invest in clean energy consistent with fiduciary obligations			X
571	Examine local political subdivision retirement plans	X		

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
511	Examine Existing Law on Remote Sales Tax Collection	X		
555	Study Process and Procedures of Appeals Before the TERC	X		
604	Examine Inconsistencies in Determining Ag Land Value		X	

600	Examine Alternatives for Valuing Ag Land		X	
563	Examine Substantial Tax Rates on Wireless Phone Service		X	
562	Examine Why Legislative Bills 20, 357 & 454 Failed to Pass the Legislature		X	
452	Establish Study Group to Examine Issues of the Need to Provide Financial Assistance for Home Accessibility Modifications for People with Disabilities Including Elderly		X	
592	Examine All Types of Income Taxation		X	
593	Examine Property Taxes		X	
594	Examine Sales, Use and Miscellaneous Taxes		X	

Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
538	Telecommunications Services in Nebraska Legislature		X	
519	Study Update of the One-Call Notification Act		X	
539	Jurisdiction and Structure of the Nebraska Public Service Commission		X	
599	Review the Rate Review Processed Currently Conducted by the Nebraska Public Service Commission		X	

Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
439	Interim study to examine the use of tax-increment financing by municipalities for residential development		X	
464	Interim study to examine the effects of the use of tax-increment financing by municipalities			X

489	Interim study to examine issues relating to housing authorities		X	
490	Interim study to examine the enforcement of state and local building codes		X	
495	Interim study to examine state law governing cities of the second class and villages in Chapter 17 of the Nebraska statutes		X	
496	Interim study to examine issues within the jurisdiction of the Urban Affairs Committee			X
526	Interim study to examine municipal classifications		X	
565	Interim study to examine land acquisition within municipalities for educational purposes			X
605	Interim study to examine issues relating to urban redevelopment			X

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1. Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to ethanol; to amend section 66-1333, Reissue Revised Statutes of Nebraska, and section 66-1345, Revised Statutes Cumulative Supplement, 2016; to eliminate defined terms; to repeal obsolete provisions relating to the Ethanol Production Incentive Cash Fund and a corn and grain sorghum excise tax; to eliminate a penalty; to repeal the original sections; and to outright repeal section 66-1345.03, Reissue Revised Statutes of Nebraska, and sections 66-1345.01, 66-1345.02, and 66-1345.04, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 2. Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to agriculture; to amend section 54-857, Revised Statutes Cumulative Supplement, 2016; to eliminate an obsolete provision relating to a report on dairy production and processing; to harmonize provisions; to repeal the original section; and to outright repeal section 2-3993, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 3. Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to the Communications Cash Fund; to amend section 81-1120.22, Reissue Revised Statutes of Nebraska; to repeal provisions that terminated July 31, 2011; to harmonize provisions; to repeal the original section; and to outright repeal section 81-1120.23, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 4. Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to the Medical Home Pilot Program Act; to repeal provisions that terminated June 30, 2014; and to outright repeal sections 68-957, 68-958, 68-960, and 68-961, Reissue Revised Statutes of Nebraska, and section 68-959, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 5. Introduced by Executive Board: Watermeier, 1, Chairperson.

A BILL FOR AN ACT relating to the Small Business Innovation Act; to repeal provisions that terminated December 31, 2014; and to outright repeal sections 81-12,136, 81-12,137, 81-12,138, 81-12,139, 81-12,140, 81-12,141, 81-12,142, and 81-12,143, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 6. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Office of the Inspector General of Nebraska Child Welfare Act; to amend section 43-4325, Reissue Revised Statutes of Nebraska; to provide for release of a summarized final report as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 7. Introduced by Krist, 10.

A BILL FOR AN ACT relating to jails and correctional facilities; to amend section 47-706, Revised Statutes Cumulative Supplement, 2016; to provide for suspension of medical assistance for detainees in public institutions as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 8. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-253, 43-286, and 43-286.01, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to juvenile detention and probation; to provide for graduated response sanctions and incentives as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 9. Introduced by Krist, 10.

A BILL FOR AN ACT relating to radon; to adopt the Radon Resistant New Construction Act; and to create a task force.

LEGISLATIVE BILL 10. Introduced by Krist, 10.

A BILL FOR AN ACT relating to courts; to amend section 43-2,119, Reissue Revised Statutes of Nebraska; to increase the number of judges of the separate juvenile court as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 11. Introduced by Krist, 10.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-1816 and 43-274, Reissue Revised Statutes of Nebraska; to change provisions relating to transfer of juvenile cases; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 12. Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3510 and 77-3514, Revised Statutes Cumulative Supplement, 2016; to change homestead exemption requirements relating to income statements and certifications of status; and to repeal the original sections.

LEGISLATIVE BILL 13. Introduced by Krist, 10.

A BILL FOR AN ACT relating to state government; to amend sections 60-1404, 72-723, 72-2210, 72-2213, 80-401.11, 81-1108.36, and 81-1108.38, Reissue Revised Statutes of Nebraska, and section 3-106, Revised Statutes Cumulative Supplement, 2016; to change provisions regarding office space and state property; to provide and change duties for the Nebraska Capitol Commission and the Office of the Nebraska Capitol Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 14. Introduced by Krist, 10.

A BILL FOR AN ACT relating to education; to state intent; and to provide for successful completion of a civics test as a prerequisite to high school graduation as prescribed.

LEGISLATIVE BILL 15. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to adopt the First-Time Home Buyer Savings Account Act; to provide for income tax adjustments as prescribed; and to repeal the original section.

LEGISLATIVE BILL 16. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend sections 81-885.13, 81-885.17, 81-885.19, and 81-885.21, Reissue Revised Statutes of Nebraska, and section 81-885.24, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to applications for licenses and display and verification of licenses; to provide for rules and regulations relating to broker trust accounts; to provide an unfair trade practice; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 17. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to real property; to amend sections 76-2228.02, 76-3201, 76-3202, 76-3203, 76-3204, 76-3205, 76-3206, 76-3207, 76-3208, 76-3210, 76-3212, 76-3213, 76-3214, 76-3215, 76-3216, and 76-3217, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to the Real Property Appraiser Act and the Nebraska Appraisal Management Company Registration Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 18. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend sections 38-1101, 38-1102, 38-1107, 38-1116, 38-1119, 38-1121, 38-1130, 38-1131, 38-1132, 38-1135, and 38-1136, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to dental assistants and licensed dental hygienists; to provide for licensed dental assistants, expanded function dental assistants, and expanded function dental hygienists; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 19. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to acupuncture; to amend section 38-2058, Reissue Revised Statutes of Nebraska; to change requirements for the practice of acupuncture; and to repeal the original section.

LEGISLATIVE BILL 20. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3508, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to homestead exemption certifications; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 21. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-1439.01, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to primary and secondary motor vehicle insurance

coverage for loaned vehicles; and to repeal the original section.

LEGISLATIVE BILL 22. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2015, LB259A, section 2; Laws 2015, LB469A, section 1; Laws 2015, LB605A, section 8; Laws 2015, LB657, sections 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 25, 26, 27, 28, 29, 32, 34, 38, 39, 44, 51, 53, 54, 55, 56, 58, 67, 68, 71, 80, 83, 84, 85, 90, 94, 95, 97, 99, 100, 101, 107, 108, 112, 113, 114, 119, 126, 127, 129, 131, 133, 134, 136, 137, 138, 139, 140, 145, 150, 152, 153, 154, 155, 163, 166, 167, 169, 171, 174, 175, 178, 179, 188, 191, 192, 194, 195, 202, 204, 211, 213, 216, 218, 219, 221, 223, 224, 226, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 244, 245, 246, 247, 249, 256, and 260; Laws 2015, LB659, sections 7, 15, and 17; Laws 2015, LB660, sections 35 and 40; Laws 2016, LB956, sections 7, 10, 39, 41, 42, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 61, 62, 63, 65, 66, and 67; and Laws 2016, LB1038A, section 1; to define terms; to provide, change, and eliminate provisions relating to appropriations; to reduce appropriations; to state intent; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 23. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend sections 12-1301, 19-102, 19-103, 24-231, 29-3921, 60-3,218, 68-940.01, 71-7450, 81-179, 81-638, 81-885.15, 81-1558, 85-1414.01, and Reissue Revised Statutes of Nebraska, sections 2-1222, 60-1409, 66-204, and 85-1414.01, Revised Statutes Cumulative Supplement, 2016, and Laws 2015, LB661, section 4; to provide for transfers of funds; to harmonize provisions; to terminate funds; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 24. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2016; to provide for a transfer; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 25. Introduced by Murante, 49.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-710, 32-713, 32-714, and 32-1038, Reissue Revised Statutes of Nebraska; to change provisions relating to ballots cast by presidential electors; and to repeal the original sections.

LEGISLATIVE BILL 26. Introduced by Murante, 49.

A BILL FOR AN ACT relating to harassment protection orders; to amend section 28-311.09, Reissue Revised Statutes of Nebraska; to change service requirements for such orders; and to repeal the original section.

LEGISLATIVE BILL 27. Introduced by Murante, 49.

A BILL FOR AN ACT relating to state and local government; to amend sections 81-1118, 81-1348, and 84-321, Reissue Revised Statutes of Nebraska, and sections 13-513, 73-506, 84-304, and 84-311, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Nebraska Budget Act; to provide for late fees and remedial fees; to change provisions relating to the duration of certain state agency contracts and membership of the Suggestion Award Board; to authorize additional assistant deputies for and sharing of working papers by the Auditor of Public Accounts; to provide the rate of interest on and liability for certain delinquent payments; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 28. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Nebraska Capital Expansion Act; to amend section 72-1263, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the amount of funds offered to banks and other financial institutions as deposits; and to repeal the original section.

LEGISLATIVE BILL 29. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Cash Fund; to amend sections 72-1249 and 79-9,115, Revised Statutes Cumulative Supplement, 2016; to eliminate the fund; to change a provision relating to expenses charged to the Class V School Employees Retirement Fund; and to repeal the original sections.

LEGISLATIVE BILL 30. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to provide for a cash balance benefit plan by cities of the metropolitan class and primary class for certain police officers or firefighters as prescribed; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 31. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to school retirement plans; to amend sections 79-933.08 and 79-958, Reissue Revised Statutes of Nebraska, and sections 79-902 and 79-978, Revised Statutes Cumulative Supplement, 2016; to redefine terms; to change provisions relating to the purchase of service credit within twelve months of retirement; to harmonize provisions;

to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 32. Introduced by Kolterman, 24; Watermeier, 1.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2334 and 84-1319, Reissue Revised Statutes of Nebraska, and section 23-2317, Revised Statutes Cumulative Supplement, 2016; to eliminate a duty of the Public Employees Retirement Board to provide tax information to county and state employees; to change provisions relating to prior service retirement benefit payments under the County Employees Retirement Act; and to repeal the original sections.

LEGISLATIVE BILL 33. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to vital statistics; to amend section 71-612, Revised Statutes Cumulative Supplement, 2016; to change fees for multiple copies of death certificates; and to repeal the original section.

LEGISLATIVE BILL 34. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to elections; to amend section 32-610, Reissue Revised Statutes of Nebraska; to change filing provisions relating to partisan candidates; and to repeal the original section.

LEGISLATIVE BILL 35. Introduced by Harr, 8.

A BILL FOR AN ACT relating to corporations; to amend sections 21-201, 21-214, 21-217, 21-220, 21-254, 21-255, 21-264, 21-265, 21-266, 21-271, 21-275, 21-283, 21-285, 21-2,103, 21-2,113, 21-2,114, 21-2,120, 21-2,123, 21-2,124, 21-2,171, 21-2,172, 21-2,173, 21-2,197, 21-2,201, and 21-2,222, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Nebraska Model Business Corporation Act; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 36. Introduced by Harr, 8.

A BILL FOR AN ACT relating to state agencies; to amend section 84-920, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Administrative Procedure Act; to provide for review by agencies of occupational credentials as prescribed; to provide for a critical assessment document; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 37. Introduced by Harr, 8.

A BILL FOR AN ACT relating to garnishment; to amend sections 25-1056, 25-1552, 36-213, and 43-3334, Reissue Revised Statutes of Nebraska; to adopt the Uniform Wage Garnishment Act; to harmonize provisions; to provide an operative date; to provide severability; to repeal the original sections; and to outright repeal section 25-1558, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 38. Introduced by Harr, 8.

A BILL FOR AN ACT relating to the register of deeds; to amend section 23-1503.01, Reissue Revised Statutes of Nebraska; to authorize digital or electronic signatures as prescribed; and to repeal the original section.

LEGISLATIVE BILL 39. Introduced by Harr, 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101 and 29-820, Reissue Revised Statutes of Nebraska; to prohibit the purchase, sale, offer for sale, trade, or barter of ivory as prescribed; to define a term; to provide a penalty; to provide for the disposition of ivory seized as contraband; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 40. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to school transportation; to amend section 79-609, Reissue Revised Statutes of Nebraska; to prohibit use of an interactive wireless communication device by a school bus operator as prescribed; and to repeal the original section.

LEGISLATIVE BILL 41. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,268, Revised Statutes Cumulative Supplement, 2016; to change child passenger restraint system enforcement from a secondary offense to a primary offense; and to repeal the original section.

LEGISLATIVE BILL 42. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-6,265, 60-6,267, and 71-1907, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to occupant protection systems for children; to adopt certain federal safety provisions; and to repeal the original sections.

LEGISLATIVE BILL 43. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-435, 86-457, and 86-903, Reissue Revised Statutes of Nebraska; to change provisions relating to surcharges for 911 service; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 44. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Remote Seller Sales Tax Collection Act; and to declare an emergency.

LEGISLATIVE BILL 45. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend section 80-414, Reissue Revised Statutes of Nebraska, and sections 60-3,122.03 and 60-3,122.04, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to Military Honor Plates; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 46. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend section 43-1906, Reissue Revised Statutes of Nebraska, and sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2016; to provide additional funding for the Nebraska Child Abuse Prevention Fund; to provide for Choose Life License Plates; to change provisions relating to personalized message license plates; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 47. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to county government; to amend sections 23-1822, 33-138, 33-139, and 48-135, Reissue Revised Statutes of Nebraska; to change provisions relating to the payment of fees and costs associated with grand juries and the deaths of incarcerated persons; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 48. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to provide an income tax adjustment relating to certain gains on the sale of real estate; and to repeal the original section.

LEGISLATIVE BILL 49. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2714, Reissue Revised Statutes of Nebraska, and section 77-2701, Revised Statutes Cumulative Supplement, 2016; to provide for the treatment of certain amendments to the Internal Revenue Code; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 50. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to behavioral health services; to amend section 71-801, Revised Statutes Cumulative Supplement, 2016; to provide duties for the Division of Behavioral Health of the Department of Health and Human Services and the regional governing authorities; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 51. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1859, Reissue Revised Statutes of Nebraska, and sections 19-5217, 77-1807, 77-1812, 77-1824, 77-1825, and 77-1831, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to sales of real property for nonpayment of taxes; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 52. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Modern Tax Act; to impose a tax on the interest paid on certain loans; and to provide an operative date.

LEGISLATIVE BILL 53. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-105 and 29-2221, Reissue Revised Statutes of Nebraska; to change provisions relating to mandatory minimum sentencing and sentencing of habitual criminals; to provide for three-judge panel sentencing hearings as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 54. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,168, Reissue Revised Statutes of Nebraska; to change provisions relating to unattended motor vehicles; and to repeal the original section.

LEGISLATIVE BILL 55. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to county roads maintenance; to amend section 39-1811, Reissue Revised Statutes of Nebraska; to change a provision relating to the frequency of the mowing of weeds by landowners; and to repeal the original section.

LEGISLATIVE BILL 56. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to accountants; to amend section 1-136.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to experience requirements for issuance of a permit; and to repeal the original section.

LEGISLATIVE BILL 57. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to unsworn declarations; to amend sections 28-915 and 28-915.01, Reissue Revised Statutes of Nebraska; to adopt the Uniform Unsworn Foreign Declarations Act; to change provisions relating

to perjury; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 58. Introduced by Kintner, 2; Brasch, 16; Erdman, 47.

A BILL FOR AN ACT relating to schools; to amend section 79-2,136, Reissue Revised Statutes of Nebraska; to change provisions relating to participation in school-sponsored extracurricular activities; and to repeal the original section.

LEGISLATIVE BILL 59. Introduced by Kintner, 2; Brasch, 16; Brewer, 43; Erdman, 47.

A BILL FOR AN ACT relating to health care facilities; to amend section 71-401, Revised Statutes Cumulative Supplement, 2016; to require the Department of Health and Human Services and health care facilities to provide information regarding abortion; to harmonize provisions; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 60. Introduced by Lindstrom, 18; Friesen, 34; Groene, 42.

A BILL FOR AN ACT relating to the Parenting Act; to amend section 43-2933, Reissue Revised Statutes of Nebraska; to change provisions relating to limitation or denial of custody or access to a child; and to repeal the original section.

LEGISLATIVE BILL 61. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to health care; to amend sections 38-2028 and 38-2034, Reissue Revised Statutes of Nebraska; to adopt the Interstate Medical Licensure Compact; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 62. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to schools; to eliminate provisions prohibiting the wearing of religious garb by teachers in public schools; to eliminate penalties; to harmonize provisions; and to outright repeal sections 79-898 and 79-899, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 63. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.10, Revised Statutes Cumulative Supplement, 2016; to eliminate a sales and use tax exemption relating to political events; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 64. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Adrenal Insufficiency Diagnosis Information and Support Act.

LEGISLATIVE BILL 65. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to provide income tax credits for caregivers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 66. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Uninsured and Underinsured Motorist Insurance Coverage Act; to amend sections 44-6410 and 44-6411, Reissue Revised Statutes of Nebraska; to change provisions relating to stacking of coverage; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 67. Introduced by Brasch, 16; Brewer, 43; Erdman, 47; Groene, 42; Halloran, 33; Kintner, 2; Lowe, 37.

A BILL FOR AN ACT relating to trade practices; to adopt the Fair Repair Act.

LEGISLATIVE BILL 68. Introduced by Hilgers, 21; Brewer, 43; Ebke, 32; Geist, 25; Groene, 42; Kolterman, 24; Larson, 40; Lindstrom, 18; Lowe, 37; Murante, 49; Watermeier, 1.

A BILL FOR AN ACT relating to firearms; to amend sections 15-255, 17-556, and 18-1703, Reissue Revised Statutes of Nebraska, and sections 14-102, 16-227, and 23-187, Revised Statutes Cumulative Supplement, 2016; to prohibit certain regulation of firearms, ammunition, and firearm accessories by cities, villages, and counties as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 69. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to increase the earned income tax credit as prescribed; and to repeal the original section.

LEGISLATIVE BILL 70. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,109, Reissue Revised Statutes of Nebraska, and section 60-4,108, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to operator's license revocation; and to repeal the original sections.

LEGISLATIVE BILL 71. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Nebraska Tree Recovery Program; to amend section 72-1902, Reissue Revised Statutes of Nebraska; to change legislative intent relating to appropriations; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 72. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Nebraska Governmental Unit Security Interest Act; to amend sections 10-1101, 10-1102, 10-1104, 10-1105, and 10-1106, Reissue Revised Statutes of Nebraska, and sections 10-1103, 70-1813, and 70-1819, Revised Statutes Cumulative Supplement, 2016; to rename the act; to define and redefine terms; to provide for governmental unit bond priority; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 73. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to tobacco; to amend sections 28-1418, 28-1418.01, 28-1419, 28-1421, 28-1424, 28-1425, 28-1427, and 28-1429.01, Reissue Revised Statutes of Nebraska; to prohibit the use, consumption, or obtaining of tobacco, vapor products, and alternative nicotine products by persons under twenty-one years of age; to prohibit the sale or transfer of tobacco, vapor products, and alternative nicotine products to persons under twenty-one years of age; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 74. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to cities and villages; to amend sections 16-130 and 17-407, Reissue Revised Statutes of Nebraska, and sections 17-1002 and 18-3001, Revised Statutes Cumulative Supplement, 2016; to change county population thresholds relating to annexation, suburban development, and planned unit development by a city or village; and to repeal the original sections.

LEGISLATIVE BILL 75. Introduced by Wayne, 13; McDonnell, 5; Morfeld, 46.

A BILL FOR AN ACT relating to voting rights; to amend sections 29-112, 29-113, 29-2264, 32-312, 32-313, 32-1530, and 83-1,118, Reissue Revised Statutes of Nebraska; to provide for the restoration of voting rights upon completion of a felony sentence or probation for a felony; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 76. Introduced by Wayne, 13; McDonnell, 5; Morfeld, 46.

A BILL FOR AN ACT relating to elections; to amend sections 29-112, 29-2264, 32-313, and 83-1,102, Reissue Revised Statutes of Nebraska, and section 83-187, Revised Statutes Cumulative Supplement, 2016; to require filing of certain orders and abstracts with the Secretary of State regarding felons; to provide and change powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 77. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2711, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to access to sales and use tax information by municipalities; and to repeal the original section.

LEGISLATIVE BILL 78. Introduced by Crawford, 45; Blood, 3.

A BILL FOR AN ACT relating to state highways; to amend section 39-1314, Reissue Revised Statutes of Nebraska; to change a provision relating to relinquishment or abandonment of a highway fragment, section, or route as prescribed; and to repeal the original section.

LEGISLATIVE BILL 79. Introduced by Blood, 3.

A BILL FOR AN ACT relating to private retirement plans; to adopt the Small Business Retirement Marketplace Act.

LEGISLATIVE BILL 80. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the County Civil Service Act; to amend section 23-2519, Reissue Revised Statutes of Nebraska; to provide that certain law clerks and students are in the unclassified service; and to repeal the original section.

LEGISLATIVE BILL 81. Introduced by Blood, 3.

A BILL FOR AN ACT relating to handgun certificates; to amend section 69-2404, Reissue Revised Statutes of Nebraska; to change the application fee for such certificates; and to repeal the original section.

LEGISLATIVE BILL 82. Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Department of Motor Vehicles; to amend section 60-601, Revised Statutes Cumulative Supplement, 2016; to require the department to include certain traffic stop safety information in the Nebraska Driver's Manual; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 83. Introduced by Blood, 3; Linehan, 39; McDonnell, 5; Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,233, Reissue Revised Statutes of Nebraska; to allow physician medical directors to display certain vehicle lights as prescribed; to define a term; and to repeal the original section.

LEGISLATIVE BILL 84. Introduced by Blood, 3.

A BILL FOR AN ACT relating to driving under the influence; to amend section 60-601, Revised Statutes Cumulative Supplement, 2016; to provide for the admissibility in any civil action of evidence of damages as a result of driving under the influence; and to repeal the original section.

LEGISLATIVE BILL 85. Introduced by Blood, 3; Baker, 30; Crawford, 45; Hansen, 26; McDonnell, 5; Morfeld, 46; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to law; to amend sections 32-602 and 49-1401, Reissue Revised Statutes of Nebraska, and section 49-14,123, Revised Statutes Cumulative Supplement, 2016; to provide a requirement for any person seeking appointive or elective office as prescribed; to provide a duty for the Nebraska Accountability and Disclosure Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 86. Introduced by Blood, 3.

A BILL FOR AN ACT relating to highways and bridges; to amend section 39-810, Reissue Revised Statutes of Nebraska; to eliminate a requirement regarding opening bids; and to repeal the original section.

LEGISLATIVE BILL 87. Introduced by Blood, 3.

A BILL FOR AN ACT relating to net metering; to amend sections 70-2002 and 70-2003, Reissue Revised Statutes of Nebraska; to redefine a term; to authorize local distribution utilities to waive certain requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 88. Introduced by Blood, 3; Hansen, 26; Morfeld, 46; Wayne, 13; Williams, 36.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-101, 38-126, 38-208, 38-319, 38-413, 38-517, 38-518, 38-615, 38-708, 38-809, 38-1066, 38-1067, 38-1070, 38-10,132, 38-1120, 38-1121, 38-1123, 38-1217, 38-1218, 38-1312, 38-1421, 38-1507, 38-1513, 38-1516, 38-1711, 38-1712, 38-1814, 38-1917, 38-1917.02, 38-2028, 38-2034, 38-2049, 38-2125, 38-2130, 38-2223, 38-2225, 38-2316, 38-2318, 38-2421,

38-2517, 38-2523, 38-2609, 38-2707, 38-2853, 38-2924, 38-3120, 38-3212, 38-3327, and 38-3419, Reissue Revised Statutes of Nebraska; to provide for issuance of a temporary credential to the spouse of a military member based on reciprocity as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 89. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend sections 13-506 and 13-511, Revised Statutes Cumulative Supplement, 2016; to change published notice of hearing requirements; and to repeal the original sections.

LEGISLATIVE BILL 90. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-305, Revised Statutes Cumulative Supplement, 2016; to provide for suitable accommodations by a public entity to an auditor employee as prescribed; and to repeal the original section.

LEGISLATIVE BILL 91. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to metabolic screening; to amend sections 71-519, 71-520, and 71-523, Reissue Revised Statutes of Nebraska; to change provisions relating to infant screening as prescribed; to change a fee; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 92. Introduced by Kolterman, 24; Baker, 30; Howard, 9; Riepe, 12.

A BILL FOR AN ACT relating to telehealth; to require certain health carriers to provide coverage for certain services delivered through telehealth; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 93. Introduced by Hansen, 26; Ebke, 32.

A BILL FOR AN ACT relating to law enforcement; to adopt the Automatic License Plate Reader Privacy Act.

LEGISLATIVE BILL 94. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Nebraska Capital Expansion Act; to amend section 72-1263, Revised Statutes Cumulative Supplement, 2016; to increase the amount of funds offered to banks and other financial institutions as deposits; and to repeal the original section.

LEGISLATIVE BILL 95. Introduced by Crawford, 45; McCollister, 20.

A BILL FOR AN ACT relating to the cities and villages; to amend sections

18-2102.01, 18-2109, 18-2111, 18-2113, 18-2116, and 18-2117.01, Reissue Revised Statutes of Nebraska, and sections 18-2115, 18-2119, and 18-2147, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Community Development Law and tax-increment financing; and to repeal the original sections.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 1CA. Introduced by Murante, 49.

THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2018, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 22:

1-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) In order to combat voter fraud, preserve the relative power of each eligible citizen's right to vote, modernize the election infrastructure of the state, and ensure the integrity of the elections of the state so as to preserve the public confidence in the legitimacy of the elected government, each voter shall present identification that contains a photograph or digital image of the voter prior to being able to vote as provided by the Legislature. The Legislature shall provide specifications for the identification and the manner of presentation and for exemptions for specific situations in which requiring such identification would violate an individual's rights under the Constitution of the United States.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require presentation of identification prior to voting as provided by the Legislature.

For

Against.

LEGISLATIVE RESOLUTION 2. Introduced by Crawford, 45; Blood, 3.

WHEREAS, the Bellevue West High School football team won the 2016 Class A State Football Championship; and

WHEREAS, the Bellevue West and Omaha North football teams were each undefeated in the 2016 regular season; and

WHEREAS, the Bellevue West football team showed skill, talent, and determination in winning the 2016 championship game with a score of 43-6; and

WHEREAS, head coach Mike Huffman and his coaching staff have served as mentors and leaders for all of the members of the team; 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 FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the Bellevue West High School football team on winning the 2016 Class A State Football Championship.
2. That head coach Mike Huffman be congratulated for his efforts in teaching, coaching, and providing guidance to the members of the team.
3. That a copy of this resolution be sent to the Bellevue West High School football team and coach Mike Huffman.

Laid over.

LEGISLATIVE RESOLUTION 3. Introduced by Harr, 8.

WHEREAS, the Legislature finds and declares that the 43rd Legislature of Nebraska designated a banner for the State of Nebraska that "consist[ed] of a reproduction of the great seal of the State, charged on the center in gold and silver on a field of national blue" with the passage of House Roll 62, which was signed by the President of the House on March 28, 1925; and

WHEREAS, the 73rd Legislature of Nebraska adopted the 1925 banner as the official state flag of the State of Nebraska, hereby known as the Nebraska flag, with the passage of Legislative Bill 556 on April 10, 1963, and subsequent signature by the Governor on April 23, 1963; and

WHEREAS, national surveys, including those conducted by the North American Vexillological Association, frequently rank the Nebraska flag within the five worst flags of the fifty states; and

WHEREAS, the North American Vexillological Association gives the design of the Nebraska flag a poor grade based on the following reasons:

- (a) The application of the Great Seal of the State of Nebraska is an overly complex device, especially when viewed from a distance;
- (b) The Nebraska flag is nearly indistinguishable from the designs of nineteen other official state flags that also apply state seals, or portions thereof, on a field of blue;
- (c) The 19th century-specific references of the Nebraska flag's symbolism are too narrowly dated to provide a solid sense of timelessness; and
- (d) The use of writing on the Nebraska flag diminishes its symbolism; and

WHEREAS, the present Nebraska flag as defined by section 90-102 has proudly served the State of Nebraska for ninety-two years; and

WHEREAS, the Legislature further finds and declares that the possibility of a better-designed, more iconic Nebraska flag exists.

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

1. The Task Force on the Nebraska State Flag is created. The task force shall consist of ten members, including one member of the Legislature from each congressional district appointed by the Executive Board of the Legislative Council, two at-large members of the Legislature appointed by

the Executive Board, one person who is not a member of the Legislature from each congressional district appointed by the Executive Board, and two persons who are not members of the Legislature appointed at large by the Executive Board. The task force shall elect a chairperson from among the legislative members who shall call the meetings of the task force.

2. The task force shall develop a recommendation for the design of a new flag for the State of Nebraska which conforms to the flag design principles of established vexillologic organizations.

3. The Task Force on the Nebraska State Flag shall submit electronically a report to the Clerk of the Legislature with the task force findings on or before December 1, 2017.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR3 was referred to the Reference Committee.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 4. Introduced by Blood, 3; Wayne, 13.

PURPOSE: Nitrate-nitrogen in the waterways is an ongoing issue for this state, as nitrates increasingly invade both our public and private water supplies. Human activity continues to introduce nitrates into waterways, with fertilizers, septic systems, animal waste, and nitrogen-bearing minerals in the soil all contributing to the problem. With the growing use of fertilizer, increasing livestock numbers, and expanding use of septic tanks, there is cause to be concerned about the elevated levels of nitrate-nitrogen and other chemicals impacting water quality in the state. Chemicals that are found in the waterways include chromium and chromium compounds and developmental toxins, such as lead and lead compounds, nitrates, phosphorous, and atrazine. Harmful bacteria, including E. coli, have also been detected. As commercial growth compounds the problem, it is important to understand what solutions or options may be available that can provide a cost-effective resolution to help protect Nebraska residents from negative health impacts.

This interim study shall specifically explore if the development of a more comprehensive water quality study is needed and if a nutrient management plan to improve water quality would benefit this state, including an analysis of best grasses for filtration and the best plantings for forests and crops in buffer areas.

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

1. That the Natural Resources 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.

MOTION(S) - Print in Journal

Senator Krist filed the following motion to LB13:

MO1
Withdraw bill.

Senator Kolterman filed the following motion to LB28:

MO2
Withdraw bill.

MOTION - Escort Committees

Senator Watermeier moved that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administering their oaths of office.

The motion prevailed.

RECESS

At 11:20 a.m., on a motion by Senator Baker, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators McCollister, Murante, and Schumacher who were excused until they arrive.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 96. Introduced by Crawford, 45; Blood, 3; Hansen, 26.

A BILL FOR AN ACT relating to economic development; to amend section 81-12,147, Revised Statutes Cumulative Supplement, 2016; to provide an eligible activity for assistance from the Site and Building Development Fund as prescribed; and to repeal the original section.

LEGISLATIVE BILL 97. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to cities; to amend sections 19-4030 and 19-4031, Revised Statutes Cumulative Supplement, 2016; to adopt the Riverfront Development District Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 98. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 2-3225 and 77-3442, Revised Statutes Cumulative Supplement, 2016; to extend certain levy authority for natural resources districts; and to repeal the original sections.

LEGISLATIVE BILL 99. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to business entities; to amend sections 67-447 and 67-448, Reissue Revised Statutes of Nebraska, and sections 21-2,129, 21-2,130, 21-2,135, 21-2,140, 21-2,146, 67-448.01, and 67-448.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the conversion of corporations, partnerships, limited partnerships, and limited liability partnerships into other business entities; and to repeal the original sections.

LEGISLATIVE BILL 100. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Nebraska Mental Health Commitment Act; to amend section 71-963, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to petitions for removal of a person's firearm-related disabilities; and to repeal the original section.

LEGISLATIVE BILL 101. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to state government; to amend section 81-1118, Reissue Revised Statutes of Nebraska, and section 73-506, Revised Statutes Cumulative Supplement, 2016; to change duration requirements for certain state agency contracts; and to repeal the original sections.

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska Army National Guard.

INAUGURAL CEREMONIES

Chief Justice Michael G. Heavican, administered the Oath of Office to the newly elected state officials.

The Chief Justice and the newly elected state officials were escorted from the Chamber.

VISITOR

The Doctor of the Day was Dr. Dale Michels from Lincoln.

ADJOURNMENT

At 2:09 p.m., on a motion by Senator Morfeld, the Legislature adjourned until 10:00 a.m., Friday, January 6, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

THIRD DAY - JANUARY 6, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 6, 2017

PRAYER

The prayer was offered by Senator Hilkemann.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator McCollister who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the second day was approved.

MOTION(S) - Withdraw LB13

Senator Krist offered his motion, MO1, found on page 70, to withdraw LB13.

The Krist motion to withdraw the bill prevailed with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

MOTION(S) - Withdraw LB28

Senator Kolterman offered his motion, MO2, found on page 70, to withdraw LB28.

The Kolterman motion to withdraw the bill prevailed with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 102. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-919, Reissue Revised Statutes of Nebraska; to change a penalty relating to tampering with witnesses or informants; and to repeal the original section.

LEGISLATIVE BILL 103. Introduced by Murante, 49.

A BILL FOR AN ACT relating to education; to amend sections 79-1105, 79-1106, 79-1107, 79-1108, 79-1108.01, 79-1108.02, and 79-1108.03, Reissue Revised Statutes of Nebraska; to state findings; to change provisions relating to accelerated or differentiated curriculum programs; to require establishment of high-ability-learners' focus groups; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 104. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to health care decisions; to amend sections 20-405, 30-2628, 30-3420, and 83-4,157, Reissue Revised Statutes of Nebraska, and section 71-4843, Revised Statutes Cumulative Supplement, 2016; to provide for a surrogate to make health care decisions; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 105. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1552 and 25-1556, Reissue Revised Statutes of Nebraska; to change provisions relating to personal property exemptions in cases of forced sale on execution or attachment; and to repeal the original sections.

LEGISLATIVE BILL 106. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to parental rights; to amend sections 43-254, 43-283.01, 43-292.02, 43-1411.01, and 43-2933, Reissue Revised Statutes of Nebraska; to change provisions relating to parental rights of a child conceived as a result of sexual assault; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 107. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to crimes and punishment; to amend sections 28-101, 28-318, 28-319, 28-319.01, 28-320, 28-320.01, 28-320.02, 28-813.01, 28-1463.04, and 28-1463.05, Reissue Revised Statutes of Nebraska; to prohibit sexual assault of a patient or client or a student; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 108. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to incarceration; to amend section 29-410, Reissue Revised Statutes of Nebraska, and section 83-186.01, Revised Statutes Cumulative Supplement, 2016; section 29-2261, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB504, section 1, to require guidelines to ensure safety of minor or dependent children upon arrest of a parent or guardian; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 109. Introduced by Blood, 3.

A BILL FOR AN ACT relating to schools; to amend section 79-813, Reissue Revised Statutes of Nebraska; to provide for issuance of a temporary certificate or permit to the spouse of a military member based on reciprocity as prescribed; to repeal the original section; and to declare an emergency.

COMMITTEE ON COMMITTEES FINAL REPORT

Senator Craighead moved to approve the following final Committee on Committees report:

Agriculture (8)

Rm. 2102 - Tuesday

Brasch (C), Albrecht, Blood, Chambers, Halloran, Harr, Krist, Lowe

Appropriations (9)

Rm. 1524 - Monday & Tuesday

Rm. 1003 - Wednesday, Thursday, & Friday

Stinner (C), Bolz, Hilkemann, Kintner, Kuehn, McDonnell, Vargas, Watermeier, Wishart

Banking, Commerce and Insurance (8)

Rm. 1507 - Monday & Tuesday

Lindstrom (C), Baker, Brewer, Craighead, Kolterman, McCollister, Schumacher, Williams

Business and Labor (7)

Rm. 2102 - Monday

Albrecht (C), Chambers, Crawford, Halloran, Hansen, Howard, Lowe

Education (8)

Rm. 1525 - Monday & Tuesday

Groene (C), Ebke, Erdman, Kolowski, Linehan, Morfeld, Pansing Brooks, Walz

General Affairs (8)

Rm. 1510 - Monday

Larson (C), Blood, Brasch, Harr, Krist, Quick, Riepe, Wayne

Government, Military and Veterans Affairs (8)

Rm. 1507 - Wednesday, Thursday, & Friday

Murante (C), Blood, Brewer, Briese, Craighead, Hilgers, Lowe, Wayne

Health and Human Services (7)

Rm. 1510 - Wednesday, Thursday, & Friday

Riepe (C), Crawford, Erdman, Howard, Kolterman, Linehan, Williams

Judiciary (8)

Rm. 1113 - Wednesday, Thursday, & Friday

Ebke (C), Baker, Chambers, Halloran, Hansen, Krist, Morfeld, Pansing Brooks

Natural Resources (8)

Rm. 1525 - Wednesday, Thursday, & Friday

Hughes (C), Albrecht, Bostelman, Geist, Kolowski, McCollister, Quick, Walz

Nebraska Retirement Systems (6)

Rm. 1525 - At call of Chair

Kolterman (C), Bolz, Groene, Kolowski, Lindstrom, Stinner

Revenue (8)

Rm. 1524 - Wednesday, Thursday, & Friday

Smith (C), Brasch, Friesen, Groene, Harr, Larson, Lindstrom, Schumacher

Transportation and Telecommunications (8)

Rm. 1113 - Monday & Tuesday

Friesen (C), Bostelman, Briese, Geist, Hilgers, Hughes, Murante, Smith

Urban Affairs (7)

Rm. 1510 - Tuesday

Wayne (C), Crawford, Hansen, Howard, Larson, Quick, Riepe

Committee on Committees (13)

Craighead (C)

District 1:

Kolterman

Morfeld

Pansing Brooks

Schumacher

District 2:

Harr

Hilkemann

Howard

Smith (VC)

District 3:

Erdman

Friesen

Groene

Kuehn

Enrollment and Review (1)

Wishart (C)

Reference (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

Rules (6)

Hilgers (C), Harr, Krist, Kuehn, Schumacher, Scheer (ex officio)

Executive Board of the Legislative Council (9)

Watermeier (C), Kuehn (VC), Bolz, Chambers, Crawford, Hughes, Larson, McCollister, Scheer, Stinner (nonvoting ex officio)

Senator Kintner requested a roll call vote.

The Committee on Committees report was approved with 39 ayes, 3 nays, 6 present and not voting, and 1 excused and not voting.

ANNOUNCEMENT(S)

The Committee on Committees elected Senator Smith as Vice Chairperson.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 110. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 2-3228, 12-101, 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 19-3501, 23-1118, 23-3526, 71-1631.02, 79-987, 84-304, 84-304.02, and 84-1503, Revised Statutes Cumulative Supplement, 2016; to change duties and provisions relating to annual reporting requirements for certain retirement plans as prescribed; to change the duties of the Auditor of Public Accounts and the Public Employees Retirement Board; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 111. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to county officers; to amend sections 32-517, 32-518, 32-519, 32-520, 32-521, 32-522, 32-523, 32-524, 32-525, 32-526, 32-528, 32-529, and 32-609, Reissue Revised Statutes of Nebraska; to provide for nomination and election of county officers on the nonpartisan ballot; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 112. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to elections; to amend sections 32-202, 32-314, 32-329, 32-915, 32-929, 32-933, 32-935, 32-936, 32-1002, 32-1530, and 32-1532, Reissue Revised Statutes of Nebraska; to provide duties for the Secretary of State; to change provisions relating to voter registration and provisional ballots; to authorize provisional ballots for registered voters changing residence within Nebraska; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 113. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to municipalities; to amend sections 10-119, 12-401, 14-101, 14-117, 15-101, 15-102, 16-101, 17-301, 17-310, 17-311, 18-1753, 19-401, 19-414, 19-415, 19-418, 19-501, 19-602, 19-1102, 19-1827, 19-5101, 23-204, 31-501, 31-508, 32-538, 32-539, 39-207, 39-1328.01, 39-1804, 39-2103, 39-2106, 48-307, 48-1209.01, 53-124.14, 60-680, 60-6,120, 60-6,190, 70-408, 70-604.01, 79-407, 81-1417, 81-1430, 81-2102, 81-2107, 81-2109, and 81-2110, Reissue Revised Statutes of Nebraska, and sections 13-2705, 16-222.02, 17-101, 17-201, 17-306.01, 17-312, 17-313, 18-2709, 19-1101, 19-3501, 44-5502, 71-3305, 77-3,119, 81-8,122.01, and 81-15,153, Revised Statutes Cumulative Supplement, 2016; to change population thresholds of municipalities; to provide for a process by which a city of the primary class becomes a city of the metropolitan class; to change provisions regarding publication requirements; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 114. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,220, 60-6,221, and 60-6,222, Reissue Revised Statutes of Nebraska, and section 60-6,219, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to motor vehicle lighting requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 115. Introduced by Harr, 8.

A BILL FOR AN ACT relating to state funds; to direct the Nebraska Tourism Commission to provide for certain uses of a fund.

LEGISLATIVE BILL 116. Introduced by Harr, 8.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-310, Revised Statutes Cumulative Supplement, 2016; to redefine the term automobile liability policy and change coverage provisions; and to repeal the original section.

LEGISLATIVE BILL 117. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Investigational Drug Use Act.

LEGISLATIVE BILL 118. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to adopt the Education Savings Account Act; to provide income tax adjustments; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 119. Introduced by Groene, 42; Stinner, 48.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1022.02, 79-1027, and 79-1031.01, Reissue Revised Statutes of Nebraska, and sections 79-1022 and 79-1023, Revised Statutes Cumulative Supplement, 2016; to change the determination and certification dates relating to distribution of aid, certification of certain budget limitations as prescribed, and duties of the Appropriations Committee of the Legislature; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 120. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Cumulative Supplement, 2016; to require a state plan amendment relating to coverage for family planning services; to state intent relating to appropriations; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 121. Introduced by Kintner, 2; Brewer, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the taxation of military retirement benefits; and to repeal the original section.

LEGISLATIVE BILL 122. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to families; to define terms; to provide for family member visitation petitions as prescribed; to provide for a hearing; and to provide for costs and fees as prescribed.

LEGISLATIVE BILL 123. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to postsecondary educational institutions; to amend sections 85-173, 85-2401, 85-2403, and 85-2405, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide duties; to establish the Guaranty Recovery Cash Fund; to assess for-profit postsecondary institutions; to require bonds or other security agreements; to authorize claims resulting from the termination of operations; to change and eliminate provisions relating to educational institutions ceasing to function; to harmonize provisions; to repeal the original sections; and to outright repeal section 85-175, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 124. Introduced by Baker, 30; Groene, 42; Hilkemann, 4; Hughes, 44; Kolterman, 24; Krist, 10; Stinner, 48; Williams, 36.

A BILL FOR AN ACT relating to community colleges; to amend section

85-1534, Reissue Revised Statutes of Nebraska; to change a probationary period for teaching staff; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 125. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend sections 54-1,120 and 54-1,122.01, Revised Statutes Cumulative Supplement, 2016; to change application and fee requirements for registered feedlots and dairies; and to repeal the original sections.

LEGISLATIVE BILL 126. Introduced by Groene, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2912 and 77-5725, Revised Statutes Cumulative Supplement, 2016; to change sunset dates under the Nebraska Job Creation and Mainstreet Revitalization Act and the Nebraska Advantage Act; and to repeal the original sections.

LEGISLATIVE BILL 127. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1411, Reissue Revised Statutes of Nebraska; to change provisions relating to notice of meetings of public bodies; and to repeal the original section.

LEGISLATIVE BILL 128. Introduced by Groene, 42.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to ineligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

LEGISLATIVE BILL 129. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to increase the earned income tax credit; and to repeal the original section.

LEGISLATIVE BILL 130. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to annexation; to amend sections 31-763, 31-764, 31-765, 31-766, and 35-514, Reissue Revised Statutes of Nebraska; to change provisions relating to annexation by municipalities of a sanitary and improvement district, road improvement district, or fire protection district; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 131. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to cities and villages; to amend section 18-2901, Reissue Revised Statutes of Nebraska; to change a requirement for the territory of an urban growth district as prescribed; to change a provision relating to urban growth bonds and refunding bonds; and to repeal the original section.

LEGISLATIVE BILL 132. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to cities of the first class; to amend sections 16-622, 16-623, 16-901, and 16-902, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to improvement districts and extraterritorial zoning jurisdictions; and to repeal the original sections.

LEGISLATIVE BILL 133. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Crawford, 45; Hansen, 26; Howard, 9; Larson, 40; Quick, 35; Riepe, 12.

A BILL FOR AN ACT relating to cities of the second class and villages; to amend sections 17-105, 17-106, 17-107, 17-108, 17-108.02, 17-112, 17-113, 17-114, 17-117, 17-118, 17-119, 17-120, 17-121, 17-122, 17-124, 17-126, 17-127, 17-129, 17-130, 17-131, 17-132, 17-134, 17-136, 17-137, 17-138, 17-139, 17-140, 17-141, 17-142, 17-143, 17-145, 17-146, 17-147, 17-148, 17-149, 17-150, 17-151, 17-153, 17-154, 17-155, 17-157, 17-158, 17-159, 17-160, 17-161, 17-162, 17-163, 17-164, 17-165, 17-166, 17-167, 17-168, 17-169, 17-170, 17-171, 17-172, 17-174, 17-201.01, 17-202, 17-204, 17-205, 17-206, 17-207.01, 17-208, 17-209, 17-209.02, 17-210, 17-211, 17-212, 17-213, 17-214, 17-215, 17-216, 17-217, 17-218, 17-219, 17-219.01, 17-219.02, 17-219.03, 17-220, 17-222, 17-223, 17-224, 17-225, 17-229, 17-230, 17-231, 17-301, 17-302, 17-303, 17-304, 17-308, 17-309, 17-310, 17-311, 17-401, 17-402, 17-403, 17-404, 17-405, 17-405.01, 17-405.02, 17-405.03, 17-405.04, 17-405.05, 17-406, 17-407, 17-412, 17-414, 17-415, 17-416, 17-417, 17-418, 17-419, 17-420, 17-421, 17-422, 17-423, 17-424, 17-425, 17-426, 17-501, 17-502, 17-503, 17-503.02, 17-504, 17-505, 17-507, 17-508, 17-508.02, 17-509, 17-513, 17-514, 17-515, 17-516, 17-518, 17-519, 17-520, 17-521, 17-522, 17-523, 17-524, 17-526, 17-527, 17-528, 17-528.02, 17-528.03, 17-529, 17-529.01, 17-529.02, 17-529.03, 17-529.05, 17-529.06, 17-529.07, 17-529.08, 17-530, 17-531, 17-532, 17-533, 17-534, 17-535, 17-536, 17-537, 17-538, 17-540, 17-541, 17-542, 17-543, 17-545, 17-546, 17-547, 17-548, 17-549, 17-550, 17-551, 17-552, 17-554, 17-556, 17-557, 17-558, 17-559, 17-560, 17-561, 17-564, 17-565, 17-566, 17-567, 17-568, 17-568.01, 17-568.02, 17-569, 17-570, 17-571, 17-572, 17-601.01, 17-601.02, 17-602, 17-603, 17-604, 17-607, 17-608, 17-609, 17-610, 17-611, 17-612, 17-613, 17-615, 17-616,

17-701, 17-702, 17-703, 17-706, 17-708, 17-709, 17-710, 17-711, 17-713, 17-714, 17-715, 17-718, 17-720, 17-801, 17-802, 17-802.01, 17-803, 17-804, 17-805, 17-806, 17-807, 17-808, 17-810, 17-903, 17-905, 17-905.01, 17-906, 17-907, 17-908, 17-909, 17-910, 17-911, 17-912, 17-914, 17-916, 17-917, 17-918, 17-919, 17-920, 17-922, 17-923, 17-924, 17-925, 17-925.01, 17-925.02, 17-925.03, 17-925.04, 17-926, 17-933, 17-935, 17-936, 17-937, 17-938, 17-939, 17-940, 17-942, 17-943, 17-946, 17-947, 17-948, 17-949, 17-950, 17-951, 17-952, 17-953, 17-953.01, 17-954, 17-955, 17-957, 17-958, 17-959, 17-960, 17-962, 17-963, 17-964, 17-965, 17-966, 17-967, 17-968, 17-969, 17-970, 17-973, 17-974, 17-976, and 17-1003, Reissue Revised Statutes of Nebraska, and sections 17-101, 17-104, 17-110, 17-111, 17-123, 17-123.01, 17-149.01, 17-201, 17-207, 17-306.01, 17-312, 17-313, 17-510, 17-511, 17-512, 17-525, 17-539, 17-555, 17-557.01, 17-563, 17-605, 17-606, 17-614, 17-913, 17-921, 17-934, 17-941, 17-945, 17-971, 17-1001, and 17-1002, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to cities of the second class and villages; to provide, change, and eliminate notice requirements; to provide and change powers and duties; to eliminate provisions relating to the regulation of business and amusements on Sunday and provisions relating to railroads; to provide duties for the Revisor of Statutes; to harmonize provisions; to repeal the original sections; and to outright repeal sections 17-128, 17-133, 17-135, 17-144, and 17-915, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 134. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,262, 81-2,263, 81-2,270, 81-2,271, 81-2,272.31, 81-2,281, 81-2,288, and 90-538, Reissue Revised Statutes of Nebraska, and sections 81-2,239 and 81-2,240, Revised Statutes Cumulative Supplement, 2016; to define terms; to change provisions of the Nebraska Pure Food Act; to provide for the regulation of eggs for human consumption as prescribed; to provide requirements and an exception for a food delivery service; to authorize facility, food, and records inspections by the Department of Agriculture as prescribed; to transfer funds to the Pure Food Cash Fund; to repeal the Nebraska Graded Egg Act and terminate the Graded Egg Fund; to eliminate penalties; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-3501, 2-3502, 2-3503, 2-3504, 2-3505, 2-3506, 2-3507, 2-3508, 2-3509, 2-3510, 2-3511, 2-3512, 2-3513, 2-3514, 2-3515, 2-3516, 2-3518, 2-3519, 2-3520, 2-3521, 2-3522, 2-3523, 2-3524, and 2-3525, Reissue Revised Statutes of Nebraska.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 5. Introduced by Larson, 40.

WHEREAS, the 2016 O'Neill Public High School football team won the State Class C-1 Football Championship by defeating Bishop Neumann 39 to 22; and

WHEREAS, the 2016 O'Neill Public High School football team won the school's first state championship football title in school history; and

WHEREAS, the 2016 O'Neill Public High School football team completed the championship season with an undefeated record of 13 wins and 0 losses; 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 FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the 2016 O'Neill Public High School football team on winning the State Class C-1 Football Championship.

2. That a copy of this resolution be sent to the 2016 O'Neill Public High School football team and Coach Brock Eichelberger.

Laid over.

VISITOR(S)

Visitor to the Chamber was Macy Lloyd from UNL.

The Doctor of the Day was Dr. Rob Rhodes from Lincoln.

ADJOURNMENT

At 11:40 a.m., on a motion by Speaker Scheer, the Legislature adjourned until 9:00 a.m., Monday, January 9, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTH DAY - JANUARY 9, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 9, 2017

PRAYER

The prayer was offered by Senator Watermeier.

ROLL CALL

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

The roll was called and all members were present except Senator Groene who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the third day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1	General File
LB2	General File
LB3	General File
LB4	General File
LB5	General File
LB6	Executive Board
LB7	Judiciary
LB8	Judiciary
LB9	Urban Affairs
LB10	Judiciary
LB11	Judiciary
LB12	Revenue
LB14	Education
LB15	Revenue
LB16	Banking, Commerce and Insurance
LB17	Banking, Commerce and Insurance

LB18	Health and Human Services
LB19	Health and Human Services
LB20	Revenue
LB21	Banking, Commerce and Insurance
LB22	Appropriations
LB23	Appropriations
LB24	Appropriations
LB25	Government, Military and Veterans Affairs
LB26	Judiciary
LB27	Government, Military and Veterans Affairs
LB29	Nebraska Retirement Systems
LB30	Nebraska Retirement Systems
LB31	Nebraska Retirement Systems
LB32	Nebraska Retirement Systems
LB33	Health and Human Services
LB34	Government, Military and Veterans Affairs
LB35	Banking, Commerce and Insurance
LB36	Government, Military and Veterans Affairs
LB37	Judiciary
LB38	Government, Military and Veterans Affairs
LB39	Judiciary
LB40	Transportation and Telecommunications
LB41	Transportation and Telecommunications
LB42	Transportation and Telecommunications
LB43	Transportation and Telecommunications
LB44	Revenue
LB45	Transportation and Telecommunications
LB46	Transportation and Telecommunications
LB47	Judiciary
LB48	Revenue
LB49	Revenue
LB50	Health and Human Services
LB51	Revenue
LB52	Revenue
LB53	Judiciary
LB54	Transportation and Telecommunications
LB55	Transportation and Telecommunications
LB56	Banking, Commerce and Insurance
LB57	Judiciary
LB58	Education
LB59	Health and Human Services
LB60	Judiciary
LB61	Health and Human Services
LB62	Education
LB63	Revenue
LB64	Health and Human Services
LB65	Revenue
LB66	Banking, Commerce and Insurance
LB67	Judiciary

LB68 Government, Military and Veterans Affairs
 LB69 Revenue
 LB70 Transportation and Telecommunications
 LB71 Appropriations
 LB72 Banking, Commerce and Insurance
 LB73 General Affairs
 LB74 Urban Affairs
 LB75 Government, Military and Veterans Affairs
 LB76 Government, Military and Veterans Affairs
 LB77 Revenue
 LB78 Transportation and Telecommunications
 LB79 Nebraska Retirement Systems
 LB80 Government, Military and Veterans Affairs
 LB81 Judiciary
 LB82 Transportation and Telecommunications
 LB83 Transportation and Telecommunications
 LB84 Judiciary
 LB85 Government, Military and Veterans Affairs
 LB86 Transportation and Telecommunications
 LB87 Natural Resources
 LB88 Health and Human Services
 LB89 Government, Military and Veterans Affairs
 LB90 Government, Military and Veterans Affairs
 LB91 Health and Human Services
 LB92 Banking, Commerce and Insurance
 LB93 Judiciary
 LB94 Nebraska Retirement Systems
 LB95 Urban Affairs
 LB96 Banking, Commerce and Insurance
 LB97 Urban Affairs
 LB98 Revenue
 LB99 Banking, Commerce and Insurance
 LB100 Judiciary
 LB101 Government, Military and Veterans Affairs
 LR1CA Government, Military and Veterans Affairs
 LR3 Executive Board

Ashburn, William - Motor Vehicle Industry Licensing Board -
 Transportation and Telecommunications
 Aspen, Gwenn - Coordinating Commission for Postsecondary Education -
 Education
 Bader, Stephen - Nebraska Arts Council - General Affairs
 Berggren, Patrick - Game and Parks Commission - Natural Resources
 Brandt, Henry Rick - Game and Parks Commission - Natural Resources
 Buckendahl, Chad W. - Technical Advisory Committee for Statewide
 Assessment - Education
 Budke, Stephan - Motor Vehicle Industry Licensing Board - Transportation
 and Telecommunications
 Davis, Jeffrey - Crime Victim's Reparations Committee - Judiciary

Dixon, Roger - Nebraska Tourism Commission - Government, Military and Veterans Affairs
 Ernst, James - Game and Parks Commission - Natural Resources
 Feller, Helen Abbott - State Racing Commission - General Affairs
 Gard, Randy - Nebraska Ethanol Board - Natural Resources
 Glidden, Mitch - Nebraska Tourism Commission - Government, Military and Veterans Affairs
 Greckel, Shane - Nebraska Information Technology Commission - Transportation and Telecommunications
 Hanus, Mary Beth - Nebraska Child Abuse Prevention Fund Board - Health and Human Services
 Henning, Candy - Nebraska Arts Council - General Affairs
 Hoffman, Dennis - Nebraska State Fair Board - Agriculture
 Kelly, Joe P. - Crime Victim's Reparations Committee - Judiciary
 Knoche, Lisa - Nebraska Child Abuse Prevention Fund Board - Health and Human Services
 Marvin, Melissa - Nebraska Arts Council - General Affairs
 Moody, Tony - Nebraska Tourism Commission - Government, Military and Veterans Affairs
 Pflueger, Paula L. - Nebraska Arts Council - General Affairs
 Sanders, Rita G. - Crime Victim's Reparations Committee - Judiciary
 Schlegel, Carol - Nebraska Tourism Commission - Government, Military and Veterans Affairs
 Schworer, Dennis - Motor Vehicle Industry Licensing Board - Transportation and Telecommunications
 Shanahan, Mary - State Personnel Board - Government, Military and Veterans Affairs
 Spray, Daniel - Nebraska Information Technology Commission - Transportation and Telecommunications
 Williams, Thomas L. - Chief Medical Officer, Division of Public Health - Department of Health and Human Services - Health and Human Services
 Wright, Reven - Nebraska Arts Council - General Affairs

(Signed) Dan Watermeier, Chairperson
 Executive Board

COMMUNICATION(S)

December 13, 2016

Mr. Patrick O'Donnell
 Clerk of the Legislature
 Room 2018
 State Capitol Building
 P.O. Box 94604
 Lincoln, Nebraska 68509-4604

Dear Mr. O'Donnell:

Pursuant to the Provisions of Section 85-408, R.R.S. of Nebraska, 1943, Legislative approval is required for the following University of Nebraska projects:

University of Nebraska - Lincoln, Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center (CPD Demolition). The proposed project will demolish Cather Hall, Pound Hall and Cather-Pound Dining Center on the University of Nebraska - Lincoln, City Campus. The Board of Regents authorized this expenditure at its November 18, 2016 meeting. The total project is estimated to cost \$7,300,000.

This expenditure relates to the Bond Resolution dated December 1, 1964, authorizing the issuance of revenue bonds to finance the construction or acquisition and furnishing and equipping of buildings and facilities of the type specified in the Act on the University of Nebraska Lincoln campus, and under which a surplus fund and a replacement fund were created.

In order to operate efficiently and maintain maximum use and occupancy of the Facilities as defined under the 1964 resolution; the Board has issued its bonds under the 1964 Resolution to finance such Replacement Facilities as part of the Replacement Project; the revenues of such Replacement Facilities have been pledged for payment of the bonds issued under the 1964 Resolution; and additional funds are necessary to complete the demolition projects associated with the Replacement Project.

Request. The University requests approval of the CPD Demolition project to be financed from the Surplus Fund, held under the 1964 Resolution, to the Replacement Fund in the amount of \$7,300,000.

University of Nebraska - Omaha, University Village Roof Repairs. The University of Nebraska at Omaha proposes to expend \$825,000 from the 1984 Replacement Fund. The funds would be used for roof repairs. The Board of Regents authorized this expenditure at its November 18, 2016 meeting. The total project is estimated to cost \$825,000.

This expenditure relates to the Bond Resolution dated May 1, 1984, authorizing the issuance of Revenue Bonds by the Board of Regents. The Board has heretofore issued revenue bonds payable from the revenues and fees derived from the ownership and operation of the dormitories and other facilities for the housing and boarding of students, student unions, student health facilities and other facilities for the activities of students located on the campus of the University of Nebraska at Omaha, under which a 1995 Surplus Fund was created.

Section 6.2 of the Resolution requires the Board to operate the facilities in an efficient, sound and economical manner and to keep all facilities and betterments thereto in good repair, working order and condition and to make all necessary and proper repairs, renewals, replacements, additions, extension and betterments thereto, so that at all times the business carried on in connection therewith shall be properly and advantageously conducted.

Request. The University requests approval of the University Village Roof Repairs project in the amount of \$825,000 financed from the University of Nebraska at Omaha Student Fees and Facilities Revenue Bond Surplus Funds.

Attached for your reference are the agenda items and resolutions approved by the Board of Regents.

Thank you for your consideration of these projects.

Respectfully submitted,
(Signed) Carmen K. Maurer
Corporation Secretary

January 6, 2017

Senator Dan Watermeier
Chairperson, Executive Board
Room 2108
State Capitol
Lincoln, NE 68509

Dear Senator Watermeier,

Enclosed is correspondence from Carmen K. Maurer, Corporation Secretary for the Office of the President of the University of Nebraska. The correspondence relates to expenditure of bond funds for the following:

University of Nebraska at Lincoln-Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center.

University of Nebraska at Omaha-University Village Roof Repairs.

I am forwarding this correspondence to you for Executive Board action.

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

PJO:ck

enclosure

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board referred the University of Nebraska's request to issue revenue bonds to the Appropriations Committee for further consideration.

(Signed) Dan Watermeier, Chairperson
Executive Board

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 8, 2017, 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

Abboud, Chris - Public Affairs Group
DraftKings Inc.
Manheims Omaha Auto Auction
MasterCard
Abraham, Christine K
League of Nebraska Municipalities
Adair, Peggy
League of Women Voters of Greater Omaha
Adams, Greg
Nebraska Community College Association
Adams, John H.
International Gamco, Inc.
Allen, Jennifer
Nebraska Total Care
Alston, Garth R.
Altria Client Services LLC and its Affiliates
Amack, Angela K.
Center for People in Need
Everytown for Gun Safety Action Fund
Grand Island Public Schools
International Brotherhood of Electrical Workers (IBEW)
Nebraska Professional Fire Fighters Association (NPFFA)
American Communications Group, Inc.
American Cancer Society Cancer Action Network
American Heart Association
Association of Surgical Technologists
Autism Speaks
Center for Rural Affairs
EHPV Lottery Services LLC aka Big Red Keno

Empyrean Brewing Company
Friends of Public Health in Nebraska
Health Center Association of Nebraska
Legal Aid of Nebraska
Nebraska Association of Behavioral Health Organizations
Nebraska Association of Public Employees NAPE/AFSCME Local 61
Nebraska Board of Engineers and Architects
Nebraska Chapter of the American Physical Therapy Association
Nebraska Child Health and Education Alliance
Nebraska Dental Assistants Association
Nebraska Investment Finance Authority
Nebraska Psychological Association
Nebraska Society for Respiratory Care
Nebraska Speech-Language-Hearing Association (NSLHA)
Nebraska State AFL-CIO
North Central States Regional Council of Carpenters
Regions II and V
Research Nebraska!
Teamsters Local Union 554
The Nebraska Coalition for Lifesaving Cures
Vigilnet America LLC
Wind Coalition, The
YMCA's of Nebraska

Anderson, Shannon M
Licensed Practical Nurse Association of Nebraska (LPNAN)
Nebraska Health Care Association, Inc.

Babcock, Marsha L.
Mechanical Contractors Association of Omaha, Inc.

Badeer, Debra A.
Nebraska Christian Home Educators Association

Baier, Richard J.
Nebraska Bankers Association

Baird Holm LLP
BHE Renewables, LLC
Bluestem Energy Solutions
Dundee Bank
Geronimo Energy, LLC
Great Plains Chapter of the American Society of Landscape Architects
Immanuel Retirement Communities
Nebraska Craft Brewers Guild
Northeast Nebraska Public Power District
Sandhills Wind Energy, LLC
Turner Park North, LLC

Barrett, John R.
Great Plains Communications, Inc.

Bartling, Kelly
University of Nebraska

Becker, Jill
Black Hills Energy

Becker, Timothy
Heartland Strategy Group, LLC

Beer mann, Allen J.
Nebraska Press Association

Behmer, Nicole
Jensen Rogert Associates, Inc.

Belka, Matt
Nebraska Association of School Boards

Bell, David
Loup River Public Power District

Benjamin, Melody
Nebraska Cattlemen, Inc.

Benske, John
Amgen

Beyer, Nolan
Millard Public Schools

Blakely, Cassandra
Nebraska Children and Families Foundation

Blunt, Andrew B.
General Motors LLC

Boddy, Heath
Nebraska Health Care Association, Inc.

Bohrer, Bruce J.
Lincoln Chamber of Commerce

Bolen, Holley
Bruning Law Group

Bonaiuto, John A.
Nebraska Association of School Boards

Borgeson, Robert A.
SMART-TD

Bourke, Nick
Pew Charitable Trusts, The

Bowling, Karen
Nebraska Family Alliance

Bradford, Jonathan
Kissel/E&S Associates, LLC

Brady, Justin J.
Radcliffe, Walter H. of Radcliffe and Associates

Brandt, Horan, Hallstrom and Stilmock
National Federation of Independent Business (NFIB)
Nebraska Bankers Association
Nebraska Bankers Insurance and Services Company (NBISCO)
Nebraska Fire Chiefs' Association
Nebraska Pharmacists Association
Nebraska State Volunteer Firefighters' Association
Nebraskans for Workers' Compensation Equity and Fairness
NetWorks, Inc.

Bredenkamp, Troy
Nebraska Rural Electric Association

Bromm Nielsen & Mines
3M COMPANY
Aflac
AHIP - America's Health Insurance Plans
Cameco Resources
Cargill
Education Service Unit #3
Educational Service Unit Coordinating Council
Express Scripts Holding Co.
Johnson & Johnson
Mark Anthony Brands
Merck Sharp and Dohme Corp.
National Association of Insurance and Financial Advisors (NAIFA)
Nebraska Agri-Business Association
Nebraska Cable Communications Association
Nebraska Corn Growers Association
Nebraska Hotel & Lodging Association, Inc.
Nebraska Humane Society
Nebraska Insurance Information Service
Nebraska Medical Center
Nebraska State Athletic Trainers Association
Papio Valley Preservation Association, Inc.
Springfield Platteview Community Schools
State Farm Insurance Companies
Syngenta
Verizon Communications, Inc.

Bromm, Curt
Bromm Nielsen & Mines

Bromm, Jason
Bromm Nielsen & Mines

Brown, Jill
University of Nebraska

Bruckner, Traci
Women's Fund of Greater Omaha, Inc.

Bruning Law Group
amazon.com
Bluestem Energy Solutions
Facebook
Johnson Controls, Inc.
Kissel/E&S Associates, LLC
National Rifle Association
Nebraska Appropriated Basin Coalition
Nebraska Licensed Beverage Association
TracFone Wireless, Inc.
Workday

Bruning, Deonne
U.S. Cellular

Bruning, Jon
Bruning Law Group

Buettner, Jeffrey J.
Central Nebraska Public Power and Irrigation

Carstenson, Eric B.
Nebraska Telecommunications Association

Carter, Jennifer
FBLincoln
Food Bank of the Heartland

Cavanaugh Law Firm, P.C., L.L.O.
Explore Information Services
Independent Insurance Agents of Nebraska
Nebraska Chapter of the Sierra Club

Cavanaugh, James P.
Cavanaugh Law Firm, P.C., L.L.O.

Cheloha, John A.
City of Omaha

Chittenden, Michael J.
Arc of Nebraska, The

Christensen, Graham
GC Resolve, LLC
GC ReVOLT, LLC

Clements, Steven J.
Nebraska Investment Finance Authority

Conrad, Danielle
ACLU Nebraska

Cookson, David D.
Bruning Law Group

Cover, Joni
Nebraska Pharmacists Association

CP Strategies LLC
Nebraska Petroleum Producers Association
Nebraska Total Care

Creager, Jennifer
Greater Omaha Chamber

Cunningham, Colleen
Equal Justice USA

Davidson Tribbs, Emma
Everytown for Gun Safety Action Fund

Davis, Timothy
New Hope 4 Lungs

Dibbern, Chris
Nebraska Municipal Power Pool

Dietrich, Paige
Center for Rural Affairs

Dix, Larry J.
Nebraska Association of County Officials

Dobler, James B.
Nebraska Insurance Information Service
Professional Insurance Agents of Nebraska

Dubas, Annette
Nebraska Association of Behavioral Health Organizations

Dudley, William H.
Aflac

Dukesherer, James
Nebraska Rural Electric Association

Dulaney, Michael S.
Nebraska Council of School Administrators

Dunning, Eric
Blue Cross and Blue Shield of Nebraska

Dunning, Matthew
Nebraska Association of School Boards

Dwyer, Micheal
Nebraska State Volunteer Firefighters' Association

Edson, Dean E.
Nebraska Association of Resources Districts

Edwards, Jon
Nowka and Edwards

Eickholt, Christopher
ACLU Nebraska
Nebraska Criminal Defense Attorneys Association

Erickson, Julie S.
American Communications, Inc.

Ernst, Dan E.
Nebraska Council of School Administrators

Falk, W. Jarad
Charter Communications, Inc.

Faustman, Nicholas
American Cancer Society Cancer Action Network

Ferrell, Beth Bazyn
Nebraska Association of County Officials

Field, Laura
Nebraska Cattlemen, Inc.

Foster, Susan
Lincoln Education Association

Fox, Nicole
Platte Institute for Economic Research

Fraizer, Theodore D. (Tad)/Fraizer & Fraizer
American Insurance Association
Mutual of Omaha

Frickel, Cheryl
Nebraska Occupational Therapy Association

Frohman, Ann M.
Ameritas Life Insurance Corp.

Fry, Renee
OpenSky Policy Institute

Gay, Tim
Husch Blackwell LLP

Gerloff, Jerianne
Pfizer Inc.

Gerrard, Eric
American Communications, Inc.
City of Lincoln

Gilbert, Randall
Gilbert, Randall

Gilbertson, Korby M.
Radcliffe, Walter H. of Radcliffe and Associates

Girthoffer, Garner R.
Baird Holm LLP

Goettmoeller, Jennifer M.
First Five Nebraska

Gokie, Mark T.
Farmers Mutual of Nebraska

Gottschalk, Kristen
Nebraska Rural Electric Association

Grasz, Nate
Nebraska Family Alliance

Grasz, Steve
Husch Blackwell LLP

Habben, Jon
Nebraska Rural Community Schools Association

Hack, Mace A.
Nature Conservancy, The

Hale, Andy
Nebraska Hospital Association

Hallstrom, Robert
Brandt, Horan, Hallstrom and Stilmock

Hamilton, Hallie
Nebraska Family Alliance

Handshy, Brian
Renovate America, Inc.

Hansen, John K.
Nebraska Farmers Union

Hapgood, Wade
United Healthcare Services, Inc.

Harrold, Michael D.
Express Scripts Holding Co.

Harrold, Patricia
Nebraska Firearms Owners Association (NFOA)

Hartmann, William
Nebraska One-Call Notification Center

Harvey, William F.
EHPV Lottery Services LLC aka Big Red Keno
Vigilnet America LLC

Hayes, Jason W.
Nebraska State Education Association

Heartland Strategy Group, LLC
Blue Cross and Blue Shield of Nebraska
Consumer Technology Association
Omaha Professional Firefighters Association

Hebb, Jeff
Nebraska Realtors Association

Herrmann, Jessica
Nebraska Cattlemen, Inc.

Higgins, Shirley
Nebraska Public Power District

Hladik, Johnathan
Center for Rural Affairs

Hoke, John Gregory
Biotechnology Innovation Organization

Holmquist, David
AARP Nebraska

Huddle, Stephanie
Nebraska Domestic Violence Sexual Assault Coalition

Hunzeker, Mark A.
Rath, Douglas and Kimberly

Hurley, Rachel
Monsanto

Hurst, Elisabeth
Nebraska Hospital Association

Husch Blackwell LLP
Ash Grove Cement Company
Asurion LLC
Blue Cross and Blue Shield of Nebraska
Enhanced Capital
Home Instead, Inc.
Invenergy LLC
Koch Companies Public Sector, LLC and Affiliates
KVC Health Systems, Inc.
Nebraska Chiropractic Physicians Association
Nebraska Families Collaborative
Nebraska Intergovernmental Risk Management Association
NextEra Energy Resources, LLC
Papillion - La Vista School District
Papio-Missouri River Natural Resources District
Sarpy County Board of Commissioners
Waste Management, Inc.

Intermill, Mark
AARP Nebraska

Irsik, Ryan
Wal-Mart Stores, Inc.

Jacobson, Mary
Bruning Law Group

Jarecke, David A.
Nebraska Rural Electric Association

Jarecke, Kate Kulesher
Novartis Services, Inc.

Jarecke, Kate Kulesher - Advocacy and Issue Management Inc.
Brain Injury Alliance of Nebraska

Jensen Rogert Associates, Inc.
Altria Client Services LLC and its Affiliates
Associated Builders and Contractors, Inc.
DentaQuest, LLC
Eli Lilly and Company
Industrial Energy Users of Nebraska
Kissel/E&S Associates, LLC
LeadingAge Nebraska
Learning Community of Douglas and Sarpy Counties
Magellan Health, Inc.
Mosaic
Nebraska Association of Nurse Anesthetists
Nebraska Dental Hygienists' Association
Nebraska Intellectual Disabilities Services Providers
Nebraska Optometric Association
Nebraska Podiatric Medical Association
Ponca Tribe of Nebraska
Statewide Property Owners' Association
Trilogy Integrated Resources, LLC

Jensen, Ronald L.
Jensen Rogert Associates, Inc.

Jess, Carol
Jess, Carol

Johnson, Larry
Nebraska Trucking Association

Johnson, Mary A.
Mueller Robak, LLC

Juhnke, Alan R
Nebraska Pork Producers Association

Kanger, Jeff
Nebraska Catholic Conference

Karl, Jamie
Nebraska Chamber of Commerce & Industry

Karnes, David K.
EHPV Lottery Services LLC aka Big Red Keno
Nebraska Investment Finance Authority
Vigilnet America LLC

Kay, Sara A.
American Institute of Architects, Nebraska Chapter

Keigher & Associates, LLC
Credit Management Services
Iowa-Nebraska Equipment Dealers Association
MillerCoors, LLC
Nebraska AirBoat Association
Nebraska Aviation Trade Association

Nebraska Community College Association
Nebraska Land Improvement Contractors Association
Professional Towers Association of Nebraska
Keigher, Timothy P.
Keigher & Associates, LLC
Nebraska Petroleum Marketers & Convenience Store Association
Kelley Governmental Relations, LLC
Metro Area Transit (O-Metro)
Kelley Plucker, LLC
Advantage Capital
Bennington Public Schools
Cigar Association of America, Inc.
Community Alliance, Inc.
Creighton University
CVS Health
Daily Record, The
Douglas County, Nebraska
Eastern Nebraska Human Services Agency
EHPV Lottery Services LLC aka Big Red Keno
Elevator Industry Work Preservation Fund
Johnson Brothers of Nebraska
Lamar Outdoor Advertising Company
Nebraska Collectors Association
Nebraska Credit Union League
Nebraska School Activities Association
Nebraska State Lodge of the Fraternal Order of Police
Nowka and Edwards
Omaha Police Officers Association
WellCare Health Plans, Inc.
Westside Community Schools
Kennedy, Barry L.
Nebraska Chamber of Commerce & Industry
Kenny, Timothy R.
Nebraska Investment Finance Authority
Kilgarin, Karen
Nebraska State Education Association
Kingery, Shannon L.
RAI Services Co. (Reynolds American Inc.)
Kissel/E&S Associates, LLC
American Petroleum Institute
Associated Beverage Distributors of Nebraska
Burlington Northern Sante Fe (BNSF) Railway Company
Kaplan Higher and Professional Education c/o David Adams
Lancaster County Board of Commissioners
March of Dimes
Metropolitan Area Planning Agency
Nebraska Association of Regional Administrators
Nebraska CASA Association
Nebraska Cooperative Council

Nebraska County Court Association
Nebraska Golf Alliance
Nebraska Municipal Power Pool
Nebraska Regional Officials Council
Nebraska State Historical Society Foundation
Professional Engineers Coalition
Ralston Public School District
Spectra Energy
Telecare Corporation
United Cities of Sarpy County
Koch, Brandon
Farmers Group, Inc.
Kohout, Joseph D.
Kissel/E&S Associates, LLC
Kohout, Victoria
Research Nebraska!
Koops, Berend
Merck Sharp and Dohme Corp.
Kopacki, Christopher
National Rifle Association
Krannawitter, Brian
American Heart Association
Kruse, Dacia D.
RAI Services Co. (Reynolds American Inc.)
Kubat, Rick
Metropolitan Utilities District
Landwehr, Susan M.
Eli Lilly and Company
Lassen, Robert
AARP Nebraska
Lautenbaugh, Scott
Retirement Security Initiative
Levy, David C.
Baird Holm LLP
Likes, Steven C.
Nebraska Investment Finance Authority
Lindsay, John C.
O'Hara Lindsay & Associates, Inc.
Litt, Matthew J.
Americans for Prosperity
Loeffler, Michael T.
Northern Natural Gas
Logsdon, Robert R.
Cox Communications
Lombardi, Richard A.
American Communications, Inc.
Loontjer, Pat
Gambling with the Good Life

Lostroh, David L.
Nebraska Christian Home Educators Association

Ludwig, David M.
Educational Service Unit Coordinating Council

Luebbe, Lori
Nebraska Soybean Association

Luedtke, Joselyn
Bromm Nielsen & Mines

Luetkenhaus, Brandon
Nebraska Credit Union League

Lyons, Liz
Children's Hospital & Medical Center

Mach, Coby
Lincoln Independent Business Association (LIBA)

Mallett, Rochelle A.
O'Hara Lindsay & Associates, Inc.

Martin, Susan L.
Nebraska State AFL-CIO

Marvin, Michael
Nebraska Association of Public Employees NAPE/AFSCME Local 61

Matheson, Michael D.
Grain Belt Energy Services

McBride, David S.
Nebraska Optometric Association

McClure, Jeanne L.
CHI Health

McClure, John C.
Nebraska Public Power District

McClymont, Pete
Nebraska Cattlemen, Inc.

McCullough, Jacqueline K.
American Council of Engineering Companies/Nebraska
Nebraska County Attorneys Association

McDonald, Sarah
Werner Enterprises, Inc. and Subsidiaries

McDonald, Vickie
Nebraska Association of Former State Legislators

McGowan, Kyle
Nebraska Council of School Administrators

McGrain, Jordan
Convention of States Action

McGuire, Mark D.
Cameco Resources

McHale, Michael
Nebraska Catholic Conference

McKee, Nancy
Sunovion Pharmaceuticals Inc.

McKenzie, Janis M.
Nebraska Association for the Gifted

Nebraska Insurance Federation
McLarty, Brianna
Nebraskans for Civic Reform
Melotz, Shawn
Papio Valley Preservation Association, Inc.
Menzel, Elaine
Nebraska Association of County Officials
Meradith, Steve
Windstream Communications
Meurrens, Bradley
Disability Rights Nebraska
Meyer, Les
American Life and Security
Meyer, Patricia
Nebraska Winery and Grape Growers Association (NWGGA)
Mick, Ansley
Nebraska Farm Bureau Federation
Mikkelsen, Brian
Nebraska State Education Association
Mikolajczyk, Megan N
Planned Parenthood of the Heartland
Miller, Amy A.
ACLU Nebraska
Mines, Mick
Bromm Nielsen & Mines
Mollhoff, Janece
League of Women Voters of Nebraska
Monson, Andrew
First Five Nebraska
Moody, Christopher
General Motors LLC
Mueller Robak
American Express Travel Related Services, Inc.
Associated General Contractors of America, Nebraska Chapter
AT&T, Inc.
Chief Industries, Inc.
Children and Family Coalition of Nebraska
COPIC Insurance Company
Data Recognition Corporation
Duncan Aviation, Inc.
Eastern Nebraska Development Council
First Data Corporation
Frenchman Cambridge Irrigation District
GlaxoSmithKline
Greenwich Biosciences, Inc.
Integrated Life Choices
Lincoln Airport Authority
Madonna Rehabilitation Hospital
Millard Public Schools

Millard Roofing and Gutter Company
Nebraska Academy of Eye Physicians and Surgeons
Nebraska Association of Airport Officials
Nebraska Association of Commercial Property Owners
Nebraska Court Reporters Association
Nebraska Dental Association
Nebraska District Court Judges Association
Nebraska Independent Institution of Higher Education
Nebraska Interactive
Nebraska Land Title Association
Nebraska Machinery Company
Nebraska Medical Association
Nebraska Methodist Health Systems
Nebraska Press Association
Nebraska Society of Independent Accountants
Nebraska State Bar Association
Nebraskans for Civic Reform
New Venture Fund
PayPal
Pharmaceutical Research and Manufacturers of America
Smithfield Foods, Inc.
Stand for Schools
State Troopers Association of Nebraska, Inc.
Sugar Creek Capital
Viaero Wireless (Withdrawn 01/05/2017)
Women's Fund of Greater Omaha, Inc.
Mueller, William J.
Mueller Robak, LLC
Neal, John P.
Lincoln Public Schools
Neilan Strategy Group
Cavanaugh Law Firm, P.C., L.L.O.
Tenaska
Neilan, Perre S.
Neilan Strategy Group
Nelson, Stephen D.
Nebraska Farm Bureau Federation
Neville, Brennan S.
National Indemnity Company
Nickerson, Jocelyn S.
Humane Society of the United States, The
Nielsen, Coleen J.
Bromm Nielsen & Mines
Nolan, Michael J.
League of Nebraska Municipalities
Nowka & Edwards
Adams Central Public Schools
Anheuser-Busch Companies
Bryan Health

Deloitte Consulting, LLP
Digital Gaming Solutions, Inc.
Elkhorn Public Schools
Grand Island Northwest Public Schools
Intoximeters, Inc
Kelley Plucker, LLC
Lakeview Community Schools
Liberty Dental Plan (Withdrawn 12/13/2016)
Metropolitan Utilities District
National Utility Contractors Association of Nebraska, Inc. (NUCA)
Nebraska Academy of Family Physicians
Nebraska Academy of Nutrition and Dietetics
Nebraska Acupuncture and Oriental Medicine Association
Nebraska Association of Area Agencies on Aging
Nebraska Association of County Officials
Nebraska Association of Resources Districts
Nebraska County Attorneys Association
Nebraska Funeral Directors Association
Nebraska Home Care Association
Nebraska Pork Producers Association
Nebraska Poultry Industries, Inc.
Nebraska Public Power District
Nebraska Rural Community Schools Association
Nebraska Sheriffs' Association
Nebraska Society of Radiologic Technologists
Nebraska State College System
Nebraska Water Coalition
NET Foundation for Television
OneMain Holdings, Inc
Pfizer Inc.
Southern Public Power District
Union Pacific Railroad
US Assets
Nowka, Trent
Nowka and Edwards
O'Brien, Kelli Erin
Union Pacific Railroad
O'Hara Lindsay & Associates, Inc.
4 Lanes 4 Nebraska
Alliance of Automobile Manufacturers
Alter Trading Corporation
Black Hills Energy
Blue Cross and Blue Shield of Nebraska
Center Pivot Manufacturers Association
City of Hastings
City of Kearney
City of Lexington
City of Lincoln
First National of Nebraska, Inc.

Gracie Technologies LLC
Humanities Nebraska
Institute of Scrap Recycling Industries, Inc., Northwest Chapter
National Association of Housing and Redevelopment Officials, Nebraska
Chapter
Nebraska Association of Independent Ambulatory Centers
Nebraska Association of Trial Attorneys
Nebraska Beverage Association
Nebraska County Judges Association
Nebraska Kidney Coalition
Nebraska Nurses Association
Nebraska Rural Broadband Coalition
Nebraskans For Alternatives to the Death Penalty
Nebraskans for Rate Equity
Northern Natural Gas
Nucor Corporation
Omaha Public Power District
Omaha Public Schools
Parkinson's Action Network
Self Storage Association
Teradata
Vandelay Investments, LLC
Winnebago Tribe of Nebraska

Orr, Scott
FMR LLC

Orton, Leroy W.
Nebraska Onsite Waste Water Association
Nebraska State Irrigation Association
Nebraska Well Drillers Association

Othmer, Mark F.
Iowa-Nebraska Equipment Dealers Association

Otto, James A.
Nebraska Restaurant Association
Nebraska Retail Federation
OneMain Holdings, Inc

Otto, Richard J.
Nebraska Restaurant Association
Nebraska Retail Federation
OneMain Holdings, Inc

Pack, Mary M.
Radcliffe, Walter H. of Radcliffe and Associates

Paden, Nicholas K.
Cox Communications

Padilla, Julie
Renovate America, Inc.

Parker, David R.
Great West Casualty Company

Parr, Ann L.
Farmers Mutual of Nebraska

Partington, Jim
Nebraska Restaurant Association

Peetz & Company
Advocates for Behavioral Health
Aetna
CHI Health
Children's Hospital & Medical Center
Cox Communications
Durham Museum
First Five Nebraska
Kiewit Corporation
Lockridge Grindal Nauen P.L.L.P.
Metropolitan Entertainment & Convention Authority
Microsoft Corporation
Nebraska Nurse Practitioners
Omaha Zoological Society
School Employees' Retirement System of Douglas County School District 1
Tenaska
TradeWind Energy
University of Nebraska
Yahoo, Inc.

Peetz, Jack
Peetz & Company

Peetz, Natalie
Peetz & Company

Petersen, Scott
Printing Industry Midwest (PIM)

Peterson, Chris
CP Strategies LLC

Peterson, Patricia Schuett
Nebraska Investment Finance Authority

Petsch, Jean
Associated General Contractors - Nebraska Building Chapter

Pfeifer, Pat
Nebraska State Legislative Board - Brotherhood of Locomotive
Engineers and Trainmen

Pitts, Kathleen
Nebraska Appleseed

Pollock, Andy
Nebraska Defense Counsel Association
Nebraska Library Association
Nebraska Rural Telecommunications Coalition
Nebraska Transportation Association
Nebraska Travel Association (NETA)
NorthWestern Energy
Pillen Family Farms (formerly Progressive Swine Technologies)
United Healthcare Services, Inc.
Waste Connections of Nebraska, Inc.

Potter, Cara E.
WellCare Health Plans, Inc.

Prockish, Ann
CenturyLink

Prokop, Matthew
American Cancer Society Cancer Action Network

Pulliam, Greg
Exxon Mobil Corporation

Quick, Kim A.
Nebraska Labor Unity Council c/o Teamsters Local 554

Radcliffe, Walter H. of Radcliffe and Associates
Advance America c/o MultiState Associates, Inc.
Altria Client Services LLC and its Affiliates
Amgen
Bellevue Public Schools
Educators Health Alliance of Nebraska
Enterprise Rent-A-Car
Farm Credit Services of America
Father Flanagan's Boys' Home aka Boys Town
Father Flanagan's Boys' Home dba Boys Town National Research
Hospital

Friends of Nebraska Parks
HBAL/MOBA Coalition
Ho-Chunk, Inc.
Housing Policy Network
Hy-Vee
League of Nebraska Municipalities
Lincoln Public Schools
Media of Nebraska, Inc.
Metropolitan Community College
Motion Picture Association of America
Nebraska Association of Health Underwriters (NAHU)
Nebraska Broadcasters Association
Nebraska Cable Communications Association
Nebraska Cultural Endowment
Nebraska Expressways for Economic Development (NEED)
Nebraska Health Care Association, Inc.
Nebraska Liquor Wholesalers
Nebraska Optometric Association
Nebraska Pyrotechnics Association
Nebraska Realtors Association
Nebraska Society of Certified Public Accountants
Nebraska State Cemetery Association
Nebraska State Fair Board
Nebraska Telecommunications Association
Pinnacle Bank
Property Casualty Insurers Association of America
Retirement Security Initiative
Sanofi Pasteur c/o MultiState Associates Inc.
Tyson Foods, Inc.

Redoutey, Laura J.
Nebraska Hospital Association

Reece, Kaitlin
Voices for Children in Nebraska

Reiser, Richard S.
Nebraska Trucking Association

Rempe, Jay E.
Nebraska Farm Bureau Federation

Renner, Shawn D.
Media of Nebraska, Inc.

Rex, L. Lynn
League of Nebraska Municipalities

Richards, Thomas
Omaha Public Power District

Rieker, Bruce R.
Nebraska Farm Bureau Federation

Riley, Christopher T.
Archer Daniels Midland Company

Robak, Kim M.
Mueller Robak, LLC

Rogert, Kent
Jensen Rogert Associates, Inc.

Root, David
Prime Therapeutics, LLC

Roque, Matthew
ProRail Nebraska, Inc.

Rubel, Lauralie
WellCare Health Plans, Inc.

Rubin, Barry R.
Heartland Strategy Group, LLC

Ryan, June
AARP Nebraska

Sahling-Zart, Shelley R.
Lincoln Electric System

Sanne, Richard D.
Nebraska Grain and Feed Association

Schaefer, Matthew T.
Mueller Robak, LLC

Scherer, Larry
Nebraska State Education Association

Schilz, Kenneth
Bruning Law Group

Schmit-Albin, Julie
Nebraska Right to Life

Schneider, David
Convention of States Action

Schrader, Cora
Peetz & Company

Schubauer, Tyler
Ameritas Life Insurance Corp.

Schuller, Lynne
Nebraska Horsemen's Benevolent and Protective Association
Nebraska Propane Gas Association

Sears, Jay
Nebraska State Education Association

Sedlacek, Ronald J.
Husch Blackwell LLP
Nebraska Chamber of Commerce & Industry

Seelhoff, Janet
National Utility Contractors Association of Nebraska, Inc. (NUCA)
Nebraska Home Care Association

Siefken, Kathy
Nebraska Grocery Industry Association
SHAZAM

Silke, Vanessa
Baird Holm LLP

Sobotta, Russell
Sanofi US

Spatz, John
Nebraska Association of School Boards

Spohn, Katherine J.
Bruning Law Group

Stilmock, Gerald M.
Brandt, Horan, Hallstrom and Stilmock

Stoddard, Abigail
Prime Therapeutics, LLC

Sullivan, J. Scott
Nebraska Credit Union League

Summers, Juliet
Voices for Children in Nebraska

Swanson, Heather
Nebraska Affiliate of the American College of Nurse-Midwives

Thompson, Brian
Consolidated Companies, Inc.

Todd, A. Loy, Jr.
Nebraska New Car & Truck Dealers Association

Turner, Alexa
Associated Builders and Contractors, Inc.

Uhe, Fred J.
Sarpy County Board of Commissioners

Ullstrom, Galen F.
Mutual of Omaha

Venzor, Tom
Nebraska Catholic Conference

Vodvarka, Dan
Nebraska Society of Certified Public Accountants

Vokal, James D., Jr.
Platte Institute for Economic Research

Waite, Michelle
University of Nebraska

Ward, Kathryn
AARP Nebraska

Warth, Terry
Nebraska Public Power District

Weber, Michelle
Zulkoski Weber LLC

Weber, Rocky
Nebraska Cooperative Council

Werner, Terry
Nebraska Chapter of the National Association of Social Workers

Wesely, Don
O'Hara Lindsay & Associates, Inc.

Weston, Christie
Nebraska Investment Finance Authority

White, Rosemary
AAA Nebraska and The Auto Club Group

Wickersham, William R.
Nebraska Association of Former State Legislators

Wickman-Byrd, Barbara J.
Nebraska State Home Builders Association

Wightman, Anna Castner
First National of Nebraska, Inc.

Williams, Benjamin
College Board

Williams, David M.
Ameritas Life Insurance Corp.

Windle, J. Bub
Mueller Robak, LLC

Winger, Dwight R.
Pinpoint Holdings, Inc.

Winter, Robert
Greater Nebraska Schools Association

Withem, Ronald E.
University of Nebraska

Wolf, Ron
Nebraska State Irrigation Association

Wolfe, Jessica
Greenwich Biosciences, Inc.

Wright, Sheryl L.
League of Women Voters of Nebraska

Wurster, Donald F.
National Indemnity Company

Yaki, Michael
Renovate America, Inc.

Yost, Kurt T.
 Central Nebraska Public Power and Irrigation
 MM Finance, LLC
 Nebraska Financial Services Association
 Nebraska Independent Community Bankers

Young, Joseph
 Nebraska Chamber of Commerce & Industry

Young, Philip
 Americans For Electricity Choice

Youngberg, Steven Dr.
 Nebraska Firearms Owners Association (NFOA)

Zalenski, Susan D.
 Johnson & Johnson

Zink-Wythers, Jeanie
 AARP Nebraska

Zulkoski Weber LLC
 Bio Nebraska Life Sciences Association
 Biotechnology Innovation Organization
 Consortia Consulting
 Ducks Unlimited, Inc.
 Kum & Go
 Nebraska Academy of Physician Assistants
 Nebraska Broadband Coalition
 Nebraska Hospital Association
 Nebraska Veterinary Medical Association
 Niobrara River Basin Alliance
 Renewable Fuels Nebraska

Zulkoski, Katie W.
 Zulkoski Weber LLC

Zych, Michelle
 Women's Fund of Greater Omaha, Inc.

ANNOUNCEMENT(S)

The Banking, Commerce and Insurance Committee elected Senator Williams as Vice Chairperson.

The Health and Human Services Committee elected Senator Erdman as Vice Chairperson.

The Judiciary Committee elected Senator Pansing Brooks as Vice Chairperson.

The Nebraska Retirement Systems Committee elected Senator Lindstrom as Vice Chairperson.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 135. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Department of Agriculture; to amend sections 81-2,163 and 81-2,164.03, Reissue Revised Statutes of Nebraska; to change provisions relating to publicity; to eliminate a publication provision; to eliminate the power of the Director of Agriculture to designate a bureau as prescribed; to change provisions relating to the Agricultural Products Marketing Information Cash Fund; to repeal the original sections; and to outright repeal sections 81-2,164, 81-2,164.01, and 81-2,164.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 136. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1029 and 25-1056, Reissue Revised Statutes of Nebraska; to provide for release of certain property attached pursuant to an order of garnishment as prescribed; to change provisions relating to the effect of garnishment summons issued to financial institutions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 137. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to life insurance; to adopt the Unclaimed Life Insurance Benefits Act; and to provide an operative date.

LEGISLATIVE BILL 138. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to uniform transfer-on-death security registration; to amend section 30-2734, Reissue Revised Statutes of Nebraska; to define a term; to provide for transfer of business interests; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 139. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to county officers; to amend sections 32-101, 32-517, 32-518, 32-519, 32-520, 32-521, 32-522, 32-523, 32-524, 32-525, 32-526, 32-528, and 32-529, Reissue Revised Statutes of Nebraska; to authorize voters to vote regarding partisan or nonpartisan ballots for nomination and election of county officers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 140. Introduced by Williams, 36.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-101.01, 8-102, 8-104, 8-105, 8-106, 8-107, 8-109, 8-110, 8-111, 8-112,

8-113, 8-114, 8-116.01, 8-118, 8-119, 8-120, 8-122, 8-124, 8-124.01, 8-125, 8-126, 8-127, 8-129, 8-130, 8-132, 8-133, 8-137, 8-138, 8-139, 8-141, 8-143, 8-143.01, 8-144, 8-145, 8-147, 8-148, 8-148.01, 8-148.02, 8-148.04, 8-148.05, 8-148.07, 8-148.08, 8-150, 8-152, 8-158, 8-160, 8-161, 8-163, 8-164, 8-166, 8-167, 8-168, 8-169, 8-170, 8-171, 8-173, 8-174, 8-175, 8-177, 8-178, 8-179, 8-180, 8-182, 8-183, 8-183.04, 8-183.05, 8-184, 8-185, 8-186, 8-187, 8-188, 8-189, 8-190, 8-191, 8-192, 8-193, 8-194, 8-195, 8-196, 8-197, 8-198, 8-199, 8-1,100, 8-1,101, 8-1,102, 8-1,103, 8-1,104, 8-1,105, 8-1,106, 8-1,107, 8-1,108, 8-1,109, 8-1,110, 8-1,111, 8-1,112, 8-1,113, 8-1,115, 8-1,116, 8-1,117, 8-1,118, 8-1,119, 8-1,124, 8-1,125, 8-1,126, 8-1,127, 8-1,128, 8-1,129, 8-1,131, 8-1,133, 8-1,134, 8-1,135, 8-1,136, 8-1,137, 8-1,138, 8-1,139, 8-206, 8-207, 8-603, 8-701, 8-815, 8-820, 8-822, 8-826, 8-828, 8-2401, 28-612, 30-2602.02, 30-2640, 45-902, 45-919, 45-1103, and 49-1497, Reissue Revised Statutes of Nebraska, and sections 8-101, 8-103, 8-108, 8-116, 8-117, 8-128, 8-135, 8-153, 8-157, 8-157.01, 8-162.02, 8-167.01, 8-318, 8-601, 8-602, 8-702, 8-1401, 9-701, 45-335, and 45-1002, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Nebraska Banking Act; to change provisions relating to Department of Banking and Finance and Director of Banking and Finance powers and duties, the management of banks and other financial institutions, safe deposit boxes, and the registration of mortgage loan originators; to adopt certain federal provisions; to change provisions relating to merger and consolidation of banks; to change provisions relating to department fees, assessments and fines; to change provisions relating to banks as personal representatives or administrators, bank records and files, bank subsidiary corporations, rewards, and certain notice to the Governor; to change and eliminate state provisions relating to the Federal Banking Act of 1933; to change and eliminate provisions relating to personal loans by banks and trust companies and the violation of such provisions; to change provisions relating to trust company powers; to change provisions relating to confidential records or information; to eliminate a duty of the department to issue a certificate and other approval duties; to redefine a term; to provide for applicability; to harmonize provisions; to repeal the original sections; and to outright repeal sections 8-121, 8-151, 8-1,120, 8-1,121, 8-816, 8-819, and 8-827, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 141. Introduced by Williams, 36.

A BILL FOR AN ACT relating to unclaimed property; to amend sections 2-1223, 8-170, 9-645, 21-1737, 21-19,145, 24-345, 24-708, 25-2717, 43-3344, 44-4845, 79-932, 79-956, 81-2025, 84-617, and 84-1317, Reissue Revised Statutes of Nebraska, and sections 21-2,202, 23-2315, 69-2304, and 69-2308, Revised Statutes Cumulative Supplement, 2016; to adopt the Revised Uniform Unclaimed Property Act; to eliminate the Uniform Disposition of Unclaimed Property Act; to harmonize provisions; to provide an operative date; to provide severability; to repeal the original sections; and to outright repeal sections 69-1302, 69-1303, 69-1304, 69-1305, 69-1305.01, 69-1305.02, 69-1305.03, 69-1306, 69-1307, 69-1307.01, 69-1307.02, 69-1307.03, 69-1307.04, 69-1307.05, 69-1308, 69-1309,

69-1310, 69-1311, 69-1312, 69-1313, 69-1314, 69-1315, 69-1316, 69-1318, 69-1318.01, 69-1319, 69-1320, 69-1321, 69-1322, 69-1323, 69-1324, 69-1325, 69-1326, 69-1327, and 69-1328, Reissue Revised Statutes of Nebraska, and sections 69-1301, 69-1307.06, 69-1307.07, 69-1317, and 69-1329, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 142. Introduced by Williams, 36.

A BILL FOR AN ACT relating to farm product security interests; to amend sections 52-1307 and 52-1603, Revised Statutes Cumulative Supplement, 2016; to redefine effective financing statement; to change provisions relating to the master lien list; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 143. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-363, Revised Statutes Cumulative Supplement, 2016; to provide a duty to carry exception for public power district motor vehicle or trailer registration certificates; and to repeal the original section.

LEGISLATIVE BILL 144. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1016, Reissue Revised Statutes of Nebraska; to change the calculation of adjusted valuation for agricultural and horticultural land; and to repeal the original section.

LEGISLATIVE BILL 145. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to fines and costs; to amend sections 29-2206, 29-2206.01, 29-2279, 29-2404, 29-2412, and 60-692, Reissue Revised Statutes of Nebraska, and section 60-4,100, Revised Statutes Cumulative Supplement, 2016; to provide for a hearing to determine a person's financial ability to pay fines or costs or a traffic citation and to provide for community service; to change provisions relating to procedures for suspending an operator's license; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 146. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Nebraska Probation Administration Act; to amend section 29-2264, Reissue Revised Statutes of Nebraska; to provide for set-asides of infractions as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 147. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation

Act; to amend section 48-125, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to additional compensation for waiting time, termination of compensation, and awarding of attorney's fees; and to repeal the original section.

LEGISLATIVE BILL 148. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to finance; to amend sections 8-1102, 8-1103, 8-1107, 8-1109.01, 8-1109.02, 8-1110, 8-1115, 8-1116, 8-1117, 8-1122.01, and 8-1123, Reissue Revised Statutes of Nebraska, and sections 8-1101, 8-1106, 8-1108, 8-1108.01, 8-1109, 8-1111, 8-1118, and 8-1120, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Securities Act of Nebraska; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 149. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2015, LB657, section 17; to reduce an appropriation; and to repeal the original section.

LEGISLATIVE BILL 150. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2016; to provide for transfers; and to repeal the original section.

LEGISLATIVE BILL 151. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the duties of the Auditor of Public Accounts; to require a report by certain state entities as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 152. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to fees; to amend sections 25-2154 and 33-109, Reissue Revised Statutes of Nebraska, and sections 52-1004 and 77-3903, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to the fees for recording and filing certain documents; and to repeal the original sections.

LEGISLATIVE BILL 153. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to lobbying; to amend section 49-1492, Reissue Revised Statutes of Nebraska; to prohibit certain former officeholders and public employees from being lobbyists as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 154. Introduced by Geist, 25.

A BILL FOR AN ACT relating to the Safety of Dams and Reservoirs Act; to amend section 46-1657, Reissue Revised Statutes of Nebraska; to provide for the filing of a completion certificate without a filing fee; and to repeal the original section.

LEGISLATIVE BILL 155. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to education; to state intent; and to provide for successful completion of a civics test as a prerequisite to high school graduation as prescribed.

LEGISLATIVE BILL 156. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the 911 Service System Act; to amend section 86-1001, Revised Statutes Cumulative Supplement, 2016; to eliminate a termination date; to harmonize provisions; to repeal the original section; and to outright repeal section 86-1030, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 157. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-316, 86-318, 86-328, 86-902, 86-903, 86-904, and 86-905, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change a provision of the Nebraska Telecommunications Universal Service Fund Act; to change the prepaid wireless surcharge determination and duties of sellers and the Department of Revenue under the Prepaid Wireless Surcharge Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 158. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-272 and 43-3102, Reissue Revised Statutes of Nebraska; to change provisions relating to appointment of counsel for juveniles and standards for guardians ad litem and attorneys in juvenile court; to provide for rescission of a waiver of counsel by a juvenile; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 159. Introduced by McCollister, 20; Craighead, 6; Linehan, 39; McDonnell, 5; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend section 14-537, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to when special assessments are payable; and to repeal the original section.

LEGISLATIVE BILL 160. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to crime victims; to amend section 29-119, Reissue Revised Statutes of Nebraska; to redefine victim; and to repeal the original section.

LEGISLATIVE BILL 161. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5726 and 77-5735, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to a carryover period; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 162. Introduced by Krist, 10.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-111, 28-502, 28-503, 28-519, 28-918, 28-919, 28-920, and 28-1354, Reissue Revised Statutes of Nebraska; to change provisions relating to criminal mischief; to change and provide additional penalties for bribing or tampering with witnesses or informants and bribing a juror or jury tampering; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 163. Introduced by Vargas, 7; Blood, 3; Chambers, 11; Kolowski, 31; Krist, 10; Linehan, 39; McDonnell, 5; Morfeld, 46; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to elections; to amend sections 32-904, 32-938, and 32-942, Reissue Revised Statutes of Nebraska; to provide for additional polling places prior to an election; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 6. Introduced by Ebke, 32; Bostelman, 23; Brewer, 43; Erdman, 47; Friesen, 34; Groene, 42; Halloran, 33; Kolterman, 24; Larson, 40; Lindstrom, 18; Watermeier, 1; Williams, 36.

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

1. The Legislature of the State of Nebraska hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

2. The Clerk of the Legislature shall transmit copies of this application to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Senate and House of Representatives from this state, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

LEGISLATIVE RESOLUTION 7. Introduced by McCollister, 20; Craighead, 6.

WHEREAS, Andrew Easton, a teacher at Omaha Westside High School, was named by the Public Broadcasting Service as one of 52 Lead Digital Innovators from a pool of talented and innovative educators from across the United States and its territories; and

WHEREAS, Mr. Easton became a student himself by joining his own students in taking fellow Westside teacher Matt Rasgorshek's introduction to video class to learn how to use videos in his classroom to give students more instructional options; and

WHEREAS, Mr. Easton tries to use technology in nearly every facet of his teaching through sites like Animoto, nawnal and PowToon, as well as screen casts and presentations in Prezi to mix things up and make videos fun and educational; and

WHEREAS, Mr. Easton is a third-generation teacher who was inspired by his father and grandfather to serve other people and help students achieve their personal and educational goals; and

WHEREAS, Mr. Easton also serves Westside High School as head coach for the impressive boys' varsity cross country team, which competed in the state championship in 2016 for a record-setting fourth consecutive year; and

WHEREAS, Mr. Easton has earned the respect of his colleagues at Westside High School and in the Omaha education community. He is often mentioned in Westside's One-to-One Learning Initiative presentations as proof of the impact technology has on young learners.

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

1. That the Legislature congratulates Andrew Easton of Omaha Westside High School for being named the 2016 Lead Digital Innovator for Nebraska by the Public Broadcasting Service.

2. That a copy of this resolution be sent to Andrew Easton, Westside Community Schools Superintendent Blane McCann, Assistant Superintendent Mark Weichel, Director of Communications and Engagement Brandi Petersen, and Mr. Easton's video technology mentor, Matt Rasgorshek.

Laid over.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services

Room 1510

Wednesday, January 18, 2017 1:30 p.m.

LB18
LB19
LB33

Thursday, February 2, 2017 1:30 p.m.

LB91
LB59

(Signed) Merv Riepe, Chairperson

Government, Military and Veterans Affairs

Room 1507

Friday, February 10, 2017 1:30 p.m.

LB68

(Signed) John Murante, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, January 17, 2017 1:30 p.m.

LB45
LB46

(Signed) Curt Friesen, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Chambers name added to LB85.
Senator Bostelman name added to LB68.

VISITOR(S)

The Doctor of the Day was Dr. Roger Meyer from Utica.

ADJOURNMENT

At 10:12 a.m., on a motion by Senator Hughes, the Legislature adjourned until 9:00 a.m., Tuesday, January 10, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTH DAY - JANUARY 10, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 10, 2017

PRAYER

The prayer was offered by Senator Lindstrom.

ROLL CALL

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

The roll was called and all members were present except Senators Bolz, Larson, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB102	Judiciary
LB103	Education
LB104	Judiciary
LB105	Judiciary
LB106	Judiciary
LB107	Judiciary
LB108	Judiciary
LB109	Education
LB110	Nebraska Retirement Systems
LB111	Government, Military and Veterans Affairs
LB112	Government, Military and Veterans Affairs
LB113	Urban Affairs
LB114	Transportation and Telecommunications
LB115	Appropriations
LB116	Banking, Commerce and Insurance
LB117	Health and Human Services
LB118	Revenue

LB119 Education
LB120 Health and Human Services
LB121 Revenue
LB122 Judiciary
LB123 Education
LB124 Education
LB125 Agriculture
LB126 Revenue
LB127 Government, Military and Veterans Affairs
LB128 Health and Human Services
LB129 Revenue
LB130 Urban Affairs
LB131 Urban Affairs
LB132 Urban Affairs
LB133 Urban Affairs
LB134 Agriculture
LB135 Agriculture
LB136 Judiciary
LB137 Banking, Commerce and Insurance
LB138 Banking, Commerce and Insurance
LB139 Government, Military and Veterans Affairs
LB140 Banking, Commerce and Insurance
LB141 Banking, Commerce and Insurance
LB142 Banking, Commerce and Insurance
LB143 Transportation and Telecommunications
LB144 Education
LB145 Judiciary
LB146 Judiciary
LB147 Business and Labor
LB148 Banking, Commerce and Insurance
LB149 Appropriations
LB150 Appropriations
LB151 Government, Military and Veterans Affairs
LB152 Government, Military and Veterans Affairs
LB153 Government, Military and Veterans Affairs
LB154 Natural Resources
LB155 Education
LB156 Transportation and Telecommunications
LB157 Transportation and Telecommunications
LB158 Judiciary
LB159 Urban Affairs
LB160 Judiciary
LB161 Revenue
LB162 Judiciary
LB163 Government, Military and Veterans Affairs
LR6 Government, Military and Veterans Affairs

(Signed) Dan Watermeier, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance

Room 1507

Tuesday, January 17, 2017 1:30 p.m.

LB16
LB21
LB56
LB99

(Signed) Brett Lindstrom, Chairperson

Appropriations

Room 1524

Tuesday, January 17, 2017 10:00 a.m.

LB22
LB23
LB24

Note: LB22 is scheduled at this time for official record purposes. Testimony on the overall budget proposal is appropriate, however testimony on specific appropriations issues should be presented at the date scheduled for the relevant agency. Fund transfers contained in LB22 will be addressed at this time. (Section 148)

Tuesday, January 17, 2017 1:30 p.m.

Agency 5 - Supreme Court
Agency 14 - Public Service Commission
Agency 15 - Parole, Nebraska Board of
Agency 21 - State Fire Marshal
Agency 31 - Military Department
Agency 35 - Liquor Control Commission, Nebraska
Agency 46 - Correctional Services, Department of
Agency 64 - State Patrol, Nebraska
Agency 78 - Nebraska Commission on Law Enforcement and Criminal
Justice
Agency 10 - Auditor of Public Accounts

Tuesday, January 17, 2017 3:30 p.m.

Agency 47 - Educational Telecommunications Commission, Nebraska
Agency 48 - Coordinating Commission for Postsecondary Education
Agency 50 - Nebraska State College System

Agency 51 - University of Nebraska System
Agency 83 - Community College Aid
Agency 72 - Economic Development, Department of
Agency 34 - Library Commission, Nebraska
Agency 13 - Education, Department of

Room 1525

Wednesday, January 18, 2017 10:00 a.m.

Agency 18 - Agriculture, Department of
Agency 29 - Natural Resources, Department of
Agency 33 - Game and Parks Commission
Agency 54 - Historical Society, Nebraska State
Agency 71 - Nebraska Energy Office
Agency 84 - Environmental Quality, Department of
Agency 85 - Public Employees Retirement Board, Nebraska

Wednesday, January 18, 2017 1:30 p.m.

Agency 3 - Legislative Council
Agency 7 - Governor
Agency 8 - Lieutenant Governor
Agency 9 - Secretary of State
Agency 11 - Attorney General
Agency 12 - State Treasurer
Agency 16 - Revenue, Department of
Agency 32 - Educational Lands and Funds, Board of
Agency 65 - Administrative Services, Department of
Agency 69 - Arts Council, Nebraska
Agency 77 - Industrial Relations, Commission of
Agency 87 - Accountability and Disclosure Commission
Agency 91 - Nebraska Tourism Commission
Agency 93 - Tax Equalization and Review Commission

Wednesday, January 18, 2017 3:30 p.m.

Agency 23 - Labor, Department of
Agency 28 - Veterans' Affairs, Department of
Agency 67 - Equal Opportunity Commission
Agency 68 - Latino-American Commission
Agency 70 - Foster Care Review Board, State
Agency 76 - Indian Commission, Nebraska
Agency 81 - Commission for the Blind and Visually Impaired
Agency 82 - Commission for the Deaf and Hard of Hearing
Agency 25 - Health and Human Services

(Signed) John Stinner, Chairperson

ANNOUNCEMENT(S)

The Business and Labor Committee elected Senator Crawford as Vice Chairperson.

The General Affairs Committee elected Senator Harr as Vice Chairperson.

The Revenue Committee elected Senator Friesen as Vice Chairperson.

The Agriculture Committee elected Senator Blood as Vice Chairperson.

The Education Committee elected Senator Kolowski as Vice Chairperson.

COMMUNICATION(S)

January 6, 2017

Senator Dan Watermeier, Chair
Legislative Executive Board
State Capitol, Room 2108
Lincoln, NE 68509

Dear Senator Watermeier:

The purpose of this letter is to provide clarity regarding the issuance of Attorney General Opinions to members of the Nebraska Legislature. Members of the Legislature are entitled to receive opinions from the office of Attorney General upon questions of law which arise "in the discharge of their duties."¹ The issuance of Attorney General Opinions to members of the Legislature is limited to valid legislative purposes.² Thus it is the continued policy of the Office of the Attorney General to issue opinions to senators only on matters concerning proposed or pending legislation and not for the personal benefit of a state senator or any private individual or entity on a senator's behalf.

As matters concerning proposed or pending legislation are implicitly matters of public concern, it is the policy of this office that all Attorney General Opinions issued in response to a request from a member of the Legislature will be formal opinions and that requests for informal opinions will not be granted to members of the Legislature. Formal opinions are published and are a matter of public record. Please review the enclosed document for further suggestions on ensuring that such requests are properly stated.

Thank you for your service to the people of Nebraska.

Sincerely,
(Signed) Douglas J. Peterson
Attorney General

cc: Patrick J. O'Donnell, Clerk of the Legislature
State Senators

Enclosure

07-1096-29

¹ *Follmer v. State*, 94 Neb. 217, 142 N.W. 908 (1913); Neb. Rev. Stat. § 84-205(4) (2014).

² *See Nebraska Public Power District v. City of York*, 212 Neb. 747, 326 N.W.2d 22 (1982).

OPINIONS OF THE ATTORNEY GENERAL

All state officers, including members of the Nebraska Legislature, are entitled to receive opinions of the Attorney General upon questions of law which arise "in the discharge of their duties." *Follmer v. State*, 94 Neb. 217, 142 N.W. 908 (1913); Neb. Rev. Stat. § 84-205(4) (2014).

The Opinion Process

- The process is initiated by presenting the Attorney General with a written request for an opinion which states the precise legal question which the state officer would like to have answered.
- When an opinion request is received, it is entered into a tracking system within the Department of Justice and assigned to a particular assistant attorney general for preparation of an opinion. In most cases, opinions are prepared by assistant attorneys general in the Legal Services Bureau of the Department of Justice. The attorney assigned to the opinion proceeds to research the legal issue(s) and write the opinion.
- After an opinion is completed, it is reviewed by the appropriate Bureau Chief, the Deputy Attorney General and the Attorney General.
- After approval by all parties, the opinion is assigned a number, issued and delivered to the officer who requested it.

Opinion requests, particularly those for formal opinions, are generally considered a matter of public record, and may be released to third parties in response to an appropriate inquiry.

- Time frames. It is more important to arrive at the correct legal answer in response to an opinion request than it is to provide a quick answer. Accordingly, preparation of Attorney General opinions generally takes anywhere from thirty to ninety days, depending on the nature of the question(s) presented and the nature of the opinion (formal or informal). The Attorney General understands that those time frames are consistent with or shorter than the time frames for opinions used by the attorneys general of other states. However, the Attorney General also understands the time constraints placed upon the legislative session. As a result, the Attorney General tries to give opinion requests from senators received during the legislative session additional priority and some measure of expedited treatment consistent with the availability of resources within the Department of Justice.

Formal And Informal Opinions Of The Attorney General

- **Formal Opinions.** Formal opinions have a specific number and date and are a matter of public record. They are published on the Attorney General's website and on legal research services such as Westlaw. Those internet sources contain opinions from approximately 1978 through the present. In addition, bound volumes of Attorney General opinions are available in the State Library. Those materials date from the late 1800s through the present.
- **Informal Opinions.** Informal opinions are also assigned a specific number. However, they are issued only to the requestor and are not generally provided to the public or made a matter of public record. The Department of Justice has tracked informal opinions since 1991.
- Informal opinions generally relate to issues which are limited to a specific official or agency and which do not involve matters of statewide concern. Informal opinions are also often issued when there is a need to assert the attorney/client privilege.
- The final decision as to the nature of an opinion, formal or informal, and as to its release to the public or to other parties, is made by the Attorney General.

Opinions To State Senators

- Opinions are issued to state senators for "valid legislative purposes" pertaining to pending or proposed legislation.
- The Attorney General will generally decline to issue opinions to legislators regarding the constitutionality of existing statutes, since it is the Attorney General's duty to defend those statutes in court if they are challenged.
- The Attorney General will also generally decline to issue opinions to legislators seeking interpretations of existing statutes, unless the interpretation is directly related to proposed or pending legislation, or unless the interpretation pertains directly to the performance of some function or duty of the Legislature itself.
- Attorneys with the Department of Justice are attorneys for the State of Nebraska and, as a result, may not issue private legal opinions or represent private parties. Therefore, state senators may not obtain legal opinions for their personal use or benefit, nor may they obtain opinions for the personal use or benefit of constituents, private individuals, or private entities.
- Since attorneys with the Department of Justice are attorneys for the State of Nebraska, and since governmental subdivisions in Nebraska (cities, counties, school districts, power districts, etc.) are separately represented by their own lawyers, state senators may not obtain legal opinions for governmental subdivisions.
- Opinions to state senators are always issued as formal opinions because legal questions pertaining to proposed legislation obviously involve matters of statewide interest and matters of interest to the entire legislative body.

- Op. Att'y Gen. No. 157 (December 20, 1985), which is attached, offers a more detailed discussion of the policies of the Attorney General with respect to the issuance of opinions to members of the Legislature.

Suggestions For Making Opinion Requests

- Opinion requests should always set out the specific legal concern or the specific legal question at issue with as much detail as possible. Questions such as, "Is this bill constitutional or legal?" may necessarily result in a general response from the Attorney General which may or may not be helpful.
- To expedite the opinion process, opinion requests should be accompanied by the relevant proposed or pending legislation and any pertinent amendments to that legislation. In addition, copies of any other documentary materials necessary to answer the questions presented should also be included with the request.
- The Attorney General understands that legislative staff and other individuals such as lobbyists often provide members of the Legislature with legal memoranda, legal research, or other materials regarding particular opinion requests or particular legislative issues. Providing those materials to us with the request as pertinent will also help us to expedite preparation of the opinion.
- As noted above, the Attorney General tries to give priority to opinion requests from senators during the legislative session. The Attorney General also tries to give priority to opinion requests when the circumstances surrounding that request warrant an expedited response. Accordingly, if a particular opinion request does require expedited treatment for some reason, so stating in the opinion request will help make us aware of the need for a quicker response.

07-1095-29

January 4, 2017

MOTION(S) - Print in Journal

Senator Chambers filed the following motion to LB68:

MO3

Rerefer to the Judiciary Committee, pursuant to Rule 6, Section 2(a).

Senator Chambers filed the following motion to LB59:

MO4

Rerefer to the Judiciary Committee, pursuant to Rule 6, Section 2(a).

BILLS ON FIRST READING

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

LEGISLATIVE BILL 164. Introduced by Geist, 25.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-168.02, 60-3,126, 60-3,184, 60-4,168.01, 60-506.01, and 60-699, Reissue Revised Statutes of Nebraska, and sections 60-3,104, 60-3,104.01, 60-3,118, 60-3,120, 60-3,121, 60-3,122, 60-3,122.02, 60-3,122.04, 60-3,123, 60-3,124, 60-3,125, 60-3,128, 60-3,161, 60-3,224, 60-3,227, 60-4,168, and 60-2904, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to trailers and cabin trailers; to authorize the Department of Motor Vehicles to keep and sell registration or certificate of title records on motorboats, all-terrain vehicles, utility-type vehicles, snowmobiles, and minibikes; to change commercial motor vehicle disqualification provisions; to change provisions relating to motor vehicle accident reports; to redefine a term under the Uniform Motor Vehicle Records Disclosure Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 165. Introduced by Brewer, 43; Kintner, 2.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2753, Reissue Revised Statutes of Nebraska; to require employer identification numbers and use of the federal immigration verification system as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 166. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to controlled substances; to amend sections 28-410, 28-411, 28-414, 28-414.01, 28-414.03, 28-442, 38-1,124, 38-1,125, 38-2801, 38-2802, 38-2836, 38-2866.01, 38-2867, 38-2870, 38-2892, 38-2894, 71-2412, and 71-2413, Reissue Revised Statutes of Nebraska, and sections 71-401, 71-2445, 71-2478, and 71-2479, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Uniform Controlled Substances Act and the Pharmacy Practice Act; to change provisions relating to manufacturing, distributing, storing, prescribing, administering, dispensing, and recordkeeping for controlled substances; to change drug paraphernalia provisions; to define and redefine terms; to change and eliminate provisions relating to pharmacy technicians, pharmacist interns, and reporting of impaired practitioners; to eliminate provisions relating to temporary pharmacist licenses; to harmonize provisions; to repeal the original sections; to outright repeal sections 38-2853 and 38-2897, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 167. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to cannabidiol; to amend sections 28-401 and 28-405, Reissue Revised Statutes of Nebraska; to redefine marijuana; to include cannabidiol as a Schedule V controlled substance as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 168. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to insurance; to amend section 44-3,128.01, Reissue Revised Statutes of Nebraska; to change provisions relating to rights of subrogation of medical payments with respect to automobile liability policies; and to repeal the original section.

LEGISLATIVE BILL 169. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to exempt social security benefits and retirement income from taxation as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 170. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

LEGISLATIVE BILL 171. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

LEGISLATIVE BILL 172. Introduced by Albrecht, 17; Harr, 8.

A BILL FOR AN ACT relating to labor; to amend sections 8-716, 25-1912, 48-301, 48-606.01, 48-609, 48-612, 48-612.01, 48-613, 48-614, 48-616, 48-617, 48-618, 48-619, 48-620, 48-623, 48-624, 48-626, 48-627, 48-628, 48-628.01, 48-628.02, 48-628.03, 48-628.04, 48-628.05, 48-629, 48-629.01, 48-635, 48-638, 48-643, 48-645, 48-647, 48-648.02, 48-649, 48-650, 48-651, 48-654.01, 48-656, 48-662, 48-663, 48-664, 48-2903, 84-1301, and 84-1307, Reissue Revised Statutes of Nebraska, and sections 48-601, 48-602, 48-603.01, 48-604, 48-606, 48-621, 48-622.01, 48-622.02, 48-622.03, 48-625, 48-630, 48-631, 48-632, 48-634, 48-637, 48-644, 48-648, 48-652, 48-654, 48-655, 48-660.01, 48-663.01, 48-665, 48-675, 48-679, and 48-682, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to the Employment Security Law; to eliminate provisions relating to a merit system; to harmonize provisions;

to provide an operative date; to repeal the original sections; and to outright repeal sections 48-640, 48-641, 48-642, 48-646, and 81-402, Reissue Revised Statutes of Nebraska, and sections 48-648.01 and 48-669, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 173. Introduced by Morfeld, 46; Crawford, 45; Hansen, 26; Howard, 9; Kolowski, 31; McCollister, 20; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to discrimination; to amend sections 18-1724, 23-2525, 23-2531, 23-2541, 29-401, 48-215, 48-628.01, 48-1101, 48-1104, 48-1105, 48-1106, 48-1107, 48-1113, 48-1115, 48-1119, 48-1122, 48-1124, 49-801, 81-1355, and 81-1356, Reissue Revised Statutes of Nebraska, and sections 48-1111 and 48-1117, Revised Statutes Cumulative Supplement, 2016; to prohibit discrimination based upon sexual orientation and gender identity as prescribed; to change the Nebraska Fair Employment Practice Act; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 174. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2016; to adopt the Apprenticeship Training Program Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 175. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to students; to adopt the Student Online Personal Protection Act.

LEGISLATIVE BILL 176. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to milldams; to repeal provisions relating to milldams; and to outright repeal sections 56-101, 56-115, 56-124, 56-125, 56-126, and 56-127, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 177. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-308, 66-1401, 66-1403, 66-1411, and 75-385, Reissue Revised Statutes of Nebraska, and sections 60-3,198 and 66-712, Revised Statutes Cumulative Supplement, 2016; to redefine apportionable vehicle and change provisions relating to fleet vehicles under the Motor Vehicle Registration Act; motor fuel tax collection and enforcement; to change provisions relating to the International Fuel Tax Agreement Act and the Compressed Fuel Tax Act; to eliminate the requirement of appointment of the Administrator of Motor Carrier Services by the Director of Motor Vehicles; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 178. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 25-2740, 28-101, 28-311.04, 28-358.01, 28-1206, 29-404.02, and 29-422, Reissue Revised Statutes of Nebraska; to provide for sexual assault protection orders; to define and redefine terms; to provide a penalty; to change provisions relating to court procedures, penalties for stalking, possession of a weapon by a prohibited person, and arrests without warrants; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 179. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to children and youth; to amend sections 29-2260.02, 43-1311.03, 43-4502, 43-4504, 43-4505, 43-4508, 43-4510, 43-4511.01, and 43-4514, Reissue Revised Statutes of Nebraska, and section 71-1902, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Title IV-E state plan and a written independent living transition proposal as prescribed; to change provisions relating to intent, eligibility, extended services and support, and court-appointed representation under the Young Adult Bridge to Independence Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 180. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-2,129 and 43-2924, Reissue Revised Statutes of Nebraska; to provide for bridge orders transferring juvenile court jurisdiction of a juvenile to a district court as prescribed and application of the Parenting Act to such orders; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 181. Introduced by Quick, 35; Chambers, 11; Crawford, 45; Hansen, 26; Howard, 9; McDonnell, 5; Pansing Brooks, 28; Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-134, Reissue Revised Statutes of Nebraska; to provide for reimbursement to employees for certain medical examinations; and to repeal the original section.

LEGISLATIVE BILL 182. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Drinking Water State Revolving Fund Act; to amend section 71-5322, Revised Statutes Cumulative Supplement, 2016; to change the powers and duties of the Department of Environmental Quality; and to repeal the original section.

LEGISLATIVE BILL 183. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to elections; to amend sections 32-101, 32-517, 32-518, 32-519, 32-520, 32-521, 32-522, 32-523, 32-524, 32-525, 32-526, 32-528, 32-529, 32-615, 32-810, 32-811, 32-813, 32-814, 32-815,

and 32-817, Reissue Revised Statutes of Nebraska; to change provisions relating to nomination and election of county officers in certain counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 184. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to loan brokers; to amend sections 45-191.01 and 45-191.04, Reissue Revised Statutes of Nebraska, and section 45-190, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to change provisions relating to loan brokerage agreements, disclosure documents, and rights to cancel; and to repeal the original sections.

LEGISLATIVE BILL 185. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to finance; to amend section 45-1009, Reissue Revised Statutes of Nebraska, and sections 8-2733 and 45-346, Revised Statutes Cumulative Supplement, 2016; to provide procedure and notice requirements and powers and duties for the Department of Banking and Finance with respect to abandoned license applications under the Nebraska Money Transmitters Act, the Nebraska Installment Sales Act, and the Nebraska Installment Loan Act; and to repeal the original sections.

LEGISLATIVE BILL 186. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Nebraska Money Transmitters Act; to amend section 8-2727, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to licensee surety bonds; and to repeal the original section.

LEGISLATIVE BILL 187. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend section 8-1111, Revised Statutes Cumulative Supplement, 2016; to increase a dollar threshold for transactions exempt from registration under the act and provide for adjustment of such amount; to provide for the effect of certain exempt sales on malpractice insurance premiums; and to repeal the original section.

LEGISLATIVE BILL 188. Introduced by Howard, 9.

A BILL FOR AN ACT relating to sexual assault; to amend sections 43-254, 43-283.01, 43-292.02, 43-1411.01, and 43-2933, Reissue Revised Statutes of Nebraska; to change provisions relating to paternity of a child conceived as a result of sexual assault; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 189. Introduced by Howard, 9; Bolz, 29; Pansing Brooks, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services for recruitment and retention of caseworkers.

LEGISLATIVE BILL 190. Introduced by Kintner, 2.

A BILL FOR AN ACT relating to the Tobacco Products Tax Act; to amend section 77-4008, Reissue Revised Statutes of Nebraska; to change provisions relating to the tax on cigars, cheroots, and stogies as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 191. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to court procedure; to amend sections 42-924, 42-925, 43-1609, and 43-1611, Reissue Revised Statutes of Nebraska; to provide a procedure to renew a protection order; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 192. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to juries; to amend sections 25-412.04, 25-1107.01, 25-1108, 25-1121, 25-1313, 25-1601, 25-1601.03, 25-1602, 25-1603, 25-1606, 25-1607, 25-1611, 25-1612, 25-1625, 25-1626, 25-1627, 25-1628, 25-1629, 25-1629.01, 25-1629.02, 25-1631, 25-1631.03, 25-1632, 25-1632.01, 25-1633, 25-1634, 25-1634.01, 25-1634.02, 25-1635, 25-1636, 25-1637, 25-1639, 25-1640, 25-1641, 25-2705, 28-916, 29-1201, 29-2003, 29-2011, 29-2017, 29-2023, and 33-138, Reissue Revised Statutes of Nebraska; to name the Jury Selection Act; to define terms; to change provisions relating to juror qualifications and exemptions and excuses from jury service; to change terminology relating to juries; to change provisions relating to jury lists and summoning juries, jury commissioners, initial and subsequent jury panels, excess jurors, special jury panels in criminal cases, extra jurors, tales jurors, grand juries, jurors' notes, jurors viewing property or a place material to litigation, demands for jury trials, and compensation for jurors; to provide duties for clerk magistrates; to change terminology relating to verdicts and court proceedings; to harmonize provisions; to repeal the original sections; and to outright repeal sections 25-1609, 25-1626.02, 25-1627.01, 25-1629.03, 25-1629.04, 25-1630, 25-1633.01, 25-1634.03, 25-1642, and 25-1643, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 193. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to courts; to amend section 29-2407, Reissue Revised Statutes of Nebraska, 2008, sections 15-1202, 15-1203, 24-303, 24-729, 25-410, 25-412, 25-533, 25-602, 25-901, 25-915,

25-1031.02, 25-1121, 25-1126, 25-1129, 25-1149, 25-1301, 25-1301.01, 25-1303, 25-1305, 25-1318, 25-1415, 25-1416, 25-1504, 25-1510, 25-1521, 25-1531, 25-1578, 25-1587.04, 25-1587.06, 25-1635, 25-1912, 25-21,212, 25-21,228, 25-21,271, 25-2205, 25-2207, 25-2209, 25-2211, 25-2213, 25-2234, 25-2704, 25-2706, 25-2707, 25-2721, 25-2729, 25-2731, 25-3401, 28-814, 29-1302, 29-1407.01, 29-1414, 29-1418, 29-1705, 29-1802, 29-1816.01, 29-2001, 29-2023, 29-2315.01, 29-2321, 29-2413, 29-3903, 29-4007, 30-2429.01, 30-2488, 30-2608, 31-320, 31-329, 32-1412, 33-103, 33-106, 33-106.01, 33-106.02, 33-106.03, 33-107.02, 33-131, 33-140.03, 35-102, 37-1283, 42-364, 42-372.02, 43-102, 43-2,108, 43-2,112, 43-2,113, 43-1906, 44-2006, 46-554, 48-1119, 76-717, 76-723, 81-8,211, 81-1848.03, and 84-712.03, Reissue Revised Statutes of Nebraska, and sections 16-729, 44-4828, 48-3511, 50-406, 60-166, and 71-6903, Revised Statutes Cumulative Supplement, 2016; to define terms; to change and eliminate record and recording requirements and change terminology; to provide for, change, and eliminate provisions relating to retention and disposition of records; to change provisions relating to the duties of court clerks; to eliminate a filing requirement for volunteer fire departments; to provide a duty for the State Court Administrator; to harmonize provisions; to repeal the original sections; and to outright repeal sections 24-337, 24-348, 25-1319, 25-1320, 25-1321, 25-1322, 25-2210, 25-2211.01, 25-2211.02, and 25-2616, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 194. Introduced by Vargas, 7; Linehan, 39.

A BILL FOR AN ACT relating to interest, loans, and debt; to amend sections 45-804, 45-902, 45-904, 45-906, 45-907, 45-908, 45-911, 45-915, 45-915.01, 45-917, 45-918, 45-919, 45-921, 45-922, 45-923, 45-925, and 45-1001, Reissue Revised Statutes of Nebraska, and sections 45-901, 45-910, and 45-927, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Credit Services Organization Act, the Delayed Deposit Services Licensing Act, and the Nebraska Installment Loan Act; to define and redefine terms; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 195. Introduced by Craighead, 6; Albrecht, 17; Blood, 3; Brasch, 16; Linehan, 39; Pansing Brooks, 28; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to health and human services; to require notification following mammography as prescribed.

LEGISLATIVE BILL 196. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-1,140, 8-355, and 21-17,115, Revised Statutes Cumulative Supplement, 2016; to revise powers of state-chartered banks, building and loan associations, and credit unions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 197. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to elections; to amend sections 32-808, 32-941, and 32-943, Reissue Revised Statutes of Nebraska; to provide for application for ballots to vote early on the Secretary of State's web site; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 198. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Crimes Against Children Fund; to amend section 81-1429.01, Reissue Revised Statutes of Nebraska; to terminate the fund; and to repeal the original section.

LEGISLATIVE BILL 199. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to counties; to eliminate certain state aid to counties; and to outright repeal sections 23-362 and 23-362.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 200. Introduced by Lowe, 37; Albrecht, 17; Briese, 41; Halloran, 33; Kuehn, 38; Williams, 36.

A BILL FOR AN ACT relating to county roads; to amend section 39-1506, Reissue Revised Statutes of Nebraska; to change a provision relating to county highway superintendent qualifications; and to repeal the original section.

LEGISLATIVE BILL 201. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to criminal law; to amend sections 28-915, 29-812, 29-813, 29-814.01, 29-814.02, 29-814.04, 29-814.05, 29-814.06, 29-815, 29-817, and 29-821, Reissue Revised Statutes of Nebraska, and section 21-2,212, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to perjury; to change and eliminate provisions relating to the issuance of search warrants; to harmonize provisions; to repeal the original sections; and to outright repeal section 29-814.03, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 202. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-901, Reissue Revised Statutes of Nebraska; to create the offense of obstructing government operations by refusal to submit to a chemical test authorized by search warrant; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 203. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-626 and 48-628, Reissue Revised Statutes of Nebraska; to change provisions relating to maximum annual unemployment benefit

amounts and disqualification from unemployment benefits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 204. Introduced by Hilgers, 21.

A BILL FOR AN ACT relating to court procedures; to amend section 24-1106, Reissue Revised Statutes of Nebraska, 2008, and section 25-1332, Reissue Revised Statutes of Nebraska; to change provisions relating to appeals to the Supreme Court, service on employees of the state, and summary judgment; and to repeal the original sections.

LEGISLATIVE BILL 205. Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to designate funds appropriated to the Department of Health and Human Services for state aid.

LEGISLATIVE BILL 206. Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services for a rate increase for providers of developmental disability services.

LEGISLATIVE BILL 207. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Office of Inspector General of Nebraska Child Welfare Act; to amend sections 43-4301, 43-4318, 43-4323, 43-4327, and 43-4328, Reissue Revised Statutes of Nebraska; to change provisions relating to investigative duties, counsel fees, and distribution of and responses to reports; to prohibit certain personnel actions as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 208. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.21, Reissue Revised Statutes of Nebraska; to change provisions relating to broker trust accounts; and to repeal the original section.

LEGISLATIVE BILL 209. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend sections 84-901 and 84-901.03, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to change provisions relating to an index as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 210. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Legislative Performance Audit Act; to amend sections 50-1205.01 and 50-1210, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to standards and external quality control reviews; to change provisions relating to audit reports as

prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 211. Introduced by Hansen, 26; Blood, 3; Howard, 9; Kolowski, 31; Morfeld, 46; Quick, 35; Vargas, 7.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1205, Reissue Revised Statutes of Nebraska, and section 48-1203, Revised Statutes Cumulative Supplement, 2016; to change the minimum wage for persons compensated by way of gratuities; to change provisions relating to the posting of information; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 212. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to public safety officials; to adopt the In the Line of Duty Compensation Act; and to provide an operative date.

LEGISLATIVE BILL 213. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Unfair Insurance Claims Settlement Practices Act; to amend section 44-1540, Revised Statutes Cumulative Supplement, 2016; to add an unfair claims settlement practice; and to repeal the original section.

LEGISLATIVE BILL 214. Introduced by Halloran, 33; Briese, 41; Erdman, 47; Groene, 42; Lowe, 37.

A BILL FOR AN ACT relating to education; to amend sections 79-8,125, 79-8,127, 79-8,129, and 79-8,130, Reissue Revised Statutes of Nebraska; to provide for termination of the Master Teacher Program; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 215. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908, 77-2715.07, 77-2717, 77-2734.03, and 77-3806, Revised Statutes Cumulative Supplement, 2016; to adopt the Nebraska E-15 Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 216. Introduced by Harr, 8.

A BILL FOR AN ACT relating to redistricting; to amend section 49-1499.03, Reissue Revised Statutes of Nebraska, and section 49-1493, Revised Statutes Cumulative Supplement, 2016; to adopt the Redistricting Act; to require statements of financial interest and conflict of interest statements as prescribed; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 217. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section

77-3517, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the accrual of interest on denied and reduced homestead exemptions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 218. Introduced by Groene, 42.

A BILL FOR AN ACT relating to irrigation; to provide for installation of ground water pumps by public entities; to provide powers and duties; and to provide for rules and regulations.

LEGISLATIVE BILL 219. Introduced by Nebraska Retirement Systems Committee: Kolterman, 24, Chairperson; Bolz, 29; Groene, 42; Kolowski, 31; Lindstrom, 18; Stinner, 48.

A BILL FOR AN ACT relating to retirement; to amend sections 24-701, 84-1301, and 84-1319, Reissue Revised Statutes of Nebraska, and sections 23-2301, 23-2317, 79-902, and 81-2014, Revised Statutes Cumulative Supplement, 2016; to redefine terms; to change provisions relating to authorized benefit elections; to change provisions relating to actuarial assumptions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 220. Introduced by Harr, 8; Lindstrom, 18.

A BILL FOR AN ACT relating to the Insured Homeowners Protection Act; to amend sections 44-8601 and 44-8602, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to provide contract requirements for assignment of rights and benefits; to require notice as prescribed; to declare certain contracts void; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 221. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2015, LB661, section 4; to change a transfer of funds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 222. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to tourism; to amend sections 81-3702, 81-3710, 81-3712, 81-3713, 81-3721, and 81-3724, Reissue Revised Statutes of Nebraska, and sections 81-3701, 81-3703, 81-3711, 81-3714, and 81-3725, Revised Statutes Cumulative Supplement, 2016; to restate intent; to define a term; to change membership provisions for the Nebraska Tourism Commission; to provide for districts; to provide, change, and eliminate powers and duties; to eliminate obsolete provisions; to change and eliminate provisions relating to contracts; to provide for additional grants; to harmonize provisions; to repeal the original sections; to outright repeal section 81-3727, Revised Statutes Cumulative Supplement, 2016; and to declare an emergency.

LEGISLATIVE BILL 223. Introduced by Kuehn, 38; Howard, 9; Lindstrom, 18.

A BILL FOR AN ACT relating to prescription drug monitoring; to amend section 71-2454, Revised Statutes Cumulative Supplement, 2016; to provide for training as prescribed; to redefine a term; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 224. Introduced by Crawford, 45; Howard, 9.

A BILL FOR AN ACT relating to public assistance; to amend section 43-512, Reissue Revised Statutes of Nebraska, and sections 68-1017.02, 68-1713, and 68-1726, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to asset limitations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 225. Introduced by Crawford, 45; Howard, 9.

A BILL FOR AN ACT relating to crimes and punishments; to amend sections 28-712 and 28-712.01, Reissue Revised Statutes of Nebraska; to change provisions relating to alternative response; to provide for a briefing; to provide a duty for the Department of Health and Human Services; and to repeal the original sections.

LEGISLATIVE BILL 226. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to children; to amend sections 43-2,129, 43-1311.03, 43-2101, 43-4218, 43-4705, and 43-4708, Reissue Revised Statutes of Nebraska; to provide for the purchase of motor vehicles and motor vehicle insurance policies by certain children; to change transition plan requirements for children in foster care; to change provisions relating to the age of majority; to require the Normalcy Task Force to study the provision of motor vehicle insurance coverage for children in foster care; to require a report; to permit caregivers to give permission for obtaining certain motor vehicle permits; to limit liability of such caregivers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 227. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to brain injury; to define terms; to create a council and a fund; and to provide powers and duties.

LEGISLATIVE BILL 228. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1333, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to rent-restricted housing projects; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 229. Introduced by Williams, 36; Ebke, 32.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1010, 25-1028, 25-1030.02, and 25-1056, Reissue Revised Statutes of Nebraska; to change provisions relating to garnishment; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 230. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to economic development; to create the Nebraska Economic Development Advisory Committee; to provide duties; and to declare an emergency.

ANNOUNCEMENT

The Chair announced the birthday of Senator Crawford.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 8. Introduced by Ebke, 32; Chambers, 11.

WHEREAS, Donald L. Eret was elected to serve in the Legislature in 1982 and served until the expiration of his term in 1987; and

WHEREAS, during his tenure in the Legislature, Donald L. Eret served as the vice-chairperson of the Business and Labor Committee, represented the Legislature as Commissioner for the Education Commission of the States, and was a member of the Agriculture and Environment, Education, Intergovernmental Cooperation, and Administrative Rules and Regulations Review Committees; and

WHEREAS, Donald L. Eret was a farmer involved in agriculture issues, organizing support for the Nebraska Tractor Test Laboratory and participating in the tractorcade to Washington, D.C., in 1978 with three thousand other farmers to protest U.S. farm policies; and

WHEREAS, Donald L. Eret was an active member of the United Methodist Church of Dorchester, the Dorchester American Legion Post, the Western Fraternal Life Association, the Nebraska Farmers Union, the Nebraska Wheat Growers Association, the Nebraska Grain Sorghum Producers Association, and the American Agriculture Movement; and

WHEREAS, Donald L. Eret was born on a farm south of Dorchester on May 31, 1931, attended a country school and graduated from Dorchester High School in 1948, continued his education at the University of Nebraska graduating with a Bachelor of Science degree in agricultural engineering in 1953, served on the staff at the Ordinance Guided Missile School in Huntsville, Alabama, during his service in the army, and worked as a mechanical-aerospace engineer for Brown-Teledyne Corporation where he provided engineering services to NASA on the Saturn V booster moon landing program before returning to Nebraska in 1970 to take over the family farm in 1972; and

WHEREAS, Donald L. Eret married Lois Naomi Arnold on December 22, 1950, and had three children, Joyce, Lee, and Larry, ten grandchildren, and seventeen great-grandchildren; and

WHEREAS, Donald L. Eret passed away on January 4, 2017, the opening day of the One Hundred Fifth Legislature, and will be remembered for his advocacy and his love for his children, grandchildren, and wife Lois, who preceded him in death in 2015.

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

1. That the Legislature honors Donald L. Eret for his service to the State of Nebraska.
2. That the Legislature extends deep sympathy to the family of Donald L. Eret.
3. That a copy of this resolution be sent to the family of Donald L. Eret.

Laid over.

UNANIMOUS CONSENT – Add Cointroducers

Senator Krist asked unanimous consent to add all the senators' names as cointroducers to LR9. No objections. So ordered.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 9. Introduced by Krist, 10; Albrecht, 17; Baker, 30; Blood, 3; Bolz, 29; Bostelman, 23; Brasch, 16; Brewer, 43; Briese, 41; Chambers, 11; Craighead, 6; Crawford, 45; Ebke, 32; Erdman, 47; Friesen, 34; Geist, 25; Groene, 42; Halloran, 33; Hansen, 26; Harr, 8; Hilgers, 21; Hilkemann, 4; Howard, 9; Hughes, 44; Kintner, 2; Kolowski, 31; Kolterman, 24; Kuehn, 38; Larson, 40; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Murante, 49; Pansing Brooks, 28; Quick, 35; Riepe, 12; Scheer, 19; Schumacher, 22; Smith, 14; Stinner, 48; Vargas, 7; Walz, 15; Watermeier, 1; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, John Wightman was elected to the Legislature in 2006 and reelected in 2010, representing the 36th Legislative District until 2015; and

WHEREAS, during his tenure in the Legislature, John Wightman served for 6 years as the chairman of the Executive Board of the Legislative Council and the Referencing Committee in addition to membership on the Committee on Appropriations, Legislative Performance Audit Committee, and Legislature's Planning Committee; and

WHEREAS, prior to his time in the Legislature, John Wightman had been the mayor of Lexington, the president of the Dawson County Bar Association, and a lay leader and financial chairman for the United Methodist Church as well as a member of the Lexington Planning Commission, Lexington City Council, Lexington Community Foundation Board of Directors, Dawson Area Development Board of Directors,

Nebraska State Bar Association, Nebraska State Bar Foundation, and Lexington Chamber of Commerce; and

WHEREAS, John Wightman was born in North Platte on October 2, 1938, grew up between Sumner and Overton, graduated from Sumner High School, earned a Bachelor of Science degree from Kearney State College, taught high school for a year in Dannebrog, and went on to receive a Juris Doctorate from the University of Nebraska before pursuing a career as an attorney in Lexington; and

WHEREAS, John Wightman married Janet L. Hyde on June 14, 1964, and had three children, John, Jr., Jeffrey, and Jill, and four granddaughters; and

WHEREAS, John Wightman passed away on January 5, 2017, and will be remembered for his intellect, open mind, and impact on the Lexington area and the state as a whole.

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

1. That the Legislature honors John Wightman for his service to the State of Nebraska.
2. That the Legislature extends deep sympathy to the family of John Wightman.
3. That a copy of this resolution be sent to the family of John Wightman.

Laid over.

NOTICE OF COMMITTEE HEARING(S)

Agriculture

Room 2102

Tuesday, January 17, 2017 1:30 p.m.

LB134

(Signed) Lydia Brasch, Chairperson

Urban Affairs

Room 1510

Tuesday, January 17, 2017 1:30 p.m.

LB113

LB74

LB133

LB132

LB131

(Signed) Justin Wayne, Chairperson

Judiciary

Room 1113

Wednesday, January 18, 2017 1:30 p.m.

LB7
LB8
LB10
LB11

Thursday, January 19, 2017 1:30 p.m.

LB26
LB47
LB57
LB93
LB102

(Signed) Laura Ebke, Chairperson

Nebraska Retirement Systems

Room 1525

Thursday, January 19, 2017 12:00 p.m.

LB29
LB94

(Signed) Mark Kolterman, Chairperson

Education

Room 1525

Tuesday, January 17, 2017 1:30 p.m.

LB14
LB62
LB119

(Signed) Mike Groene, Chairperson

ANNOUNCEMENT(S)

Senator Hilgers announced the Rules Committee will meet Wednesday, January 11, 2017, at 1:30 p.m. in Room 1524.

The Urban Affairs Committee elected Senator Hansen as Vice Chairperson.

The Transportation and Telecommunications Committee elected Senator Smith as Vice Chairperson.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Watermeier name added to LB137.

Senator Lindstrom name added to LB45.

Senator Brewer name added to LB88.

VISITOR(S)

The Doctor of the Day was Dr. Marlon Weiss from Lincoln.

ADJOURNMENT

At 10:14 a.m., on a motion by Senator Kolowski, the Legislature adjourned until 10:00 a.m., Wednesday, January 11, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

SIXTH DAY - JANUARY 11, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 11, 2017

PRAYER

The prayer was offered by Pastor Christopher Hazzard, St. Paul Lutheran Church, Minden.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators McCollister and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

ANNOUNCEMENT(S)

The Appropriations Committee elected Senator Bolz as Vice Chairperson.

The Government, Military and Veterans Affairs Committee elected Senator Brewer as Vice Chairperson.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Wednesday, January 18, 2017 1:30 p.m.

LB80
LB85

Thursday, January 19, 2017 1:30 p.m.

LB90
LB101
LB151
LB27

Friday, January 20, 2017 1:30 p.m.

LB36
LB38

(Signed) John Murante, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 231. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to the Insurance Producers Licensing Act; to amend section 44-4059, Reissue Revised Statutes of Nebraska; to authorize disciplinary action for failing to maintain a license in good standing as prescribed; and to repeal the original section.

LEGISLATIVE BILL 232. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2016; to provide a property tax exemption for property leased to the state or a governmental subdivision; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 233. Introduced by Smith, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 9-433, 77-2783, 77-2785, 77-4014, and 79-1016, Reissue Revised Statutes of Nebraska, and sections 69-2710.01, 77-2503, 77-2506, 77-2604, 77-2604.01, 77-2756, 77-27,238, 77-3510, 77-4212, and 77-5725, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to lotteries and raffles, cigarette reports, affordable housing tax credits, statements on income taxes withheld, mathematical and clerical errors in income taxes, employer tax credits, homestead exemption forms and lists, tobacco product tax returns, property tax credits, property tax exemptions under the Nebraska Advantage Act, and taxable valuations for school districts; to eliminate the Low-Income Home Energy Conservation Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 66-1013, 66-1017, 66-1018, and 66-1019, Reissue Revised Statutes of Nebraska, and sections 66-1012, 66-1014, 66-1015, 66-1016, and 66-1019.01, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 234. Introduced by Smith, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 49-801.01, Revised Statutes Cumulative Supplement, 2016; to update

references to the Internal Revenue Code; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 235. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Summer Food Service Program; to amend section 79-10,141, Reissue Revised Statutes of Nebraska; to clarify grant requirements; and to repeal the original section.

LEGISLATIVE BILL 236. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-132, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the inclusion of multiple lots in one parcel; and to repeal the original section.

LEGISLATIVE BILL 237. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to official bonds; to amend sections 11-107 and 23-1601, Reissue Revised Statutes of Nebraska; to change filing requirements for school districts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 238. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-509, Reissue Revised Statutes of Nebraska; to change provisions relating to certifying taxable values; and to repeal the original section.

LEGISLATIVE BILL 239. Introduced by Baker, 30.

A BILL FOR AN ACT relating to the Burial Pre-Need Sale Act; to amend sections 12-1113 and 12-1114, Reissue Revised Statutes of Nebraska; to change provisions relating to trust funds; and to repeal the original sections.

LEGISLATIVE BILL 240. Introduced by Baker, 30.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend sections 79-554, 79-560, 79-561, and 84-1411, Reissue Revised Statutes of Nebraska; to authorize board meetings of school districts to be held by means of videoconferencing; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 241. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Privacy of Insurance Consumer Information Act; to amend section 44-905, Reissue Revised Statutes of Nebraska; to provide an exception to the requirement to send annual privacy notices; and to repeal the original section.

LEGISLATIVE BILL 242. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the recruitment of students who study to become behavioral health professionals; and to require reports.

LEGISLATIVE BILL 243. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to assaults; to require the reporting of certain information concerning assaults that occur in state institutions.

LEGISLATIVE BILL 244. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-101.01, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to mental injury and mental illness compensation; and to repeal the original section.

LEGISLATIVE BILL 245. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to correctional services; to define terms; to provide for and limit overtime as prescribed; to provide for a corrections-related emergency; and to provide an operative date.

LEGISLATIVE BILL 246. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1028.01, Revised Statutes Cumulative Supplement, 2016; to provide a budget exception for expanded learning opportunity programs; and to repeal the original section.

LEGISLATIVE BILL 247. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to school finance; to amend section 79-10,110.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to school district levy and bonding authority for certain projects; to authorize school district levy and bonding authority for cybersecurity as prescribed; to define and redefine terms; and to repeal the original section.

LEGISLATIVE BILL 248. Introduced by Harr, 8.

A BILL FOR AN ACT relating to employment training; to adopt the Youth Opportunities in Learning and Occupations Act.

LEGISLATIVE BILL 249. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2016; to expand a

property tax exemption; and to repeal the original section.

LEGISLATIVE BILL 250. Introduced by Harr, 8.

A BILL FOR AN ACT relating to probation; to amend section 29-2267, Reissue Revised Statutes of Nebraska; to change provisions relating to probationers' rights; and to repeal the original section.

LEGISLATIVE BILL 251. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1359, Revised Statutes Cumulative Supplement, 2016; to redefine agricultural or horticultural purposes as prescribed; and to repeal the original section.

LEGISLATIVE BILL 252. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1401 and 49-1403, Reissue Revised Statutes of Nebraska, and sections 49-1463.01, 49-1467, and 49-1469, Revised Statutes Cumulative Supplement, 2016; to define a term; to change reporting requirements for independent expenditures; to require reporting regarding electioneering communication; to provide for late filing fees; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 253. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the County Industrial Sewer Construction Act; to amend section 23-3637, Reissue Revised Statutes of Nebraska; to authorize intergovernmental service agreements as prescribed; to provide for a special tax levy; and to repeal the original section.

LEGISLATIVE BILL 254. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-168.06, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to prohibited acts; to provide for making and serving certain types of alcoholic liquor by nonlicensed persons as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 255. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-101, 38-121, and 38-186, Reissue Revised Statutes of Nebraska, and section 71-448, Revised Statutes Cumulative Supplement, 2016; to adopt the Dialysis Patient Care Technician Registration Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 256. Introduced by Briese, 41.

A BILL FOR AN ACT relating to cities and villages; to adopt the Vacant Property Registration Act.

LEGISLATIVE BILL 257. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885, Revised Statutes Cumulative Supplement, 2016; to provide for a statute of limitations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 258. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to correctional services; to amend section 83-903, Reissue Revised Statutes of Nebraska; to provide for an opportunity to obtain a state identification card or a motor vehicle operator's license as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 259. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1823, Reissue Revised Statutes of Nebraska; to provide for competency determinations in criminal cases pending before county courts; and to repeal the original section.

LEGISLATIVE BILL 260. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to agriculture promotion; to amend section 2-3815, Reissue Revised Statutes of Nebraska; to provide for a state food insecurity nutrition incentive grant program; to provide duties for the Department of Agriculture; to state intent regarding appropriations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 261. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to labor; to adopt the Nebraska Worker Adjustment and Retraining Notification Act.

LEGISLATIVE BILL 262. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2123, Reissue Revised Statutes of Nebraska; to change provisions relating to undeveloped vacant land; and to repeal the original section.

LEGISLATIVE BILL 263. Introduced by Transportation and Telecommunications Committee: Friesen, 34, Chairperson; Bostelman, 23; Briese, 41; Geist, 25; Hilgers, 21; Hughes, 44; Murante, 49; Smith, 14.

A BILL FOR AN ACT relating to certificates of title and registration; to amend sections 13-910, 37-1201, 37-1283, 37-1287, 60-192, 60-394, 81-8,219, and 83-123, Reissue Revised Statutes of Nebraska, and sections 60-101, 60-102, 60-144, 60-154, 60-155, 60-161, 60-164, 60-166, 60-301, 60-302, 60-385, 60-3,104.01, 60-3,120, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,135.01, 60-3,141, 60-3,224, 60-3,227, 60-3,231, 60-2907, and 77-2703, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to liability for certificates of title; to provide for changes to certificates of title and registration certificates; to change procedures relating to application for and issuance of certificates of title and registration certificates; to define terms; to provide for the implementation of an electronic dealer services system; to change a provision relating to odometer readings upon transfer of motor vehicle ownership; to provide a fee; to change provisions relating to delivery of certain license plates, disclosure of motor vehicle record information, and collection of motor vehicle taxes and fees; to eliminate obsolete provisions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 264. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Boiler Inspection Act; to amend section 48-721, Reissue Revised Statutes of Nebraska; to change provisions relating to qualifications of boiler inspectors; and to repeal the original section.

LEGISLATIVE BILL 265. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1022, Revised Statutes Cumulative Supplement, 2016; to provide for a minimum amount of state aid to be distributed to each school district; and to repeal the original section.

LEGISLATIVE BILL 266. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5023 and 79-1016, Reissue Revised Statutes of Nebraska, and section 77-201, Revised Statutes Cumulative Supplement, 2016; to change the valuation of agricultural land and horticultural land as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 267. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to public health; to amend section 71-468,

Revised Statutes Cumulative Supplement, 2016; to change provisions relating to onsite vaccinations as prescribed; and to repeal the original section.

LEGISLATIVE BILL 268. Introduced by Schumacher, 22; Kintner, 2.

A BILL FOR AN ACT relating to medical assistance; to amend sections 24-517, 25-2154, 30-2483, 30-3880, 30-3881, 30-3882, 33-109, and 44-371, Reissue Revised Statutes of Nebraska, and sections 52-1004, 68-901, 68-919, 71-605, 77-2018.02, and 77-3903, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to court jurisdiction, certain recording fees, and medical assistance reimbursement; to change the Medical Assistance Act as prescribed; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 269. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to civil rights; to amend sections 20-113, 20-132, 20-133, 20-134, 20-135, 20-136, 20-138, 20-139, 20-140, 20-141, 20-142, and 20-143, Reissue Revised Statutes of Nebraska; to require motion picture theaters to provide open captioning as prescribed; to harmonize provisions; to provide an operative date and a termination date; and to repeal the original sections.

LEGISLATIVE BILL 270. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Department of Education.

LEGISLATIVE BILL 271. Introduced by Hilgers, 21.

A BILL FOR AN ACT relating to the Department of Roads; to amend sections 39-891, 39-893, 39-1301, 39-1302, 39-1309, and 39-1320, Reissue Revised Statutes of Nebraska; to authorize the Department of Roads to assume certain responsibilities under federal environmental laws; to provide for a limited waiver of the state's sovereign immunity; to provide for rules and regulations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 272. Introduced by Vargas, 7; Hilkemann, 4.

A BILL FOR AN ACT relating to the Nebraska Job Creation and Mainstreet Revitalization Act; to amend section 77-2906, Revised Statutes Cumulative Supplement, 2016; to provide powers and duties for the Department of Revenue; to establish a deadline for the determination of the amount of tax credit; and to repeal the original section.

LEGISLATIVE BILL 273. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Employment Security Law; to amend

section 48-627, Reissue Revised Statutes of Nebraska; to require rounding a dollar amount to the nearest whole dollar amount; and to repeal the original section.

LEGISLATIVE BILL 274. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-1073, 2-10,110 and 2-10,116, Reissue Revised Statutes of Nebraska, and section 2-1091, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to declaration of public policy, enforcement, powers, duties, authorized agreements, and rules and regulations under the Plant Protection and Plant Pest Act; to eliminate the Nebraska Rangeland Grasshopper Control Act; to repeal the original sections; and to outright repeal sections 2-1066, 2-1067, 2-1068, 2-1069, 2-1070, and 2-1071, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 275. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to abandoned vehicles; to amend sections 60-1906, 60-1910, and 60-1911, Reissue Revised Statutes of Nebraska, and sections 60-149 and 60-166, Revised Statutes Cumulative Supplement, 2016; to provide duties for law enforcement officers and rights and duties for private property owners; to change liability provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 276. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Department of Agriculture; to amend sections 81-2,155, 81-2,156, and 81-2,157, Reissue Revised Statutes of Nebraska; to change provisions relating to hybrid seed corn; to redefine terms; to change sale and tagging restrictions; to provide enforcement powers and judicial remedies; and to repeal the original sections.

LEGISLATIVE BILL 277. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to elections; to amend section 32-903, Reissue Revised Statutes of Nebraska; to change provisions relating to precinct size; and to repeal the original section.

LEGISLATIVE BILL 278. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2315.01, 79-951, 84-1301, and 84-1323.01, Reissue Revised Statutes of Nebraska, and sections 23-2301 and 79-902, Revised Statutes Cumulative Supplement, 2016; to redefine disability and change disability retirement application and medical examination provisions under the County Employees Retirement Act, School Employees Retirement Act, and State Employees Retirement Act; to provide duties for the Public Employees Retirement Board; and to repeal the original sections.

LEGISLATIVE BILL 279. Introduced by Hilkemann, 4; Kolterman, 24.

A BILL FOR AN ACT relating to school buses; to amend sections 79-601 and 79-609, Reissue Revised Statutes of Nebraska; to require lap-shoulder belts as prescribed; to require instruction regarding use of certain belts; to require the use of certain belts; to state intent regarding liability; and to repeal the original sections.

LEGISLATIVE BILL 280. Introduced by Crawford, 45; Blood, 3; Craighead, 6; Krist, 10; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Address Confidentiality Act; to amend sections 42-1203, 42-1204, and 43-1209, Reissue Revised Statutes of Nebraska, and section 81-1429.02, Revised Statutes Cumulative Supplement, 2016; to define a term; to provide for application formats as prescribed; to provide powers and duties; to change provisions relating to a fund; to provide for a transfer of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 281. Introduced by Quick, 35.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Nebraska State Historical Society.

LEGISLATIVE BILL 282. Introduced by Riepe, 12; Kolterman, 24.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-8509, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to telehealth services for children's behavioral health; and to repeal the original section.

LEGISLATIVE BILL 283. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-101, 38-121, 38-186, 38-2201, 38-2211, and 38-2216, Reissue Revised Statutes of Nebraska; to permit application of intravenous therapy by licensed practical nurses as prescribed; to state requirements; to eliminate the Licensed Practical Nurse-Certified Practice Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 38-1601, 38-1602, 38-1603, 38-1604, 38-1605, 38-1606, 38-1607, 38-1608, 38-1609, 38-1610, 38-1611, 38-1612, 38-1613, 38-1614, 38-1615, 38-1616, 38-1617, 38-1618, 38-1619, 38-1620, 38-1621, 38-1622, 38-1623, 38-1624, and 38-1625, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 284. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Child Care Licensing Act; to amend section 71-1912, Revised Statutes Cumulative Supplement, 2016; to change

provisions relating to criminal history record information checks; and to repeal the original section.

LEGISLATIVE BILL 285. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-502.03 and 71-506, Reissue Revised Statutes of Nebraska; to provide for and to eliminate provisions relating to testing for human immunodeficiency virus infection; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-531, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 286. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to finance; to amend sections 45-902 and 45-915, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Flexible Loan Act; to change provisions of the Delayed Deposit Services Licensing Act; and to repeal the original sections.

LEGISLATIVE BILL 287. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Child and Maternal Death Review Act; to amend section 71-3407, Revised Statutes Cumulative Supplement, 2016; to provide duties for the State Child and Maternal Death Review Team; and to repeal the original section.

LEGISLATIVE BILL 288. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1832, 77-1833, and 77-1837.01, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to service of notice when applying for a tax deed and the laws governing certain tax sale certificates; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 289. Introduced by Pansing Brooks, 28; Brasch, 16; Linehan, 39; Morfeld, 46; Scheer, 19; Walz, 15; Watermeier, 1; Wishart, 27.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-802, 28-830, 28-831, and 43-1303, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to pandering, human trafficking, labor trafficking, and sex trafficking; to prohibit solicitation of a trafficking victim; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 290. Introduced by Vargas, 7; Blood, 3; Wishart, 27.

A BILL FOR AN ACT relating to elections; to amend sections 32-202,

32-307, 32-308, 32-310, 32-312, 32-315, 32-1002, 32-1506, 60-4,130, and 60-4,130.02, Reissue Revised Statutes of Nebraska, and sections 60-484, 60-484.02, and 60-4,144, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to registering to vote; to change penalty provisions; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-309, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 291. Introduced by Larson, 40; Brewer, 43; Lindstrom, 18.

A BILL FOR AN ACT relating to Native Americans; to amend section 58-201, Reissue Revised Statutes of Nebraska, and sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2016; to adopt the Special Economic Impact Zone Act; to provide a bonus in a scoring system under the Nebraska Investment Finance Authority Act; to authorize revenue-sharing agreements as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 292. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Nebraska Uniform Limited Liability Company Act; to amend section 21-101, Reissue Revised Statutes of Nebraska; to authorize series limited liability companies; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 293. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-405, Reissue Revised Statutes of Nebraska; to include U-47700 as a Schedule I controlled substance; and to repeal the original section.

LEGISLATIVE BILL 294. Introduced by Smith, 14.

A BILL FOR AN ACT relating to motor vehicle operators' licenses; to amend section 60-483, Reissue Revised Statutes of Nebraska; to provide for a reciprocity agreement with a foreign country as prescribed; and to repeal the original section.

LEGISLATIVE BILL 295. Introduced by Smith, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-801.01, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2016; to adopt the Opportunity Scholarships Act; to provide for tax credits; to harmonize provisions; to provide an operative date; to provide for severability; and to repeal the original sections.

LEGISLATIVE BILL 296. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to civil liability; to amend section 25-21,280, Reissue Revised Statutes of Nebraska; to provide and change immunity provisions with respect to asthma and allergic reactions; and to repeal the original section.

LEGISLATIVE BILL 297. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to infants; to amend section 43-1318, Reissue Revised Statutes of Nebraska; to provide for and eliminate a data pilot project, an advisory group, subcommittees, and reports; to provide powers and duties; to provide a termination date; to harmonize provisions; to repeal the original section; and to outright repeal section 43-1322, Reissue Revised Statutes of Nebraska.

RESOLUTION(S)**LEGISLATIVE RESOLUTION 10.** Introduced by Kuehn, 38.

WHEREAS, Lona Alice (Dunkleberger) Kuehn will celebrate her 100th birthday on January 13, 2017; and

WHEREAS, Lona was born in Decatur County, Kansas to Rachel (Mathers) and Oscar Dunkleberger on January 13, 1917; and

WHEREAS, Lona moved to rural Kearney County as a young girl and graduated as valedictorian from Heartwell High School in 1934; and

WHEREAS, Lona attended Hastings College, where she was trained as a teacher; and

WHEREAS, Lona taught at a country school in rural Heartwell before marrying John A. Kuehn on June 25, 1938 at her parents' home near Heartwell; and

WHEREAS, Lona and John had five children, John M., William, Edwin, James, and Erma, eighteen grandchildren, thirty-four great-grandchildren, and three great-great-grandchildren; and

WHEREAS, Lona is known for her angel food cake made from scratch, her extensive flower and vegetable garden, and her pan-fried chicken; and

WHEREAS, Lona's indomitable strength and love for her family has been stitched into a hand-crocheted afghan for each of her grandchildren; and

WHEREAS, the celebration of Lona Kuehn's 100th birthday is worthy of recognition by the Legislature.

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

1. That the Legislature wishes Lona Kuehn a very happy 100th birthday.
2. That a copy of this resolution be sent to Lona Kuehn.

Laid over.

LEGISLATIVE RESOLUTION 11. Introduced by Riepe, 12.

PURPOSE: The purpose of this study resolution is to assess the Nebraska medical assistance program and the options for health care reform for Nebraska, including whether the elimination of optional benefits would allow for more low-income Nebraskans to access benefits under the medical assistance program without increasing current state and federal funds for the program.

This study shall include an examination of the following:

- (1) A review of the required and optional services covered by the medical assistance program in Nebraska;
- (2) A review of the eligibility requirements for the medical assistance program in Nebraska; and
- (3) A review of health care options for low-income individuals without insurance.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST 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.

ANNOUNCEMENT(S)

The Natural Resources Committee elected Senator Bostelman as Vice Chairperson.

The Rules Committee elected Senator Schumacher as Vice Chairperson.

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems

Room 1525

Tuesday, January 24, 2017 12:00 p.m.

LB32

LB110

Friday, January 27, 2017 12:00 p.m.

LB79

(Signed) Mark Kolterman, Chairperson

Revenue

Room 1524

Wednesday, January 18, 2017 1:30 p.m.

LB15
LB48
LB52

(Signed) Jim Smith, Chairperson

MOTION(S) - Print in Journal

Senator Groene filed the following motion to LB14:

MO5

Suspend Rule 3, Section 14 to permit cancellation of public hearing.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Kintner name added to LB68.

Senator Halloran name added to LB68.

VISITOR(S)

Visitors to the Chamber were members of EntrepreneurShip Investigation youth group from across the state.

The Doctor of the Day was Dr. Pat Hotovy from York.

ADJOURNMENT

At 11:09 a.m., on a motion by Speaker Scheer, the Legislature adjourned until 9:30 a.m., Thursday, January 12, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTH DAY - JANUARY 12, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 12, 2017

PRAYER

The prayer was offered by Father Ryan Lewis, Gross Catholic High School, Bellevue.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:30 a.m., President Foley presiding.

The roll was called and all members were present except Senators Bolz, Harr, and Kolowski who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB164	Transportation and Telecommunications
LB165	Judiciary
LB166	Health and Human Services
LB167	Judiciary
LB168	Banking, Commerce and Insurance
LB169	Revenue
LB170	Business and Labor
LB171	Business and Labor
LB172	Business and Labor
LB173	Judiciary
LB174	Revenue
LB175	Education
LB176	Natural Resources
LB177	Transportation and Telecommunications
LB178	Judiciary

LB179	Health and Human Services
LB180	Judiciary
LB181	Business and Labor
LB182	Natural Resources
LB183	Government, Military and Veterans Affairs
LB184	Banking, Commerce and Insurance
LB185	Banking, Commerce and Insurance
LB186	Banking, Commerce and Insurance
LB187	Banking, Commerce and Insurance
LB188	Judiciary
LB189	Appropriations
LB190	Revenue
LB191	Judiciary
LB192	Judiciary
LB193	Judiciary
LB194	Banking, Commerce and Insurance
LB195	Health and Human Services
LB196	Banking, Commerce and Insurance
LB197	Government, Military and Veterans Affairs
LB198	Judiciary
LB199	Judiciary
LB200	Government, Military and Veterans Affairs
LB201	Judiciary
LB202	Judiciary
LB203	Business and Labor
LB204	Judiciary
LB205	Appropriations
LB206	Appropriations
LB207	Executive Board
LB208	Banking, Commerce and Insurance
LB209	Government, Military and Veterans Affairs
LB210	Executive Board
LB211	Business and Labor
LB212	Business and Labor
LB213	Banking, Commerce and Insurance
LB214	Education
LB215	Revenue
LB216	Executive Board
LB217	Revenue
LB218	Natural Resources
LB219	Nebraska Retirement Systems
LB220	Banking, Commerce and Insurance
LB221	Appropriations
LB222	Government, Military and Veterans Affairs
LB223	Health and Human Services
LB224	Health and Human Services
LB225	Health and Human Services
LB226	Judiciary
LB227	Health and Human Services

LB228 Revenue
LB229 Judiciary
LB230 Executive Board

(Signed) Dan Watermeier, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)
General Affairs

Room 1510

Monday, January 23, 2017 1:30 p.m.

Candy Henning - Nebraska Arts Council
Melissa Marvin - Nebraska Arts Council
Paula L. Pflueger - Nebraska Arts Council
Reven Wright - Nebraska Arts Council
Stephen Bader - Nebraska Arts Council
Helen Abbott Feller - State Racing Commission

(Signed) Tyson Larson, Chairperson

Health and Human Services

Room 1510

Thursday, January 19, 2017 1:30 p.m.

Thomas L. Williams - Division of Public Health-Department of Health and
Human Services

LB64
LB61

(Signed) Merv Riepe, Chairperson

Government, Military and Veterans Affairs

Room 1507

Thursday, January 19, 2017 1:30 p.m.

LB89

(Signed) John Murante, Chairperson

Revenue

Room 1524

Thursday, January 19, 2017 1:30 p.m.

LB12
LB20
LB51

Friday, January 20, 2017 1:30 p.m.

LB63
LB77

(Signed) Jim Smith, Chairperson

ATTORNEY GENERAL'S OPINIONOpinion 17-001

SUBJECT: Authority of a Register of Deeds to Refuse to Record an Instrument or to Withdraw an Instrument After Recording

REQUESTED BY: Senator John Stinner
Nebraska State Legislature

WRITTEN BY: Douglas J. Peterson, Attorney General
Lynn A. Melson, Assistant Attorney General

You have requested an opinion from this office on four questions relating to the authority of a register of deeds to refuse to record a document or to require certain changes to be made to a document prior to filing. You informed us that you are considering a bill for the 2017 legislative session that relates to the statutory authority of a register of deeds and have attached a draft of the legislation which would amend Neb. Rev. Stat. §§ 23-1503.01, 23-1506 and 23-1311(2012). You have posed the following questions:

- (1) Whether a register of deeds has the authority to refuse to record a document or to withdraw documents from record which meet the statutory formatting and signature requirements and for which the correct fee will be paid.
- (2) Whether a register of deeds has the authority, before filing a document, to require legally valid changes to be made to such document.

- (3) Whether the county is liable for expenses incurred as a result of rerecording documents which were recorded in error (e.g. filed in the improper index or alphabetized improperly).
- (4) Whether the refusal by a register of deeds to file a document that meets the statutory requirements for filing, and the withdrawal of a document that is already of the record, are misdemeanors under Neb. Rev. Stat. §§ 84-1213 (2014) and 23-1507 (2012).

BACKGROUND

At the outset, we note it is our long-standing policy not to provide opinions to members of the Legislature on the interpretation or constitutionality of existing statutes. Op. Att'y Gen. No. 157 (Dec. 24, 1985). Accordingly, we normally would decline to provide an opinion on the questions presented. As you have proposed legislation which could be impacted by our conclusions, we will proceed to respond to your questions.

Neb. Rev. Stat. §§ 23-1501 to 23-1528 (2012) set out the various duties of a county register of deeds with regard to the recordation and indexing of instruments affecting real estate. The general duties of a register of deeds in Nebraska are set out at Neb. Rev. Stat. § 23-1506 (2012), which provides, in pertinent part, that a register of deeds "shall also record or cause to be recorded all deeds, mortgages, instruments, and writings presented to him or her for recording and left with him or her for that purpose." Neb. Rev. Stat. § 23-1507 (2012) provides that a "register of deeds who shall neglect to perform any of the duties described in section 23-1506 shall be guilty of a Class IV misdemeanor."

There are also statutes in Chapter 76, Article 2 of the Nebraska statutes which pertain to the execution and recording of real estate conveyances and which will be discussed below to the extent they impact the duties of a register of deeds.

DISCUSSION

1. Authority to refuse to record a document or to withdraw documents

Your first question is whether a register of deeds has the authority to refuse to record a document or to withdraw documents from record which meet the statutory formatting and signature requirements and for which the correct fee will be paid. In other words, you are inquiring about what appears to be a mandatory duty to record all instruments pursuant to Neb. Rev. Stat. § 23-1506. For the reasons set forth below, we conclude that, under current statutes, a register of deeds should refuse to record a document and may withdraw documents from record in limited circumstances in which the instruments are not entitled to be recorded under Nebraska law. While, as a general rule, the duties of a register of deeds under Nebraska

statutes are ministerial, our office has issued several prior opinions in which we stated that a register of deeds should refuse to record certain instruments presented to him or her.

In an opinion found at 1945-46 Rep. Att'y Gen. at page 35 (dated February 27, 1946) we opined that a register of deeds should refuse to accept for recording a mortgage which was not acknowledged. Our opinion was based, in part, on Neb. Rev. Stat. § 76-211, which requires that deeds and other instruments conveying an interest in real estate must be signed and acknowledged by the grantor. We also noted Neb. Rev. Stat. § 76-241, which states that deeds and other instruments shall not be deemed lawfully recorded unless previously acknowledged or proved. We then concluded that a register of deeds should refuse to record an instrument which shows upon its face that it is not entitled to be recorded. With regard to the authority to withdraw a document from the record, we stated "there would seem to be no good reason why the public official should not expunge the mortgage from the record voluntarily where it is obvious on the face of the instrument itself that it should not have been recorded."

That 1946 opinion was readopted in 1979-80 Rep. Att'y Gen. 231 (Opinion No. 164, dated October 30, 1979).¹ The issue presented was whether an instrument which is obviously a copy is entitled to be recorded. However, we first discussed our earlier opinion and stated that:

It could be argued that the foregoing statute (Neb. Rev. Stat. § 23-1506) makes it the duty of a register of deeds to record all instruments purporting to affect title to real estate or purporting to convey real estate, even though such instruments are wholly unacknowledged. However, we believe such an interpretation is manifestly too broad. We do not construe Neb. Rev. Stat. § 23-1506 as making it the duty of a register of deeds to record improperly executed or unacknowledged instruments. Until such instruments are properly executed and acknowledged, they are not what they are called or purport to be and are thus not entitled to be recorded.

Id. at 232.

In the 1979 opinion we cited the case of *Eggert v. Ford*, 21 Wash. 2d 152, 150 P. 2d 719 (1944), which held that a Washington statute requiring a county auditor to record real estate conveyances did not make it the duty of the county auditor to record unacknowledged instruments. We also noted Nebraska cases in which the Supreme Court held that an instrument which was not properly acknowledged or proved does not operate as constructive notice, even though recorded. *Dawson County State Bank v. Durland*, 114

¹ This 1979 opinion also specifically overruled and superseded an opinion at 1979-80 Rep. Att'y Gen. 68 (Opinion No. 44, dated March 6, 1979) in which we stated that a register of deeds could not refuse to file any instruments presented.

Neb. 605, 209 N.W. 243 (1926); *Warnick v. Latta*, 44 Neb. 807, 62 N.W. 1097 (1895) (in which the Court stated that "without being witnessed or acknowledged, this instrument should not have been recorded").

We then answered the question posed in that 1979 opinion request, concluding that "a mere copy of an original instrument is not entitled to be recorded and a register of deeds may thus refuse to record it. Such an instrument would obviously not comply with the requirements of Neb. Rev. Stat. § 76-211. 1979-80 Rep. Att'y Gen. at 232.

Subsequently, in Op. Att'y Gen. No. 233 (November 2, 1984), we discussed the legal status of common law liens and other instruments affecting real estate that are not entitled to be filed under Nebraska law and concluded that the register of deeds must refuse to file such instruments. We cited Neb. Rev. Stat. § 76-237 which provides that "[e]very deed, entitled by law to be recorded, shall be recorded" and § 76-238 which makes reference to instruments "which are required to be or which under the laws of this state may be recorded." We concluded "it is clear that deeds and other instruments affecting real estate can be filed with the register of deeds only if the instruments are entitled by law to be recorded or which under the law of this state may be recorded, and that the registers of deeds have the authority and duty to refuse to file instruments that do not meet those requirements." *Id.* at 1. We added that, as these instruments were not authorized by law to be filed, the refusal by a register of deeds to file such documents should not result in liability for the register of deeds or for the county.

We answered a similar question concerning the recording of "land patents" which were being presented to various clerks and registers of deeds in Op. Att'y Gen. No. 102 (June 11, 1985). We explained that, although the document submitted with the opinion request was titled "land patent", it was a purported grant of a land patent to two individuals by the same two individuals and not a transfer of title to public land to a private individual by the government. Such a document was invalid, null and void and not a document recognized by Nebraska law and entitled to be filed. Therefore, we concluded that a register of deeds "has a duty to review the document, to determine whether the 'land patent' is a grant of public land by the United States to an individual, and to reject any 'land patents' that do not meet these requirements." *Id.* at 3. We also pointed out that "it would not be appropriate for the Clerk/Register of Deeds to review the various documents presented for filing in order to determine if the person presenting such documents has any interest in the real estate in question", adding that the register of deed's duty is solely to review the form of the document, to determine if it is in fact a document entitled to be recorded. *Id.* at 4.

Finally, in Op. Att'y Gen. No. 86024 (February 25, 1986), we addressed the authority of a register of deeds regarding the filing of improper "lis pendens." We concluded that these bogus "lis pendens" did not meet the requirements for a valid lis pendens under Neb. Rev. Stat. § 25-531, were a

legal nullity and were, thus, not entitled to be recorded. "When presented to the register of deeds for filing, they should be refused, or in the event that they were filed, they should be treated as if they had never been filed and returned to the filer along with the filing fees." *Id.* at 2.

You have asked whether a register of deeds may refuse to record a document which meets statutory formatting and signature requirements. We assume you are referring to those formatting requirements set out at Neb. Rev. Stat. § 23-1503.01 and the signature requirements set out at Neb. Rev. Stat. § 23-1311. Section 23-1311 clearly states that the register of deeds may refuse to file any instrument failing to meet the signature requirements set out therein. Also, it is our view that, under current law, a register of deeds may also refuse to record a document which, on its face, is not entitled to recording. Therefore, even if a document meets statutory formatting requirements, the register of deeds may refuse to record the document if it is defective for the reasons we discussed in our prior opinions. This includes instruments not properly acknowledged, instruments which are mere copies of original documents, and certain other instruments which are not what they are called or what they purport to be. As such instruments are not permitted or authorized to be recorded under our state law, they may also be treated as if they had never been filed and withdrawn from the record.

2. Authority to require legally valid changes prior to filing

Your second question is whether a register of deeds has the authority, before filing a document, to require legally valid changes to be made to such a document which meets statutory formatting and signature requirements. We are not entirely sure what you mean by "legally valid changes." As discussed above, it is our view that a register of deed's authority is not only to determine whether statutory formatting and signature requirements are met. There are additional limited circumstances in which a register of deeds may refuse to record a document which, on its face, is not entitled to recording. In that sense, a register of deeds could require, for example, that a document be properly acknowledged or that the original be presented for recording rather than a copy. However, we think the register of deed's authority would generally be limited to determining whether the document shows clearly on its face that it is not entitled to recording. As explained in Op. Att'y Gen. No. 102 (June 11, 1985), which we discussed in our answer to your first question, the register of deed's duty is to review the form of the document and not to go beyond the document and attempt to determine, for example, whether the person presenting the document has an interest in the real estate or other underlying facts.

3. Liability for expenses incurred as a result of rerecording documents

Your third question is whether, under current statute, a county is "liable for expenses incurred as a result of rerecording documents which were recorded in error (e.g. filed in the improper index or alphabetized

improperly)." Neb. Rev. Stat. § 23-1506 (2012) provides that when documents are recorded, "[i]f an error should occur in recording any of the writings mentioned in this section thereby necessitating the rerecording of same, the expense thus incurred shall be paid out of the general fund of the county in the same way as any other claim, and the amount so paid shall be collected from the official responsible for the error or from his or her official bond." It thus appears that if a document is filed in the improper index or alphabetized improperly, the county and appropriate county official would be liable for expenses incurred as a result of the recording error.

4. Misdemeanors under Neb. Rev. Stat. §§ 84-1213 and 23-1507

Your fourth question is whether the refusal by a register of deeds to file a document that meets the statutory requirements for filing, or the withdrawal of a document that is already of record, constitute a misdemeanor under Neb. Rev. Stat. §§ 84-1213 (2014) and 23-1507 (2012). Beginning with § 23-1507, this statute provides that a register of deeds who "shall neglect to perform any of the duties described in section 23-1506 shall be guilty of a Class IV misdemeanor." The duties described in § 23-1506 include the recording of all deeds, mortgages, instruments and writings presented for recording. However, as discussed above in answer to your first question, certain instruments may not be entitled to recording, whether because they fail to meet statutory formatting and signature requirements or because they are not permitted or authorized to be recorded pursuant to Nebraska conveyancing statutes. In our view, if there is no duty to record such an instrument, the failure to do so would not constitute a misdemeanor under § 23-1507.

We note that the draft legislation which you submitted to our office with your opinion request proposes to amend § 23-1503.01 (formatting requirements for instruments submitted for recording in the office of the register of deeds) and § 23-1311 (legible signature requirements for instruments presented for filing or recording in the office of the county clerk or register of deeds). It appears to us that your amendments to these statutes would require a register of deeds to record all instruments that satisfy the formatting and signature requirements of these two statutes and would provide that the failure to record all instruments constitutes a Class IV misdemeanor. The authority of the register of deeds to refuse to record an instrument in the circumstances which we have addressed in prior opinions (one which is not properly acknowledged, which is a mere copy of an original instrument or which is not of a character entitled to be recorded under Nebraska law) would be in question if § 23-1503.01 and § 23-1311 were amended as you propose.

Neb. Rev. Stat. § 84-1213(1) (2014) provides that all records under the control of state or local agencies in the course of their public duties "are the property of the state or local agency concerned and shall not be mutilated, destroyed, transferred, removed, damaged, or otherwise disposed of, in whole or in part, except as provided by law." Subsection (2) then provides

that any person who "willfully mutilates, destroys, transfers, removes, damages, or otherwise disposes of such records, except as provided by law . . . shall be guilty of a Class III misdemeanor." We first note that this statute is part of the Records Management Act, Neb. Rev. Stat. § 84-1201 et seq., which generally governs the management, retention and disposition of state or local government records pursuant to regulations and standards issued by the State Records Administrator and State Records Board. It does not appear to us that a refusal to record a document would subject a register of deeds to liability under this statute. As to criminal liability for withdrawing a document, the answer to your question may depend on the factual circumstances involved in withdrawing a document that has already been recorded. Our prior opinions indicate that the removal of a document which was not entitled to be recorded, would likely not violate this statute as we previously concluded that a register of deeds had authority to refuse to record such a document and to withdraw such a document. Other circumstances would need to be addressed depending on the particular facts of each incident.

CONCLUSION

For the reasons set forth herein, it is our opinion that a register of deeds may refuse to record and may withdraw a document which, on its face, is not entitled to recording. The refusal to record a document under those circumstances would not constitute a misdemeanor under either Neb. Rev. Stat. § 23-1507 or § 84-1213. The withdrawal of a document which was not entitled to be recorded would also likely not constitute a misdemeanor under either current statute.

Sincerely,
DOUGLAS J. PETERSON
Attorney General
(Signed) Lynn A. Melson
Assistant Attorney General

pc Patrick J. O'Donnell
Clerk of the Nebraska Legislature

09-559-29

MOTION(S) - Print in Journal

Senator Brasch filed the following motion to LB125:
MO6
Withdraw bill.

MOTION(S) - Suspend Rules

Senator Groene offered his motion, MO5, found on page 163, to suspend Rule 3, Section 14 to permit cancellation of public hearing on LB14.

The Groene motion to suspend the rules prevailed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 298. Introduced by Baker, 30.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-2,108, 43-4218, 43-4701, 43-4702, 43-4703, 43-4704, 43-4706, 43-4707, 43-4709, 43-4710, 43-4711, 43-4712, 43-4713, and 43-4714, Reissue Revised Statutes of Nebraska; to change provisions relating to an independent living transition proposal; to rename and change provisions relating to the Normalcy Task Force; to change provisions relating to the Nebraska Strengthening Families Act; to define and redefine terms; to change and provide duties for the Department of Health and Human Services, the Office of Probation Administration, foster family homes, child-care institutions, and juvenile facilities with respect to children in foster care as prescribed; to provide for training; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 299. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to professions and occupations; to amend sections 84-906.01 and 84-910, Reissue Revised Statutes of Nebraska, and sections 84-901.02, 84-901.04, 84-906.04, 84-907.06, 84-908, and 84-920, Revised Statutes Cumulative Supplement, 2016; to adopt the Occupational Board Reform Act; to change provisions relating to certain rules and regulations; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 300. Introduced by Krist, 10.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-228, Reissue Revised Statutes of Nebraska; to eliminate the statute of limitations on civil actions for sexual assault of a child; and to repeal the original section.

LEGISLATIVE BILL 301. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-632, Revised Statutes Cumulative Supplement, 2016; to provide for electronic notice of determination of claims; and to repeal the original section.

LEGISLATIVE BILL 302. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to universities and colleges; to provide for psychiatric and behavioral health fellowships for physician assistants; and to state intent relating to appropriations.

LEGISLATIVE BILL 303. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska to fund behavioral health internships.

LEGISLATIVE BILL 304. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend sections 71-15,102, 71-15,140, 71-15,141, 71-15,142, 71-15,157, and 71-15,158, Reissue Revised Statutes of Nebraska; to change provisions relating to commission membership, storage and possession of personal property, filing of reports and plans, conflicts of interest, and public bidding requirements as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 305. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to employment; to adopt the Paid Family Medical Leave Insurance Act; to provide an operative date; and to provide severability.

LEGISLATIVE BILL 306. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Portable Electronics Insurance Act; to amend sections 44-8502 and 44-8508, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to change provisions relating to notice requirements; and to repeal the original sections.

LEGISLATIVE BILL 307. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to court fees; to amend sections 33-106, 33-106.03, 33-107.02, and 43-1906, Reissue Revised Statutes of Nebraska; to provide for mediation, child abuse prevention, and civil legal services fees in certain proceedings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 308. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to schools; to amend section 79-724, Reissue Revised Statutes of Nebraska; to change provisions relating to the committee on Americanism; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 309. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to time; to amend sections 32-908 and 49-1301, Reissue Revised Statutes of Nebraska; to eliminate daylight saving time; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 49-1302, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 310. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to highways and bridges; to amend sections 39-1411 and 39-1412, Reissue Revised Statutes of Nebraska; to change provisions relating to carrying capacity and weight limits of bridges; and to repeal the original sections.

LEGISLATIVE BILL 311. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2016; to eliminate a provision relating to eligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

LEGISLATIVE BILL 312. Introduced by Briese, 41; Erdman, 47; Friesen, 34; Hughes, 44; Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-382, 77-2701.16, 77-2701.35, 77-2703, 77-2704.10, 77-2704.24, 77-2715.07, and 77-27,132, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to a tax expenditure report; to impose sales and use taxes on certain services and trade-ins; to change and eliminate certain sales and use tax exemptions; to increase the earned income tax credit; to provide for the use of the net increase in tax revenue; to create a fund; to provide property tax credits; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-2704.07, 77-2704.14, 77-2704.38, 77-2704.52, and 77-2704.55, Reissue Revised Statutes of Nebraska, and sections 77-2704.56, 77-2704.65, and 77-2704.67, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 313. Introduced by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska, and sections 77-2715.07 and 77-27,132, Revised Statutes Cumulative Supplement, 2016; to change the sales and use tax rate; to increase the earned income tax credit; to provide for the use of the net increase in tax revenue; to create a fund; to provide property tax credits; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 314. Introduced by Murante, 49.

A BILL FOR AN ACT relating to elections; to amend sections 18-2713, 32-301, 32-304, 32-312, 32-915, 32-939, and 32-947, Reissue Revised Statutes of Nebraska; to change deadlines for submitting economic development programs to a vote; to eliminate provisions relating to funding; to conform statutory language to penalties previously changed by the Legislature; and to repeal the original sections.

LEGISLATIVE BILL 315. Introduced by Murante, 49.

A BILL FOR AN ACT relating to cities of the second class and villages; to amend section 17-503, Reissue Revised Statutes of Nebraska; to change provisions relating to the sale of real property, to eliminate exceptions for sale by public auction or sealed bid; to eliminate a provision providing for establishment of a minimum price for bidding; and to repeal the original section.

LEGISLATIVE BILL 316. Introduced by Murante, 49.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-118, 32-204, 32-221, 32-223, 32-230, 32-231, 32-232, 32-236, 32-301, 32-320, 32-328, 32-608, 32-805, 32-806, 32-807, 32-810, 32-814, 32-815, 32-816, 32-821, 32-901, 32-903, 32-910, 32-914, 32-916, 32-1001, 32-1010, 32-1012, 32-1013, 32-1032, 32-1041, 32-1521, 32-1522, and 84-510, Reissue Revised Statutes of Nebraska, and sections 45-621 and 49-14,140, Revised Statutes Cumulative Supplement, 2016; to redefine signature; to change the name and purpose of the Election Administration Fund; to prohibit use of and eliminate references to electronic voting systems; to authorize use of electronic poll books, ballot-on-demand technology, and precinct-based optical scanners; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 317. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to cities of the second class and villages; to amend section 17-703, Reissue Revised Statutes of Nebraska; to provide for relevy or reassessment of a special assessment as prescribed; and to repeal the original section.

LEGISLATIVE BILL 318. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to public meetings; to amend section 84-1411, Reissue Revised Statutes of Nebraska; to authorize telephone conferencing for meetings of the Nebraska Brand Committee; and to repeal the original section.

LEGISLATIVE BILL 319. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-144.01, Reissue Revised Statutes of Nebraska; to provide for confidentiality of and access to certain injury reports; and to repeal the original section.

LEGISLATIVE BILL 320. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to state government; to amend sections 81-154, 81-161.05, 81-1118, and 81-1119, Reissue Revised Statutes of Nebraska, and sections 81-161.03 and 81-1108.15, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to bidding and purchases, conflicts of interest by the materiel administrator and materiel division employees, and facilities construction and administration; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 321. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1204.04, Reissue Revised Statutes of Nebraska; to change provisions relating to unlawful possession of a firearm at a school; and to repeal the original section.

LEGISLATIVE BILL 322. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5016.01, 77-5023, 77-5026, and 77-5028, Reissue Revised Statutes of Nebraska, and sections 77-5004, 77-5013, 77-5015, 77-5015.02, and 77-5018, Revised Statutes Cumulative Supplement, 2016; to change the Tax Equalization and Review Commission Act as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 323. Introduced by Kolterman, 24; Howard, 9.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Palliative Care and Quality of Life Act.

LEGISLATIVE BILL 324. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to pharmacy; to adopt the Pharmacy Benefit Fairness and Transparency Act.

LEGISLATIVE BILL 325. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2016; to exempt certain purchases of energy star qualified products from sales and use taxes; to harmonize provisions; to provide an operative date; and to

repeal the original sections.

LEGISLATIVE BILL 326. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3442 and 79-1022, Revised Statutes Cumulative Supplement, 2016; to provide and change levy authority for certain school districts as prescribed; to provide a duty for the State Department of Education; and to repeal the original sections.

MOTION - Escort Governor

Senator Kolterman moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

The motion prevailed.

The Chair appointed Senators Brasch, Kuehn, McDonnell, Howard, and Kolterman to serve on said committee.

STATE OF THE STATE ADDRESS

"We are making government work for the people."

"As I travel the state, I hear almost universally from Nebraskans that they are taxed too much."

"We are controlling spending first. That is responsible budgeting and responsible tax relief—it's the Nebraska way."

"This isn't easy. It will require Nebraska grit."

President Foley, Speaker Scheer, Members of the 105th Legislature, Tribal Chairmen, Distinguished Guests, Friends, Fellow Nebraskans, and of course, our First Lady, my lovely wife Susanne - good morning!

Congratulations on the commencement of the 105th Nebraska Legislature. I want to thank each and every one of you for your willingness to serve our fellow citizens. I also want to highlight that you are beginning an historic year, the 150th year of our statehood which we will celebrate on March 1, our sesquicentennial.

I am honored to be here with you in the people's house. We all appreciate the tradition of our unique, non-partisan Unicameral. Nebraska consistently passes a balanced budget—on time—not all states can say that. In our system, every bill gets a hearing and every Senator gets a priority bill. Senators can have an impact with legislation, regardless of party or seniority. And debate happens right here on the floor, not in a closed door conference committee. Our Unicameral system empowers citizens with increased access to the process, greater transparency, and responsive representation.

Why do we have this system? We have it because of a man by the name of George Norris, who believed government should be more open and responsive to the people. A man who traveled 5,000 miles, wore out two sets of tires, sent 192,000 fliers—all at his own expense—to advocate for our Unicameral. George Norris was a man with a vision. He had initiative. He persevered. He was tenacious. He had grit—Nebraska grit.

That is a characteristic of our people. As a people, Nebraskans have a heart for their neighbor, a firmness of character, and they demonstrate resilience and fortitude. Nebraska is what America is supposed to be.

We are blessed to have so many everyday heroes in our communities, like the men and women who comprise Nebraska's law enforcement. They work hard and risk much to keep us safe. We are also grateful for our servicemen and women, the Nebraska National Guard, and their families.

Another great example of true Nebraska grit is Don Stratton who grew up in Red Cloud during the Great Depression. He was in the news about five weeks ago when we marked the 75th anniversary of Pearl Harbor.

On that fateful Sunday morning in 1941, a Japanese dive-bomber caused an explosion that engulfed the U.S.S. Arizona.

Stratton and his battery mates were trapped in a metal compartment being scorched alive. Finally, a serviceman on a repair ship tied to the Arizona, threw a rope to Stratton and his mates. With burns covering 65 percent of his body, he peeled loose skin from his arms to be able to climb hand-over-hand across 75 feet of rope, in excruciating pain and under fire from Japanese pilots while suspended 45 feet above flaming oil. Stratton made it.

And it is with the same spirit and determination that we must approach the work before us. Our families, our friends, and our neighbors are relying on us. What's more, we have a chance to give a voice to the voiceless, to improve lives, and to craft policies that build a brighter future for generations to come. I am excited to serve with each and every one of you to grow Nebraska.

Speaker Scheer, congratulations on your election. Thank you for your dedication and service to the people of Nebraska. I'm looking forward to working with you. And that goes for all of the new committee chairs. Thank you for your leadership.

And to the newly-elected Senators, congratulations. With farmers, small business people, attorneys, veterans, a firefighter, and a teacher, your diversity of experience will enrich the body and reflect our people. I look forward to what we will be able to accomplish working together.

In the 105th Nebraska Legislature, in our 150th year of statehood, you all are now part of our unique history. Your first legislative session presents an opportunity for decisive action that will shape the future of our state.

I am halfway through my four-year term of service as your Governor. This morning, I am going to highlight our accomplishments, discuss our legislative efforts to Grow Nebraska, address this year's budget adjustments, and detail my plan for the next biennium. I will also share with you my plans to deliver much-needed tax relief to hardworking families.

By identifying our mission to create opportunity through more effective, more efficient, and more customer-focused state government, we have made progress toward our vision of growing Nebraska. We are making government work for the people.

This thinking is contagious:

The Department of Environmental Quality launched online applications for storm water permits and new general air construction permits, significantly reducing wait times.

Health and Human Services, once under special investigation, is now accomplishing their mission of helping people live better lives. For example, ACCESSNebraska has reduced average call wait times, improved SNAP application processing, and in doing so saved the state \$17 million.

In our Department of Labor, we launched a first-in-the-nation reemployment program to help job seekers connect with good-paying jobs faster, and it is now saving Nebraska businesses \$17.6 million in taxes.

There are more efficiencies we can bring to government. Earlier this week, Chairman John Murante and I announced a merger of our Division of Veterans Homes with the Nebraska Department of Veterans Affairs. We will eliminate red tape for our veterans and can provide streamlined services to them under one roof. Thank you Director John Hilgert and your team for all your diligent work to make this possible and continually improve services for our veterans.

Chairman Curt Friesen and I are also working to merge the Department of Roads and the Department of Aeronautics into the Department of Transportation. Among other things, these efficiencies will allow us to put more money into runways and roads without sacrificing jobs. Thanks to Aeronautics Director Ronnie Mitchell and Roads Director Kyle Schneeweis for all their work on this merger.

I also want to recognize my entire cabinet, who is with us in the gallery today. This dedicated bunch is working to transform the culture of state government and deliver better services at a lower cost. Thank you all for everything you do to serve the people of Nebraska.

I know that unnecessary regulations hamper job growth. This year, we need to continue to get rid of unnecessary regulations to empower everyone from car sales people, barbers, and cosmetologists to audiologists and massage therapists. We're going to help people who want to work in these professions get to work more quickly. Thank you to Senators Albrecht, Craighead, Geist, Erdman, Larson, Lindstrom, Lowe, and Riepe for introducing bills to cut red tape.

With initiatives like these, we have built a strong foundation in state government. The state of our state is strong.

Now, we also know we have challenges. Farm income has gone from \$7.5 billion just a few years ago, to \$4.5 billion in 2015 and probably close to \$4 billion last year.

As a result, we face reduced tax receipts. Our revenues were \$95 million below forecast in our last fiscal year and the forecasting board cut another \$172 million for the current fiscal year. The next biennium will require continued expense control.

As Nebraskans, we don't spend money we don't have. We balance our budgets. At the state level, we have maintained a healthy cash reserve and set spending priorities like education, public safety, and infrastructure. This commonsense approach has put us in a financial position where even a budget challenge like this one can be managed.

In a year where we have to make difficult budget decisions, we have to favor the taxpayer. Special interests have the ability to hire lobbyists to achieve their desired ends. As elected officials, we have a duty to be advocates for citizens and a voice of the people.

This is an opportunity for us to put our Nebraska grit to work like Don Stratton. Let's roll up our sleeves and do what needs to be done to chart a course for future prosperity.

Our first task is to adjust the current year budget to bring it to balance.

As I have said, it is easy to view a government budget as a collection of numbers in rows and columns next to agencies and programs, but behind the numbers are people's lives. The dollars that fund our budgets are dollars earned by hardworking Nebraskans. Additionally, our agencies and programs are designed to serve our citizens—and many of them are people in need.

With this in mind, I worked with my agencies and my budget office to prepare budget reductions, which I presented to you last week.

My proposal provides more resources for Child and Family Services, invests in education, protects reforms in Corrections, and balances the budget without raising taxes.

I will not support any effort to raise taxes on Nebraskans. As Ronald Reagan said, "Simple fairness dictates that government must not raise taxes on families that are struggling to pay their bills."

I urge you to take up this budget by the first week of February because there are less than six months left in this fiscal year. It is critical to finish this budget to lay the foundation for the next budget. I appreciate the work of Chairman John Stinner and all of the members of the Appropriations Committee on this effort.

Today, I present to you my recommendation on the upcoming biennium. Four principles guided my budget recommendations.

First, the revenue gap must be addressed without increasing taxes. Raiding the property tax credit relief fund, raising sales taxes, and taxing food and groceries would all harm Nebraska families and be bad for our economy.

Second, the budget must be balanced.

Third, we must reduce government expenditures.

Fourth, we targeted keeping around \$500 million in the cash reserve, so we are in good position to address future uncertainty.

Having said that, there are certain priorities we must continue to fund. That is why we propose an increase in funding for K-12 education. I know education is an investment in our children and our future. When most areas of the state budget are essentially flat, I am proposing a 2.7 percent average annual increase to K-12 education. That's a 5.4 percent increase for the biennium. I also recommend an additional three percent biennial increase in special education funding. This is significantly more than the overall state budget is growing and is responsible within our resources.

Now, you will be lobbied that this budget "doesn't fully fund education." That is not true. That statement is based upon a flawed school aid formula that encourages spending. The formula allows schools to grow their budgets 12 percent.

What I have proposed is responsible. It respects the taxpayer and prioritizes K-12 education with a significant increase, amounting to an historic high of over a billion dollars per year in general fund support.

Another priority is the Department of Corrections. Together, we made significant progress in an agency that had been neglected for years.

In addition to providing for the basic needs of more than 5,300 inmates, Corrections successfully launched an automated sentence calculation program, implemented the first-ever risks/needs assessment tool, reformed restrictive housing, completed a culture study and staffing analysis, expanded mental health and cognitive behavioral programming, created mission specific housing, and developed an inmate health plan while addressing pay and quality of life issues for Corrections officers.

With this budget proposal, we will reduce protective services vacancy rates, upgrade technology, and improve the Lincoln Correctional Center.

I want to thank Director Frakes and the members of his team, who are with us today. They put themselves in harm's way to keep us safe, and they have worked together to transform the culture of the agency. Please join me in thanking them.

We began work on this budget last June to right size appropriations with historical spending. Our recommendations are thoughtful and reflect the input of my agencies. These are reductions that can be made without affecting operations.

In the end, our first fiscal year increase is 1.5 percent followed by a 1.9 percent increase in the next fiscal year for a two-year average of a 1.7 percent increase in spending. This is in line with my current year recommendation.

As I travel the state, I hear almost universally from Nebraskans that they are taxed too much. So I am proposing both property and income tax reform.

Property taxes are too high, especially for our agricultural producers. Between 2003 and 2013, property taxes on farmers and ranchers rose by 137 percent.

As cattle and crop prices decline, it is important assessments drop as well. Taxes should correlate with income.

We have to think bold. We have to think long-term.

This year we have a chance to achieve lasting, fair, and structural property tax reform by changing the way we value ag land.

The Agricultural Valuation Fairness Act, sponsored by Ag Committee Chairwoman Lydia Brasch, changes the methodology for assessing property value from a market-based system to an income-potential assessment. Income potential is a much fairer measure, and will slow the growth of ag land valuation increases. If this system were in place for 2017, it would reduce ag land valuations by about \$2.2 billion.

Income potential based property tax assessment for ag land is used in North Dakota, South Dakota, Kansas, Iowa, Wisconsin, Illinois, Indiana, and Ohio. This method is much fairer and standard across ag states, which is why many Nebraska ag producers have suggested it to me.

We would implement this change beginning in 2019 to give local taxing entities and county assessors plenty of time to prepare.

In the past, Nebraska attempted to get property tax relief by putting more money into TEEOSA, the school aid formula. That has proven to be a failed policy. Historically, additional aid without spending restraint has only resulted in additional spending and higher property taxes.

Finally, I want to talk about reducing income taxes.

When it comes to the income tax, they get a reminder on the 1st and the 15th of every month when they get their paychecks.

It's not just Lincoln reaching into their pockets, it's Washington, D.C.

We can't control what happens in Washington, but we can here in Lincoln.

Let me tell you, our people get frustrated when they hear us talk about finding "revenues," "new resources," and "rebalancing." They know those are code words for raising their taxes!

The way to grow revenues is to grow the number of people who live here and create more and better paying jobs. To do that we have to be more competitive.

Only one of our bordering states has a higher income tax rate than Nebraska—that's Iowa. Wyoming and South Dakota have no income tax, and Colorado, Kansas, and Missouri all have lower rates. Our high tax rate hampers our ability to grow our economy over the long-term. It discourages new investment and chases away great people. If we want to outpace other Midwestern states, we have to be competitive on taxes.

Do you know it's been 20 years since middle class Nebraskans saw a cut in the income tax rates?

The hardworking people of Nebraska deserve better than for their elected officials to treat cutting income tax rates as a once-in-a-generation event!

Partnering with Revenue Chairman Jim Smith, we propose to take the top income tax rate down roughly one-tenth of one percent per year, starting in 2020, as long as our revenue growth exceeds 3.5 percent. In effect, we will have a trigger when we hit 3.5 percent growth to take that income tax rate from 6.84 percent down a little each year until it's under six percent. If our

revenue doesn't grow fast enough, the tax rate doesn't come down. It's that simple.

Now, I want to take a minute to address the top income bracket in Nebraska. In a world of hyper-political rhetoric, people are quick to say a reduction of the top income tax bracket is a "tax break for the rich."

Any single individual making \$29,831 is caught in the highest tax bracket. Folks, \$29,831 is not rich. It is middle class. Married couples making \$59,661 are also caught in that tax bracket, and that's more than half of them.

Nebraskans look at us and wonder why it's so hard for us to let them keep more of their money.

The only way to have sustainable tax relief is to control spending. Any opportunity for tax relief is fundamentally the difference between spending restraint and revenue growth.

Controlling spending must come first.

Detractors of this tax relief will point to states that reduced taxes before reducing spending and then struggled to catch up. That's not how we do things here. We are controlling spending first. That is responsible budgeting and responsible tax relief—it's the Nebraska way.

Join me in helping middle class working families. Let's spur economic growth and make Nebraska more attractive to businesses and families looking to relocate. Let's do it the Nebraska way. The reductions we make to the budget to balance it, and continued attention to controlling spending will allow us to cut taxes and grow Nebraska.

This isn't easy. It will require Nebraska grit.

Speaking of grit, there is one other thing I didn't tell you about Don Stratton. After several months of surgeries and rehabilitation at Naval Hospitals, he was sent home to his parents in Red Cloud. Then after several more months of recuperating, Stratton reenlisted. That's right. He reenlisted.

He had to convince the draft board in Omaha to take him back in the service. They made him go through boot camp again to make sure he was physically up to it. He made it and went back to the Pacific Theater.

He was assigned to a destroyer where he protected U.S. Marines in the invasion of Okinawa. After 82 days of brutal combat, the U.S. forces took Okinawa. Don Stratton, nearly fatally injured in the first American battle of World War II played an important role in one of the last battles of the war.

Don Stratton finished the war. Now, it is our job to finish the work in front of us. With determination, we can address our challenges and position our state for future long-term growth. We can balance the budget, set spending priorities, deliver essential services, all without raising taxes on Nebraska families. And by controlling spending, we can set ourselves up for future tax relief.

That's the Nebraska way.

Folks, this is our opportunity to demonstrate what a little Nebraska grit and a free economy have to offer. The sky is the limit. I look forward to working with each of you to keep Nebraska the best place in the world to live, work, and raise a family.

God bless you all for your work, God bless America, and God bless the great state of Nebraska. Thank you.

The committee escorted Governor Pete Ricketts from the Chamber.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 327. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to make appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2019; to transfer funds; to provide duties; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 328. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of salaries of members of the Nebraska Legislature and payments to be made as provided by Chapter 68, article 6, for FY2017-18 and FY2018-19; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 329. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of the salaries and benefits of certain state officers for FY2017-18 and FY2018-19; to define terms; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 330. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to define terms; to appropriate funds for capital construction and property acquisition as prescribed; to state intent; to require program statements and a request for funding; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 331. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to funds; to amend sections 24-231, 29-4115.01, 71-1001, and 81-15,175, Reissue Revised Statutes of Nebraska, and sections 7-209, 47-632, 61-218, 66-1519, 72-1001, and 72-2211, Revised Statutes Cumulative Supplement, 2016; to provide for transfers; to create funds; to harmonize provisions; to change provisions governing funds; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 332. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2016; to change and provide for transfers; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 333. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1005, Reissue Revised Statutes of Nebraska; to eliminate an independent review of denial of aid to the disabled; and to repeal the original section.

LEGISLATIVE BILL 334. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to children; to amend sections 43-2201, 43-2203, 43-2205, and 43-2209, Reissue Revised Statutes of Nebraska; to change provisions relating to family finding; to eliminate a pilot project and provisions relating to appropriations; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-2204, 43-2206, and 43-2208, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 335. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to child care; to amend section 43-536, Reissue Revised Statutes of Nebraska; to change provisions relating to a rates of reimbursement market survey; and to repeal the original section.

LEGISLATIVE BILL 336. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to the Child Protection and Family Safety Act; to amend section 28-718, Reissue Revised Statutes of Nebraska; to provide a fee for central registry record checks; and to repeal the original section.

LEGISLATIVE BILL 337. Introduced by Smith, 14; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.01 and 77-2715.03, Revised Statutes Cumulative Supplement, 2016; to change income tax rates and provide for deferrals of such changes as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 338. Introduced by Brasch, 16; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 46-294.03, 77-103.01, 77-1507.01, 77-5023, and 79-1016, Reissue Revised Statutes of Nebraska, and sections 76-710.04, 77-201, 77-1327, 77-1359, 77-1363, 77-1371, 77-1502, 77-4212, 77-5007, 77-5022, and 79-1036, Revised Statutes Cumulative Supplement, 2016; to adopt the Agricultural Valuation Fairness Act; to change and eliminate provisions relating to the valuation of agricultural land and horticultural land and protests of such valuation; to change the Tax Equalization and Review Commission Act; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-1343, 77-1344, 77-1345, 77-1345.01, 77-1346, and 77-1347.01, Reissue Revised Statutes of Nebraska, and section 77-1347, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 339. Introduced by Friesen, 34; at the request of the Governor.

A BILL FOR AN ACT relating to government; to amend sections 3-101, 3-102, 3-103, 3-104, 3-105, 3-107, 3-108, 3-109, 3-110, 3-111, 3-113, 3-114, 3-115, 3-116, 3-117, 3-118, 3-119, 3-120, 3-121, 3-123, 3-124, 3-125, 3-126, 3-127, 3-128, 3-131, 3-133, 3-134, 3-135, 3-137, 3-139, 3-140, 3-141, 3-142, 3-143, 3-144, 3-145, 3-146, 3-147, 3-148, 3-149, 3-152, 3-154, 3-155, 3-156, 3-157, 3-158, 3-201, 3-201.01, 3-215, 3-218, 3-222, 3-227, 3-228, 3-239, 3-332, 3-403, 3-404, 3-405, 3-407, 3-409, 12-1205, 13-912, 13-1203, 14-2113, 18-601, 18-613, 25-2501, 31-925, 39-102, 39-103, 39-202, 39-203, 39-204, 39-205, 39-206, 39-207, 39-208, 39-210, 39-211, 39-212, 39-213, 39-214, 39-216, 39-217, 39-218, 39-219, 39-220, 39-221, 39-222, 39-223, 39-224, 39-225, 39-308, 39-311, 39-312, 39-805, 39-822, 39-826.01, 39-826.02, 39-847, 39-847.01, 39-892, 39-1010, 39-1011, 39-1101, 39-1110, 39-1302, 39-1306.01, 39-1306.02, 39-1311,

39-1320, 39-1323.01, 39-1328.01, 39-1328.02, 39-1345.01, 39-1350, 39-1353, 39-1359.01, 39-1363, 39-1364, 39-1365.01, 39-1365.02, 39-1390, 39-1392, 39-1407, 39-1503, 39-1703, 39-1713, 39-1901, 39-2001, 39-2002, 39-2105, 39-2106, 39-2107, 39-2110, 39-2111, 39-2112, 39-2113, 39-2115, 39-2116, 39-2118, 39-2120, 39-2121, 39-2124, 39-2215, 39-2224, 39-2305, 39-2310, 39-2504, 39-2505, 39-2507, 39-2508, 39-2514, 39-2515, 39-2517, 39-2518, 39-2602, 39-2702, 39-2802, 39-2806, 46-251, 49-506, 55-181, 57-1102, 60-631, 60-658.01, 60-680, 60-695, 60-699, 60-6,101, 60-6,102, 60-6,103, 60-6,106, 60-6,107, 60-6,115, 60-6,118, 60-6,120, 60-6,126.01, 60-6,129, 60-6,130, 60-6,137, 60-6,138, 60-6,139, 60-6,145, 60-6,159, 60-6,164, 60-6,166, 60-6,167, 60-6,171, 60-6,176, 60-6,177, 60-6,186, 60-6,188, 60-6,189, 60-6,190, 60-6,193, 60-6,250, 60-6,292, 60-6,301, 60-6,311, 60-6,314, 60-6,335, 60-6,376, 60-1301, 60-1302, 60-1303, 66-6,109.02, 66-821, 66-822, 69-1701, 70-309, 72-108, 72-221, 72-221.01, 72-817, 74-1310, 74-1314, 74-1318, 74-1319, 74-1331, 74-1332, 74-1333, 74-1334, 74-1335, 74-1336, 74-1338, 74-1340, 74-1341, 74-1342, 74-1343, 75-713, 75-716, 76-1224, 79-604, 81-101, 81-102, 81-161.04, 81-188.01, 81-701.01, 81-701.02, 81-701.03, 81-701.04, 81-701.05, 81-710, 81-916, 81-917, 81-1108.22, 81-1114, 81-1711, 81-2801, 82-120, 82-505, 83-137, 85-1008, 86-707, 90-238, and 90-260, Reissue Revised Statutes of Nebraska, and sections 3-106, 3-159, 3-303, 3-407.01, 3-408, 13-520, 13-1210, 13-1212, 49-617, 57-1407, 60-507, 60-6,144, 60-6,153, 60-6,154, 60-6,230, 60-6,267, 60-6,288, 60-6,294, 60-6,297, 60-6,298, 60-6,299, 60-6,378, 60-6,380, 60-3101, 66-489.02, 66-4,100, 66-4,144, 66-738, 73-507, 77-3442, 77-3443, 81-8,310, 81-1108.15, 81-1108.43, and 81-3711.01, Revised Statutes Cumulative Supplement, 2016; to merge the Department of Aeronautics into the Department of Roads; to create the Division of Aeronautics; to rename the Department of Roads as the Department of Transportation; to provide for transfer of powers, duties, personnel, funds, rights, and property as prescribed; to rename a fund; to eliminate the Department of Aeronautics; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 340. Introduced by Murante, 49; at the request of the Governor.

A BILL FOR AN ACT relating to veterans homes; to amend sections 80-314, 80-315, 80-316, 80-317, 80-319, 80-320, 80-321, 80-322, 81-1316, 81-3113, 81-3116, 83-107.01, and 83-108, Reissue Revised Statutes of Nebraska; to name the Nebraska Veterans Services Act; to transfer powers and duties from the Division of Veterans' Homes of the Department of Health and Human Services to the Department of Veterans' Affairs; to provide for transfer of personnel, property, funds, rights, and duties as prescribed; to create a fund; to eliminate the division; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 341. Introduced by Lindstrom, 18; at the request of the Governor.

A BILL FOR AN ACT relating to banks and banking; to amend section 8-139, Reissue Revised Statutes of Nebraska; to change provisions relating to executive officer license revocation and suspension; to provide a civil penalty; to provide powers and duties for the Department of Banking and Finance and the Director of Banking and Finance; to provide for an exemption from the license requirement as prescribed; to define a term; and to repeal the original section.

LEGISLATIVE BILL 342. Introduced by Erdman, 47; at the request of the Governor.

A BILL FOR AN ACT relating to nurses; to amend sections 38-2201, 38-2202, 38-2223, and 38-2225, Reissue Revised Statutes of Nebraska; to define a term; to provide for licensure by reciprocity for military spouses as prescribed; to provide for temporary licenses; to adopt the Nurse Licensure Compact; to provide for termination of and withdrawal from the prior Nurse Licensure Compact; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 343. Introduced by Riepe, 12; at the request of the Governor.

A BILL FOR AN ACT relating to health and human services; to amend sections 38-1005, 38-1017, 38-1018, 38-1028, 38-1038, 38-1043, 38-1058, 38-1061, 38-1062, 38-1063, 38-1066, 38-1069, 38-1070, 38-1073, 38-1074, 38-1075, 38-1086, 38-1097, 38-1099, 38-10,100, 38-10,102, 38-10,103, 38-10,104, 38-10,105, 38-10,112, 38-10,120, 38-10,128, 38-10,129, 38-10,133, 38-10,135, 38-10,142, 38-10,147, 38-10,150, 38-10,152, 38-10,153, 38-10,171, 38-1509, 38-1512, and 38-1703, Reissue Revised Statutes of Nebraska, and section 71-208, Revised Statutes Cumulative Supplement, 2016; to change and eliminate definitions in the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act; to eliminate provisions relating to cosmeticians, cosmetic establishments, electrology establishments, guest artists, guest body artists, students, and schools; to change licensure requirements for cosmetologists, nail technicians, instructors, audiologists, massage therapists, and barbers; to change and eliminate operating requirements for salons and schools; to eliminate liability of managers as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal sections 38-1013, 38-1014, 38-1022, 38-1029, 38-1030, 38-1071, 38-1072, 38-1091, 38-1092, 38-1093, 38-1094, 38-1095, 38-1096, 38-10,106, and 38-10,155, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 344. Introduced by Albrecht, 17; at the request of the Governor.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 28-401, 38-319, 38-321, 38-2104, 38-2117, 38-2122, 38-2123, 38-2124, 38-2125, 38-2826.01, 44-772, 44-776, 44-777, 44-793, 71-423, and 71-430, Reissue Revised Statutes of Nebraska, and sections 68-1017.02, 71-401, 71-403, 71-413, 71-2411, 71-2445, and 77-2704.12, Revised Statutes Cumulative Supplement, 2016; to change credentialing provisions relating to mental health and substance use disorders under the Health Care Facility Licensure Act and the Uniform Credentialing Act; to provide for mental health substance abuse centers; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 345. Introduced by Craighead, 6; at the request of the Governor.

A BILL FOR AN ACT relating to the Abstracters Act; to amend sections 76-542 and 76-546, Reissue Revised Statutes of Nebraska; to eliminate an experience requirement for registered abstracters and temporary certificates of registration; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 346. Introduced by Lowe, 37; at the request of the Governor.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend sections 60-1406, 60-1407, 60-1410, 60-1411, 60-1411.01, 60-1411.02, 60-1413, and 60-1416, Reissue Revised Statutes of Nebraska, and section 60-1403.01, Revised Statutes Cumulative Supplement, 2016; to eliminate the requirement for a motor vehicle, motorcycle, or trailer salesperson license; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 347. Introduced by Geist, 25; at the request of the Governor.

A BILL FOR AN ACT relating to school bus permits and qualifications; to amend section 79-608, Reissue Revised Statutes of Nebraska, and section 60-4,115, Revised Statutes Cumulative Supplement, 2016; to eliminate certain fees and requirements duplicated under federal law; to change powers and duties of the Department of Motor Vehicles and the State Department of Education; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 348. Introduced by Larson, 40; at the request of the Governor.

A BILL FOR AN ACT relating to the Nebraska Potato Development Act; to amend sections 2-1801 and 2-1809, Reissue Revised Statutes of Nebraska,

and section 2-1808, Revised Statutes Cumulative Supplement, 2016; to eliminate provisions relating to licenses, an excise tax, and enforcement; to terminate a fund; to eliminate definitions and a penalty; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 2-1805, 2-1806, 2-1810, 2-1811, and 2-1812, Reissue Revised Statutes of Nebraska, and section 2-1807, Revised Statutes Cumulative Supplement, 2016; and to declare an emergency.

LEGISLATIVE BILL 349. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend section 29-4115.01, Reissue Revised Statutes of Nebraska; to change provisions relating to the maintenance and administration of the State DNA Sample and Data Base Fund; and to repeal the original section.

LEGISLATIVE BILL 350. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2264, Reissue Revised Statutes of Nebraska; to provide a procedure for setting aside convictions for misdemeanors and felonies as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 351. Introduced by McCollister, 20; Brewer, 43; Crawford, 45; Kolowski, 31; Krist, 10; Lowe, 37; Smith, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend section 80-414, Reissue Revised Statutes of Nebraska, and sections 60-484, 60-4,117, 60-4,144, and 60-4,189, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to veteran designations on operators' licenses and state identification cards; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 352. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to electricity; to adopt the Wind, Solar, and Fuel Cell Business Financing Act.

LEGISLATIVE BILL 353. Introduced by Baker, 30.

A BILL FOR AN ACT relating to political subdivisions; to amend section 13-918, Reissue Revised Statutes of Nebraska; to change provisions relating to the payment of claims, awards, and judgments under the Political Subdivisions Tort Claims Act; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 354. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to labor; to adopt the Wage Disclosure Act.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Tuesday, January 17, 2017 1:30 p.m.

LB14 (cancel)

(Signed) Mike Groene, Chairperson

Judiciary

Room 1113

Friday, January 20, 2017 2:00 p.m.

LB37

LB136

LB229

LB105

(Signed) Laura Ebke, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 12. Introduced by Kuehn, 38.

WHEREAS, the Thomas Jefferson Award is the highest award given by the National Weather Service to volunteer cooperative weather observers; and

WHEREAS, the Thomas Jefferson Award honors outstanding achievement in the field of meteorological observation; and

WHEREAS, Michael Overturf has been an exceptional observer since July 1978, never missing a single observation despite two knee surgeries and a major heart surgery; and

WHEREAS, Michael Overturf is known for reporting precise weather information and providing critical information on hazardous weather events during extreme weather conditions; and

WHEREAS, Michael Overturf was presented the Thomas Jefferson Award for his superior service.

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

1. That the Legislature congratulates Michael Overturf on receiving the Thomas Jefferson Award.

2. That a copy of this resolution be sent to Michael Overturf.

Laid over.

VISITOR(S)

The Doctor of the Day was Dr. Michael Keralis from Lincoln.

ADJOURNMENT

At 10:45 a.m., on a motion by Senator Schumacher, the Legislature adjourned until 10:00 a.m., Friday, January 13, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

EIGHTH DAY - JANUARY 13, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 13, 2017

PRAYER

The prayer was offered by Senator Crawford.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Scheer presiding.

The roll was called and all members were present except Senator Geist who was excused; and Senator Groene who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB231	Banking, Commerce and Insurance
LB232	Revenue
LB233	Revenue
LB234	Revenue
LB235	Education
LB236	Revenue
LB237	Government, Military and Veterans Affairs
LB238	Revenue
LB239	Banking, Commerce and Insurance
LB240	Government, Military and Veterans Affairs
LB241	Banking, Commerce and Insurance
LB242	Appropriations
LB243	Judiciary
LB244	Business and Labor
LB245	Judiciary
LB246	Education

LB247	Education
LB248	Business and Labor
LB249	Revenue
LB250	Judiciary
LB251	Revenue
LB252	Government, Military and Veterans Affairs
LB253	Revenue
LB254	General Affairs
LB255	Health and Human Services
LB256	Urban Affairs
LB257	Banking, Commerce and Insurance
LB258	Judiciary
LB259	Judiciary
LB260	Agriculture
LB261	Business and Labor
LB262	Urban Affairs
LB263	Transportation and Telecommunications
LB264	Business and Labor
LB265	Education
LB266	Revenue
LB267	Health and Human Services
LB268	Judiciary
LB269	Judiciary
LB270	Appropriations
LB271	Transportation and Telecommunications
LB272	Revenue
LB273	Business and Labor
LB274	Agriculture
LB275	Transportation and Telecommunications
LB276	Agriculture
LB277	Government, Military and Veterans Affairs
LB278	Nebraska Retirement Systems
LB279	Transportation and Telecommunications
LB280	Government, Military and Veterans Affairs
LB281	Appropriations
LB282	Health and Human Services
LB283	Health and Human Services
LB284	Health and Human Services
LB285	Health and Human Services
LB286	Banking, Commerce and Insurance
LB287	Health and Human Services
LB288	Revenue
LB289	Judiciary
LB290	Government, Military and Veterans Affairs
LB291	Revenue
LB292	Banking, Commerce and Insurance
LB293	Judiciary
LB294	Transportation and Telecommunications
LB295	Revenue

LB296 Judiciary
LB297 Health and Human Services

(Signed) Dan Watermeier, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance

Room 1507

Monday, January 23, 2017 1:30 p.m.

LB140
LB184
LB185
LB186
LB196

(Signed) Brett Lindstrom, Chairperson
Natural Resources

Room 1525

Friday, January 20, 2017 1:30 p.m.

Patrick Berggren - Game and Parks Commission
Henry Rick Brandt - Game and Parks Commission
James Ernst - Game and Parks Commission

(Signed) Dan Hughes, Chairperson

CONFLICT OF INTEREST STATEMENTS

Pursuant to Rule 1, Sec. 19, Senators Bolz and Larson have filed Potential Conflict of Interest Statements under the Nebraska Political Accountability and Disclosure Act. The statements are on file in the Clerk of the Legislature's Office.

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>

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 12, 2017, 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

American Communications Group, Inc.
UNO Chapter of the AAUP
Baird Holm LLP
Moran's Liquor Works, LLC
Bartee, Robert D.
University of Nebraska
Clark, Dick
Nebraska Firearms Owners Association (NFOA)
Cox, Charles
Nebraska Gun Owners
CP Strategies LLC
PACE SAGE, LLC
Kelley Plucker, LLC
Guardian Tax Partners
Nebraska Coalition of Agricultural Manufacturers
Matulka, Mark
Mosaic
Mueller Robak
Kissel/E&S Associates, LLC
Nathan, Robbie
AARP Nebraska
Nowka & Edwards
Nebraska State Dairy Association
Pickering, Barbara
University of Nebraska
Radcliffe, Walter H. of Radcliffe and Associates
New Venture Fund

MOTION(S) - Withdraw LB125

Senator Brasch offered her motion, MO6, found on page 174, to withdraw LB125.

The Brasch motion to withdraw the bill prevailed with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 355. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised

Statutes Cumulative Supplement, 2016; to provide for Native American Cultural Awareness and History Plates; to create a fund and provide for its use; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 356. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Nebraska Arts Council; to amend section 13-208, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to tax credits as prescribed; to define a term; to create and provide uses for a fund; to provide powers and duties; to provide for transfers of funds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 357. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to vehicles; to amend sections 60-154 and 60-301, Revised Statutes Cumulative Supplement, 2016; to increase original certificate of title fees for vehicles transferred to Nebraska from another state; to provide for distribution of such fees; to provide for a voluntary contribution for programs for persons suffering from a brain injury when registering a vehicle; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 358. Introduced by McCollister, 20; Crawford, 45; Howard, 9; Morfeld, 46; Pansing Brooks, 28; Walz, 15.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Supplemental Nutrition Assistance Program; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 359. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to adverse possession; to authorize damages for property taxes and special assessments paid on property lost through adverse possession.

LEGISLATIVE BILL 360. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to surgical technologists; to amend section 38-2025, Reissue Revised Statutes of Nebraska; to adopt the Surgical Technologist Registry Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 361. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2016; to exempt sales of clothing and footwear from sales and use taxes as

prescribed; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 362. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Health Savings Account Act; and to provide an operative date.

LEGISLATIVE BILL 363. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Conveyance Safety Act; to amend sections 48-2503, 48-2504, 48-2507, 48-2508, 48-2512, 48-2516, and 48-2529, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the Conveyance Advisory Committee, the applicability of and exemptions from the act, requirements for work done on conveyances, certificates of inspection, and temporary and emergency licenses; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 364. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Professional Landscape Architects Act; to amend sections 81-8,183.01, 81-8,184, 81-8,186, 81-8,191, 81-8,191.01, 81-8,192, 81-8,194, 81-8,196, 81-8,198, 81-8,199, 81-8,200, 81-8,202, 81-8,204, 81-8,205, and 81-8,206, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to licensure and regulation of professional landscape architects; to provide and change penalties; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-8,184.01, 81-8,185, 81-8,187, 81-8,188, 81-8,195, 81-8,197, 81-8,200.01, 81-8,200.02, 81-8,201, and 81-8,203, Reissue Revised Statutes of Nebraska.

MOTION(S) - Rerefer LB68

Senator Chambers offered his motion, MO3, found on page 130, to rerefer LB68 to the Judiciary Committee, pursuant to Rule 6, Section 2(a).

Pending.

NOTICE OF COMMITTEE HEARING(S)

Agriculture

Room 2102

Tuesday, January 24, 2017 1:30 p.m.

LB135

LB276

Tuesday, January 24, 2017 1:30 p.m.

Dennis Hoffman - Nebraska State Fair Board

(Signed) Lydia Brasch, Chairperson

Education

Room 1525

Monday, January 23, 2017 1:30 p.m.

LB103

LB235

LB109

(Signed) Mike Groene, Chairperson

Nebraska Retirement Systems

Room 1525

Tuesday, January 31, 2017 12:00 p.m.

LB219

Room 1507

Tuesday, February 7, 2017 4:30 p.m.

LB30

(Signed) Mark Kolterman, Chairperson

Transportation and Telecommunications

Room 1113

Monday, January 23, 2017 1:30 p.m.

LB86

LB271

LB114

Tuesday, January 24, 2017 1:30 p.m.

LB164

LB177

(Signed) Curt Friesen, Chairperson

Health and Human Services

Room 1510

Friday, January 20, 2017 1:30 p.m.

LB195
LB284

(Signed) Merv Riepe, Chairperson

MOTION(S) - Rerefer LB68

Senator Chambers renewed his motion, MO3, found on page 130 and considered in this day's Journal, to rerefer LB68 to the Judiciary Committee, pursuant to Rule 6, Section 2(a).

SENATOR KRIST PRESIDING**SPEAKER SCHEER PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 38 ayes, 0 nays, and 11 not voting.

Senator Chambers requested a roll call vote on the motion to rerefer the bill.

Voting in the affirmative, 17:

Baker	Hansen	McCollister	Quick	Wishart
Blood	Howard	McDonnell	Vargas	
Bolz	Kolowski	Morfeld	Walz	
Crawford	Krist	Pansing Brooks	Wayne	

Voting in the negative, 24:

Albrecht	Craighead	Halloran	Kuehn	Riepe
Bostelman	Ebke	Hilgers	Larson	Scheer
Brasch	Erdman	Hughes	Linehan	Smith
Brewer	Friesen	Kintner	Lowe	Watermeier
Briese	Groene	Kolterman	Murante	

Present and not voting, 5:

Chambers	Harr	Hilkemann	Schumacher	Williams
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Excused and not voting, 3:

Geist	Lindstrom	Stinner
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The Chambers motion to rerefer the bill failed with 17 ayes, 24 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO9

Reconsider the vote taken to rerefer the bill to the Judiciary Committee.

Senator Chambers asked unanimous consent to withdraw his motion, MO9, to reconsider the vote. No objections. So ordered.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 365. Introduced by Blood, 3; Crawford, 45.

A BILL FOR AN ACT relating to public records; to amend sections 84-712, 84-712.01, and 84-712.07, Reissue Revised Statutes of Nebraska, and section 84-712.05, Revised Statutes Cumulative Supplement, 2016; to define a term; to change provisions relating to access to and fees for public records; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 366. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to parole; to amend sections 28-322, 29-2252, 29-2935, 29-4019, 71-961, 81-1401, 83-174.03, 83-174.04, 83-174.05, 83-191, 83-192, 83-198, 83-1,102, 83-1,103, 83-1,103.01, 83-1,103.02, 83-1,103.03, 83-1,103.04, 83-1,104, 83-1,107.01, 83-1,107.02, 83-1,109, 83-1,111, 83-1,112, 83-1,112.01, 83-1,114, 83-1,118, 83-1,120, 83-1,121, and 83-1,125, Reissue Revised Statutes of Nebraska, sections 47-624, 47-624.01, 47-627, 47-629, 47-903, 47-908, 47-919, 83-170, 83-171, 83-1,100, 83-1,100.02, 83-1,101, 83-1,107, 83-1,119, 83-1,135, and 83-933, Revised Statutes Cumulative Supplement, 2016, and section 29-2261, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB 504, section 1; to move and rename the Office of Parole Administration and to change the title of Parole Administrator; to change provisions relating to administration of parole services; to create and provide for use of a fund; to change and provide powers and duties; to eliminate deputy parole officers and provisions relating to a violation of parole as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal section 83-1,124, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 367. Introduced by Krist, 10.

A BILL FOR AN ACT relating to juveniles; to amend section 43-290.01, Reissue Revised Statutes of Nebraska; to change provisions relating to payment of costs as prescribed; and to repeal the original section.

LEGISLATIVE BILL 368. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to motorcycles and mopeds; to amend section 60-6,279, Reissue Revised Statutes of Nebraska; to change helmet provisions and passenger age limits; to require eye protection; and to repeal the original section.

LEGISLATIVE BILL 369. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to recording fees; to amend sections 25-2154 and 33-109, Reissue Revised Statutes of Nebraska, and sections 52-1004 and 77-3903, Revised Statutes Cumulative Supplement, 2016; to provide additional uses of fees charged by a register of deeds for recording certain records as prescribed; to change fees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 370. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to firearms; to amend sections 28-636 and 71-961, Reissue Revised Statutes of Nebraska, and sections 71-904.01, 71-963, and 83-109, Revised Statutes Cumulative Supplement, 2016; to eliminate the requirement to obtain a certificate or complete a background check to purchase, lease, rent, or receive transfer of a handgun and to eliminate related provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 69-2401, 69-2404, 69-2405, 69-2406, 69-2407, 69-2408, 69-2410, 69-2411, 69-2412, 69-2413, 69-2414, 69-2415, 69-2416, 69-2417, 69-2418, 69-2419, 69-2420, 69-2421, 69-2422, 69-2424, and 69-2425, Reissue Revised Statutes of Nebraska, and sections 69-2402, 69-2403, 69-2409, 69-2409.01, and 69-2423, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 371. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend section 81-526, Reissue Revised Statutes of Nebraska; to eliminate condemnation authority of the State Fire Marshal; to harmonize provisions; to repeal the original section; and to outright repeal sections 81-513, 81-514, 81-515, 81-516, 81-517, 81-518, and 81-519, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 372. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1101, 48-1104, 48-1105, 48-1106, 48-1107, 48-1108, 48-1113, 48-1115, 48-1119, 48-1122, and 48-1124, Reissue Revised Statutes of Nebraska, and sections 48-1102, 48-1111, and 48-1117, Revised Statutes Cumulative Supplement, 2016; to provide protections for employees with family care responsibilities; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 373. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to law; to amend sections 39-2701, 77-2101.01, 77-2101.02, 77-2101.03, 77-2701.10, 77-2701.34, 77-2701.47, 77-2704.55, 77-2716.01, 77-2716.03, 77-3505.02, 77-4209, 77-5023, and 79-1016, Reissue Revised Statutes of Nebraska, and sections 13-3103, 77-201, 77-1116, 77-1237, 77-2701.16, 77-2703, 77-2704.10, 77-2708, 77-2715, 77-2715.03, 77-2715.07, 77-2716, 77-2717, 77-2734.07, 77-2734.14, 77-27,132, 77-27,235, 77-2912, 77-3501.01, 77-3507, and 77-5725, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to applications under the Sports Arena Facility Financing Assistance Act; to terminate the Build Nebraska Act and the Personal Property Tax Relief Act; to change and eliminate revenue and taxation provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 77-2715.09, Reissue Revised Statutes of Nebraska, and sections 77-2704.57, 77-2704.64, 77-2708.01, 77-2715.08, and 77-4212, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 374. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2734.03, 77-5725, and 77-5726, Revised Statutes Cumulative Supplement, 2016; to provide income tax credits for corporate income taxes paid as prescribed; to change provisions relating to sunset dates and the use of credits under the Nebraska Advantage Act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 375. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Credit Union Act; to amend sections 21-1701, 21-1709, 21-1724, 21-1736, 21-1740, 21-1741, and 21-1782, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change procedures relating to application notifications and examination reports; to change provisions relating to credit unions' powers, safe deposit boxes, and joint accounts; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 21-1725 and 21-17,116, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 376. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to state property; to donate certain property to the Northeast Community College Area as prescribed; and to declare an emergency.

LEGISLATIVE BILL 377. Introduced by Education Committee: Groene, 42, Chairperson; Ebke, 32; Erdman, 47; Kolowski, 31; Linehan, 39; Morfeld, 46; Pansing Brooks, 28; Walz, 15.

A BILL FOR AN ACT relating to schools; to amend sections 32-570, 32-606, 32-1007, 32-1303, 48-303, 72-2304, 77-3444, 79-102, 79-104,

79-203, 79-407, 79-413, 79-415, 79-418, 79-419, 79-434, 79-443, 79-447, 79-451, 79-458, 79-470, 79-473, 79-479, 79-4,108, 79-4,129, 79-501, 79-506, 79-524, 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569, 79-570, 79-572, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586, 79-587, 79-588, 79-594, 79-598, 79-5,104, 79-605, 79-728, 79-828, 79-850, 79-1029, 79-1030, 79-1045, 79-1065.02, 79-1072, 79-1089, 79-1090, 79-1098, 79-10,100, 79-10,101, 79-10,103, 79-10,114, 79-10,117, 79-10,118, 79-1108.02, 79-1217, and 79-1504, Reissue Revised Statutes of Nebraska, and sections 13-508, 79-101, 79-234, 79-499, 79-4,123, 79-528, 79-576, 79-611, 79-1003, 79-1036, 79-1075, 79-10,110, 79-10,110.02, and 79-10,120, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to classification of school districts; to harmonize provisions; to repeal the original sections; and to outright repeal sections 10-704, 10-716.01, 23-3302, 32-541, 32-542, 32-546, 79-401, 79-402, 79-403, 79-404, 79-406, 79-410, 79-411, 79-416, 79-417, 79-423, 79-424, 79-425, 79-426, 79-427, 79-431, 79-452, 79-453, 79-454, 79-455, 79-472, 79-477, 79-478, 79-492, 79-493, 79-494, 79-495, 79-4,100, 79-4,101, 79-4,102, 79-4,103, 79-4,104, 79-4,109, 79-4,110, 79-4,111, 79-519, 79-523, 79-540, 79-541, 79-542, 79-548, 79-553, 79-556, 79-557, 79-558, 79-563, 79-565, 79-568, 79-585, 79-5,107, 79-5,108, 79-716, 79-717, 79-8,110, 79-1027.01, 79-1077, 79-1078, 79-1083.02, 79-1099, 79-10,111, 79-10,113, 79-10,121, 79-10,122, 79-10,123, 79-10,124, and 79-10,125, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 378. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Correctional Services.

LEGISLATIVE BILL 379. Introduced by Harr, 8.

A BILL FOR AN ACT relating to state funds; to amend sections 82-129 and 82-130, Reissue Revised Statutes of Nebraska, and section 81-3714, Revised Statutes Cumulative Supplement, 2016; to state intent; to create a fund; to transfer funds; to change provisions relating to the Willa Cather historical buildings; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 380. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716.01, Reissue Revised Statutes of Nebraska, and section 77-2715.03, Revised Statutes Cumulative Supplement, 2016; to change an income tax rate as prescribed; to change provisions relating to itemized deductions and standard deductions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 381. Introduced by Harr, 8.

A BILL FOR AN ACT relating to juries; to amend section 29-2022, Reissue

Revised Statutes of Nebraska; to change provisions relating to jury sequestration; and to repeal the original section.

LEGISLATIVE BILL 382. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to budgets; to amend sections 13-518 and 13-519, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to change provisions relating to budget limitations; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 383. Introduced by Quick, 35; Albrecht, 17; Blood, 3; Morfeld, 46; Wishart, 27.

A BILL FOR AN ACT relating to cities and villages; to amend sections 18-2102.01, 18-2715, and 19-926, Reissue Revised Statutes of Nebraska; to change membership provisions for certain community redevelopment authorities, citizen advisory review committees, and planning commissions; and to repeal the original sections.

LEGISLATIVE BILL 384. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Nebraska Installment Loan Act; to amend section 45-1024, Revised Statutes Cumulative Supplement, 2016; to change the rate of interest to be charged on installment loans; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 385. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission Act; to amend sections 77-5013 and 77-5016, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to who may execute appeals and the burden of proof for certain appeals; and to repeal the original sections.

LEGISLATIVE BILL 386. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Delayed Deposit Services Licensing Act; to amend section 45-919, Reissue Revised Statutes of Nebraska; to change the time period a licensee under the act may hold a check; and to repeal the original section.

LEGISLATIVE BILL 387. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to economic development; to amend sections 77-5902, 77-5904, 81-1201.15, 81-1201.20, and 81-12,156, Reissue Revised Statutes of Nebraska, and sections 58-708, 77-5903, 77-5905, 77-6302, 77-6306, 77-6307, and 81-12,153, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the use of funds under the Nebraska Affordable Housing Act; to eliminate provisions relating to

distressed areas in the Nebraska Advantage Microenterprise Tax Credit Act, the Angel Investment Tax Credit Act, and the Business Innovation Act; to change provisions relating to confidentiality requirements, the Business Recruitment Division, and rules and regulations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 388. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to notaries; to amend section 45-740, Reissue Revised Statutes of Nebraska, and sections 64-301 and 64-308, Revised Statutes Cumulative Supplement, 2016; to authorize remote electronic notarial acts as prescribed; to provide standards for video and audio conference technology used for such notarial acts; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 389. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to telecommunications and technology; to adopt the Small Wireless Facilities Act; to provide a duty for the Revisor of Statutes; and to provide an operative date.

LEGISLATIVE BILL 390. Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3226.11, Reissue Revised Statutes of Nebraska; to change provisions relating to flood protection and water quality enhancement bonds; and to repeal the original section.

LEGISLATIVE BILL 391. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Optometry Practice Act; to amend sections 38-2604, 38-2605, 38-2614, and 38-2615, Reissue Revised Statutes of Nebraska; to redefine terms; to provide requirements for use of injections and surgical procedures; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 392. Introduced by Larson, 40; Wayne, 13.

A BILL FOR AN ACT relating to economic development; to adopt the Wind Friendly Counties Act.

LEGISLATIVE BILL 393. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the State Athletic Commissioner; to amend sections 81-8,134 and 81-8,138, Reissue Revised Statutes of Nebraska, and sections 81-8,129, 81-8,130.01, 81-8,132, 81-8,133, 81-8,133.01, 81-8,135, and 81-8,139, Revised Statutes Cumulative Supplement, 2016; to authorize the regulation of kickboxing; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 394. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to domestic violence; to amend sections 28-1206, 42-903, and 42-924, Reissue Revised Statutes of Nebraska; to change provisions relating to possession of a deadly weapon by a prohibited person and domestic violence protection orders; to redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 395. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to bail; to amend sections 29-901, 29-901.01, and 29-901.05, Reissue Revised Statutes of Nebraska; to change provisions relating to conditions and ability to pay; and to repeal the original sections.

LEGISLATIVE BILL 396. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to universities and colleges; to amend section 85-502, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to determination of residency; and to repeal the original section.

LEGISLATIVE BILL 397. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-283, Reissue Revised Statutes of Nebraska; to require application of the Nebraska Evidence Rules at parental termination hearings as prescribed; and to repeal the original section.

LEGISLATIVE BILL 398. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to public health and welfare; to require certification of swimming instructors and lifeguards as prescribed.

LEGISLATIVE BILL 399. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend sections 71-1594, 71-1598, 71-15,101, 71-15,102, 71-15,103, and 71-15,104, Reissue Revised Statutes of Nebraska; to add, change, and eliminate provisions relating to commissioners; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 400. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-395, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to a refund of fees and taxes; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 401. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to metabolic screening; to amend section 71-519, Reissue Revised Statutes of Nebraska; to change provisions relating to infant screening as prescribed; and to repeal the original section.

LEGISLATIVE BILL 402. Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Nebraska Regulation of Health Professions Act; to amend section 71-6227, Reissue Revised Statutes of Nebraska, and sections 71-6201, 71-6202, 71-6221, 71-6223, 71-6223.02, and 71-6224, Revised Statutes Cumulative Supplement, 2016; to state intent; to change membership and powers and duties of technical committees; to change provisions relating to review of scope of practice; to require rules and regulations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 403. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Abstracters Act; to amend sections 76-537, 76-539, 76-542, and 76-543, Reissue Revised Statutes of Nebraska, and sections 76-545 and 76-547, Revised Statutes Cumulative Supplement, 2016; to define a term; to change registration application, examination, and fee requirements as prescribed; to provide for a duplicate certificate of authority; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 404. Introduced by Groene, 42; Brewer, 43.

A BILL FOR AN ACT relating to railroads; to require a train crew of at least two individuals as prescribed; to provide fines; and to provide duties for the Public Service Commission.

LEGISLATIVE BILL 405. Introduced by Baker, 30.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend sections 29-4101, 29-4103, 29-4106, 29-4106.01, 29-4108, and 29-4109, Reissue Revised Statutes of Nebraska; to redefine a term; to provide for the effect of mistakes in obtaining DNA samples, DNA records, or thumb or fingerprints on the validity of detentions, arrests, adjudications, and convictions; to provide civil and criminal immunity to law enforcement agencies for mistakes in submitting DNA records or samples; to provide for the collecting of additional DNA samples; to change provisions relating to confidentiality of DNA samples and records; to prohibit the use of DNA samples or records for research as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 406. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to automobile liability policies; to amend

sections 44-516, 44-522, and 44-523, Reissue Revised Statutes of Nebraska; to change provisions relating to notice of cancellation, nonrenewal, or nonpayment of a premium; and to repeal the original sections.

LEGISLATIVE BILL 407. Introduced by Pansing Brooks, 28; Baker, 30; Brewer, 43; Crawford, 45; Kolterman, 24; Lindstrom, 18; McDonnell, 5; Wishart, 27.

A BILL FOR AN ACT relating to public health; to create and provide duties for a task force; and to provide for termination.

LEGISLATIVE BILL 408. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-1,110, Revised Statutes Cumulative Supplement, 2016; to provide for an evidence-based drug formulary as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 409. Introduced by Groene, 42; Erdman, 47; Linehan, 39.

A BILL FOR AN ACT relating to school finance; to amend section 79-1015.01, Reissue Revised Statutes of Nebraska, and section 77-3446, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the Tax Equity and Educational Opportunities Support Act; to change the base limitation; to change the local effort rate; to eliminate obsolete provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 410. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 32-509, 66-1830, 75-101, 75-104, 75-104.01, 75-105, and 75-106, Reissue Revised Statutes of Nebraska, and sections 75-101.01 and 75-128, Revised Statutes Cumulative Supplement, 2016; to change the boundaries and number of public service commissioner districts by the adoption of maps by reference; to provide for the appointment and election of new commissioners as prescribed; to change a provision relating to qualifications; to eliminate an obsolete provision; to change commissioner compensation as prescribed; to provide a duty for commissioners; to change provisions relating to appointment and employment of employees; to provide duties for the executive director; to provide for decisions by a majority vote of all members; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 411. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-285, 43-2,106.01, and 43-1311.02, Reissue Revised Statutes of

Nebraska; to change provisions relating to joint-sibling placement; to provide duties for the Department of Health and Human Services; to change provisions relating to appeals; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 412. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to state funds; to amend section 72-1260, Reissue Revised Statutes of Nebraska; to state findings; to define terms; to provide duties and responsibilities relating to investment in energy-related companies or funds; to require a report; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 413. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 24-708, 24-710.15, and 81-2025, Reissue Revised Statutes of Nebraska, and section 81-2014, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to change a retirement application timeframe for judges and Nebraska State Patrol officers as prescribed; to change provisions relating to supplemental lump-sum cost-of-living adjustments under the Judges Retirement Act; and to repeal the original sections.

LEGISLATIVE BILL 414. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 24-702, 24-703, 25-2804, 33-103, 33-103.01, 33-106, 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03, and 33-126.06, Reissue Revised Statutes of Nebraska; to provide for an employer contribution as prescribed under the Judges Retirement Act; to change the amount and distribution of court fees relating to the Nebraska Retirement Fund for Judges as prescribed; to provide a state contribution to the Nebraska Judges Retirement System; to provide for the remittance of court fees to the General Fund; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 415. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2320, 79-805, 79-901, 79-921, 79-933, 79-951, 79-955, 79-958, 81-2031.05, 84-1301, and 84-1322, Reissue Revised Statutes of Nebraska, and sections 23-2301, 79-902, 79-904.01, 79-931, 79-934, 79-978, 79-978.01, 79-992, 79-9,100.01, 79-9,105, and 81-2014, Revised Statutes Cumulative Supplement, 2016; to provide and change notification requirements as prescribed; to define and redefine terms; to provide and change duties and benefits for retirement system members who are employed after retirement as prescribed; to change annuity and disability benefit provisions under the Class V School Employees Retirement Act; to provide duties for school districts and the Public Employees Retirement Board; to eliminate obsolete

provisions; to harmonize provisions; to repeal the original sections; to outright repeal section 79-923, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 416. Introduced by Vargas, 7; Halloran, 33; McDonnell, 5; Quick, 35; Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to amend section 48-621, Revised Statutes Cumulative Supplement, 2016; to appropriate funds to the Department of Labor; to harmonize provisions; to delete obsolete provisions; and to repeal the original section.

LEGISLATIVE BILL 417. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 13-308, 28-372, 28-712, 28-712.01, 38-101, 38-123, 43-296, 43-4331, 68-949, 71-6038, 71-6039.06, 71-6603, 81-2210, 81-2273, 81-2274, 81-2275, 81-2279, 81-2281, 81-2283, 83-1212.01, and 83-1213, Reissue Revised Statutes of Nebraska, and sections 68-908, 68-909, 71-806, 71-810, 71-1904, 71-3405, and 71-6039, Revised Statutes Cumulative Supplement, 2016; to eliminate references to nursing assistants; to provide for nurse aides in certain health care facilities as prescribed; to change and eliminate provisions relating to alternative responses under the Child Protection and Family Safety Act; to change provisions relating to providing notice to credential holders under the Uniform Credentialing Act; to change and eliminate reporting requirements under the Medical Assistance Act; to rename the Nebraska Senior Companion Volunteer Program Act; to change the purpose of the act; to eliminate the Nebraska Senior Companion Volunteer Program; to change and eliminate benefits for and restrictions on senior volunteers; to change and eliminate provisions relating to application for and use of grant funds and funding by municipal corporations; to provide for a quality assurance plan relating to services for persons with developmental disabilities; to eliminate quality review teams; to eliminate certain reporting requirements and provisions relating to regional center occupancy rates and data systems; to provide for standards for peer services for behavioral health services; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 81-2233, 81-2276, 81-2277, 81-2278, and 81-2280, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 418. Introduced by Briese, 41.

A BILL FOR AN ACT relating to transportation; to amend sections 60-119.01, 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, 60-628.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Cumulative Supplement, 2016; to adopt and update references to certain federal provisions relating to low-speed vehicles, motor vehicle and trailer registration, handicapped or disabled parking permits, the International Registration Plan, operators'

licenses, persons handling source documents, hazardous materials, motor carrier and hazardous material regulations and their enforcement, and the unified carrier registration plan and agreement; to increase fines for violations of motor carrier statutes and regulations; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 419. Introduced by McCollister, 20; Brewer, 43; Lowe, 37; Smith, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend section 80-414, Reissue Revised Statutes of Nebraska, and sections 60-3,122.03 and 60-3,122.04, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to Military Honor Plates; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 420. Introduced by McCollister, 20; Blood, 3; Chambers, 11; Crawford, 45; Ebke, 32; Howard, 9; Krist, 10; Morfeld, 46; Pansing Brooks, 28; Wishart, 27.

A BILL FOR AN ACT relating to labor; to amend section 48-202, Revised Statutes Cumulative Supplement, 2016; to adopt the Fair Chance Hiring Act; to prohibit public and private employers and employment agencies from asking for criminal history as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 421. Introduced by Murante, 49.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1413, Revised Statutes Cumulative Supplement, 2016; to redefine committee; and to repeal the original section.

LEGISLATIVE BILL 422. Introduced by Murante, 49.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-115, Reissue Revised Statutes of Nebraska; to redefine registered voter; and to repeal the original section.

LEGISLATIVE BILL 423. Introduced by Murante, 49.

A BILL FOR AN ACT relating to counties; to amend section 23-122, Reissue Revised Statutes of Nebraska; to change provisions relating to counties; and to repeal the original section.

LEGISLATIVE BILL 424. Introduced by Ebke, 32; Craighead, 6; Hilkemann, 4; McCollister, 20.

A BILL FOR AN ACT relating to the Department of Correctional Services; to amend sections 29-2204.02, 29-2262, 29-3803, 29-3804, 29-4014, 47-123, 81-1850, 83-1,108, 83-1,109, 83-1,110, 83-1,118, 83-1,123,

83-1,125, 83-4,111, 83-4,122, and 83-4,123, Reissue Revised Statutes of Nebraska, sections 83-170, 83-1,107, and 83-1,122, Revised Statutes Cumulative Supplement, 2016, and section 29-2204, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB605, section 60; to provide for earned time; to discontinue the use of good time as prescribed; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 425. Introduced by Crawford, 45; Watermeier, 1.

A BILL FOR AN ACT relating to the Nurse Practitioner Practice Act; to amend sections 38-2305, 38-2314.01, 38-2317, and 38-2322, Reissue Revised Statutes of Nebraska; to redefine a term; to change and eliminate certain licensure requirements as prescribed; to permit practice without an integrated practice agreement for certain nurse practitioners; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 426. Introduced by Murante, 49.

A BILL FOR AN ACT relating to government; to amend sections 1-110, 2-1201, 2-1803, 2-2306, 2-3619, 2-3751, 2-4008, 2-4208, 2-4901, 2-5003, 2-5302, 3-104, 7-205, 21-2307, 23-1215, 24-1003, 24-1103, 24-1203, 25-2907, 29-2252, 29-2259, 29-3925, 30-4108, 37-105, 37-106, 39-2106, 39-2304, 43-1302, 43-1903, 43-2411, 43-3342.05, 43-4001, 43-4202, 45-603, 46-538, 48-1116, 48-2503, 49-233, 50-415, 51-402, 53-112, 53-113, 53-302, 54-191, 57-904, 58-228, 60-4,118.02, 66-1335, 68-948, 68-953, 68-1105, 70-719, 71-222, 71-702, 71-808, 71-1799, 71-2605, 71-4723, 71-4728.05, 71-5657, 71-6227, 71-6303, 71-6321, 71-7012, 71-8236, 71-8251, 71-8604, 71-8803, 72-224.03, 72-2103, 75-104, 77-5206, 79-317, 79-527.01, 79-546, 79-740, 79-760.07, 79-808, 79-861, 79-863, 79-1104.04, 79-1217, 79-1816, 80-318, 80-401.02, 80-401.08, 81-175, 81-502.02, 81-829.53, 81-829.54, 81-8,189, 81-8,267, 81-8,309, 81-1108.32, 81-1120.18, 81-1174, 81-1180, 81-11,104, 81-1348, 81-1409, 81-1421, 81-1430, 81-1449, 81-1503, 81-1505.03, 81-15,171, 81-15,175, 81-15,211, 81-15,245, 81-1805, 81-2105, 81-2506, 81-3521, 82-310, 83-4,124, 83-1212.01, 83-1213, 84-931, 84-1204, 84-1502, 85-104, 85-301, 85-1408, 85-1509, 86-461, 86-515, 86-570, and 86-571, Reissue Revised Statutes of Nebraska, and sections 2-3951.01, 9-1004, 49-14,120, 50-505, 53-502, 55-604, 58-819, 70-1003, 71-219.03, 71-3406, 72-201, 72-1239, 72-2007, 76-2222, 77-5004, 79-760.03, 79-2204, 81-1603, and 84-1501, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to reimbursement for expenses as prescribed; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-1181, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 427. Introduced by Vargas, 7; Ebke, 32; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to civil rights; to amend section 20-170,

Reissue Revised Statutes of Nebraska; to change provisions relating to the right to breast-feed as prescribed; and to repeal the original section.

LEGISLATIVE BILL 428. Introduced by Vargas, 7; Ebke, 32; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to schools; to state findings; to provide duties for school districts and the State Department of Education relating to policies for pregnant and parenting students; and to provide for training.

LEGISLATIVE BILL 429. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to power generation; to define a term; and to provide for virtual net metering.

LEGISLATIVE BILL 430. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Radiation Control Act; to amend section 71-3505, Reissue Revised Statutes of Nebraska; to change powers and duties of the Department of Health and Human Services relative to radiation as prescribed; and to repeal the original section.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 13. Introduced by Kuehn, 38.

WHEREAS, Tysen McDowell, a member of Troop 199 from Minden, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to achieve the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills; and

WHEREAS, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout; and

WHEREAS, to achieve the rank of Eagle Scout, it is also necessary to complete a community service project approved by the troop and the scout council; and

WHEREAS, for his Eagle Scout Service Project, Tysen engineered the construction of a storage building at Augie Nelson Field to store equipment and materials; and

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

WHEREAS, Tysen, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Tysen McDowell on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Tysen McDowell.

Laid over.

LEGISLATIVE RESOLUTION 14. Introduced by Kuehn, 38.

WHEREAS, Andrew Hultquist (Drew), a member of Troop 199 from Minden, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to achieve the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills; and

WHEREAS, to achieve the rank of Eagle Scout, it is also necessary to complete a community service project approved by the troop and the scout council; and

WHEREAS, for his Eagle Scout Service Project, Drew engineered and built an improved poultry and small animal exhibit area on the Kearney County Fairgrounds; and

WHEREAS, Drew coordinated the project with the Kearney County Agricultural Society and organized help from family and friends; and

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

WHEREAS, Drew, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Andrew Hultquist on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Andrew Hultquist.

Laid over.

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services

Room 1510

Friday, January 20, 2017 1:30 p.m.

Lisa Knoche - Nebraska Child Abuse Prevention Fund Board
Mary Beth Hanus - Nebraska Child Abuse Prevention Fund Board

(Signed) Merv Riepe, Chairperson

Business and Labor

Room 2102

Monday, January 23, 2017 1:30 p.m.

LB203
LB181
LB248
LB212

(Signed) Joni Albrecht, Chairperson

Executive Board

Room 2102

Friday, January 20, 2017 12:00 p.m.

LB6
LB207

(Signed) Dan Watermeier, Chairperson

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to LR1CA:
MO10
Indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Chambers filed the following motion to LB271:
MO7
Rerefer to the Judiciary Committee.

Senator Chambers filed the following motion to LB276:
MO8
Rerefer to the Judiciary Committee.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Watermeier name added to LB222.
Senator McCollister name added to LB36.
Senator Blood name added to LB289.
Senator Chambers name added to LB259.

VISITOR(S)

The Doctor of the Day was Dr. Doug Dunning from Omaha.

MOTION - Recess

Senator Chambers moved to recess until 2:00 p.m.

The motion failed.

ADJOURNMENT

At 1:11 p.m., on a motion by Senator Crawford, the Legislature adjourned until 10:00 a.m., Tuesday, January 17, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

NINTH DAY - JANUARY 17, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

NINTH DAY

Legislative Chamber, Lincoln, Nebraska
 Tuesday, January 17, 2017

PRAYER

The prayer was offered by Senator Pansing Brooks.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Howard and Wayne who were excused; and Senators Kuehn, Scheer, and Smith who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB298	Health and Human Services
LB299	Government, Military and Veterans Affairs
LB300	Judiciary
LB301	Business and Labor
LB302	Appropriations
LB303	Appropriations
LB304	Urban Affairs
LB305	Business and Labor
LB306	Banking, Commerce and Insurance
LB307	Judiciary
LB308	Education
LB309	Government, Military and Veterans Affairs
LB310	Transportation and Telecommunications
LB311	Health and Human Services
LB312	Revenue

LB313	Revenue
LB314	Government, Military and Veterans Affairs
LB315	Urban Affairs
LB316	Government, Military and Veterans Affairs
LB317	Urban Affairs
LB318	Government, Military and Veterans Affairs
LB319	Business and Labor
LB320	Government, Military and Veterans Affairs
LB321	Judiciary
LB322	Revenue
LB323	Health and Human Services
LB324	Banking, Commerce and Insurance
LB325	Revenue
LB326	Revenue
LB327	Appropriations
LB328	Appropriations
LB329	Appropriations
LB330	Appropriations
LB331	Appropriations
LB332	Appropriations
LB333	Health and Human Services
LB334	Health and Human Services
LB335	Health and Human Services
LB336	Health and Human Services
LB337	Revenue
LB338	Revenue
LB339	Transportation and Telecommunications
LB340	Government, Military and Veterans Affairs
LB341	Banking, Commerce and Insurance
LB342	Health and Human Services
LB343	Health and Human Services
LB344	Health and Human Services
LB345	Banking, Commerce and Insurance
LB346	Transportation and Telecommunications
LB347	Transportation and Telecommunications
LB348	Agriculture
LB349	Judiciary
LB350	Judiciary
LB351	Transportation and Telecommunications
LB352	Natural Resources
LB353	Judiciary
LB354	Business and Labor
LB355	Transportation and Telecommunications
LB356	Appropriations
LB357	Transportation and Telecommunications
LB358	Health and Human Services
LB359	Judiciary
LB360	Health and Human Services
LB361	Revenue

LB362 Revenue
LB363 Business and Labor
LB364 Government, Military and Veterans Affairs
LB365 Government, Military and Veterans Affairs
LB366 Judiciary
LB367 Judiciary
LB368 Transportation and Telecommunications
LB369 Government, Military and Veterans Affairs
LB370 Judiciary
LB371 Judiciary
LB372 Business and Labor
LB373 Revenue
LB374 Revenue
LB375 Banking, Commerce and Insurance
LB376 Executive Board
LB377 Education
LB378 Appropriations
LB379 Appropriations
LB380 Revenue
LB381 Judiciary
LB382 Government, Military and Veterans Affairs
LB383 Urban Affairs
LB384 Banking, Commerce and Insurance
LB385 Revenue
LB386 Banking, Commerce and Insurance
LB387 Revenue
LB388 Government, Military and Veterans Affairs
LB389 Transportation and Telecommunications
LB390 Natural Resources
LB391 Health and Human Services
LB392 Natural Resources
LB393 General Affairs
LB394 Judiciary
LB395 Judiciary
LB396 Education
LB397 Judiciary
LB398 Education
LB399 Urban Affairs
LB400 Revenue
LB401 Health and Human Services
LB402 Health and Human Services
LB403 Banking, Commerce and Insurance
LB404 Transportation and Telecommunications
LB405 Judiciary
LB406 Banking, Commerce and Insurance
LB407 Executive Board
LB408 Business and Labor
LB409 Education
LB410 Transportation and Telecommunications

LB411 Judiciary
LB412 Nebraska Retirement Systems
LB413 Nebraska Retirement Systems
LB414 Nebraska Retirement Systems
LB415 Nebraska Retirement Systems
LB416 Appropriations
LB417 Health and Human Services
LB418 Transportation and Telecommunications
LB419 Transportation and Telecommunications
LB420 Business and Labor
LB421 Government, Military and Veterans Affairs
LB422 Government, Military and Veterans Affairs
LB423 Government, Military and Veterans Affairs
LB424 Judiciary
LB425 Health and Human Services
LB426 Government, Military and Veterans Affairs
LB427 Education
LB428 Education
LB429 Natural Resources
LB430 Health and Human Services

(Signed) Dan Watermeier, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Banking, Commerce and Insurance

Room 1507

Tuesday, January 24, 2017 1:30 p.m.

LB17
LB35
LB138
LB142

(Signed) Brett Lindstrom, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 2, 5, and 7 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 2, 5, and 7.

ANNOUNCEMENT

The Chair announced the birthday of Senator McDonnell.

MOTION(S) - Rerefer LB59

Senator Chambers offered his motion, MO4, found on page 130, to rerefer LB59 to the Judiciary Committee, pursuant to Rule 6, Section 2(a).

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 431. Introduced by Erdman, 47; Groene, 42; Halloran, 33; Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-504, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to cash reserves; to provide operative dates; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 432. Introduced by Erdman, 47; Groene, 42; Halloran, 33; Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend section 13-508, Revised Statutes Cumulative Supplement, 2016; to eliminate provisions relating to the amount of tax required to fund the adopted budget; to provide operative dates; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 433. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to state agencies; to require a criminal history record information check for employees who have direct access to federal tax information as prescribed.

LEGISLATIVE BILL 434. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to juveniles; to amend section 43-278, Reissue Revised Statutes of Nebraska; to change provisions relating to videoconferencing for certain hearings as prescribed; and to repeal the original section.

LEGISLATIVE BILL 435. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to probation; to amend section 28-912, Reissue Revised Statutes of Nebraska; to change penalty provisions relating

to escape; and to repeal the original section.

LEGISLATIVE BILL 436. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to labor; to amend sections 48-106, 48-220, 48-234, 48-236, 48-237, 48-902, 48-1002, 48-1202, 48-1902, and 48-2208, Reissue Revised Statutes of Nebraska, and sections 48-603, 48-1102, 48-1220, 48-1229, 48-2302, and 48-3502, Revised Statutes Cumulative Supplement, 2016; to change the definition of employer to exclude certain franchisors for purposes of various labor statutes; to define and redefine terms; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 437. Introduced by Craighead, 6.

A BILL FOR AN ACT relating to the Taxpayer Transparency Act; to amend sections 84-602.03 and 84-602.04, Revised Statutes Cumulative Supplement, 2016; to define a term; to change provisions relating to the provision and publication of certain information; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 438. Introduced by Howard, 9.

A BILL FOR AN ACT relating to health program funding; to amend section 77-4008, Reissue Revised Statutes of Nebraska, and sections 71-801, 71-7611, and 77-2602, Revised Statutes Cumulative Supplement, 2016; to increase the cigarette and tobacco taxes as prescribed and provide for the distribution of funds; to create a fund and provide for its use; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 439. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to assisted-living facilities; to amend sections 71-406, 71-5803.05, 71-5902, 71-5903, 71-5904, and 71-5906, Reissue Revised Statutes of Nebraska, and sections 71-5905, 71-6725, and 71-9402, Revised Statutes Cumulative Supplement, 2016; to define and redefine terms; to change provisions relating to licensure of assisted-living facilities; to change requirements for and services provided to applicants for admission to and residents of assisted-living facilities; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 440. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to offenses against animals; to amend section 28-101, Reissue Revised Statutes of Nebraska; to provide immunity from criminal or civil liability for removal of an animal from a motor vehicle by forcible entry as prescribed; to provide a duty for the Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 441. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-915, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to eligibility; and to repeal the original section.

LEGISLATIVE BILL 442. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2016; to create the Medical Assistance Managed Care Organization Oversight Committee; to provide powers and duties; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 443. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2716, 77-2717, 77-2734.03, and 77-3806, Revised Statutes Cumulative Supplement, 2016; to adopt the Student Loan Repayment Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 444. Introduced by Walz, 15.

A BILL FOR AN ACT relating to political subdivisions; to prohibit cities and counties from canceling health insurance coverage for injured law enforcement officers as prescribed.

LEGISLATIVE BILL 445. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Legislature; to amend section 49-1401, Reissue Revised Statutes of Nebraska; to prohibit the provision of meals and beverages by lobbyists as prescribed; and to repeal the original section.

LEGISLATIVE BILL 446. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 24-1106, 25-1140.09, 28-104, 28-202, 28-303, 29-1602, 29-1822, 29-2004, 29-2005, 29-2006, 29-2020, 29-2027, 29-2407, 29-2801, 29-3205, 29-3920, 29-3928, 29-3929, and 29-3930, Reissue Revised Statutes of Nebraska, 2008, sections 23-3406, 23-3408, 28-105, 55-480, 83-1,110.02, and 83-4,143, Reissue Revised Statutes of Nebraska, sections 28-1356, 29-1603, and 29-3922, Revised Statutes Cumulative Supplement, 2014, section 29-2261, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB504, section 1, section 28-201, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB605, section 8, and section 29-2204, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB605, section 60; to eliminate the death penalty; to change and eliminate provisions relating to murder in the first degree,

presentence reports, indeterminate sentences, the Commission on Public Advocacy, and the authority of courts and the Department of Correctional Services; to state intent; to eliminate a homicide-case report, provisions on capital punishment, proportionality review provisions, and obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 24-1105, 29-2519, 29-2521, 29-2521.01, 29-2521.03, 29-2521.04, 29-2521.05, 29-2523, 29-2524.01, 29-2524.02, 29-2525, 29-2527, 29-2528, and 29-2811, Reissue Revised Statutes of Nebraska, 2008, sections 83-1,132, 83-964, 83-965, 83-966, 83-967, 83-968, 83-969, 83-970, 83-971, and 83-972, Reissue Revised Statutes of Nebraska, and sections 28-105.01, 29-2520, 29-2521.02, 29-2522, 29-2524, 29-2537, 29-2538, 29-2539, 29-2540, 29-2541, 29-2542, 29-2543, and 29-2546, Revised Statutes Cumulative Supplement, 2014.

LEGISLATIVE BILL 447. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-105, Reissue Revised Statutes of Nebraska; to eliminate certain mandatory minimum penalties; and to repeal the original section.

LEGISLATIVE BILL 448. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-452, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to the hunting of mountain lions; to repeal the original section; and to outright repeal section 37-473, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 449. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to prairie dogs; to amend section 81-2,236, Reissue Revised Statutes of Nebraska; to repeal the Black-Tailed Prairie Dog Management Act; to harmonize provisions; to repeal the original section; and to outright repeal sections 23-3801, 23-3802, 23-3803, 23-3804, 23-3805, 23-3806, 23-3807, 23-3808, 23-3809, and 23-3810, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 450. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Patient Choice at End of Life Act; to provide penalties; and to provide severability.

LEGISLATIVE BILL 451. Introduced by Murante, 49.

A BILL FOR AN ACT relating to elections; to amend sections 32-208, 32-404, 32-566, 32-573, 32-601, 32-802, 32-939.02, and 32-947, Reissue Revised Statutes of Nebraska, and section 49-1494, Revised Statutes Cumulative Supplement, 2016; to eliminate a restriction on an election commissioner becoming a candidate for elective office; to change provisions

relating to deadlines for certifications, notifications, and published notice; to change provisions relating to filling certain vacancies; to provide a voter's oath for nonresidents and change provisions relating to ballot envelope instructions; to change provisions relating to the filing of a statement of financial interests by a candidate for elective office; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 452. Introduced by Lindstrom, 18; Smith, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716.01, Reissue Revised Statutes of Nebraska, and sections 77-382, 77-2701.16, 77-2715.01, 77-2715.03, and 77-2734.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to a tax expenditure report; to impose sales and use taxes on certain services; to provide duties for the Tax Rate Review Committee; to change income tax rates and personal exemption amounts; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-2704.07, 77-2704.14, and 77-2704.38, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 453. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to income tax adjustments for social security benefits; and to repeal the original section.

LEGISLATIVE BILL 454. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Credit Union Act; to amend section 21-1770, Reissue Revised Statutes of Nebraska; to change provisions relating to loan officer licenses; and to repeal the original section.

LEGISLATIVE BILL 455. Introduced by Quick, 35.

A BILL FOR AN ACT relating to the State Electrical Board; to amend section 81-2104, Reissue Revised Statutes of Nebraska; to change references to a governing code; and to repeal the original section.

LEGISLATIVE BILL 456. Introduced by Briese, 41.

A BILL FOR AN ACT relating to children; to state findings and intent; to define terms; to provide for supportive services for disabled parents or disabled prospective parents with respect to adoption, custody, visitation, foster care, child welfare, and family law as prescribed.

LEGISLATIVE BILL 457. Introduced by Briese, 41; Erdman, 47; Groene, 42; Linehan, 39.

A BILL FOR AN ACT relating to school finance; to amend sections 77-3442, 79-1003, and 79-1028.01, Revised Statutes Cumulative Supplement, 2016; to change exceptions to levy limitations and budget limitations for new voluntary termination agreements; to redefine a term; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 458. Introduced by Harr, 8.

A BILL FOR AN ACT relating to the County Purchasing Act; to amend section 23-3104, Reissue Revised Statutes of Nebraska; to provide an exemption for purchases by or on behalf of a county coroner; and to repeal the original section.

LEGISLATIVE BILL 459. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend section 76-2319, Reissue Revised Statutes of Nebraska; to change provisions relating to the rules and regulations and board of directors governing the statewide one-call notification center; to provide for the establishment of best practices; and to repeal the original section.

LEGISLATIVE BILL 460. Introduced by Smith, 14.

A BILL FOR AN ACT relating to motor carriers; to amend sections 75-303.01, 75-303.02, and 75-303.03, Reissue Revised Statutes of Nebraska, and sections 75-128, 75-306, 75-309, and 75-311, Revised Statutes Cumulative Supplement, 2016; to change provisions regulating the transportation of clients of the Department of Health and Human Services and other authorized agencies as prescribed; to change provisions relating to the issuance of permits by the Public Service Commission; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 461. Introduced by Smith, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2016; to correct references to a federal act; and to repeal the original section.

LEGISLATIVE BILL 462. Introduced by Smith, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2712.03, Revised Statutes Cumulative Supplement, 2016; to correct provisions relating to the streamlined sales and use tax agreement; and to repeal the original section.

LEGISLATIVE BILL 463. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to cemeteries; to amend section 12-401, Reissue Revised Statutes of Nebraska; to change a provision relating to who may be appointed to certain cemetery boards; and to repeal the original section.

LEGISLATIVE BILL 464. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-901.01, Reissue Revised Statutes of Nebraska, and sections 84-907 and 84-907.06, Revised Statutes Cumulative Supplement, 2016; to provide and change requirements and duties relating to adoption and promulgation of rules and regulations; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 465. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Department of Education.

LEGISLATIVE BILL 466. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to nurse-midwives; to amend sections 28-401, 38-101, 38-205, 38-206, 38-208, 38-209, 38-601, 38-602, 38-603, 38-604, 38-606, 38-607, 38-609, 38-610, 38-611, 38-612, 38-613, 38-615, 38-616, 38-617, 38-618, 38-2838, 38-2850, and 71-1405, Reissue Revised Statutes of Nebraska, and sections 68-911, 71-503.02, 71-2048.01, 71-2445, and 71-2473, Revised Statutes Cumulative Supplement, 2016; to eliminate requirements for integrated practice agreements; to provide, change, and eliminate definitions; to provide for transition-to-practice agreements; to change and eliminate provisions relating to credentialing and regulation; to harmonize provisions; to repeal the original sections; and to outright repeal section 38-614, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 467. Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1116, 77-2905, 77-2906, and 77-5723, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the New Markets Job Growth Investment Act, the Nebraska Job Creation and Mainstreet Revitalization Act, and the Nebraska Advantage Act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 468. Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.09, Reissue Revised Statutes of Nebraska, and sections 77-202, 77-1238, 77-1239, 77-2715.03, 77-27,132, and 77-4212, Revised Statutes

Cumulative Supplement, 2016; to change provisions relating to certain property tax exemptions, inflation adjustments to income tax brackets, the tax treatment of certain extraordinary dividends and capital gains, the distribution of sales and use taxes, and property tax credits; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 469. Introduced by Larson, 40.

A BILL FOR AN ACT relating to gambling; to amend sections 28-1101, 28-1105, and 28-1113, Reissue Revised Statutes of Nebraska; to adopt the Fantasy Contests Act; to redefine terms; to provide a gambling exception for conducting or participating in fantasy contests; to change a provision relating to the possession of gambling records; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 470. Introduced by Larson, 40.

A BILL FOR AN ACT relating to gambling; to amend sections 9-607 and 9-646.01, Reissue Revised Statutes of Nebraska, and section 9-601, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to change the manner of play of keno as prescribed; to change provisions relating to keno tickets; to require reasonable measures by lottery operators using electronic tickets; to provide for authorization of methods of payment for participation in gaming activities under the Nebraska County and City Lottery Act as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 471. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,179.01, Revised Statutes Cumulative Supplement, 2016; to provide for the enforcement of the prohibition against using a handheld wireless communication device as a primary action; and to repeal the original section.

LEGISLATIVE BILL 472. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to highways; to amend section 39-220, Reissue Revised Statutes of Nebraska; to change provisions relating to permits for advertisements along the Highway Beautification Control System; to eliminate a fee; to change provisions relating to the Department of Roads' authority to make rules and regulations concerning signs along highways; and to repeal the original section.

LEGISLATIVE BILL 473. Introduced by Walz, 15; Hansen, 26; Morfeld, 46.

A BILL FOR AN ACT relating to labor; to require rest periods for employees as prescribed; and to provide a penalty.

LEGISLATIVE BILL 474. Introduced by Baker, 30.

A BILL FOR AN ACT relating to insurance; to require coverage for filling prescriptions to synchronize the patient's medications.

LEGISLATIVE BILL 475. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2912, Revised Statutes Cumulative Supplement, 2016; to change the application deadline under the Nebraska Job Creation and Mainstreet Revitalization Act; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 476. Introduced by Hilgers, 21.

A BILL FOR AN ACT relating to the Nebraska Nonprofit Corporation Act; to amend section 21-19,163, Reissue Revised Statutes of Nebraska; to change provisions relating to domestication of foreign corporations and the effect on original incorporation dates; and to repeal the original section.

LEGISLATIVE BILL 477. Introduced by McCollister, 20; Groene, 42.

A BILL FOR AN ACT relating to weights and measures; to amend section 89-197, Revised Statutes Cumulative Supplement, 2016; to prohibit certain unlawful acts as prescribed; and to repeal the original section.

LEGISLATIVE BILL 478. Introduced by Groene, 42; Lowe, 37.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1206, Reissue Revised Statutes of Nebraska; to provide for possession of archery equipment and knives for recreational purposes as prescribed; to define terms; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 479. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Nebraska Budget Act; to amend sections 13-503 and 13-506, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to change provisions relating to public hearings on proposed budget statements; and to repeal the original sections.

LEGISLATIVE BILL 480. Introduced by McCollister, 20; Lindstrom, 18.

A BILL FOR AN ACT relating to insurance; to provide requirements relating to health benefit plans and coverage of insureds in jail custody.

LEGISLATIVE BILL 481. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend sections 38-2801, 28-2802, 38-28,109, 38-28,110, 38-28,111, 38-28,112,

38-28,113, and 38-28,116, Reissue Revised Statutes of Nebraska; to provide, change, and transfer definitions; to restate intent and change provisions relating to drug product selection; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 482. Introduced by Smith, 14.

A BILL FOR AN ACT relating to public lettings and contracts; to adopt the Government Neutrality in Contracting Act.

LEGISLATIVE BILL 483. Introduced by Hilgers, 21.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-110, Reissue Revised Statutes of Nebraska; to provide an exemption for rules of procedure as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 484. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to schools; to create and provide duties for the School Financing Review Commission; to state intent relating to appropriations; and to declare an emergency.

MOTION(S) - Rerefer LB59

Senator Chambers renewed his motion, MO4, found on page 130 and considered in this day's Journal, to rerefer LB59 to the Judiciary Committee, pursuant to Rule 6, Section 2(a).

Senator Chambers moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Chambers requested a roll call vote on the motion to rerefer the bill.

Voting in the affirmative, 11:

Blood	Ebke	Krist	Vargas
Bolz	Hansen	Morfeld	Wishart
Chambers	Kolowski	Pansing Brooks	

Voting in the negative, 23:

Albrecht	Craighead	Halloran	Larson	Riepe
Bostelman	Erdman	Hilgers	Linehan	Scheer
Brasch	Friesen	Hughes	Lowe	Smith
Brewer	Geist	Kolterman	McDonnell	
Briese	Groene	Kuehn	Murante	

Present and not voting, 8:

Baker	Harr	Quick	Walz
Crawford	McCollister	Schumacher	Williams

Excused and not voting, 7:

Hilkemann	Kintner	Stinner	Wayne
Howard	Lindstrom	Watermeier	

The Chambers motion to rerefer the bill failed with 11 ayes, 23 nays, 8 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 485. Introduced by Pansing Brooks, 28; Albrecht, 17; Brewer, 43; Ebke, 32; Linehan, 39; McCollister, 20; Morfeld, 46; Schumacher, 22.

A BILL FOR AN ACT relating to state holidays; to amend sections 25-2221 and 62-301, Reissue Revised Statutes of Nebraska; to establish Chief Standing Bear and Indigenous Leaders' Day; to eliminate a state holiday; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 486. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3902 and 44-3905, Reissue Revised Statutes of Nebraska, and section 44-3904, Revised Statutes Cumulative Supplement, 2016; to define terms; to change continuing education requirements; to provide powers and duties; to establish a fee; and to repeal the original sections.

LEGISLATIVE BILL 487. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend sections 28-101, 28-401.01, 28-416, 28-441, and 28-470, Reissue Revised Statutes of Nebraska; to provide an exception from criminal liability for certain violations relating to or committed by persons experiencing or witnessing a controlled substance overdose; to provide protection from civil liability for emergency responders and peace officers administering naloxone as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 488. Introduced by Groene, 42.

A BILL FOR AN ACT relating to water; to adopt the Water Conservation Grant Act.

LEGISLATIVE BILL 489. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2103, Revised Statutes Cumulative Supplement, 2016; to redefine redevelopment project; and to repeal the original section.

LEGISLATIVE BILL 490. Introduced by Walz, 15; Bostelman, 23; Crawford, 45; Ebke, 32; Groene, 42; Kolowski, 31; Kolterman, 24; Linehan, 39; Morfeld, 46.

A BILL FOR AN ACT relating to universities and colleges; to amend section 85-1412, Revised Statutes Cumulative Supplement, 2016; to adopt the College Choice Grant Program Act; to provide duties for the Coordinating Commission for Postsecondary Education; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 491. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to crimes and punishments; to amend section 28-1009.01, Reissue Revised Statutes of Nebraska; to define terms; to provide for the offense of fraudulent misrepresentation of a service animal; to provide penalties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 492. Introduced by Harr, 8.

A BILL FOR AN ACT relating to self-service storage facilities; to adopt the Self-Service Storage Facilities Act; and to authorize certain liens as prescribed.

LEGISLATIVE BILL 493. Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to maintain the Network of Care.

LEGISLATIVE BILL 494. Introduced by Briese, 41.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes Cumulative Supplement, 2016; to provide for withholding certain public records; and to repeal the original section.

MOTION(S) - Print in Journal

Senator Chambers filed the following motion to LB353:

MO11

Rerefer to the Government, Military and Veterans Affairs Committee.

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs

Room 1510

Tuesday, January 24, 2017 1:30 p.m.

LB317
LB315
LB159
LB130

(Signed) Matt Hansen, Vice Chairperson

Judiciary

Room 1113

Wednesday, January 25, 2017 1:30 p.m.

LB146
LB167
LB293
LB350

Thursday, January 26, 2017 1:30 p.m.

LB158
LB180
LB269
LB296

(Signed) Laura Ebke, Chairperson

Education

Room 1525

Tuesday, January 24, 2017 1:30 p.m.

LB124
LB123
LB396

(Signed) Mike Groene, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Krist name added to LB118.

Senator Quick name added to LB174.

Senator Brasch name added to LB68.

Senator McCollister name added to LB289.

Senator Stinner name added to LB307.

Senator McCollister name added to LB280.

Senator Kolterman name added to LB222.

VISITOR(S)

Visitors to the Chamber were Kamryn Sannizks from the University of Nebraska, Lincoln, and Braxtin Ceballos from Campbell Elementary School.

The Doctor of the Day was Dr. Susan Evans from Omaha.

ADJOURNMENT

At 12:09 p.m., on a motion by Senator McCollister, the Legislature adjourned until 9:00 a.m., Wednesday, January 18, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TENTH DAY - JANUARY 18, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

TENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 18, 2017

PRAYER

The prayer was offered by Captain Mil Yi, Command Chaplain, U.S. Strategic Command, Offutt Air Force Base.

ROLL CALL

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

The roll was called and all members were present except Senator Howard who was excused; and Senators Blood, Groene, and Larson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

PROPOSED RULES CHANGES

The Rules Committee offered the following proposed rules changes:

Proposed Rule Change 1

Amend Rule 5, Sec. 5

Sec. 5. Scheduling of Bills, Priority Bills. (a) Each senator may designate one bill as a priority bill. Such priority bill need not be the designator's bill, but the principal introducer must concur with the designation as a priority bill and with the withdrawal of the designation once made.

(b) Each chairperson of those committees which are authorized to hold public hearings on bills may designate as priority bills two of the bills referenced to that committee and on which the committee has held a public hearing, but the principal introducer must concur with the designation as a priority bill and with the withdrawal of the designation once made.

(c) The Legislative Performance Audit Committee may designate as priority bills two bills resulting from a performance audit or involving the performance audit process, but the principal introducer must concur with the designation as a priority bill and with the withdrawal of the designation once made.

(d) The State-Tribal Relations Committee may designate one bill consistent with the committee's jurisdiction as a priority bill but the principal introducer must concur with the designation as a priority bill, and with the withdrawal of the designation once made.

(e) The Legislature's Planning Committee as established in Neb. Rev. Stat. Section 50-1402 and authorized to introduce bills by Neb. Rev. Stat. Section 50-1403(5) may designate one bill resulting from or related to the Planning Committee's deliberations but, if not introduced by the Planning Committee, the principal introducer must concur with the designation as a priority bill and with the withdrawal of the designation once made.

~~(e)~~ (f) The Speaker may designate up to 25 additional priority bills.

~~(f)~~ (g) Priority bill designations may be made at any time prior to the annual designation deadline which shall be set each year by the Speaker. The designation deadline shall be prior to the 45th legislative day in the ninety-day session and prior to the 30th legislative day in the sixty-day session.

~~(g)~~ (h) A senator or committee may withdraw a priority designation at any time, but will not be allowed to designate another bill as a priority bill in its place. The Speaker may withdraw a priority designation made by the Speaker.

~~(h)~~ (i) All committees shall schedule priority bills for public hearing ahead of all unscheduled, nonpriority bills unless the person or committee making the priority designation shall otherwise agree.

~~(i)~~ (j) All bills not designated as priority bills shall be heard on General File in the order in which they are reported to the floor by the committees, unless the introducer of the bill and the Speaker agree to delay the hearing of a particular bill. This provision shall not be construed to prevent the Speaker from placing bills reported out of committee with no dissenting votes on a consent calendar.

~~(j)~~ (k) Priority bills shall generally be considered ahead of all other bills at each stage of debate, except as provided for in Rule 1, Section 17. Priority bills requiring the expenditure of appropriated funds shall be held on Final Reading until such time as the annual appropriations bills have been passed. A priority bill which fails to advance after two votes on General File, or after one vote on Select File, shall return to nonpriority status.

(*) (1) No priority bill designated under this rule shall have priority over appropriations bills.

Proposed Rule Change 2

Amend Rule 5, Sec. 7

Sec. 7. Fiscal Analyst. (a) A copy of every bill introduced shall be transmitted by the Clerk to the Legislative Fiscal Analyst. The Legislative Fiscal Analyst shall review each bill and make an estimate of the anticipated change in state, county, or municipal expenditures or revenue under the provisions of the bill. The Legislative Fiscal Analyst shall prepare a statement to be known as a fiscal note to be attached to each bill prior to its public hearing by a committee, or its first consideration on General File if the bill is referred directly to General File. The fiscal note shall set forth the fiscal impact of the bill and the governmental subdivision affected by the fiscal impact as determined by the Legislative Fiscal Analyst. No bill which has a fiscal impact shall be heard by a committee or considered on General File unless the fiscal note is attached.

(b) In determining the fiscal impact of any bill, the Legislative Fiscal Analyst shall request the appropriate department or other entity of state government or subdivision thereof, or appropriate association which will be affected by the bill, to prepare the fiscal note within five calendar days.

(c) The Legislative Fiscal Analyst shall review the fiscal note so prepared and shall also request a review of such fiscal note by the Budget Division of the Department of Administrative Services. The statement by the Budget Division of the Department of Administrative Services shall be attached to and become a part of the fiscal note. The Legislative Fiscal Analyst shall include in the fiscal note any exceptions to the conclusions of the department or other entity and of the Budget Division of the Department of Administrative Services.

(d) The fiscal note shall be delivered by the Legislative Fiscal Analyst to the Clerk at least ~~twenty-four~~ ^{seventy-two}¹ hours prior to the public hearing on the bill or, in the event the bill is referred directly to General File, twenty-four hours prior to the first consideration of the bill on General File. The Clerk shall present the fiscal note to the principal introducer. If extenuating circumstances prevent the Legislative Fiscal Analyst from meeting this deadline, he or she shall present to the principal introducer an unofficial summary of all available fiscal information on the bill by this deadline and deliver to the Clerk the fiscal note when it is available. The Clerk shall attach the fiscal note to the bill and to all copies prepared for members.

¹To begin January 1, 2018

(e) When amendments to a bill are adopted by the Legislature and such amendments would change the fiscal impact of the bill, the appropriate changes shall be made in the fiscal note each time the bill is advanced to Enrollment and Review or upon the written request of a member of the Legislature.

(f) When any bill proposes adoption of a new program or change of an existing program either of which would require an appropriation to implement in the ensuing fiscal year, an appropriation bill for the purposes of funding the provisions of such bill shall be prepared from the information contained in the fiscal note. Such appropriation bill shall be prepared at the direction of the Chairperson of the Appropriations Committee. Such bill shall be placed on General File and considered as introduced by the introducer of the original bill or by the committee which offered the amendments creating the expenditure, and shall bear the number of the original bill with the letter "A" added, and shall accompany the original bill through all stages of the legislative process. All bills for which an "A" bill is prepared shall be bracketed on Final Reading until the "A" bill is advanced to Final Reading.

(g) The authorization bill shall first be considered and if it should be passed on Final Reading then the "A" bill shall be read and voted on for final passage.

(h) The fiscal note shall be factual in nature, as brief and concise as may be, and shall, if possible, provide a reliable estimate in dollars and, in addition, it shall include both the immediate effect and, if determinable or reasonably foreseeable, the long range effect of the measure. If, after investigation, it is determined that no dollar estimate is possible, the fiscal note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given.

(i) No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared, however, technical or mechanical defects may be noted.

(j) The subject matter of bills submitted to boards, commissions, departments, agencies, or other entities of the state by the Fiscal Analyst shall be kept in strict confidence by said agencies and by the office of Fiscal Analyst together with the content of the fiscal note itself and no information relating thereto shall be divulged by any official or employee prior to its introduction in the Legislature.

(k) To implement the provisions of and assure compliance with Art. III, Sec. 22 of the Nebraska Constitution (deficiency appropriations), and Art. IV, Sec. 7 of the Nebraska Constitution (appropriations in excess of Governor's request), the Appropriations Committee shall advise the Legislature of the number of votes required to assure passage of the same.

Proposed Rule Change 3**Amend Rule 5, Sec. 7, insert new language after (k)****Sec. 7. Fiscal Analyst.**

(l) Each member may request the Legislative Fiscal Analyst to prepare a statement to be known as an interim fiscal note. The interim fiscal note shall estimate the fiscal impact of any bill request prepared by the Bill Drafter during the same interim in which the interim fiscal note is requested. A request for interim fiscal note shall be made no later than the first business day of each November, and a member may request no more than one interim fiscal note. Each standing committee will also receive one interim fiscal note as determined by the chair.

(m) The interim fiscal note shall be identified only by a number which corresponds to the bill request. In determining the fiscal impact of any bill request, the Legislative Fiscal Analyst shall request the appropriate department or other entity of state government or subdivision thereof, or appropriate association which will be affected by the bill request, to prepare the fiscal note within fourteen calendar days.

(n) The Legislative Fiscal Analyst shall review the interim fiscal note so prepared and shall also request a review of such interim fiscal note by the Budget Division of the Department of Administrative Services. The statement by the Budget Division of the Department of Administrative Services shall be attached to and become a part of the interim fiscal note. The Legislative Fiscal Analyst shall include in the interim fiscal note any exceptions to the conclusions of the department or other entity and of the Budget Division of the Department of Administrative Services.

(o) The interim fiscal note shall be delivered by the Legislative Fiscal Analyst directly to the requesting member no later than twenty-one days after the initial request is filed with the Legislative Fiscal Analyst. If extenuating circumstances prevent the Legislative Fiscal Analyst from meeting this deadline, he or she shall present to the requesting member an unofficial summary of all available fiscal information on the bill request by this deadline and deliver to the requesting member the interim fiscal note when it is available.

(p) The Legislative Fiscal Analyst may issue procedural guidelines to expedite the process of preparing interim fiscal notes.

Proposed Rule Change 4**Add new Rule 11**

Section 1: The purpose of this rule is to provide guidance for use of the Legislature's technology equipment and state secure network and to protect the integrity and security of the state secure network and legislative information.

All use of Legislative equipment or the state secure network shall be subject to this rule and applicable State and Federal Laws.

Section 2: This rule applies to all authorized users of the Legislature's technology equipment or the state secure network.

Only senators and legislative employees, paid or unpaid, are authorized users of the legislature's technology equipment and state secure network.

All senators will be required to take a technology training course and sign a statement acknowledging: He or she has taken the training course, received a copy of the Legislature's Technology Policy, and understands it. This action must be taken prior to being issued login credentials and/or issued state equipment.

Section 3: Effective January 1, 2017, all login passwords will expire annually, or as directed by Legislative Technology, at which time senators will be required to create a new one. If a password is shared, the owner of the password may be subject to disciplinary proceedings in the event of its misuse.

Section 4: A public official shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.

Section 5: This rule incorporates the *Acceptable Use Policy* adopted by the Nebraska Information Technology Commission.

(1). Examples of uses that are **not** acceptable include, but are not limited to, the following:

- Use of the Internet for illegal activities, such as gambling;
- Access of sites with adult content, such as pornography, or dating services;
- Posting information on personal, commercial or campaign-related social media sites or websites;
- Use of state resources for personal gain, including buying or selling products or services;
- Copyright infringements, such as downloading unauthorized music, movies, or software; or
- Use of state resources for personal entertainment.

In addition to the above, authorized legislative users shall:

- Respect the privacy of other users and intellectual property or data;

- Not intentionally seek information, obtain copies, modify files or data, or use passwords belonging to other users without authorization from the appropriate party;
- Respect the legal protection provided by copyright and licensing laws to software and data;
- Protect the integrity of the Legislature's technology equipment and state secure network and not intentionally develop or propagate programs that harass other users or infiltrate a computer or technology system;
- Not knowingly allow unauthorized access to the Legislature's technology equipment or the state secure network;
- Not damage or alter software or other components of legislative technology equipment or the state secure network; or
- Not install unauthorized software or hardware peripherals, even though they may be related to legislative business.

(2). It is the responsibility of each senator, division director, Executive Board chairperson, and ultimately the Legislature, to make sure that the Legislature's technology equipment and state secure network are being used consistent with state or federal law and the Legislature's rules. Therefore, a senator, division director or Executive Board chairperson, may request, in writing, that the Clerk of the Legislature provide access to electronic work files, messages, and resource usage by an employee under his or her supervision. There is no right to privacy as it relates to the use of legislative technology.

Section 6: The capitol public network is available for use by senators for non-legislative use. It should be understood that neither access, privacy, nor security is guaranteed on the capitol public network.

Section 7: When a senator resigns or otherwise leaves the Legislature, he or she will receive written notification of his or her options relating to technology files. The senator may designate that files, including shared files, be deleted, turned over to the new senator, or archived. In the event the form is not returned, the files will be deleted by the Legislative Technology Center's staff.

When the Legislature elects new committee chairpersons, committee work files will not be deleted, except for any files that are identified by the previous committee chairperson or legal counsel as protected by attorney client privilege, or as confidential legislative correspondence or memoranda.

Section 8: (1). Suspected violations of this rule should be reported to the senator or division director who should report the suspected violations and the corrective action taken to the Executive Board. Suspected violations may also be reported directly to the Executive Board.

(2). If there is reason to believe that a violation has occurred that could adversely affect the Legislature's technology equipment or state secure

network safety, the senator or division director shall immediately notify the Clerk of the Legislature who shall take appropriate action to protect the state's secure network and/or equipment. Any situation that is not satisfactorily resolved may be reported to the Executive Board. The Executive Board reserves the right to examine technology equipment and usage archives if a senator or division director does not take action. If a violation involves a member of the Legislature, the Executive Board may only examine relevant information relating to the alleged violation.

(3). If a violation of this rule or of state law is discovered, the Executive Board will take appropriate action, including temporarily suspending, blocking, or restricting access to the Legislature's technology equipment and the state secure network.

(4). If a violation involves illegal activity, the Executive Board shall notify the appropriate authorities.

Section 9: No rule can specify every scenario that might come about, especially in the ever changing area of technology. Therefore, the Legislature reserves the right to determine, at its discretion, whether conduct is reasonable and appropriate under the circumstances.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 56. Placed on General File.

(Signed) Brett Lindstrom, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Friday, January 27, 2017 2:00 p.m.

LB162

LB199

LB349

(Signed) Laura Ebke, Chairperson

Revenue

Room 1524

Wednesday, January 25, 2017 1:30 p.m.

LB233
LB234
LB161

(Signed) Jim Smith, Chairperson

MOTION(S) - Print in Journal

Senator Lowe filed the following motion to LB370:

MO12

Withdraw bill.

EXECUTIVE BOARD REPORT

Senator Watermeier, Chairperson of the Executive Board, reported the appointments of the following members of the Legislature to the following special committees:

Building Maintenance

Senator Bostelman
Senator Erdman (Chairperson)
Senator Hughes
Senator Lowe
Senator McDonnell
Senator Stinner

Committee on Justice Reinvestment Oversight

Senator Bolz
Senator Halloran
Senator Krist
Senator Pansing Brooks
Senator Ebke (Chairperson)

Education Commission of the States

Senator Groene
Senator Larson
Senator Morfeld

Homeland Security Policy Group

Senator Lowe
Senator McDonnell

Interstate Compact for Adult Offender Supervision

Senator Wishart

Legislative Performance Audit

Senator Briese
Senator Geist
Senator Kuehn
Senator Linehan
Senator Scheer
Senator Stinner
Senator Watermeier

Legislature's Planning

Senator Craighead
Senator Hansen
Senator Riepe
Senator Scheer
Senator Schumacher
Senator Stinner
Senator Vargas
Senator Watermeier
Senator Williams

Midwestern Higher Education Compact Commission (Midwest Compact)

Senator Sue Crawford
Senator Rick Kolowski

Midwest Interstate Passenger Rail Compact

Senator Quick
Senator Walz

Nebraska Information Technology Commission

Senator Bostelman

State Council for Interstate Juvenile Supervision

Senator Blood

State-Tribal Relations

Senator Albrecht
Senator Baker
Senator Brasch
Senator Brewer (Chairperson)
Senator Lindstrom (Vice Chairperson)
Senator Quick
Senator Vargas

Streamlined Sales and Use Tax System

Senator Harr
Senator Smith

(Signed) Dan Watermeier, Chairperson
Legislative Council, Executive Board

BILLS ON FIRST READING

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

LEGISLATIVE BILL 495. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to developmental disabilities; to amend section 83-1216, Reissue Revised Statutes of Nebraska, and sections 71-1101, 71-1107, and 71-1108.01, Revised Statutes Cumulative Supplement, 2016; to define and redefine terms and eliminate definitions; to change and eliminate provisions relating to legislative intent; to harmonize provisions; to repeal the original sections; to outright repeal section 71-1113, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 496. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2103, Revised Statutes Cumulative Supplement, 2016; to define and redefine terms; and to repeal the original section.

LEGISLATIVE BILL 497. Introduced by Brewer, 43; Linehan, 39.

A BILL FOR AN ACT relating to veterans; to amend sections 48-227, 48-238, and 71-1382.01, Revised Statutes Cumulative Supplement, 2016; to change references to a federal form relating to veterans; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 498. Introduced by Brewer, 43; Geist, 25; Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3509.01, 77-3509.02, 77-3514, and 77-3516, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to transfer of homestead exemptions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 499. Introduced by Brewer, 43; Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Apiary Act; to amend section 81-2,165.01, Reissue Revised Statutes of Nebraska; to provide for voluntary registration of Nebraska apiaries and bee hives as prescribed; to provide duties for the Department of Agriculture; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 500. Introduced by Brewer, 43; Linehan, 39.

A BILL FOR AN ACT relating to firearms; to amend sections 15-255, 17-556, 18-1703, 28-1202, 37-708, 37-712, 60-6,342, and 69-2445, Reissue

Revised Statutes of Nebraska, and sections 14-102 and 16-227, Revised Statutes Cumulative Supplement, 2016; to authorize the carrying of concealed handguns by qualified active and retired law enforcement officers as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 501. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2441, Reissue Revised Statutes of Nebraska, and section 69-2443, Revised Statutes Cumulative Supplement, 2016; to change a provision relating to the prohibition on locations where a permit holder may carry a concealed handgun; to change a penalty; and to repeal the original sections.

LEGISLATIVE BILL 502. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to firearms; to amend sections 15-255, 17-556, 18-1703, 28-1202, 28-1204.04, and 69-2428, Reissue Revised Statutes of Nebraska, and sections 14-102, 16-227, 69-2402, 71-904.01, and 71-963, Revised Statutes Cumulative Supplement, 2016; to adopt the Permitless Concealed Carry Act; to prohibit the regulation of concealed handguns by cities and villages as prescribed; to change provisions relating to unlawful carrying of a concealed weapon; to change provisions relating to unlawful possession of a firearm at a school; to change provisions relating to petitions for removal of a person's firearm-related disabilities; to provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 503. Introduced by Brewer, 43; Linehan, 39.

A BILL FOR AN ACT relating to public employers; to prohibit certain provisions in collective-bargaining agreements; and to prohibit certain deductions from wages.

LEGISLATIVE BILL 504. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to wind energy; to amend sections 66-901 and 66-902, Revised Statutes Cumulative Supplement, 2016; to change and provide legislative findings; to provide for a moratorium on industrial development of wind energy projects as prescribed; to provide for a special task force and a report to the Legislature; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 505. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to refugees; to adopt the Refugee Resettlement Notification Act; and to declare an emergency.

LEGISLATIVE BILL 506. Introduced by Albrecht, 17; Blood, 3; Brasch, 16; Lowe, 37.

A BILL FOR AN ACT relating to health and human services; to adopt the Compassion and Care for Medically Challenging Pregnancies Act.

LEGISLATIVE BILL 507. Introduced by Albrecht, 17; Brasch, 16.

A BILL FOR AN ACT relating to labor; to amend sections 81-401 and 81-406, Revised Statutes Cumulative Supplement, 2016; to eliminate the Farm Labor Contractors Act and obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 48-1701, 48-1702, 48-1703, 48-1704, 48-1705, 48-1708, 48-1709, 48-1710, 48-1711, 48-1712, 48-1713, and 48-1714, Reissue Revised Statutes of Nebraska, and section 48-1706, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 508. Introduced by Hilgers, 21.

A BILL FOR AN ACT relating to county civil service systems; to amend sections 23-2503 and 23-2518, Revised Statutes Cumulative Supplement, 2016; to change the population threshold for the applicability of certain county civil service systems; and to repeal the original sections.

MOTION(S) - Rerefer LB271

Senator Chambers offered his motion, MO7, found on page 220, to rerefer LB271 to the Judiciary Committee.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 509. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to subpoenas; to amend sections 25-1223, 25-1224, 25-1226, 25-1228, 29-1901, and 29-1903, Reissue Revised Statutes of Nebraska; to change provisions relating to the issuance of subpoenas; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 510. Introduced by Ebke, 32; Geist, 25; Groene, 42; Hilgers, 21.

A BILL FOR AN ACT relating to cities, counties, and other political subdivisions; to provide a restriction on installment contracts for the purchase of real or personal property.

LEGISLATIVE BILL 511. Introduced by Education Committee: Groene, 42, Chairperson; Ebke, 32; Erdman, 47; Kolowski, 31; Linehan, 39; Morfeld, 46; Pansing Brooks, 28; Walz, 15.

A BILL FOR AN ACT relating to education; to amend sections 43-1311, 79-1125.01, and 79-1142, Reissue Revised Statutes of Nebraska, and section 79-215, Revised Statutes Cumulative Supplement, 2016; to provide duties for school districts, the State Department of Education, and the Department of Health and Human Services; to provide for the payment of the cost of education and required transportation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 512. Introduced by Education Committee: Groene, 42, Chairperson; Ebke, 32; Erdman, 47; Kolowski, 31; Linehan, 39; Morfeld, 46; Pansing Brooks, 28; Walz, 15.

A BILL FOR AN ACT relating to education; to amend sections 79-319, 79-575, 79-746, 79-1065, 79-1108.02, 79-1144, 79-1218, 79-1221, 79-1225, 85-308, 85-917, 85-933, and 85-949, Reissue Revised Statutes of Nebraska, and sections 9-812, 79-237, 79-2,144, 79-1003, 79-1007.11, 79-1017.01, and 79-1054, Revised Statutes Cumulative Supplement, 2016; to fund provisions related to the Nebraska Education Improvement Fund; to change option enrollment; to change a deadline for the state school security director; to transfer duties and eliminate the State Board of Vocational Education; to change reorganization provisions for low-enrollment school districts; to change provisions for school board secretaries and treasurers; to eliminate the best practices allowance and best practices aid; to provide for repayment of federal funds; to repeal the Council on Student Attendance; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal sections 79-321, 79-527.01, 79-738, 79-739, 79-740, 79-741, 79-742, 79-743, and 79-744, Reissue Revised Statutes of Nebraska, and section 79-1004, Revised Statutes Cumulative Supplement, 2016; and to declare an emergency.

LEGISLATIVE BILL 513. Introduced by Hilkemann, 4; Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to provide for a base rate increase for hospital services provided under a medicaid prospective payment system.

LEGISLATIVE BILL 514. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate funds for a Justice Reinvestment Initiative Coordinator.

LEGISLATIVE BILL 515. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to education; to amend sections 85-1539 and 85-1540, Reissue Revised Statutes of Nebraska; to create the Nebraska

Integrated Education and Training Grant Program; to state findings; to define terms; to authorize grants; to require policy recommendations; to require reporting; to state intent to provide an appropriation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 516. Introduced by Pansing Brooks, 28; Baker, 30; Krist, 10.

A BILL FOR AN ACT relating to juvenile facilities; to amend section 83-4,134.01, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to reports; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 517. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to property; to amend sections 30-2333, 30-2353, 30-2715, 30-2715.01, 30-2723, 30-2742, and 30-3854, Reissue Revised Statutes of Nebraska, and section 76-3415, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to transfer of property upon death; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 518. Introduced by Williams, 36.

A BILL FOR AN ACT relating to economic development; to adopt the Rural Workforce Housing Investment Act; and to provide for a transfer of funds from the Affordable Housing Trust Fund.

LEGISLATIVE BILL 519. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-652, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to employer experience accounts and reimbursement accounts; and to repeal the original section.

LEGISLATIVE BILL 520. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to firearms; to amend sections 69-2404, 69-2405, 69-2410, 69-2411, 69-2412, 69-2414, 69-2421, 69-2422, 69-2424, 69-2425, 69-2429, and 69-2430, Reissue Revised Statutes of Nebraska, and sections 69-2402, 69-2409, 69-2409.01, 69-2427, 69-2436, and 69-2439, Revised Statutes Cumulative Supplement, 2016; to define terms; to require notification when a person prohibited by state or federal law attempts to purchase, lease, rent, or receive transfer of a handgun or apply for a permit to carry a concealed handgun under the Concealed Handgun Permit Act; to require reports; to eliminate an obsolete provision; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 521. Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001, 79-1003, 79-1007.11, and 79-1017.01, Revised Statutes Cumulative Supplement, 2016; to change provisions related to early childhood education aid; to provide a new allowance; to provide aid; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 522. Introduced by Walz, 15.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-324, Reissue Revised Statutes of Nebraska; to eliminate terminated provisions relating to fund transfers; and to repeal the original section.

LEGISLATIVE BILL 523. Introduced by Walz, 15.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-580, Reissue Revised Statutes of Nebraska; to change provisions relating to financial assistance from the Nebraska Internet Enhancement Fund; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 524. Introduced by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to supplement financial assistance from the Nebraska Internet Enhancement Fund.

LEGISLATIVE BILL 525. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to education; to amend section 79-8,129, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Cumulative Supplement, 2016; to change funding provisions related to the Nebraska Education Improvement Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 526. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-701, 25-1558, and 25-1577, Reissue Revised Statutes of Nebraska; to change provisions relating to debtor's rights, garnishment, attachment, and other debt collection procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 527. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1225, Reissue Revised Statutes of Nebraska; to provide for the subpoena of records in certain cases; and to repeal the original section.

LEGISLATIVE BILL 528. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 58-210.02, Reissue Revised Statutes of Nebraska, and sections 77-1108, 77-1109, and 77-1116, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the New Markets Job Growth Investment Act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 529. Introduced by Harr, 8.

A BILL FOR AN ACT relating to abortion; to amend section 71-6903, Revised Statutes Cumulative Supplement, 2016; to authorize county courts sitting as probate courts in cases of guardianship to authorize abortions as prescribed; and to repeal the original section.

LEGISLATIVE BILL 530. Introduced by Harr, 8.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-420, Reissue Revised Statutes of Nebraska; to change requirements related to information provided to the Legislative Fiscal Analyst; to provide for withholding appropriations for noncompliance; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 531. Introduced by Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2703, Revised Statutes Cumulative Supplement, 2016; to change sales tax collection fees for motor vehicles as prescribed; and to repeal the original section.

MOTION(S) - Rerefer LB271

Senator Chambers renewed his motion, MO7, found on page 220 and considered in this day's Journal, to rerefer LB271 to the Judiciary Committee.

Senator Chambers moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Chambers requested a record vote on the motion to rerefer the bill.

Voting in the affirmative, 11:

Baker	Kolowski	Pansing Brooks	Vargas
Chambers	Krist	Quick	Wayne
Hilkemann	McDonnell	Schumacher	

Voting in the negative, 22:

Albrecht	Craighead	Halloran	Kuehn	Riepe
Bostelman	Erdman	Hilgers	Lindstrom	Scheer
Brasch	Friesen	Hughes	Linehan	
Brewer	Geist	Kintner	Lowe	
Briese	Groene	Kolterman	Murante	

Present and not voting, 10:

Bolz	Ebke	Harr	Stinner	Williams
Crawford	Hansen	McCollister	Walz	Wishart

Excused and not voting, 6:

Blood	Larson	Smith
Howard	Morfeld	Watermeier

The Chambers motion to rerefer the bill failed with 11 ayes, 22 nays, 10 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 532. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2323.01, 24-710.04, 79-926, 81-2034, and 84-1325, Reissue Revised Statutes of Nebraska; to change provisions relating to a military service credit for certain retirement plans as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 533. Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Oil and Gas Conservation Commission; to amend section 57-906, Reissue Revised Statutes of Nebraska, and section 57-905, Revised Statutes Cumulative Supplement, 2016; to change powers and duties; to require liability insurance for certain permit applicants and restrict permit issuance as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 534. Introduced by Vargas, 7; Bolz, 29.

A BILL FOR AN ACT relating to behavioral health; to provide for a housing coordinator; to provide powers and duties; to provide for funding for programs and services; and to state intent relating to appropriations.

LEGISLATIVE BILL 535. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to real property conveyances; to amend section 76-214, Revised Statutes Cumulative Supplement, 2016; to change a provision relating to a requirement to file a statement regarding the conveyance of real estate; and to repeal the original section.

LEGISLATIVE BILL 536. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3224, Reissue Revised Statutes of Nebraska; to clarify disbursement provisions; and to repeal the original section.

LEGISLATIVE BILL 537. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend sections 68-1723 and 68-1724, Reissue Revised Statutes of Nebraska, and section 68-1708, Revised Statutes Cumulative Supplement, 2016; to provide for drug-screening of applicants for and recipients of cash assistance benefits; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 538. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for Legal Education for Public Service and Rural Practice Loan Repayment Assistance aid; and to declare an emergency.

LEGISLATIVE BILL 539. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Office of Inspector General of the Nebraska Correctional System Act; to amend section 47-905, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to investigations and reports; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 540. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003, 79-1005.01, 79-1007.11, and 79-1009, Revised Statutes Cumulative Supplement, 2016; to redefine and provide for a temporary aid adjustment factor; to change the calculation of formula need, allocated income tax funds, and net option funding; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 541. Introduced by Quick, 35; Friesen, 34.

A BILL FOR AN ACT relating to the Nebraska Lottery and Raffle Act; to amend sections 9-402, 9-422, 9-426, 9-427, and 9-429, Reissue Revised Statutes of Nebraska; to change restrictions on gross proceeds for conducting lotteries and raffles; to change provisions relating to special permits; to change the gross-proceed percentage for the awarding of prizes in a raffle; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 542. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to medicaid; to amend sections 30-2483, 30-3880, 30-3881, 30-3882, 33-109, and 44-371, Reissue Revised Statutes of Nebraska, and sections 68-901, 68-907, 68-919, and 77-2018.02, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to decedents' estates, recording fees, and the inheritance tax; to provide for liens and recovery of debt incurred under the Medical Assistance Act; to authorize medical providers to apply for medical assistance on behalf of certain individuals; to harmonize provisions; to provide severability; and to repeal the original sections.

MOTION(S) - Rerefer LB276

Senator Chambers offered his motion, MO8, found on page 220, to rerefer LB276 to the Judiciary Committee.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 543. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5701, 77-5702, and 77-5723, Revised Statutes Cumulative Supplement, 2016; to define a term for purposes of certain evaluations; to change provisions relating to applications; to provide reporting requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 544. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to clerks of the district court; to amend sections 22-417, 24-507, 32-524, and 32-567, Reissue Revised Statutes of Nebraska; to provide for an agreement relating to duties in a county without an elected clerk of the district court; to provide for elimination of the office of clerk of the district court by a vote of the county board; to change duties of clerk magistrates; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 545. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to the Property Tax Credit Cash Fund; to provide for fund transfers; and to state legislative intent.

LEGISLATIVE BILL 546. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5706, 77-5708, 77-5710, 77-5714, 77-5717, 77-5719.01, and 77-5724, Reissue Revised Statutes of Nebraska, and sections 77-27,144, 77-5701, 77-5703, 77-5715, 77-5723, 77-5725, 77-5726, 77-5727, 77-5728, 77-5731, and 77-5734, Revised Statutes Cumulative Supplement, 2016; to change the Nebraska Advantage Act as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 547. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to power districts and corporations; to amend section 70-667, Reissue Revised Statutes of Nebraska, and sections 70-670 and 70-1014.02, Revised Statutes Cumulative Supplement, 2016; to state findings; to change provisions relating to the exercise of eminent domain; to change provisions relating to privately developed generation facilities as prescribed; to provide an exemption from review by the Nebraska Power Review Board; to remove a restriction on private electric suppliers; and to repeal the original sections.

LEGISLATIVE BILL 548. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to retirement; to amend section 79-933, Reissue Revised Statutes of Nebraska, and sections 79-916, 79-934, 79-966, 79-978.01, 79-979, and 79-1028.01, Revised Statutes Cumulative Supplement, 2016; to provide for the consolidation of the Class V school employees' retirement system and the School Employees Retirement System of the State of Nebraska; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 549. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.21, Reissue Revised Statutes of Nebraska; to eliminate a requirement that a broker trust account be a non-interest-bearing-account; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 550. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Comprehensive Health Insurance Pool Act; to amend section 44-4227, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to an independent actuary; and to repeal the original section.

LEGISLATIVE BILL 551. Introduced by Walz, 15; Craighead, 6.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2228.01, 76-2230, 76-2231.01, and 76-2232, Revised Statutes Cumulative Supplement, 2016; to change qualifications for certain real property appraiser credentials; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 552. Introduced by Walz, 15; Bolz, 29; Hansen, 26.

A BILL FOR AN ACT relating to public health and welfare; to state intent; to provide for a Children's Connection program; to provide duties for the Division of Behavioral Health of the Department of Health and Human Services and the behavioral health regions; and to state intent relating to appropriations.

LEGISLATIVE BILL 553. Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-1,110, Revised Statutes Cumulative Supplement, 2016; to provide for the filing of a nonelection of coverage as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 554. Introduced by Smith, 14.

A BILL FOR AN ACT relating to education; to provide for a financial transparency web site for schools, school districts, and educational service units; and to provide duties.

LEGISLATIVE BILL 555. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission Act; to amend sections 77-5004 and 77-5013, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to reimbursements and filing fees; to eliminate provisions relating to determining appeals and giving notice to certain parties; to repeal the original sections; and to outright repeal section 77-5015.01, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 556. Introduced by Halloran, 33.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101, 28-1201, 28-1204.04, 28-1205, 28-1206, 28-1212.04, 28-1351, and 28-1354, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to unlawful possession of a firearm at a school; to provide for and increase penalties; to create the offense of use of a facsimile firearm or nonfunctioning firearm to commit a felony; to create the offense of possession of a firearm by a prohibited juvenile offender and provide a process to reinstate the right to possess a firearm by such an offender; to

change provisions relating to discharge of a firearm in certain cities and counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 557. Introduced by Harr, 8; Williams, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 66-1344, 77-1229, and 81-125, Reissue Revised Statutes of Nebraska, and sections 18-2119, 18-2710.03, 49-801.01, 77-202, 77-2711, 77-27,119, 77-27,144, 77-5725, 77-5905, and 84-602.03, Revised Statutes Cumulative Supplement, 2016; to adopt the Great Opportunities Nebraska Act; to stop accepting applications under the Nebraska Advantage Act; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 558. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1201, Reissue Revised Statutes of Nebraska; to define the term knife; and to repeal the original section.

LEGISLATIVE BILL 559. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to electronic payment transactions; to prohibit the collection of interchange fees on specified taxes and fees; and to provide penalties.

LEGISLATIVE BILL 560. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to correctional services; to amend section 83-4,111, Reissue Revised Statutes of Nebraska, and sections 83-170, 83-173.03, 83-4,114, and 83-4,114.01, Revised Statutes Cumulative Supplement, 2016; to redefine terms; to change provisions relating to restrictive housing, departmental rules and regulations, reports, and inmate discipline; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 561. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 39-2703, Reissue Revised Statutes of Nebraska, and sections 77-2701 and 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to create the Taxpayer Investment Program; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 562. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to correctional services; to provide for a report.

LEGISLATIVE BILL 563. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-382 and 77-2701.16, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to a tax expenditure report; to impose sales and use taxes on certain services; to eliminate certain sales and use tax exemptions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-2704.07, 77-2704.14, and 77-2704.38, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 564. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Nebraska Main Street Fairness Act; and to declare an emergency.

LEGISLATIVE BILL 565. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to tax incentive programs; to amend sections 77-4104, 77-4928, and 77-5534, Reissue Revised Statutes of Nebraska, and sections 77-2711, 77-27,119, 77-27,187.02, 77-5723, 77-6309, 84-602.01, and 84-602.03, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the disclosure and confidentiality of information on tax incentive programs; to change the Taxpayer Transparency Act to require the posting of information relating to tax incentive programs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 566. Introduced by Natural Resources Committee: Hughes, 44, Chairperson; Albrecht, 17; Bostelman, 23; Geist, 25; Kolowski, 31; McCollister, 20; Quick, 35; Walz, 15.

A BILL FOR AN ACT relating to wildlife; to adopt the Interstate Wildlife Violator Compact.

LEGISLATIVE BILL 567. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to public assistance; to amend section 68-130, Revised Statutes Cumulative Supplement, 2016; to change funding for county offices; to provide an operative date; to repeal the original section; and to outright repeal section 81-1139.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 568. Introduced by Erdman, 47; Halloran, 33.

A BILL FOR AN ACT relating to teachers; to amend sections 79-808 and 79-814.01, Reissue Revised Statutes of Nebraska; to change provisions related to temporary teaching certificates; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 569. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to community colleges; to amend sections 85-1515 and 85-1517, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2016; to establish the Community College Task Force; to change provisions for community colleges to levy property taxes; to provide termination dates; and to repeal the original sections.

LEGISLATIVE BILL 570. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2016; to exempt all tangible personal property from property tax; and to repeal the original section.

LEGISLATIVE BILL 571. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003 and 79-1005.01, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to allocated income tax funds; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 572. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-4209, Reissue Revised Statutes of Nebraska, and sections 77-5725 and 79-1001, Revised Statutes Cumulative Supplement, 2016; to provide termination dates for the Property Tax Credit Act and the Tax Equity and Educational Opportunities Support Act; to change deadlines for applications under the Nebraska Advantage Act; and to repeal the original sections.

MOTION(S) - Rerefer LB276

Senator Chambers renewed his motion, MO8, found on page 220 and considered in this day's Journal, to rerefer LB276 to the Judiciary Committee.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 573. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Nebraska Telecommunications Regulation Act; to amend sections 86-101, 86-103, 86-124, and 86-143,

Reissue Revised Statutes of Nebraska; to define a term; to provide for a nonregulated activity; to change provisions relating to local competition determinations and rate list filing requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 574. Introduced by Kintner, 2; Brasch, 16; Ebke, 32; Hansen, 26; Pansing Brooks, 28.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1310, Reissue Revised Statutes of Nebraska; to change provisions relating to intimidation by telephone call; to provide for intimidation by electronic message; and to repeal the original section.

LEGISLATIVE BILL 575. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to education; to provide for legislative findings; to define terms; to provide funding for schools implementing and offering programs as prescribed; and to state intent related to funding.

LEGISLATIVE BILL 576. Introduced by Brewer, 43.

A BILL FOR AN ACT relating to revenue and taxation; to limit increases in property tax bills as prescribed.

LEGISLATIVE BILL 577. Introduced by Hilgers, 21.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101, 28-929.01, 28-1351, and 28-1354, Reissue Revised Statutes of Nebraska; to create the offense of assault on a peace officer, firefighter, or out-of-hospital emergency care provider by ambush; to create a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 578. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to medicaid; to define terms; to provide for supplemental reimbursement and intergovernmental transfers relating to providers of ground emergency medical transportation as prescribed.

LEGISLATIVE BILL 579. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend section 18-1208, Reissue Revised Statutes of Nebraska, and section 14-109, Revised Statutes Cumulative Supplement, 2016; to provide for termination of occupation taxes subject to a vote of the people; to require a change in the rate of certain occupation taxes to be subject to a vote of the people; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 580. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the Office of Violence Prevention; and to declare an emergency.

LEGISLATIVE BILL 581. Introduced by McDonnell, 5; Hilkemann, 4; Howard, 9.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1401 and 49-1402, Reissue Revised Statutes of Nebraska; to state legislative findings; to require certain disclosures; to provide certain rights; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 582. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to credit unions; to amend section 21-1743, Reissue Revised Statutes of Nebraska; to authorize membership in a credit union by geographic boundary; and to repeal the original section.

LEGISLATIVE BILL 583. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to veterinarians; to amend sections 2-3985, 28-401, 28-417, 38-2841, 38-2850, 38-3312, 71-8909, 71-8911, and 71-8912, Reissue Revised Statutes of Nebraska, and sections 71-2454 and 71-2476, Revised Statutes Cumulative Supplement, 2016; to remove the authority of veterinarians to dispense controlled substances; to eliminate a task force; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-2454.01, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 584. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to highways and bridges; to amend section 39-1811, Reissue Revised Statutes of Nebraska; to change provisions relating to mowing of weeds as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 585. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to animals; to amend sections 28-1009, 28-1012.01, 28-1019, 54-617, 54-618, 54-620, 54-622, 54-622.01, 54-623, 54-623.01, and 54-624, Reissue Revised Statutes of Nebraska; to change a deadline for filing a hearing application regarding seized animals; to define and redefine terms; to change provisions relating to determination of a dangerous dog; to provide a requirement as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 586. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to prescription drug monitoring; to amend section 71-2454, Revised Statutes Cumulative Supplement, 2016; to define and redefine terms; to change requirements for the prescription drug monitoring system; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 587. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,124, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to school permits; and to repeal the original section.

LEGISLATIVE BILL 588. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-1708, Reissue Revised Statutes of Nebraska; to exempt the practice of reflexology from licensure under the Massage Therapy Practice Act; and to repeal the original section.

LEGISLATIVE BILL 589. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1917, Reissue Revised Statutes of Nebraska; to provide for depositions of a child victim or child witness; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 590. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Building Construction Act; to amend sections 71-6403, 71-6405, and 71-6406, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the state building code; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 591. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to the Contractor Registration Act; to amend sections 48-2102, 48-2103, 48-2105, 48-2110, 48-2111, 48-2112, 48-2113, 48-2114, and 81-1616, Reissue Revised Statutes of Nebraska; to define a term; to provide compliance requirements for registered contractors; to provide for enforcement of certain building and construction codes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 592. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5725 and 77-5726, Revised Statutes Cumulative Supplement, 2016; to change the tax incentives available under the Nebraska Advantage Act; to

harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 593. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to crimes and punishments; to amend sections 28-101, 28-111, 28-522, and 54-617, Reissue Revised Statutes of Nebraska; to create the offense of criminal trespass to vehicles; to provide a penalty and an affirmative defense; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 594. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Nebraska Uniform Limited Liability Company Act; to amend section 21-118, Reissue Revised Statutes of Nebraska; to require a limited liability company seeking a tax benefit to file an amended certificate of organization as prescribed; and to repeal the original section.

LEGISLATIVE BILL 595. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend section 79-254, Reissue Revised Statutes of Nebraska; to provide for use of physical force or physical restraint or removal from a class in response to student behavior; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 596. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Veterinary Medicine and Surgery Practice Act; to amend sections 38-3301, 38-3302, 38-3314, and 38-3321, Reissue Revised Statutes of Nebraska; to define equine massage therapy; to exempt equine massage therapy from licensure and regulation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 597. Introduced by Groene, 42.

A BILL FOR AN ACT relating to tax-increment financing; to amend section 18-2147, Revised Statutes Cumulative Supplement, 2016; to require an application to the county assessor and Department of Revenue for use of tax-increment financing; to provide for procedures for such applications; to provide for rules and regulations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 598. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Industrial Relations Act; to amend section 48-818, Revised Statutes Cumulative Supplement, 2016; to require consideration of certain factors by the Commission of Industrial Relations when establishing wage rates; and to repeal the original section.

LEGISLATIVE BILL 599. Introduced by Groene, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2016; to redefine a term; to exempt certain improvements on land from personal property tax as prescribed; and to repeal the original section.

MOTION(S) - Rerefer LB276

Senator Chambers renewed his motion, MO8, found on page 220 and considered in this day's Journal, to rerefer LB276 to the Judiciary Committee.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 600. Introduced by Agriculture Committee: Brasch, 16, Chairperson; Albrecht, 17; Blood, 3; Halloran, 33; Harr, 8; Lowe, 37.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend sections 54-179, 54-189, 54-191, 54-192, 54-195, 54-198, 54-1,102, 54-1,105, 54-1,115, and 54-1,119, Reissue Revised Statutes of Nebraska, and sections 54-1,110 and 54-1,111, Revised Statutes Cumulative Supplement, 2016; to redefine terms; to change Nebraska Brand Committee membership and employee provisions; to eliminate obsolete provisions; to change provisions relating to promotional materials and brand recording; to provide for a filing fee as prescribed; to provide for the lease of a recorded brand; to eliminate a branding requirement for sheep; to provide and change brand inspection exceptions for certain cattle; to change provisions relating to livestock transportation permits; to eliminate provisions relating to registered dairies; to harmonize provisions; to repeal the original sections; and to outright repeal sections 54-1,122.01 and 54-1,122.02, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 601. Introduced by Erdman, 47; Briese, 41; Halloran, 33; Hughes, 44; Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Revised Statutes Cumulative Supplement, 2016; to provide duties for the Department of Revenue; to define a term; to change the distribution of sales and use tax revenue; to provide a termination date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 602. Introduced by Erdman, 47; Briese, 41; Halloran, 33; Lowe, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-112, 77-1343, 77-5023, and 79-1016, Reissue Revised Statutes of Nebraska, and sections 77-201, 77-1359, and 77-1371, Revised Statutes Cumulative Supplement, 2016; to state intent; to change and eliminate provisions relating to valuation of agricultural land and horticultural land; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 603. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to state government; to amend section 84-1603, Reissue Revised Statutes of Nebraska; to require a high-deductible health plan as an option under the group health insurance contract for state employees; and to repeal the original section.

LEGISLATIVE BILL 604. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to insurance; to amend section 44-361, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Right to Shop Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 605. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1804, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the ICF/DD Reimbursement Protection Fund; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 606. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to health care services; to adopt the Volunteer Care Act.

LEGISLATIVE BILL 607. Introduced by Kintner, 2; McDonnell, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3506, Revised Statutes Cumulative Supplement, 2016; to provide a homestead exemption for certain first responders as prescribed; and to repeal the original section.

LEGISLATIVE BILL 608. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to adopt the Parental Choice Scholarship Program Act.

LEGISLATIVE BILL 609. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-125.02, Reissue Revised Statutes of Nebraska, and sections 48-120, 48-120.04, and 48-1,110, Revised Statutes Cumulative Supplement, 2016; to provide for an outpatient hospital fee schedule and ambulatory surgical center fee schedule as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 610. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to electricity; to amend section 81-15,173, Reissue Revised Statutes of Nebraska; to adopt the Community Solar Energy Economic Development Act; to change provisions relating to the powers and duties of the Nebraska Environmental Trust Board; and to repeal the original section.

LEGISLATIVE BILL 611. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to government; to amend section 81-132, Revised Statutes Cumulative Supplement, 2016; to provide for a federal funding inventory from each state agency; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 612. Introduced by Wayne, 13; McDonnell, 5; Vargas, 7.

A BILL FOR AN ACT relating to telecommunications; to amend section 75-109.01, Revised Statutes Cumulative Supplement, 2016; to require direct access to 911 emergency service from certain telephone systems that use Internet protocol-enabled services; to provide for Public Service Commission jurisdiction; and to repeal the original section.

LEGISLATIVE BILL 613. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend section 71-1590, Reissue Revised Statutes of Nebraska; to change provisions relating to property tax exemptions; and to repeal the original section.

LEGISLATIVE BILL 614. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2717, Reissue Revised Statutes of Nebraska; to eliminate a restriction relating to appropriations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 615. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Security, Privacy, and Dissemination of Criminal History Information Act; to amend section 29-3523, Reissue Revised Statutes of Nebraska; to provide for expungement of criminal history record information in cases of arrests based upon mistaken identity; and to repeal the original section.

LEGISLATIVE BILL 616. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to economic development; to adopt the Startup Nebraska Program Act.

LEGISLATIVE BILL 617. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to agricultural promotion; to amend section 28-401, Reissue Revised Statutes of Nebraska, and section 2-5701, Revised Statutes Cumulative Supplement, 2016; to adopt the Industrial Hemp Act; to provide an exemption as prescribed; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 618. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-331, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the use of the Transportation Network Company Regulation Cash Fund; and to repeal the original section.

LEGISLATIVE BILL 619. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to elections; to amend section 32-960, Reissue Revised Statutes of Nebraska; to permit counties to conduct elections by mail; and to repeal the original section.

LEGISLATIVE BILL 620. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development.

LEGISLATIVE BILL 621. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Public Service Commission.

LEGISLATIVE BILL 622. Introduced by Wishart, 27; Craighead, 6; Ebke, 32; Hansen, 26; Kolowski, 31; Krist, 10; Morfeld, 46; Pansing Brooks, 28; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to cannabis; to amend sections 28-416, 28-439, 77-2701.48, 77-2704.09, and 77-4303, Reissue Revised Statutes of Nebraska, and sections 77-27,132 and 77-27,237, Revised Statutes

Cumulative Supplement, 2016; to adopt the Medical Cannabis Act; to change provisions relating to controlled substances and taxation; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 623. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-115, 28-929, 28-929.01, 28-930, 28-931, 28-1351, and 28-1354, Reissue Revised Statutes of Nebraska; to change and eliminate provisions and penalties relating to assault on an officer, certain employees, or a health care professional; to define terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 28-931.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 624. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to county records; to provide for withholding the residential address of a law enforcement officer from the public; and to provide an operative date.

LEGISLATIVE BILL 625. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Property Assessed Clean Energy Act; to amend sections 18-3201, 18-3202, 18-3203, 18-3204, 18-3205, 18-3206, 18-3207, 18-3208, 18-3209, 18-3210, and 18-3211, Revised Statutes Cumulative Supplement, 2016; to redefine terms; to change provisions relating to the creation of clean energy assessment districts, annual assessment collection, and reporting requirements; to eliminate a requirement relating to ongoing measurements for certain projects; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to declare an emergency.

MOTION(S) - Rerefer LB276

Senator Chambers renewed his motion, MO8, found on page 220 and considered in this day's Journal, to rerefer LB276 to the Judiciary Committee.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 626. Introduced by Larson, 40.

A BILL FOR AN ACT relating to energy; to adopt the Shared Community Solar Act.

LEGISLATIVE BILL 627. Introduced by Larson, 40.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,287, Reissue Revised Statutes of Nebraska, and sections 60-601, 60-605, and 60-6,179.01, Revised Statutes Cumulative Supplement, 2016; to provide for the operation of autonomous motor vehicles as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 628. Introduced by Larson, 40.

A BILL FOR AN ACT relating to political subdivisions; to prohibit ordinances and resolutions prohibiting short-term rentals of residential property as prescribed.

LEGISLATIVE BILL 629. Introduced by Larson, 40.

A BILL FOR AN ACT relating to commercial motor vehicles; to amend sections 60-462, 60-4,131, 60-4,131.01, and 60-4,132, Revised Statutes Cumulative Supplement, 2016; to exempt certain commercial driver's license holders from hazardous materials endorsement requirements as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 630. Introduced by Larson, 40; Linehan, 39.

A BILL FOR AN ACT relating to schools; to amend sections 13-903, 79-1007.12, 79-1065, and 79-1065.02, Reissue Revised Statutes of Nebraska, and sections 48-801, 79-902, 79-978, 79-1001, and 79-1022, Revised Statutes Cumulative Supplement, 2016; to adopt the Independent Public Schools Act; to provide funding; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 631. Introduced by Larson, 40.

A BILL FOR AN ACT relating to gambling; to amend sections 9-329.02, 9-340, 9-340.02, 9-344, 9-345.03, 9-347, 9-347.01, 9-348, and 9-829, Reissue Revised Statutes of Nebraska; to provide for authorization of methods of payment for participation in certain gaming activities as prescribed; to change and eliminate restrictions on rental or purchase and registration of pickle card equipment, pickle card units, payment requirements, taxes, and limitations on definite profit and the use of gross proceeds for awarding prizes for pickle card lotteries; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 632. Introduced by Larson, 40.

A BILL FOR AN ACT relating to government regulation; to amend sections 59-1401, 59-1403, 59-1404, 59-1405, and 59-1406, Reissue Revised Statutes of Nebraska, and sections 53-101, 53-103, 53-123.01, 53-123.14, 53-123.15, 53-124.11, 53-134.01, 53-164.01, 53-186.01, 53-1,100, and

53-1,104, Revised Statutes Cumulative Supplement, 2016; to define bottle club; to require licensure of bottle clubs as prescribed; to require annual reports by third-party shippers as prescribed; to change provisions relating to manufacturers' licenses, craft brewery licenses, and special designated licenses as prescribed; to change requirements for the sale of beer by certain licensees; to change provisions relating to taxation of beer; to prohibit consumption of alcoholic liquor at bottle clubs as prescribed; to change penalty provisions of the Nebraska Liquor Control Act; to name the Music Licensing Agency Act; to define and redefine terms; to eliminate obsolete references; to provide duties; to require music licensing agencies to register with the Secretary of State; to change penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 633. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 77-3442, 79-1003, and 79-1028.01, Revised Statutes Cumulative Supplement, 2016; to authorize school districts to levy for school security measures and student technology as prescribed; to redefine a term; to authorize school districts to exceed budget limitations as prescribed; to authorize the creation of school funds; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 634. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to schools; to amend sections 79-528 and 79-1003, Revised Statutes Cumulative Supplement, 2016; to change reporting requirements; to define and redefine terms; to include virtual school students in the calculation of aid under the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 635. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-504 and 37-513, Reissue Revised Statutes of Nebraska; to change violations and penalties as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 636. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-564 and 37-568, Reissue Revised Statutes of Nebraska; to change provisions relating to interference with a person hunting, trapping, or fishing; and to repeal the original sections.

LEGISLATIVE BILL 637. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to firearms; to prohibit disclosure of any applicant or permitholder information regarding firearm registration, possession, sale, or use as prescribed.

LEGISLATIVE BILL 638. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-111, 28-115, 28-929, 28-929.01, 28-930, 28-931, 28-931.01, 28-1351, and 28-1354, Reissue Revised Statutes of Nebraska; to provide enhanced criminal penalties based upon a person's employment as an officer, a firefighter, an emergency responder, a correctional employee, a Department of Health and Human Services employee, or a health care professional as prescribed; to create the offense of assault on local correctional employees as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 639. Introduced by Bostelman, 23; Blood, 3; Brewer, 43; Kolowski, 31; Quick, 35.

A BILL FOR AN ACT relating to labor; to amend section 48-226, Reissue Revised Statutes of Nebraska, and section 48-225, Revised Statutes Cumulative Supplement, 2016; to define and redefine terms; to change when a preference is required for certain government employment; and to repeal the original section.

LEGISLATIVE BILL 640. Introduced by Groene, 42; Erdman, 47; Friesen, 34; Halloran, 33; Hughes, 44; Lowe, 37; Smith, 14; Stinner, 48.

A BILL FOR AN ACT relating to school finance; to amend section 77-4209, Reissue Revised Statutes of Nebraska, and sections 77-3442, 77-4212, and 79-1023, Revised Statutes Cumulative Supplement, 2016; to change provisions of the Property Tax Credit Act; to provide for school district property tax relief; to change the levy limitations for school districts; to change property tax request provisions for school districts; and to repeal the original sections.

LEGISLATIVE BILL 641. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to economic development; to amend section 81-12,154, Reissue Revised Statutes of Nebraska, and section 81-12,163, Revised Statutes Cumulative Supplement, 2016; to provide for a Bioscience Innovation Program; to provide duties for the Director of Economic Development; to create a fund; to prohibit certain appropriations and transfers as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 642. Introduced by Krist, 10.

A BILL FOR AN ACT relating to prescription drug monitoring; to amend section 71-2454, Revised Statutes Cumulative Supplement, 2016; to change requirements for veterinarians; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 643. Introduced by Krist, 10.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-6408, 60-346, 60-509, 60-534, and 60-549, Reissue Revised Statutes of Nebraska, and sections 60-310 and 60-501, Revised Statutes Cumulative Supplement, 2016; to change liability insurance and financial responsibility requirements; to provide an operative date; and to repeal the original sections.

MOTION(S) - Rerefer LB276

Senator Chambers renewed his motion, MO8, found on page 220 and considered in this day's Journal, to rerefer LB276 to the Judiciary Committee.

Senator Chambers moved for a call of the house. The motion prevailed with 23 ayes, 0 nays, and 26 not voting.

Senator Chambers requested a record vote on the motion to rerefer the bill.

Voting in the affirmative, 15:

Baker	Ebke	Krist	Pansing Brooks	Walz
Blood	Hansen	McCollister	Quick	Wayne
Crawford	Kolowski	Morfeld	Schumacher	Williams

Voting in the negative, 20:

Albrecht	Briese	Geist	Hughes	Lowe
Bostelman	Craighead	Groene	Kolterman	Murante
Brasch	Erdman	Halloran	Lindstrom	Riepe
Brewer	Friesen	Hilgers	Linehan	Smith

Present and not voting, 3:

Chambers	Harr	Scheer
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Excused and not voting, 11:

Bolz	Kintner	McDonnell	Watermeier
Hilkemann	Kuehn	Stinner	Wishart
Howard	Larson	Vargas	

The Chambers motion to rerefer the bill failed with 15 ayes, 20 nays, 3 present and not voting, and 11 excused and not voting.

The Chair declared the call raised.

MOTION(S) - Rerefer LB353

Senator Chambers offered his motion, MO11, found on page 238, to rerefer LB353 to the Government, Military and Veterans Affairs Committee.

Senator Chambers moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

Senator Chambers requested a roll call vote on the motion to rerefer the bill.

Voting in the affirmative, 1:

Harr

Voting in the negative, 35:

Baker	Ebke	Hilkemann	Lowe	Schumacher
Blood	Erdman	Hughes	McDonnell	Smith
Bostelman	Friesen	Kintner	Murante	Vargas
Brasch	Geist	Kolterman	Pansing Brooks	Walz
Brewer	Halloran	Krist	Quick	Watermeier
Briese	Hansen	Lindstrom	Riepe	Williams
Crawford	Hilgers	Linehan	Scheer	Wishart

Present and not voting, 6:

Albrecht	Craighead	Morfeld
Chambers	Kolowski	Wayne

Excused and not voting, 7:

Bolz	Howard	Larson	Stinner
Groene	Kuehn	McCollister	

The Chambers motion to rerefer the bill failed with 1 aye, 35 nays, 6 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 644. Introduced by Government, Military and Veterans Affairs Committee: Murante, 49, Chairperson; Blood, 3; Brewer, 43; Briese, 41; Craighead, 6; Hilgers, 21; Lowe, 37; Wayne, 13.

A BILL FOR AN ACT relating to government; to amend sections 2-945.02, 2-954, 2-1814, 2-1816, 2-3815, 24-719, 24-803, 24-806, 24-809, 24-809.04,

24-810, 24-810.01, 24-811.02, 24-812, 32-204, 38-108, 38-158, 38-167, 38-1202, 38-1203, 38-1216, 38-1217, 38-1218, 38-1219, 38-1224, 38-1228, 38-1229, 38-1232, 38-1237, 38-2701, 38-2703, 43-1318, 44-5224, 44-5230, 44-5255, 44-5258, 44-5266, 49-1499.02, 60-4,105, 60-4,118, 60-4,118.03, 68-949, 71-457, 71-8237, 71-8241, and 84-1411, Reissue Revised Statutes of Nebraska, and sections 2-301, 2-958.02, 60-4,114, 60-4,146, 68-908, 68-909, and 68-1108, Revised Statutes Cumulative Supplement, 2016; to provide, change, and eliminate powers and duties relating to the Department of Agriculture, the Commission on Judicial Qualifications, judicial nominating commissions, the State Board of Health, the Department of Health and Human Services, the Department of Insurance, the Department of Motor Vehicles, and the State Trauma Advisory Board; to provide for a transfer of funds; to eliminate the community gardens task force, the state noxious weed advisory committee, the Nebraska Potato Development Committee, the advisory committee for value-added agricultural promotion and development, the Carbon Sequestration Advisory Committee, the Judicial Resources Commission, the Board of Emergency Medical Services, the Perfusionist Committee, the Out-of-Home Data Pilot Project Advisory Group, the Nebraska Small Employer Health Reinsurance Program, the Nebraska Exchange Stakeholder Commission, the Nebraska Exchange Transparency Act, the Intergenerational Poverty Task Force, the Health Advisory Board, the Medicaid Reform Council, the Medical Home Advisory Council, the Aging Nebraskans Task Force, the Nursing Home Advisory Council, the Critical Incident Stress Management Act, the Stem Cell Research Act, the Health Care Transparency Act, a committee and provisions regarding an assessment matrix, and a technical advisory committee to the State Records Board; to eliminate programs, councils, committees, and cash funds; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-965.01, 2-1803, 2-5301, 2-5302, 2-5303, 2-5305, 2-5306, 24-802, 24-805, 24-1201, 24-1202, 24-1203, 24-1204, 24-1205, 24-1206, 38-1206, 38-1215, 38-2712, 43-1322, 44-5231, 44-5246, 44-5248, 44-5251, 44-5261, 44-5263, 60-4,118.02, 60-4,118.04, 68-948, 68-957, 68-958, 68-960, 68-961, 71-6043, 71-6044, 71-6045, 71-6046, 71-6047, 71-6048, 71-6049, 71-6050, 71-6051, 71-6052, 71-7101, 71-7102, 71-7103, 71-7104, 71-7105, 71-7106, 71-7107, 71-7108, 71-7109, 71-7110, 71-7111, 71-7112, 71-7113, 71-8801, 71-8802, 71-8803, 71-8806, and 84-1205.01, Reissue Revised Statutes of Nebraska, and sections 2-305, 44-8701, 44-8702, 44-8703, 44-8704, 44-8705, 44-8706, 50-429, 50-430, 50-431, 50-432, 50-433, 68-959, 68-1107, 68-1109, 68-1110, 71-8804, 71-8805, 71-9201, 71-9202, 71-9203, 71-9204, and 81-2,294, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 645. Introduced by Pansing Brooks, 28; Baker, 30; Brewer, 43; Crawford, 45; Ebke, 32; Kolowski, 31; Linehan, 39; Morfeld, 46; Walz, 15.

A BILL FOR AN ACT relating to special education; to amend section 79-1118.01, Reissue Revised Statutes of Nebraska; to define a term; and to repeal the original section.

LEGISLATIVE BILL 646. Introduced by Pansing Brooks, 28; Brewer, 43; Ebke, 32; Hansen, 26; Kolowski, 31; Kuehn, 38; McCollister, 20; Morfeld, 46; Stinner, 48; Vargas, 7; Wishart, 27.

A BILL FOR AN ACT relating to extreme weather preparedness; to require development of a strategic action plan; to state findings; to provide for a task force and require submission of a plan.

LEGISLATIVE BILL 647. Introduced by Pansing Brooks, 28; Briese, 41; Halloran, 33; Harr, 8; Hilgers, 21; Kolowski, 31; Morfeld, 46; Williams, 36.

A BILL FOR AN ACT relating to judges' salaries; to amend section 24-201.01, Reissue Revised Statutes of Nebraska; to change judges' salaries; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 648. Introduced by Pansing Brooks, 28; Ebke, 32; Kolowski, 31; Morfeld, 46.

A BILL FOR AN ACT relating to technology; to create and provide duties for the New Machine Age Task Force.

LEGISLATIVE BILL 649. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2016; to prohibit additional services and populations under the medicaid managed care program as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 650. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to teachers; to change provisions for teaching certificates as prescribed; to authorize alternative certification for teachers; and to authorize adjunct teaching certificates.

LEGISLATIVE BILL 651. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to schools; to adopt the Nebraska Reading Improvement Act.

LEGISLATIVE BILL 652. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to flags; to authorize the display of the Honor and Remember Flag as prescribed.

LEGISLATIVE BILL 653. Introduced by Murante, 49.

A BILL FOR AN ACT relating to redistricting; to amend section 49-1499.03, Reissue Revised Statutes of Nebraska, and section 49-1493, Revised Statutes Cumulative Supplement, 2016; to adopt the Redistricting

Act; to require statements of financial interest and conflict of interest statements as prescribed; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 654. Introduced by Murante, 49.

A BILL FOR AN ACT relating to the Automatic Dialing-Announcing Devices Act; to amend sections 75-132.01, 86-236, 86-250, 86-252, 86-253, 86-254, 86-255, 86-256, and 86-257, Reissue Revised Statutes of Nebraska, and section 49-14,123, Revised Statutes Cumulative Supplement, 2016; to change duties of the Public Service Commission; to provide duties and separate jurisdiction for the Nebraska Accountability and Disclosure Commission for political telephone calls or messages; to change provisions relating to registration, enforcement, fines, and appeals; to harmonize provisions; to repeal the original sections; and to outright repeal section 86-239, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 655. Introduced by Murante, 49.

A BILL FOR AN ACT relating to state government; to amend section 81-1108, Reissue Revised Statutes of Nebraska; to authorize state employees to participate in volunteer work at public elementary, middle, and high schools and certain nonprofit organizations during work hours; and to repeal the original section.

LEGISLATIVE BILL 656. Introduced by Baker, 30.

A BILL FOR AN ACT relating to claims against the state; to amend sections 29-3506, 29-4601, 29-4602, 29-4603, 29-4604, 29-4605, 29-4606, 29-4607, 29-4608, 81-8,210, and 81-8,227, Reissue Revised Statutes of Nebraska; to rename the Nebraska Claims for Wrongful Conviction and Imprisonment Act; to provide for claims against the state by persons wrongfully incarcerated; to change provisions relating to the effect of recovery on a claim under such act; to provide a procedure to seek reimbursement from the State Claims Board for certain judgments against political subdivisions as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 657. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to public power; to adopt the Retail Electricity Transparency Act.

LEGISLATIVE BILL 658. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-2,129, Reissue Revised Statutes of Nebraska; to provide for appointment of expert witnesses as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 659. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to pipelines; to amend sections 57-1101, 57-1401, 57-1403, 57-1405, 73-307, 73-507, 75-502, 76-710.04, and 81-1701, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to eminent domain; to change provisions of the Major Oil Pipeline Siting Act; to provide, change, and eliminate provisions relating to the review and evaluation of pipeline routes; to harmonize provisions; to repeal the original sections; and to outright repeal sections 57-1501 to 57-1503, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 660. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to public power; to amend section 70-1014.02, Revised Statutes Cumulative Supplement, 2016; to adopt the Nebraska Retail Electricity Choice Act; to remove a restriction on the sale or delivery of retail electricity by a private electric supplier; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 661. Introduced by Kuehn, 38; Brasch, 16; Brewer, 43; Craighead, 6; Erdman, 47; Friesen, 34; Geist, 25; Groene, 42; Halloran, 33; Kintner, 2; Lowe, 37.

A BILL FOR AN ACT relating to state records; to amend section 84-712.08, Reissue Revised Statutes of Nebraska; to provide for confidentiality of certain information relating to performing a lethal injection; and to repeal the original section.

LEGISLATIVE BILL 662. Introduced by Linehan, 39; Briese, 41.

A BILL FOR AN ACT relating to schools; to amend section 79-760.06, Revised Statutes Cumulative Supplement, 2016; to establish a grading system for schools and school districts; and to repeal the original section.

LEGISLATIVE BILL 663. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1480, Reissue Revised Statutes of Nebraska; to require a copy of a lobbying contract for registration as a lobbyist as prescribed; and to repeal the original section.

LEGISLATIVE BILL 664. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1492, Reissue Revised Statutes of Nebraska; to prohibit a political subdivision from compensating a lobbyist with revenue from taxes or fees; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 665. Introduced by Kuehn, 38.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1488, Revised Statutes Cumulative Supplement, 2016; to require a statement of activity regarding certain lobbying activity; and to repeal the original section.

LEGISLATIVE BILL 666. Introduced by Kintner, 2.

A BILL FOR AN ACT relating to firearms; to amend section 28-1202, Reissue Revised Statutes of Nebraska; to change provisions relating to carrying a concealed weapon; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 667. Introduced by Hilkemann, 4; Smith, 14.

A BILL FOR AN ACT relating to horseracing; to amend section 2-1208.01, Reissue Revised Statutes of Nebraska, and section 2-1208, Revised Statutes Cumulative Supplement, 2016; to eliminate a prohibition on taxes and fees; to change taxation of parimutuel wagering; and to repeal the original sections.

RESOLUTION(S)**LEGISLATIVE RESOLUTION 15CA.** Introduced by Morfeld, 46.

THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2018, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 22:

1-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) In order to protect the fundamental constitutional right of each eligible citizen to vote, requiring a voter to present identification prior to being able to vote shall be prohibited.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to prohibit requiring presentation of identification prior to voting.

For

Against.

LEGISLATIVE RESOLUTION 16CA. Introduced by Wayne, 13.

THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2018, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 12:

VIII-12 For the purpose of rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project as determined by law, any city or village of the state may, notwithstanding any other provision in the Constitution, and without regard to charter limitations and restrictions, incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise. Notwithstanding any other provision in the Constitution or a local charter, such cities or villages may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies, ~~which taxes shall be at such rate for a period not to exceed fifteen years,~~ on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to such rehabilitation, acquisition, or redevelopment. Cities and villages may pledge such taxes for a period not to exceed fifteen years, except that the Legislature may allow cities and villages to pledge such taxes for a period not to exceed twenty years if more than one-half of the property in the project area is designated as extremely blighted.

When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to authorize the Legislature to allow cities and villages to pledge property taxes as part of a redevelopment project for a period not to exceed twenty years if more than one-half of the property in the project area is extremely blighted.

For

Against.

LEGISLATIVE RESOLUTION 17CA. Introduced by Wayne, 13.

THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2018, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature

may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation ~~uniformly and proportionately~~ upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation ~~uniformly and proportionately~~; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) ~~the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land;~~ (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; ~~(5)(6)~~ the Legislature may prescribe standards and methods for the determination of the value of real property ~~at uniform and proportionate values;~~ ~~(6)(7)~~ in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, ~~and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise;~~ and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and ~~(7)(8)~~ the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes

uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to eliminate requirements that property taxes be levied by valuation uniformly and proportionately.

For

Against.

LEGISLATIVE RESOLUTION 18CA. Introduced by Larson, 40; Hansen, 26.

THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2018, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 8, Article IV, section 2, and Article V, section 7:

III-8 ~~A~~ No person shall be eligible for the office of member of the Legislature if, unless on the date of his or her general election at which such person he is elected, or on the date of his or her appointment, such person ~~he~~ is a registered voter, has attained the federal voting age, of twenty-one years and has resided within the district from which he or she is elected or appointed for the term of one year next before his or her election or appointment unless such person has, unless he shall have been absent on the public business of the United States or of this State. ~~A~~ And no person elected or appointed to the office of member of the Legislature as aforesaid shall not hold such his office after he or she has been ~~shall have~~ removed from such district.

IV-2 A person shall be eligible to any public office, whether elected or appointed, if such person has attained the federal voting age, subject to qualifications, other than age, established by law. ~~A~~ No person shall be eligible to the office of Governor, or Lieutenant Governor if he or she has, who shall not have attained the age of thirty years, and who shall not have been for five years next preceding his or her election a resident and citizen of this state and a citizen of the United States. ~~Any~~ None of the appointive officers mentioned in this article shall not be eligible to any other state office during the period for which they have been appointed.

V-7 A person shall be eligible to any public office, whether elected or appointed, if such person has attained the federal voting age, subject to qualifications, other than age, established by law. ~~A~~ No person shall be

eligible to the office of Chief Justice or Judge of the Supreme Court if such person unless he shall be at least thirty years of age, and a citizen of the United States; and has shall have resided in this state at least three years next preceding his or her selection; and nor, in the case of a Judge of the Supreme Court selected from a Supreme Court judicial district, if unless he or she is shall be a resident and elector of the district from which selected.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to provide and change eligibility requirements for state office.

For

Against.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services

Room 1510

Friday, January 27, 2017 1:30 p.m.

LB425

LB166

LB117

Wednesday, January 25, 2017 1:30 p.m.

LB333

LB334

LB335

LB336

Thursday, January 26, 2017 1:30 p.m.

LB255

LB267

LB285

(Signed) Merv Riepe, Chairperson

Government, Military and Veterans Affairs

Room 1507

Wednesday, January 25, 2017 1:30 p.m.

LB240

LB318

LB388

(Signed) John Murante, Chairperson

Natural Resources

Room 1525

Wednesday, January 25, 2017 1:30 p.m.

LB182

Thursday, January 26, 2017 1:30 p.m.

LB154

LB176

(Signed) Dan Hughes, Chairperson

Revenue

Room 1524

Thursday, January 26, 2017 1:30 p.m.

LB295

LB65

LB118

(Signed) Jim Smith, Chairperson

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 45. Placed on General File.

(Signed) Curt Friesen, Chairperson

ANNOUNCEMENT(S)

The Legislative Performance Audit Committee elected Senator Kuehn as Chairperson and Senator Geist as Vice Chairperson.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Quick name added to LB404.

Senator Riepe name added to LB333.

Senator Riepe name added to LB334.
Senator Riepe name added to LB335.
Senator Riepe name added to LB336.

VISITOR(S)

Visitors to the Chamber were Chase Stebbing from Wahoo High School; Captain Mil Yi, Command Chaplain, U.S. Strategic Command at Offutt Air Force Base, his wife, Nan, and daughters, Candice and Catherine from Bellevue; 4 seventh-grade students and teacher from Papillion La Vista Middle School.

The Doctor of the Day was Dr. Natalie Tymkowych from West Point.

MOTION - Recess

Senator Chambers moved to recess until 1:30 p.m.

The motion failed.

ADJOURNMENT

At 12:00 p.m., on a motion by Speaker Scheer, the Legislature adjourned until 9:00 a.m., Thursday, January 19, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

ELEVENTH DAY - JANUARY 19, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 19, 2017

PRAYER

The prayer was offered by Pastor Brian High, First Baptist Church, Tekamah.

ROLL CALL

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

The roll was called and all members were present except Senators Harr and Pansing Brooks who were excused; and Senators Larson, Morfeld, and Wishart who were excused until they arrive.

SENATOR LINDSTROM PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the tenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB431	Government, Military and Veterans Affairs
LB432	Government, Military and Veterans Affairs
LB433	Government, Military and Veterans Affairs
LB434	Judiciary
LB435	Judiciary
LB436	Business and Labor
LB437	Government, Military and Veterans Affairs
LB438	Revenue
LB439	Health and Human Services
LB440	Judiciary
LB441	Health and Human Services
LB442	Executive Board
LB443	Revenue
LB444	Judiciary

LB445 Executive Board
LB446 Judiciary
LB447 Judiciary
LB448 Natural Resources
LB449 Agriculture
LB450 Judiciary
LB451 Government, Military and Veterans Affairs
LB452 Revenue
LB453 Revenue
LB454 Banking, Commerce and Insurance
LB455 Urban Affairs
LB456 Health and Human Services
LB457 Education
LB458 Government, Military and Veterans Affairs
LB459 Transportation and Telecommunications
LB460 Transportation and Telecommunications
LB461 Revenue
LB462 Revenue
LB463 General Affairs
LB464 Executive Board
LB465 Appropriations
LB466 Health and Human Services
LB467 Revenue
LB468 Revenue
LB469 General Affairs
LB470 General Affairs
LB471 Judiciary
LB472 Transportation and Telecommunications
LB473 Business and Labor
LB474 Banking, Commerce and Insurance
LB475 Revenue
LB476 Banking, Commerce and Insurance
LB477 Agriculture
LB478 Judiciary
LB479 Government, Military and Veterans Affairs
LB480 Banking, Commerce and Insurance
LB481 Health and Human Services
LB482 Government, Military and Veterans Affairs
LB483 Transportation and Telecommunications
LB484 Education
LB485 Government, Military and Veterans Affairs
LB486 Banking, Commerce and Insurance
LB487 Judiciary
LB488 Natural Resources
LB489 Urban Affairs
LB490 Education
LB491 Judiciary
LB492 Judiciary
LB493 Appropriations
LB494 Government, Military and Veterans Affairs

(Signed) Dan Watermeier, Chairperson
Executive Board

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 80. Placed on General File.

(Signed) John Murante, Chairperson

MOTION(S) - Print in Journal

Senator Wayne filed the following motion to LB659:
MO13
Withdraw bill.

MOTION(S) - Withdraw LB370

Senator Lowe offered his motion, MO12, found on page 249, to withdraw LB370.

The Lowe motion to withdraw the bill prevailed with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 1. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 2. Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 3. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 4. 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 5. 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.

EASE

The Legislature was at ease from 9:26 a.m. until 9:53 a.m.

SPEAKER SCHEER PRESIDING**COMMITTEE REPORT(S)**

Agriculture

LEGISLATIVE BILL 134. Placed on General File.

(Signed) Lydia Brasch, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 46. Placed on General File.

(Signed) Curt Friesen, Chairperson

Urban Affairs

LEGISLATIVE BILL 74. Placed on General File.

LEGISLATIVE BILL 131. Placed on General File.

LEGISLATIVE BILL 132. Placed on General File.

LEGISLATIVE BILL 133. Placed on General File.

LEGISLATIVE BILL 113. Placed on General File with amendment.

AM5

1 1. Insert the following new sections:

2 Sec. 11. Section 16-901, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 16-901 (1) Except as provided in section 13-327 and subsection (2)
5 of this section, the extraterritorial zoning jurisdiction of a city of
6 the first class shall consist of the unincorporated area two miles beyond
7 and adjacent to its corporate boundaries.

8 (2) For purposes of sections 70-1001 to 70-1020, the
9 extraterritorial zoning jurisdiction of a city of the first class shall
10 consist of the unincorporated area one mile beyond and adjacent to its
11 corporate boundaries.

12 (3) Any city of the first class may apply by ordinance any existing
13 or future zoning regulations, property use regulations, building
14 ordinances, electrical ordinances, plumbing ordinances, and ordinances
15 authorized by section 16-240 within its extraterritorial zoning
16 jurisdiction with the same force and effect as if such area were within
17 the corporate limits of the city, except that no such ordinance shall be
18 extended or applied so as to prohibit, prevent, or interfere with the
19 conduct of existing farming, livestock operations, businesses, or
20 industry. The fact that the extraterritorial zoning jurisdiction is
21 located in a different county or counties than some or all portions of

22 the municipality shall not be construed as affecting the powers of the
23 city to apply such ordinances.

24 (4)(a) A city of the first class shall provide written notice to the
25 county board of the county in which the city's two-mile extraterritorial
26 zoning jurisdiction is located when proposing to adopt or amend a zoning
27 ordinance which affects the city's two-mile extraterritorial zoning
1 jurisdiction within such county. The written notice of the proposed
2 change to the zoning ordinance shall be sent to the county board or its
3 designee at least thirty days prior to the final decision by the city.
4 The county board may submit comments or recommendations regarding the
5 change in the zoning ordinance at the public hearings on the proposed
6 change or directly to the city within thirty days after receiving such
7 notice. The city may make its final decision (i) upon the expiration of
8 the thirty days following the notice or (ii) when the county board
9 submits comments or recommendations, if any, to the city prior to the
10 expiration of the thirty days following the notice.

11 (b) Subdivision (4)(a) of this section does not apply to a city of
12 the first class (i) located in a county with a population in excess of
13 one hundred thousand inhabitants as determined by the most recent federal
14 decennial census or the most recent revised certified count by the United
15 States Bureau of the Census or (ii) if the city and the county have a
16 joint planning commission or joint planning department.

17 Sec. 20. Section 17-1001, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 17-1001 (1) Except as provided in section 13-327, any city of the
20 second class or village may apply by ordinance any existing or future
21 zoning ordinances, property use regulation ordinances, building
22 ordinances, electrical ordinances, and plumbing ordinances to an area
23 within one mile of the corporate limits of such municipality, with the
24 same force and effect as if such area was within its corporate limits. No
25 such ordinance shall be extended or applied so as to prohibit, prevent,
26 or interfere with the conduct of existing farming, livestock operations,
27 businesses, or industry. For purposes of sections 70-1001 to 70-1020, the
28 zoning area of a city of the second class or village shall be one-half
29 mile from the corporate limits of such municipalities. The fact that the
30 zoning area or part thereof is located in a different county or counties
31 than some or all portions of the municipality shall not be construed as
1 affecting the necessity of obtaining the approval of the city council or
2 board of trustees of such municipality or its agent designated pursuant
3 to section 19-916.

4 (2)(a) A city of the second class or village shall provide written
5 notice to the county board of the county in which the one-mile
6 extraterritorial zoning jurisdiction of the city or village is located
7 when proposing to adopt or amend a zoning ordinance which affects the
8 one-mile extraterritorial zoning jurisdiction of the city or village
9 within such county. The written notice of the proposed change to the
10 zoning ordinance shall be sent to the county board or its designee at
11 least thirty days prior to the final decision by the city or village. The
12 county board may submit comments or recommendations regarding the change

13 in the zoning ordinance at the public hearings on the proposed change or
 14 directly to the city or village within thirty days after receiving such
 15 notice. The city or village may make its final decision (i) upon the
 16 expiration of the thirty days following the notice or (ii) when the
 17 county board submits comments or recommendations, if any, to the city or
 18 village prior to the expiration of the thirty days following the notice.
 19 (b) Subdivision (2)(a) of this section does not apply to a city of
 20 the second class or a village (i) located in a county with a population
 21 in excess of one hundred thousand inhabitants as determined by the most
 22 recent federal decennial census or the most recent revised certified
 23 count by the United States Bureau of the Census or (ii) if the city or
 24 village and the county have a joint planning commission or joint planning
 25 department.
 26 2. Renumber the remaining sections and correct the repealer
 27 accordingly.

(Signed) Justin Wayne, Chairperson

NOTICE OF COMMITTEE HEARING(S)
 Executive Board

Room 2102

Thursday, January 26, 2017 12:00 p.m.

LB210
 LB230
 LB464

Monday, January 30, 2017 12:00 p.m.

LB216
 LR3

(Signed) Dan Watermeier, Chairperson

Government, Military and Veterans Affairs

Room 1507

Thursday, January 26, 2017 1:30 p.m.

LB431
 LB432
 LB479

Friday, January 27, 2017 1:30 p.m.

LB200
 LB209
 LB458

(Signed) John Murante, Chairperson

ANNOUNCEMENT(S)

The Legislature's Planning Committee elected Senator Schumacher as Chairperson and Senator Vargas as Vice Chairperson.

The Building Maintenance Committee elected Senator Lowe as Vice Chairperson.

MOTION - Escort Chief Justice

Senator Hansen moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court and members of the Supreme Court to the Legislative Chamber for the purpose of delivering the State of the Judiciary Address.

The motion prevailed.

The Chair appointed Senators Ebke, Halloran, Hansen, Morfeld, and Baker to serve on said committee.

The committee escorted Chief Justice Michael G. Heavican to the rostrum where he delivered the following message:

State of the Judiciary
Chief Justice Michael G. Heavican
January 19, 2017

Mr. President, Mr. Speaker, Members of the Legislature, fellow Justices of the Nebraska Supreme Court, and fellow Nebraskans. I would like to thank the members of this legislative body, especially Speaker Scheer, for inviting me to address you this morning.

It is an honor for me to report on the accomplishments of the judicial branch this past year, and to discuss the future of the courts and Probation.

First, I will introduce my fellow Justices.

To my immediate right is Justice John Wright of Scottsbluff; to his right is Justice William Cassel of O'Neill; and to Justice Cassel's right is Justice Max Kelch of Papillion.

To my immediate left is Justice Lindsey Miller-Lerman of Omaha; and to her left is our newest member of the Court, Justice Jeff Funke of Nebraska City. Justice Stephanie Stacy of Lincoln was unable to be with us today.

Every year I use this occasion to report to you the Legislature, and to the citizens of Nebraska, the accomplishments of the Judiciary and the challenges that the third branch of government faces in the future. My State of the Judiciary addresses have been overwhelmingly positive. This is my 10th presentation to this body, and Nebraska's Judicial Branch has taken on many challenges over those 10 years. By and large, those challenges have been met or are being met.

This year, however, my presentation to you necessarily has both good news and bad news. I think it is best to start with the good news.

Since this is the 10th State of the Judiciary address I have given, it is an appropriate time to briefly review some of the challenges and accomplishments of the last 10 years.

Not surprisingly, the number of cases being filed in our court system has not changed dramatically during the last 10 years because Nebraska's population has not changed dramatically over the last 10 years. Caseloads generally have increased in our urban areas and have remained flat or have declined in our rural districts.

Access.

There are two factors, however, that have increasingly burdened our courts in those last 10 years. First, ever-increasing numbers of Nebraskans, like citizens in the rest of the country, are attempting to represent and defend themselves in court without legal assistance. This Court, the Nebraska State Bar Association, hundreds of volunteer lawyers, and both the Creighton University School of Law and the University of Nebraska College of Law, have worked diligently to lessen the problems that unrepresented parties pose to our court system.

Our reorganized Access to Justice Committee will work to staff self-help centers in our courthouses in Omaha, Lincoln, Grand Island, Kearney, Scottsbluff, and Norfolk. The Committee will try to tackle special problems of access to justice for Nebraska's minority communities and seek ways to fund Legal Aid and lawyer volunteer services. They are charged with aiding the Nebraska State Bar Association in attracting young lawyers to our rural areas, which would otherwise be faced with a critical void of legal professionals.

No lawyers means no judges. It is increasingly difficult for us to fill judicial vacancies in the Third Congressional District. Kudos to this Legislature for the debt-forgiveness plan for rural legal services you passed in 2014. Kudos also to the Bar Association and the UNL College of Law for their new rural law opportunities program which reserves law school slots for selected students from Chadron and Wayne State Colleges and from the University of Nebraska at Kearney.

Interpreters.

The Access to Justice Committee also monitors and helps build a system of support to tackle the second problem that has consistently and persistently increased the workload burden in our courts. That problem is the need for interpreters so that litigants, as well as judges, juries, lawyers, and other consumers of court services, can understand what is being said and what is happening in our courtrooms.

In fiscal year 2015, we had a need for 133 interpreters in 43 different languages. Over the last 10 years, we have set up a sophisticated system to certify interpreters and share interpreters with other states and institutions. We adopted an Interpreter Code of Ethics and we monitor the process to assure a quality work product.

This system utilizes technology to provide scarce and unique resources for all of our courthouses, however remote or isolated, with needed interpreter

services. Spanish, Arabic, Karen, and Somali are our most used interpreter languages, but we also find interpreters for such languages as K'ich'e [Quich-ee], Dinka, and Q'anjob'al [Kan-job-al]. The certified interpreter program is one of our brightest accomplishments of the last 10 years.

Technology.

What other special accomplishments have the courts achieved in the last 10 years? The courts are far more accessible to the public through technology and telecommunications.

The Supreme Court and Court of Appeals have webcast our oral arguments for the last 5 years. Many of our trial courts now have teleconferencing capabilities, making access simpler and more affordable for our lawyers and litigants. I am proud to say that on March 1, all of our trial courts will allow expanded television, radio, and electronic coverage of court proceedings. This effort was spear-headed by a committee of trial court judges dedicated to 21st Century access.

Speaking of technology, Nebraska is one of the few states in the United States that has a united and uniform computerized case management system. This system is used by all of our trial courts, the Court of Appeals, and the Supreme Court.

As many of you know from earlier State of the Judiciary presentations, Nebraskans can view court documents 24 hours a day electronically, from their offices or homes. They can pay fines and fees utilizing their personal computers. Last year alone, we collected over \$20,900,000 electronically.

Lawyers and litigants can, and are, electronically filing most court documents that only a few years ago were done with paper, by hand, or by regular mail. In 2016, 650,000 documents were electronically filed in our courts. Last year our major accomplishment in this area was to make electronic filing available to the Court of Appeals and Supreme Court, just as it has been available in our trial courts.

Public Guardian.

What else have the courts taken on in the last 10 years? Most recently, this body – to its credit – voted to set up a public guardianship program for the State of Nebraska. Nebraska was apparently the last state in the United States to implement such a program.

The program is designed to provide court-appointed guardians and conservators for Nebraska's elderly or mentally or physically disabled persons if there are no relatives, friends, volunteers, or other appointment options for our judges. In almost all states in the United States, the public guardian program is housed somewhere in the Executive Branch. But in Nebraska, you chose to put the public guardianship program in the court system. We take that as a vote of confidence in our ability to competently implement and develop such a program. We have done that.

I want to especially acknowledge the work of Michelle Chaffee, Nebraska's head public guardian. Michelle has done the mighty job of putting that program together from scratch, hiring assistant public guardians and taking on remarkably challenging cases from all around the state. Michelle has also set up a cadre of volunteers to serve as court visitors and

replacement guardians. She has taken over the mandatory education of every family member, friend, or volunteer who serves as a guardian or conservator in the State of Nebraska.

Juvenile Justice.

What else have the courts taken on in the last 10 years? What other challenges have our judges, support staff, and probation officers taken on at your behest?

Of course you will remember that our office of Probation Administration, led by Ellen Fabian Brokofsky, took over the supervision of all of our young people in Nebraska's juvenile justice system. This was a function formerly performed by the Department of Health and Human Services. Like the Office of Public Guardian, this body chose to have the courts, specifically the office of Probation Administration, perform needed supervisory services for young people who have committed law violations or are truant or otherwise ungovernable by their parents or custodians.

Like the Office of Public Guardian, we started the juvenile justice program from scratch and put together a state-wide program with scant assistance from the Department of Health and Human Services about the historical costs of juvenile justice supervision. By and large, this too has been a huge success. Preliminary budget problems were vigorously attacked, and the initial deficit of \$7 million that was projected to continue into this biennium has been completely erased.

At the same time, our juvenile justice program has emphasized not removing children from their homes and families. Instead, the program provides, where ever and whenever possible, services in those homes and to those families, and minimizes costly and traumatizing incarceration, institutionalization, and foster care. We continue to make progress on that front.

In the next few months, we will be able to report to this body on adult recidivism statistics. Juvenile Justice recidivism data will follow shortly thereafter. Most of our judges are happy with what we have been able to do with juvenile justice, and they continue to urge us to provide even more service alternatives.

Justice Reinvestment.

What else have the courts and Probation taken on in the last 10 years? In the last year-and-a-half, following recommendations from the Platte Institute and from the Council for State Governments, this body chose to embark on a program we all call Justice Reinvestment, introduced as LB 605.

Justice Reinvestment is the code word for "we-can't-afford-to-build-a-new-prison-so-we-need-to-find-some-way-to-handle-the-persistently-growing-population-of-convicted-criminals-in-our-prison-system."

Studies show that a significant number of our incarcerated adults are sentenced to relatively short prison terms. They come back to our local communities and immediately return to using and selling methamphetamine, crack cocaine, and heroin. They physically assault their spouses and abuse their children. They burglarize our neighbors' homes, shoplift from our local merchants, rob our convenience stores, and resort to escalating violence in

our largest cities.

Where did this body and the Executive Branch turn when it wanted to come up with an effective community corrections program to stall the rising rate of imprisonment and turn around the almost guaranteed recidivism for those short-term incarcerated criminal defendants? You turned to the court system and the court's office of Probation Administration.

As per LB 605, all low grade felonies are touched by Probation. The Courts and Probation are both the front door to the Department of Corrections system and the back door to the Department of Corrections.

Justice Reinvestment was billed as a joint effort by all three branches. All three branches worked to get buy-in for Justice Reinvestment. We set up committees with police officers, prosecutors, public defenders, and concerned Nebraska citizens. We all committed to making Justice Reinvestment a success.

But there were skeptics. There were those who said that Justice Reinvestment would never be adequately funded. You're looking at one of those skeptics.

Many of you heard me say that we can do this – the courts can do this, the office of Probation Administration can do this – but it has to be adequately funded. I was assured that it would be adequately funded.

I began this presentation with the good news. Now here's the bad news. There has been an economic downturn and we have to cut the State's budget. Some programs have been spared, others not. Justice Reinvestment was not spared. The commitment that all three branches of government made was apparently for the convenience of the moment.

We understand that all budgets, or at least most budgets, in state government have to be cut. We began preparing for that eventuality just as soon as the bad budget news started last August.

We saved over \$4.5 million by delaying hiring throughout the Judicial Branch. We can save more money by doing that again in the next 6 months. By not replacing employees for up to 6 months, including probation officers, we can save approximately another \$1 million. However, by cutting back on probation officers, we necessarily have to cut back on the number of people that can be supervised in Probation.

To meet the \$8.2 million budget reduction goal suggested by the Governor's projections, we would also have to cancel all vouchers to pay for short-term residential drug treatment utilized by our drug courts, by our intensive drug treatment program, and by various other probation options now available to our judges.

We have chosen to make only minimal cuts to Juvenile Justice services because our Juvenile Court Judges have no other options available to them to handle their caseloads. Our judges handling adult criminal cases do have another option available to them.

Our judges are not stupid. If they cannot be assured that Probation is able to adequately supervise and rehabilitate adult offenders -- that Probation can't protect the abused spouses, the abused children, and Nebraska's homeowners and merchants -- they will choose their other sentencing option, the sentencing option they have always had, the sentencing option they have traditionally used. They will incarcerate.

It costs \$35,000 per year to warehouse a Nebraska prisoner. It costs \$8,000 to \$10,000 to supervise an adult, high-risk probationer. It costs \$3,000 to \$4,000 to supervise a medium- or low-risk probationer. You do the math.

We set up a massive judicial re-education effort to make sure all of our judges understood LB 605 and the new responsibilities and options available to them. We set up new probation options for reentry and opened 5 new day and evening Reporting Centers.

In past State of the Judiciary addresses, I have been reluctant to discuss our budget or even mention the word "money." Each of my presentations to you has largely been a celebration of the courts' and Probation's accomplishments. Like the first part of this presentation, each State of the Judiciary speech was a call to our judges, support staff, probation officers, and the state's legal community to do a better job and to find a better way.

In that spirit, we bought into Justice Reinvestment – hook, line, and sinker. And now, unless you live up to your end of the Justice Reinvestment bargain, we are left holding the bag.

That does not have to be. We can wisely use the money allotted to us. We can make evidence-based decisions about risk and where to best spend supervision and service dollars. We can partner with other parts of this State's government to share resources to provide job services and mental health services. But it will be all for naught with the recommended cuts for this biennium and the next biennium. Next year we will gut reentry supervision and begin to close day and evening Reporting Centers. We will try to push Drug Court costs onto the counties and begin to surgically triage juvenile justice.

We will not do things poorly. We will do the very best job with whatever resources we are given. But if those resources are inadequate, we will cut back on some to preserve others, based on the needs of our judges and the communities they serve.

Let me close by inviting each of you to a drug court graduation or a visit to your local probation office. Talk to the probationers and watch their interaction with their probation officers, their families, and their peers. Listen to their comments. Chances are you will hear this: "Probation saved my life." "You saved my family." "I have a job." "I'm a positive part of my community."

Good community corrections programs work. They save lives and they save money. Keep the good community corrections programs you already have.

My apologies for the bad news, but my thanks for your attention and this opportunity to speak with you and for your continued support of the courts.

The committee escorted the Chief Justice from the Chamber.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 8, 9, and 10 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 8, 9, and 10.

MOTION - Adopt Permanent Rules

Senator Hilgers moved to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year.

The Rules Committee offered the proposed rule change, Proposed Rule Change 1, found on page 241, to Rule 5, Sec. 5.

The Rules Committee's proposed rule change, Proposed Rule Change 1, to Rule 5, Sec. 5, was adopted with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

The Rules Committee offered the proposed rule change, Proposed Rule Change 4, found on page 245, to add a new Rule 11.

The Rules Committee's proposed rule change, Proposed Rule Change 4, to add a new Rule 11, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Pending.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator McCollister name added to LB645.

Senator Kolterman name added to LB553.

Senator Albrecht name added to LB194.

Senator Blood name added to LB194.

Senator Vargas name added to LR4.

Senator Halloran name added to LB47.

VISITOR(S)

Visitors to the Chamber were 9 Judiciary Branch Administrators; The Honorable Joseph Bataillon, President of the Nebraska State Bar Association, J. Scott Paul, President Elect Designate of the Nebraska State Bar Association, and Elizabeth Neeley, Executive Director of the Nebraska

State Bar Association; and Mike McCabe and Tim Anderson from
Midwestern Legislative Conference of the Council of State Government.

The Doctor of the Day was Dr. Dale Michels from Lincoln.

ADJOURNMENT

At 10:45 a.m., on a motion by Senator Brasch, the Legislature adjourned
until 9:00 a.m., Friday, January 20, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWELFTH DAY - JANUARY 20, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 20, 2017

PRAYER

The prayer was offered by Pastor Michael McDonald, Coffee House Ministries, Fairbury.

ROLL CALL

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

The roll was called and all members were present except Senators Kolowski and Pansing Brooks who were excused; and Senators Hughes and Larson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eleventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB495	Health and Human Services
LB496	Urban Affairs
LB497	Government, Military and Veterans Affairs
LB498	Revenue
LB499	Agriculture
LB500	Judiciary
LB501	Judiciary
LB502	Judiciary
LB503	Business and Labor
LB504	Natural Resources
LB505	Judiciary
LB506	Health and Human Services
LB507	Business and Labor
LB508	Government, Military and Veterans Affairs
LB509	Judiciary
LB510	Government, Military and Veterans Affairs

LB511	Education
LB512	Education
LB513	Appropriations
LB514	Appropriations
LB515	Business and Labor
LB516	Judiciary
LB517	Judiciary
LB518	Business and Labor
LB519	Business and Labor
LB520	Judiciary
LB521	Education
LB522	Transportation and Telecommunications
LB523	Transportation and Telecommunications
LB524	Appropriations
LB525	Education
LB526	Judiciary
LB527	Judiciary
LB528	Revenue
LB529	Judiciary
LB530	Executive Board
LB531	Revenue
LB532	Nebraska Retirement Systems
LB533	Natural Resources
LB534	Health and Human Services
LB535	Revenue
LB536	Natural Resources
LB537	Health and Human Services
LB538	Appropriations
LB539	Executive Board
LB540	Education
LB541	General Affairs
LB542	Judiciary
LB543	Revenue
LB544	Judiciary
LB545	Appropriations
LB546	Revenue
LB547	Natural Resources
LB548	Nebraska Retirement Systems
LB549	Banking, Commerce and Insurance
LB550	Banking, Commerce and Insurance
LB551	Banking, Commerce and Insurance
LB552	Health and Human Services
LB553	Business and Labor
LB554	Education
LB555	Revenue
LB556	Judiciary
LB557	Revenue
LB558	Judiciary
LB559	Banking, Commerce and Insurance
LB560	Judiciary
LB561	Revenue

LB562	Judiciary
LB563	Revenue
LB564	Revenue
LB565	Revenue
LB566	Natural Resources
LB567	Government, Military and Veterans Affairs
LB568	Education
LB569	Education
LB570	Revenue
LB571	Education
LB572	Revenue
LB573	Transportation and Telecommunications
LB574	Judiciary
LB575	Education
LB576	Revenue
LB577	Judiciary
LB578	Health and Human Services
LB579	Urban Affairs
LB580	Appropriations
LB581	Government, Military and Veterans Affairs
LB582	Banking, Commerce and Insurance
LB583	Health and Human Services
LB584	Transportation and Telecommunications
LB585	Judiciary
LB586	Health and Human Services
LB587	Transportation and Telecommunications
LB588	Health and Human Services
LB589	Judiciary
LB590	Urban Affairs
LB591	Urban Affairs
LB592	Revenue
LB593	Judiciary
LB594	Banking, Commerce and Insurance
LB595	Judiciary
LB596	Health and Human Services
LB597	Urban Affairs
LB598	Business and Labor
LB599	Revenue
LB600	Agriculture
LB601	Revenue
LB602	Revenue
LB603	Government, Military and Veterans Affairs
LB604	Banking, Commerce and Insurance
LB605	Health and Human Services
LB606	Judiciary
LB607	Revenue
LB608	Education
LB609	Business and Labor
LB610	Natural Resources
LB611	Appropriations
LB612	Transportation and Telecommunications

LB613	Revenue
LB614	Urban Affairs
LB615	Judiciary
LB616	Revenue
LB617	Agriculture
LB618	Transportation and Telecommunications
LB619	Government, Military and Veterans Affairs
LB620	Appropriations
LB621	Appropriations
LB622	Judiciary
LB623	Judiciary
LB624	Government, Military and Veterans Affairs
LB625	Urban Affairs
LB626	Natural Resources
LB627	Transportation and Telecommunications
LB628	Government, Military and Veterans Affairs
LB629	Transportation and Telecommunications
LB630	Education
LB631	General Affairs
LB632	General Affairs
LB633	Revenue
LB634	Education
LB635	Natural Resources
LB636	Natural Resources
LB637	Judiciary
LB638	Judiciary
LB639	Business and Labor
LB640	Revenue
LB641	Banking, Commerce and Insurance
LB642	Health and Human Services
LB643	Banking, Commerce and Insurance
LB644	Judiciary
LB645	Education
LB646	Executive Board
LB647	Judiciary
LB648	Executive Board
LB649	Health and Human Services
LB650	Education
LB651	Education
LB652	Government, Military and Veterans Affairs
LB653	Executive Board
LB654	Transportation and Telecommunications
LB655	Government, Military and Veterans Affairs
LB656	Judiciary
LB657	Natural Resources
LB658	Judiciary
LB659	Judiciary
LB660	Natural Resources
LB662	Education
LB663	Government, Military and Veterans Affairs
LB664	Government, Military and Veterans Affairs

LB665 Government, Military and Veterans Affairs
 LB666 Judiciary
 LB667 Revenue
 LR15CA Government, Military and Veterans Affairs
 LR16CA Urban Affairs
 LR17CA Revenue
 LR18CA Government, Military and Veterans Affairs

(Signed) Dan Watermeier, Chairperson
 Executive Board

NOTICE OF COMMITTEE HEARING(S)
 Health and Human Services

Room 1510

Thursday, February 2, 2017 1:30 p.m.

LB401

(Signed) Merv Riepe, Chairperson

COMMITTEE REPORT(S)
 Health and Human Services

LEGISLATIVE BILL 18. Placed on General File.
LEGISLATIVE BILL 19. Placed on General File.

(Signed) Merv Riepe, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 19, 2017, 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

Amack, Angela K.
 Lincoln Police Union
 Geis, Gavin Lawrence
 Common Cause National
 Gould, John 'Jack'
 Common Cause Nebraska
 Mauldin, Zachary
 Marijuana Policy Project
 O'Hara Lindsay & Associates, Inc.
 Kissel/E&S Associates, LLC
 Sharpe, Bridget
 Professional Beauty Association

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) - Withdraw LB659

Senator Wayne offered his motion, MO13, found on page 293, to withdraw LB659.

The Wayne motion to withdraw the bill prevailed with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

MOTION - Adopt Permanent Rules

The Hilgers motion to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year, found on page 303, as amended, was renewed.

The Rules Committee offered the proposed rule change, Proposed Rule Change 3, found on page 245, to Rule 5, Sec. 7.

Pending.

NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems

Room 1525

Friday, February 3, 2017 12:00 p.m.

LB278
LB413

Friday, February 10, 2017 12:00 p.m.

LB414

Tuesday, February 21, 2017 12:00 p.m.

LB412

(Signed) Mark Kolterman, Chairperson

Judiciary

Room 1113

Thursday, February 2, 2017 1:30 p.m.

LB39
LB81
LB100
LB321

(Signed) Laura Ebke, Chairperson

COMMITTEE REPORT(S)
Nebraska Retirement Systems

LEGISLATIVE BILL 29. Placed on General File.
LEGISLATIVE BILL 94. Placed on General File.

(Signed) Mark Kolterman, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Agriculture

Room 2102

Tuesday, January 31, 2017 1:30 p.m.

LB348
LB477

Tuesday, February 7, 2017 1:30 p.m.

LB600
LB260
LB274

(Signed) Lydia Brasch, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1. Placed on Select File.
LEGISLATIVE BILL 2. Placed on Select File.
LEGISLATIVE BILL 3. Placed on Select File.
LEGISLATIVE BILL 4. Placed on Select File.
LEGISLATIVE BILL 5. Placed on Select File.

(Signed) Anna Wishart, Chairperson

MOTION - Adopt Permanent Rules

The Rules Committee renewed their proposed rule change, Proposed Rule Change 3, found on page 245 and considered in this day's Journal, to Rule 5, Sec. 7.

Senator Stinner offered the following amendment to the Rules Committee's proposed rule change:

Amend Proposed Rule Change 3

Rule 5, Sec. 7

In subsection (p) strike ~~expedite~~ and insert efficiently manage

The Stinner amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

The Rules Committee's proposed rule change, Proposed Rule Change 3, as amended, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

Pending.

MOTION - Adopt Temporary Rules

Senator Schumacher moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the seventeenth legislative day.

The motion prevailed with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Business and Labor

Room 2102

Monday, January 30, 2017 1:30 p.m.

LB273

LB519

LB363

LB172

LB264

LB301

(Signed) Joni Albrecht, Chairperson

Revenue

Room 1524

Friday, January 27, 2017 1:30 p.m.

LB44
LB564
LB462

(Signed) Jim Smith, Chairperson

MOTION(S) - Print in Journal

Senator Krist filed the following motion to LB642:

MO14
Withdraw bill.

Senator Kuehn filed the following motion to LB583:

MO15
Withdraw bill.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 19. Introduced by Wishart, 27.

WHEREAS, expanded learning opportunity programs, meaning high-quality afterschool and summer programs for school-aged youth powered by collaboration between schools and communities, create vital learning opportunities for youth to gain the skills necessary for college, careers, and citizenship; and

WHEREAS, the people of Nebraska stand firmly committed to developing and supporting partnerships between schools and community-based organizations to provide high-quality, sustainable expanded learning opportunities beyond the traditional school day and academic year; and

WHEREAS, expanded learning opportunity programs provide school-age youth with safe, challenging, and enriching learning experiences and opportunities to develop their social, emotional, cultural, physical, and academic skills; and

WHEREAS, expanded learning opportunity programs engage school-age youth in hands-on Science, Technology, Engineering, and Math (STEM) learning opportunities that inspire habits of mind, which, as has been demonstrated by research, motivate young people to prepare for the STEM careers that will power the future prosperity of Nebraska; and

WHEREAS, expanded learning opportunity programs support working families by ensuring that children are in safe, stimulating, nurturing environments both before and after the regular school day and traditional academic year; and

WHEREAS, expanded learning opportunity programs allow parents and families, who are our children's first and most important teachers, to become involved in year-round learning activities that encourage their children's educational, social, and emotional development; and

WHEREAS, expanded learning opportunity programs encourage families, schools, and diverse community organizations to work together to expand learning opportunities that create rich learning environments that benefit all children.

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

1. That the Legislature recognizes January 16-20, 2017, as Expanded Learning Opportunities Week in Nebraska.

2. That the Legislature encourages all people to take time this week to consider how school and community partnerships can be formed and existing partnerships can be strengthened to help expand learning opportunities for all youth.

Laid over.

MOTION - Adopt Permanent Rules

The Rules Committee offered the proposed rule change, Proposed Rule Change 2, found on page 243, to Rule 5, Sec. 7.

Senator Stinner offered the following amendment to the Rules Committee's proposed rule change:

Amend Rule 3, Sec. 14 and Rule 5, Sec. 7 as follows:

Amend Rule 3, Sec. 14

Sec. 14. Public Hearing, Notice. Before taking final action on a bill, resolution, or gubernatorial appointment, a committee shall hold a public hearing thereon and shall give at least ~~seven~~ ^{ten}¹ calendar days' notice, after the bill or pronouncement of the appointee shall have been printed, by publication in the Legislative Journal. No bill or resolution having been set for public hearing shall be withdrawn nor the hearing canceled within seven calendar days of the date set for said public hearing.

¹To begin January 1, 2018

Amend Rule 5, Sec. 7

Sec. 7. Fiscal Analyst. (a) A copy of every bill introduced shall be transmitted by the Clerk to the Legislative Fiscal Analyst. The Legislative Fiscal Analyst shall review each bill and make an estimate of the anticipated change in state, county, or municipal expenditures or revenue under the provisions of the bill. The Legislative Fiscal Analyst shall prepare a statement to be known as a fiscal note to be attached to each bill prior to its public hearing by a committee, or its first consideration on General File if

the bill is referred directly to General File. The fiscal note shall set forth the fiscal impact of the bill and the governmental subdivision affected by the fiscal impact as determined by the Legislative Fiscal Analyst. No bill which has a fiscal impact shall be heard by a committee or considered on General File unless the fiscal note is attached.

(b) In determining the fiscal impact of any bill, the Legislative Fiscal Analyst shall request the appropriate department or other entity of state government or subdivision thereof, or appropriate association which will be affected by the bill, to prepare the fiscal note ~~within five calendar days~~ no later than three business days prior to the filing of the completed fiscal note by the Legislative Fiscal Analyst with the Clerk's Office as required by Rule 5(7) subsection (d).¹

¹To begin January 1, 2018

(c) The Legislative Fiscal Analyst shall review the fiscal note so prepared and shall also request a review of such fiscal note by the Budget Division of the Department of Administrative Services. The statement by the Budget Division of the Department of Administrative Services shall be attached to and become a part of the fiscal note. The Legislative Fiscal Analyst shall include in the fiscal note any exceptions to the conclusions of the department or other entity and of the Budget Division of the Department of Administrative Services.

(d) The fiscal note shall be delivered by the Legislative Fiscal Analyst to the Clerk at least ~~twenty-four~~ forty-eight¹ hours prior to the public hearing on the bill or, in the event the bill is referred directly to General File, twenty-four hours prior to the first consideration of the bill on General File. The Clerk shall present the fiscal note to the principal introducer. If extenuating circumstances prevent the Legislative Fiscal Analyst from meeting this deadline, he or she shall present to the principal introducer an unofficial summary of all available fiscal information on the bill by this deadline and deliver to the Clerk the fiscal note when it is available. The Clerk shall attach the fiscal note to the bill and to all copies prepared for members.

¹To begin January 1, 2018

(e) When amendments to a bill are adopted by the Legislature and such amendments would change the fiscal impact of the bill, the appropriate changes shall be made in the fiscal note each time the bill is advanced to Enrollment and Review or upon the written request of a member of the Legislature.

(f) When any bill proposes adoption of a new program or change of an existing program either of which would require an appropriation to implement in the ensuing fiscal year, an appropriation bill for the purposes of funding the provisions of such bill shall be prepared from the information

contained in the fiscal note. Such appropriation bill shall be prepared at the direction of the Chairperson of the Appropriations Committee. Such bill shall be placed on General File and considered as introduced by the introducer of the original bill or by the committee which offered the amendments creating the expenditure, and shall bear the number of the original bill with the letter "A" added, and shall accompany the original bill through all stages of the legislative process. All bills for which an "A" bill is prepared shall be bracketed on Final Reading until the "A" bill is advanced to Final Reading.

(g) The authorization bill shall first be considered and if it should be passed on Final Reading then the "A" bill shall be read and voted on for final passage.

(h) The fiscal note shall be factual in nature, as brief and concise as may be, and shall, if possible, provide a reliable estimate in dollars and, in addition, it shall include both the immediate effect and, if determinable or reasonably foreseeable, the long range effect of the measure. If, after investigation, it is determined that no dollar estimate is possible, the fiscal note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given.

(i) No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared, however, technical or mechanical defects may be noted.

(j) The subject matter of bills submitted to boards, commissions, departments, agencies, or other entities of the state by the Fiscal Analyst shall be kept in strict confidence by said agencies and by the office of Fiscal Analyst together with the content of the fiscal note itself and no information relating thereto shall be divulged by any official or employee prior to its introduction in the Legislature.

(k) To implement the provisions of and assure compliance with Art. III, Sec. 22 of the Nebraska Constitution (deficiency appropriations), and Art. IV, Sec. 7 of the Nebraska Constitution (appropriations in excess of Governor's request), the Appropriations Committee shall advise the Legislature of the number of votes required to assure passage of the same.

SENATOR KRIST PRESIDING

The Stinner amendment was adopted with 29 ayes, 6 nays, 9 present and not voting, and 5 excused and not voting.

Pending.

MOTION(S) - Print in Journal

Senator Brasch filed the following motion to LB106:
MO16
Withdraw bill.

WITHDRAW - Cointroducer(s)

Senator Scheer name withdrawn from LB333.
Senator Scheer name withdrawn from LB334.
Senator Scheer name withdrawn from LB335.
Senator Scheer name withdrawn from LB336.

VISITOR(S)

Visitors to the Chamber were 12 members of Local 385 - Omaha Firefighters Union; members of the Nebraska Cattlemen YCC Class of 2017; 10 fourth-grade students, teachers, and sponsors from Faith Christian School, Kearney; and Dr. Nancy Cappello from Woodbury, CT, Bill Rauth from Omaha, and Austin Mackrill from Omaha.

The Doctor of the Day was Dr. Gerald Luckey from David City.

ADJOURNMENT

At 11:45 a.m., on a motion by Senator Friesen, the Legislature adjourned until 9:00 a.m., Monday, January 23, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTEENTH DAY - JANUARY 23, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 23, 2017

PRAYER

The prayer was offered by Senator Williams.

ROLL CALL

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

The roll was called and all members were present except Senators Friesen, Krist, Quick, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twelfth day was approved.

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance

Room 1507

Monday, January 30, 2017 1:30 p.m.

LB137
LB231
LB241
LB239

Tuesday, January 31, 2017 1:30 p.m.

LB148
LB187
LB486
LB306

(Signed) Brett Lindstrom, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 12, 13, and 14 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 12, 13, and 14.

MOTION(S) - Withdraw LB106

Senator Brasch offered her motion, MO16, found on page 317, to withdraw LB106.

The Brasch motion to withdraw the bill prevailed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 56. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 45. Title read. Considered.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Monday, January 30, 2017 1:30 p.m.

LB58
LB427
LB428

Tuesday, January 31, 2017 1:30 p.m.

LB214
LB457
LB175
LB377

(Signed) Mike Groene, Chairperson

Transportation and Telecommunications

Room 1113

Monday, January 30, 2017 1:30 p.m.

LB55
LB584
LB78
LB339

(Signed) Curt Friesen, Chairperson

General Affairs

Room 1510

Monday, January 30, 2017 1:30 p.m.

LB463
LB393
LB469

(Signed) Tyson Larson, Chairperson

Nebraska Retirement Systems

Room 1525

Monday, February 13, 2017 12:00 p.m.

LB532

Thursday, February 23, 2017 12:00 p.m.

LB548

(Signed) Mark Kolterman, Chairperson

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 62. Placed on General File.

LEGISLATIVE BILL 119. Placed on General File.

(Signed) Mike Groene, Chairperson

Judiciary

LEGISLATIVE BILL 8. Placed on General File.

LEGISLATIVE BILL 11. Placed on General File.

LEGISLATIVE BILL 57. Placed on General File.

LEGISLATIVE BILL 10. Placed on General File with amendment.

AM27

1 1. On page 2, line 9, strike "Six" and insert "Seven".

(Signed) Laura Ebke, Chairperson

Natural Resources

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

Patrick Berggren - Game and Parks Commission

Henry Rick Brandt - Game and Parks Commission

James Ernst - Game and Parks Commission

Aye: 7 Albrecht, Bostelman, Geist, Hughes, McCollister, Quick, Walz. Nay:

0. Absent: 1 Kolowski. Present and not voting: 0.

(Signed) Dan Hughes, Chairperson

GENERAL FILE

LEGISLATIVE BILL 45. Senator Chambers offered the following motion:

MO17

Indefinitely postpone.

Senator Chambers withdrew his motion to indefinitely postpone.

Senator Watermeier offered the following amendment:

FA1

Strike beginning with "a" in line 23, page 3 through "trust" in line 25 and insert "a person who"

After "section" in line 25, page 3 insert "who is a designated beneficiary of a trust"

Senator Watermeier withdrew his amendment.

Senator McCollister offered the following amendment:

AM32

1 1. On page 3, line 23, strike "or"; and in line 25 after "section"

2 insert ", or (d) a current or former commissioned officer of the United

3 States Public Health Service or National Oceanic and Atmospheric
4 Administration who has been detailed directly to any branch of such armed
5 forces for service on active or reserve duty and who was discharged or
6 otherwise separated with a characterization of honorable or general
7 (under honorable conditions) as proven with valid orders from the United
8 States Department of Defense, a statement of service provided by the
9 United States Public Health Service, or a report of transfer or discharge
10 provided by the National Oceanic and Atmospheric Administration".

Pending.

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs

Room 1510

Tuesday, January 31, 2017 1:30 p.m.

LB256
LB383
LB304
LB399

Tuesday, February 7, 2017 1:30 p.m.

LB9
LB455
LB591
LB590

Tuesday, February 14, 2017 1:30 p.m.

LB625
LB97
LB614

Tuesday, February 21, 2017 1:30 p.m.

LB579
LB262
LB489
LB597

Tuesday, February 28, 2017 1:30 p.m.

LB95
LB496
LR16CA

(Signed) Justin Wayne, Chairperson

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 85. Placed on General File with amendment.
AM30

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

3 Section 1. Section 32-602, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 32-602 (1) Any person seeking an elective office shall be a
6 registered voter at the time of filing for the office pursuant to section
7 32-606 or 32-611.

8 (2) Any person filing for office shall meet the constitutional and
9 statutory requirements of the office for which he or she is filing. If a
10 person is filing for a partisan office, he or she shall be a registered
11 voter affiliated with the appropriate political party if required
12 pursuant to section 32-702. If the person is required to sign a contract
13 or comply with a bonding or equivalent commercial insurance policy
14 requirement prior to holding such office, he or she shall be at least
15 nineteen years of age at the time of filing for the office.

16 (3) A person shall not be eligible to file for an office if he or
17 she holds the office and his or her term of office expires after the
18 beginning of the term of office for which he or she would be filing. This
19 subsection does not apply to filing for an office to represent a
20 different district, ward, subdistrict, or subdivision of the same
21 governmental entity as the office held at the time of filing.

22 (4)(a) Except as provided in subdivision (b) of this subsection, a
23 person shall not be eligible to file for an office until he or she has
24 paid any outstanding civil penalties and interest imposed pursuant to the
25 Nebraska Political Accountability and Disclosure Act. The filing officer
26 shall determine such eligibility before accepting a filing. The Nebraska
27 Accountability and Disclosure Commission shall provide the filing
1 officers with current information or the most current list of such
2 outstanding civil penalties and interest owed pursuant to subdivision
3 (13) of section 49-14.123.

4 (b) A person owing a civil penalty to the commission shall be
5 eligible to file for an office if:

6 (i) The matter in which the civil penalty was assessed is pending on
7 appeal before a state court; and

8 (ii) The person files with the commission a surety bond running in
9 favor of the State of Nebraska with surety by a corporate bonding company
10 authorized to do business in this state and conditioned upon the payment
11 of the civil penalty imposed under the Nebraska Political Accountability
12 and Disclosure Act.

13 ~~(5) (4)~~ The governing body of the political subdivision swearing in
14 the officer shall determine whether the person meets all requirements
15 prior to swearing in the officer.

16 Sec. 2. Section 32-607, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 32-607 All candidate filing forms shall contain the following
19 statement: I hereby swear that I will abide by the laws of the State of
20 Nebraska regarding the results of the primary and general elections, that
21 I am a registered voter and qualified to be elected, and that I will
22 serve if elected. Candidate filing forms shall also contain the following
23 information regarding the candidate: Name ~~candidate's name~~; residence
24 address; mailing address if different from the residence address;
25 telephone number; office sought; ~~and~~ party affiliation if the office
26 sought is a partisan office; a statement as to whether or not civil
27 penalties are owed pursuant to the Nebraska Political Accountability and
28 Disclosure Act; and, if civil penalties are owed, whether or not a surety
29 bond has been filed pursuant to subdivision (4)(b) of section 32-602.

30 Candidate filing forms shall be filed with the following filing officers:

31 (1) For candidates for national, state, or congressional office,
1 directors of public power and irrigation districts, directors of
2 reclamation districts, directors of natural resources districts, members
3 of the boards of educational service units, members of governing boards
4 of community colleges, delegates to national conventions, and other
5 offices filled by election held in more than one county and judges
6 desiring retention, in the office of the Secretary of State;
7 (2) For officers elected within a county, in the office of the
8 election commissioner or county clerk;
9 (3) For officers in school districts which include land in adjoining
10 counties, in the office of the election commissioner or county clerk of
11 the county in which the greatest number of registered voters entitled to
12 vote for the officers reside; and
13 (4) For city or village officers, in the office of the election
14 commissioner or county clerk.

15 Sec. 3. Section 49-1401, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 49-1401 Sections 49-1401 to 49-14,141 and section 4 of this act
18 shall be known and may be cited as the Nebraska Political Accountability
19 and Disclosure Act.

20 Sec. 4. No person shall be appointed to any elective or appointive
21 office specified in section 49-1493 until he or she has first paid any
22 outstanding civil penalties and interest imposed pursuant to the Nebraska
23 Political Accountability and Disclosure Act.

24 Sec. 5. Section 49-14,123, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 49-14,123 In addition to any other duties prescribed by law, the
27 commission shall:

28 (1) Adopt and promulgate rules and regulations to carry out the
29 Nebraska Political Accountability and Disclosure Act pursuant to the
30 Administrative Procedure Act;
31 (2) Prescribe forms for statements and reports required to be filed
1 pursuant to the Nebraska Political Accountability and Disclosure Act and
2 furnish such forms to persons required to file such statements and

3 reports;

4 (3) Prepare and publish one or more manuals explaining the duties of
5 all persons and other entities required to file statements and reports by
6 the act and setting forth recommended uniform methods of accounting and
7 reporting for such filings;

8 (4) Accept and file any reasonable amount of information voluntarily
9 supplied that exceeds the requirements of the act;

10 (5) Make statements and reports filed with the commission available
11 for public inspection and copying during regular office hours and make
12 copying facilities available at a cost of not more than fifty cents per
13 page;

14 (6) Compile and maintain an index of all reports and statements
15 filed with the commission to facilitate public access to such reports and
16 statements;

17 (7) Prepare and publish summaries of statements and reports filed
18 with the commission and special reports and technical studies to further
19 the purposes of the act;

20 (8) Review all statements and reports filed with the commission in
21 order to ascertain whether any person has failed to file a required
22 statement or has filed a deficient statement;

23 (9) Preserve statements and reports filed with the commission for a
24 period of not less than five years from the date of receipt;

25 (10) Issue and publish advisory opinions on the requirements of the
26 act upon the request of a person or government body directly covered or
27 affected by the act. Any such opinion rendered by the commission, until
28 amended or revoked, shall be binding on the commission in any subsequent
29 charges concerning the person or government body who requested the
30 opinion and who acted in reliance on it in good faith unless material
31 facts were omitted or misstated by the person or government body in the
1 request for the opinion;

2 (11) Act as the primary civil enforcement agency for violations of
3 the Nebraska Political Accountability and Disclosure Act and the rules or
4 regulations adopted and promulgated thereunder;

5 (12) Receive all late filing fees, civil penalties, and interest
6 imposed pursuant to the Nebraska Political Accountability and Disclosure
7 Act and remit all such funds to the State Treasurer for credit to the
8 Nebraska Accountability and Disclosure Commission Cash Fund; ~~and~~

9 (13) Provide current information or a list of persons owing civil
10 penalties and interest to filing officers to determine compliance with
11 subsection (4) of section 32-602. The commission shall provide the
12 current information or list to each filing officer on December 1 prior to
13 a statewide primary election, shall continuously update the information
14 or list through March 1 prior to the statewide primary election, and
15 shall update such information or list at other times upon request of a
16 filing officer; and

17 ~~(14)~~ (13) Prepare and distribute to the appropriate local officials
18 statements of financial interest, campaign committee organization forms,
19 filing instructions and forms, and such other forms as the commission may
20 deem appropriate.

21 Sec. 6. Original sections 32-602, 32,607, and 49-1401, Reissue
22 Revised Statutes of Nebraska, and section 49-14,123, Revised Statutes
23 Cumulative Supplement, 2016, are repealed.

(Signed) John Murante, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hilkemann name added to LB46.
Senator Quick name added to LB46.
Senator Ebke name added to LB103.
Senator Hilkemann name added to LB195.
Senator Bolz name added to LB456.
Senator Geist name added to LB46.
Senator Lindstrom name added to LB553.
Senator Riepe name added to LB46.

VISITOR(S)

Visitors to the Chamber were members of Nebraska Abate from across the state; and 30 students and teachers from St. Mary's School, Lincoln.

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

ADJOURNMENT

At 11:56 a.m., on a motion by Senator Murante, the Legislature adjourned until 9:00 a.m., Tuesday, January 24, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTEENTH DAY - JANUARY 24, 2017**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION****FOURTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 24, 2017

PRAYER

The prayer was offered by Senator Riepe.

ROLL CALL

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

The roll was called and all members were present except Senators Groene, Hughes, and Smith who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirteenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB661	Government, Military and Veterans Affairs
LB168	Judiciary (rereferred)
LB471	Transportation and Telecommunications (rereferred)
LB595	Education (rereferred)
LB644	Government, Military and Veterans Affairs (rereferred)
LB667	General Affairs (rereferred)

(Signed) Dan Watermeier, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Wednesday, February 1, 2017 1:30 p.m.

LB353
LB371
LB381
LB542
LB544

Friday, February 3, 2017 2:00 p.m.

LB84
LB202
Jeffrey Davis - Crime Victim's Reparations Committee
Joe P. Kelly - Crime Victim's Reparations Committee
Rita G. Sanders - Crime Victim's Reparations Committee

Wednesday, February 8, 2017 1:30 p.m.

LB53
LB107
LB108
LB160
LB447

Thursday, February 9, 2017 1:30 p.m.

LB60
LB104
LB122
LB198
LB307

Friday, February 10, 2017 2:00 p.m.

LB193
LB509
LB517
LB647

(Signed) Laura Ebke, Chairperson

MOTION(S) - Withdraw LB642

Senator Krist offered his motion, MO14, found on page 313, to withdraw LB642.

The Krist motion to withdraw the bill prevailed with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

MOTION(S) - Withdraw LB583

Senator Kuehn offered his motion, MO15, found on page 313, to withdraw LB583.

The Kuehn motion to withdraw the bill prevailed with 34 ayes, 0 nays, 14 present and not voting, and 1 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 45. Senator McCollister renewed his amendment, AM32, found on page 322.

Senator McCollister moved for a call of the house. The motion prevailed with 32 ayes, 0 nays, and 17 not voting.

The McCollister amendment was adopted with 44 ayes, 0 nays, and 5 present and not voting.

The Chair declared the call raised.

Senator Watermeier offered the following amendment:

AM39

1 1. On page 3, line 20, strike the new matter and reinstate the
2 stricken matter; and in lines 23 through 25 strike the new matter.

Senator Chambers offered the following motion:

MO21

Bracket until June 2, 2017.

Senator Chambers withdrew his motion to bracket.

The Watermeier amendment was adopted with 34 ayes, 2 nays, 11 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 16. Placed on General File.
LEGISLATIVE BILL 99. Placed on General File.
LEGISLATIVE BILL 140. Placed on General File.
LEGISLATIVE BILL 184. Placed on General File.
LEGISLATIVE BILL 185. Placed on General File.
LEGISLATIVE BILL 186. Placed on General File.
LEGISLATIVE BILL 196. Placed on General File.

(Signed) Brett Lindstrom, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 56. Placed on Select File.

(Signed) Anna Wishart, Chairperson

MOTION(S) - Print in Journal

Senator Chambers filed the following motion to LB644:
MO18
Rerefer to the Judiciary Committee.

Senator Chambers filed the following motion to LB595:
MO19
Rerefer to the Judiciary Committee.

Senator Chambers filed the following motion to LB661:
MO20
Rerefer to the Judiciary Committee.

BILL ON FIRST READING

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

LEGISLATIVE BILL 46A. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 46, One Hundred Fifth Legislature, First Session, 2017.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Monday, February 6, 2017 1:30 p.m.

LB144
LB265
LB571

Tuesday, February 7, 2017 1:30 p.m.

LB554
LB645
LB595

(Signed) Mike Groene, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, January 31, 2017 1:30 p.m.

LB418
LB346
LB347
LB404

(Signed) Curt Friesen, Chairperson

Executive Board

Room 2102

Wednesday, February 1, 2017 12:00 p.m.

LB376
LB442

Thursday, February 2, 2017 12:00 p.m.

LB407
LB445

(Signed) Dan Watermeier, Chairperson

Health and Human Services

Room 1510

Wednesday, February 1, 2017 1:30 p.m.

LB225
LB417

Friday, February 3, 2017 1:30 p.m.

LB227
LB283
LB360

Wednesday, February 8, 2017 1:30 p.m.

LB50
LB456

Thursday, February 9, 2017 1:30 p.m.

LB495
LB605

(Signed) Merv Riepe, Chairperson

Natural Resources

Room 1525

Wednesday, February 1, 2017 1:30 p.m.

LB390
LB536

Wednesday, February 8, 2017 1:30 p.m.

Randy Gard - Nebraska Ethanol Board
LB566
LB635
LB636

Thursday, February 9, 2017 1:30 p.m.

LB626
LB392

Wednesday, February 15, 2017 1:30 p.m.

LB218
LB488

Thursday, February 16, 2017 1:30 p.m.

LB657
LB660

Wednesday, February 22, 2017 1:30 p.m.

LB429
LB87
LB610

Thursday, February 23, 2017 1:30 p.m.

LB448

Wednesday, March 1, 2017 1:30 p.m.

LB547
LB504

Thursday, March 2, 2017 1:30 p.m.

LB352
LB533

(Signed) Dan Hughes, Chairperson

COMMITTEE REPORT(S)
General Affairs

The General Affairs 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.

Stephen Bader - Nebraska Arts Council
Candy Henning - Nebraska Arts Council
Melissa Marvin - Nebraska Arts Council
Paula L. Pflueger - Nebraska Arts Council
Reven Wright - Nebraska Arts Council

Aye: 8 Blood, Brasch, Harr, Krist, Larson, Quick, Riepe, Wayne. Nay: 0.
Absent: 0. Present and not voting: 0.

The General Affairs 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.

Helen Abbott Feller - State Racing Commission

Aye: 8 Blood, Brasch, Harr, Krist, Larson, Quick, Riepe, Wayne. Nay: 0.
Absent: 0. Present and not voting: 0.

(Signed) Tyson Larson, Chairperson

PROPOSED RULES CHANGES

Senator Harr offered the following proposed rule change:

Amend Rule 5, Sec. 7(d)

(d) The fiscal note shall be delivered by the Legislative Fiscal Analyst to the Clerk at least ~~forty-eight~~ seventy-two hours prior to the public hearing on the bill or, in the event the bill is referred directly to General File, twenty-four hours prior to the first consideration of the bill on General File. The Clerk shall present the fiscal note to the principal introducer. If extenuating circumstances prevent the Legislative Fiscal Analyst from meeting this deadline, he or she shall present to the principal introducer an unofficial summary of all available fiscal information on the bill by this deadline and deliver to the Clerk the fiscal note when it is available. The Clerk shall attach the fiscal note to the bill and to all copies prepared for members.

Senator Wayne offered the following proposed rule change:

Amend Rule 3, Sec. 14

Sec. 14. Public Hearing, Notice. Before taking final action on a bill, resolution, or gubernatorial appointment, a committee shall hold a public hearing thereon and shall give at least ~~ten~~ seven calendar days' notice, after the bill or pronouncement of the appointee shall have been printed, by publication in the Legislative Journal. No bill or resolution having been set for public hearing shall be withdrawn nor the hearing canceled within seven calendar days of the date set for said public hearing.

Senator Harr offered the following proposed rule change:

Amend Rule 8, Sec. 5

Sec. 5. Bills, Held on Final Reading. The report of the Appropriations Committee shall include a recommended dollar amount of the General Fund biennium appropriation which shall be allocated for the funding of "A" bills, bills that result in the net reduction of revenue to or from the General Fund, tax expenditure bills, and amendments to the appropriations bills as reported to General File by the Appropriations Committee. During a 90 day session, all "A" bills which, when considered with their companion bill, appropriate

general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; and all tax expenditure bills shall not be read on Final Reading until the appropriations bills are passed by the Legislature. Provided the Appropriations Committee shall place appropriations bills on General File no later than the 70th legislative day in a 90 day session and the 40th legislative day in a 60 day session. If this deadline is not met, the Legislature shall consider the appropriations bills as introduced by the Governor. During a 60 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; all tax expenditure bills; and all appropriations bills shall not be read on Final Reading prior to the 45th legislative day. The appropriations bills shall be passed no later than the 80th legislative day in a 90 day session and the 50th legislative day in a 60 day session. The appropriations provided for in an "A" bill shall be for not less than two fiscal years.

Senator Hansen offered the following proposed rule change:

Amend Rule 3, Sec. 20(b), line 3 to:

"... and by a ~~vote of a majority~~ three-fifths vote of the elected members..."

Senator Hansen offered the following proposed rule change:

Amend Rule 3, Sec. 18, line 4 to:

"committee by a ~~three-fifths~~ two-thirds vote of the elected members..."

RESOLUTION(S)

LEGISLATIVE RESOLUTION 20. Introduced by Baker, 30.

WHEREAS, on August 21, 2017, the State of Nebraska will experience an extremely rare total solar eclipse, which occurs when the moon passes between the earth and the sun, causing a narrow track of darkness across the earth; and

WHEREAS, the solar eclipse will begin at approximately 11:30 a.m. Central Time and reach its peak of darkness at approximately 1:00 p.m. Central Time; and

WHEREAS, total solar eclipses occur with relative frequency but rarely over inhabited land masses; and

WHEREAS, the path for the eclipse in August will extend from the Oregon coast through Idaho, Wyoming, Nebraska, Kansas, Missouri, Illinois, Kentucky, Tennessee, Georgia, North Carolina, and South Carolina, making Nebraska a prime location for people to view the eclipse; and

WHEREAS, this is an unprecedented historic event for Nebraska and offers people from across the United States the opportunity to view a rare celestial event in Nebraska; and

WHEREAS, the total solar eclipse will give a number of counties across the state the opportunity to showcase Nebraska in a unique light.

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

1. That the Legislature recognizes this historic solar event and encourages all Nebraskans to safely experience the solar eclipse on August 21, 2017.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 80. Title read. Considered.

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

LEGISLATIVE BILL 134. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 21. Introduced by Krist, 10.

WHEREAS, Senator Bill Kintner, as a member of the Nebraska Legislature, has been the subject of action of the Nebraska Accountability and Disclosure Commission; and

WHEREAS, the ruling of the Nebraska Accountability and Disclosure Commission against Senator Kintner determined that he used his public office for personal financial gain in violation of section 49-14,101.01; and

WHEREAS, the conduct of Senator Kintner has impugned the integrity of the Nebraska Legislature and has caused state, local, and national reaction; and

WHEREAS, such conduct has brought the Legislature and legislative processes into disrespect and disrepute, has shaken the confidence of the people of the state in the Legislature, and has impaired the ability of the Legislature to conduct its business; and

WHEREAS, in accordance with Article III, section 10, of the Constitution of Nebraska, it is the power and responsibility of the Legislature to expel a member.

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

1. That Senator Bill Kintner of the 2nd Legislative District is hereby expelled from the One Hundred Fifth Legislature for improper, immoral, and unethical conduct; namely, that he used his public office for personal financial gain in violation of section 49-14,101.01 and his conduct in so doing shows a lack of judgment and integrity and a disrespect for his constituents.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Linehan name added to LB46.
Senator Ebke name added to LB368.
Senator Linehan name added to LB295.
Senator Linehan name added to LB452.
Senator Quick name added to LB506.
Senator McDonnell name added to LB46.
Senator Kolterman name added to LB645.
Senator Groene name added to LB502.
Senator Groene name added to LB504.

WITHDRAW - Cointroducer(s)

Senator Blood name withdrawn from LB644.

AMENDMENT(S) - Print in Journal

Senator Morfeld filed the following amendment to LB46:
AM40

1 1. On page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16,
2 21, and 24; page 12, lines 2, 10, 17, 20, 23, and 26; and page 13, lines
3 6 and 10 and 11, strike "Choose Life" and insert "Stop Child Abuse".

VISITOR(S)

Visitors to the Chamber were Andrew, Erin, Jules, and Evie Johnston from Omaha.

The Doctor of the Day was Dr. Michelle Sell from Central City.

ADJOURNMENT

At 11:56 a.m., on a motion by Senator Ebke, the Legislature adjourned until 9:00 a.m., Wednesday, January 25, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTEENTH DAY - JANUARY 25, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 25, 2017

PRAYER

The prayer was offered by Pastor Jon Sollberger, Immanuel Lutheran Church, Louisville.

ROLL CALL

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

The roll was called and all members were present except Senators Kintner and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourteenth day was approved.

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services

Room 1510

Thursday, February 9, 2017 1:30 p.m.

LB605 (cancel)

Wednesday, February 8, 2017 1:30 p.m.

LB605

(Signed) Merv Riepe, Chairperson

CONFLICT OF INTEREST STATEMENTS

Pursuant to Rule 1, Sec. 19, Senators Williams and Stinner have filed Potential Conflict of Interest Statements under the Nebraska Political Accountability and Disclosure Act. The statements are on file in the Clerk of the Legislature's Office.

RESIGNATION

January 25, 2017

The Honorable Jim Scheer
Speaker
Nebraska Legislature
2103 State Capitol
Lincoln, Nebraska 68509

Dear Mr. Speaker:

This letter is written to advise you that I am resigning my position as a Member of the Nebraska Legislature, effective at 12:01 a.m. on January 30, 2017. It has been an honor and immense privilege to serve Nebraskans throughout my tenure in this position.

I especially want to commend your leadership as Speaker of the Legislature. I have always appreciated your fair and balanced approach and your willingness to tackle the difficult but necessary policy issues to move our state forward. I wish you great success in your tenure as the Speaker.

Sincerely,
(Signed) Bill Kintner
Nebraska State Senator

COMMUNICATION(S)

January 25, 2017

Senator Bill Kintner
District 2
State Capitol
Lincoln, NE 68509

Dear Senator Kintner,

Pursuant to Nebraska Revised Statutes §32-562, I hereby acknowledge receipt of your January 25, 2017 letter resigning your seat as a member of the Nebraska Unicameral Legislature representing Legislative District 2 effective January 30, 2017 at 12:01 a.m.

Sincerely,
(Signed) Jim Scheer
Speaker

cc: Patrick J. O'Donnell, Clerk of the Nebraska Legislature
Pete Ricketts, Governor of the State of Nebraska

MOTION - Adopt Permanent Rules

The Hilgers motion to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year, found on page 303 and considered on pages 310, 312, and 314, as amended, was renewed.

The Rules Committee renewed the proposed rule change, Proposed Rule Change 2, found on page 243, as amended, to Rule 5, Sec. 7.

Senator Harr offered his amendment, found on page 336, to the proposed rule change to Rule 5, Sec. 7.

Pending.

MOTION(S) - Print in Journal

Senator Hilkemann filed the following motion to LB667:
MO22
Withdraw bill.

NOTICE OF COMMITTEE HEARING(S)
Revenue

Room 1524

Wednesday, February 1, 2017 1:30 p.m.

LB49
LB69
LB129
LB174

Thursday, February 2, 2017 1:30 p.m.

LB98
LB217

Wednesday, February 8, 2017 1:30 p.m.

LB337
LB338

Thursday, February 9, 2017 1:30 p.m.

LB546
LB387
LB126

(Signed) Jim Smith, Chairperson

Government, Military and Veterans Affairs

Room 1507

Wednesday, February 1, 2017 1:30 p.m.

LR6
LR18CA

Thursday, February 2, 2017 1:30 p.m.

LB127
LB365
LB494

(Signed) John Murante, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 45. Placed on Select File with amendment.

ER1

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 60-3,122.03, Revised Statutes Cumulative
4 Supplement, 2016, is amended to read:
5 60-3,122.03 (1) The department shall design license plates to be
6 known as Military Honor Plates. The department shall create designs
7 honoring persons who have served or are serving in the United States
8 Army, United States Army Reserve, United States Navy, United States Navy
9 Reserve, United States Marine Corps, United States Marine Corps Reserve,
10 United States Coast Guard, United States Coast Guard Reserve, United
11 States Air Force, United States Air Force Reserve, or National Guard.
12 There shall be eleven ~~six~~ designs, one for each of such armed forces
13 reflecting its official emblem, official seal, or other official image.
14 The issuance of plates for each of such armed forces shall be conditioned
15 on the approval of the armed forces owning the copyright to the official
16 emblem, official seal, or other official image. A person may qualify for
17 a Military Honor Plate by registering with the Department of Veterans'
18 Affairs pursuant to section 80-414. The Department of Motor Vehicles
19 shall verify the applicant's eligibility for a plate created pursuant to

20 this section by consulting the registry established by the Department of
21 Veterans' Affairs.

22 (2) The design shall be selected on the basis of limiting the
23 manufacturing cost of each plate to an amount less than or equal to the
24 amount charged for license plates pursuant to section 60-3,102. The
25 Department of Motor Vehicles shall make applications available for each
26 type of plate when it is designed. The department may adopt and
27 promulgate rules and regulations to carry out this section and section
1 60-3,122.04.

2 (3) One type of Military Honor Plates shall be alphanumeric plates.
3 The department shall:

4 (a) Assign a designation up to five characters; and

5 (b) Not use a county designation.

6 (4) One type of Military Honor Plates shall be personalized message
7 plates. Such plates shall be issued subject to the same conditions
8 specified for personalized message license plates in section 60-3,118,
9 except that a maximum of five characters may be used.
10 Sec. 2. Section 60-3,122.04, Revised Statutes Cumulative Supplement,
11 2016, is amended to read:

12 60-3,122.04 (1) ~~An~~ Beginning January 2, 2016, an eligible person may
13 apply to the department for Military Honor Plates in lieu of regular
14 license plates on an application prescribed and provided by the
15 department for any motor vehicle, trailer, semitrailer, or cabin trailer,
16 except for a motor vehicle or trailer registered under section 60-3,198.
17 An applicant receiving a Military Honor Plate for a farm truck with a
18 gross weight of over sixteen tons shall affix the appropriate tonnage
19 decal to the plate. The department shall make forms available for such
20 applications through the county treasurers. The license plates shall be
21 issued upon payment of the license fee described in subsection (2) of
22 this section and verification by the department of an applicant's
23 eligibility using the registry established by the Department of Veterans'
24 Affairs pursuant to section 80-414. To be eligible an applicant shall be
25 (a) active duty or reserve duty armed forces personnel serving in any of
26 the armed forces listed in subsection (1) of section 60-3,122.03, ~~or~~ (b)
27 a veteran of any of such armed forces who was discharged or otherwise
28 separated with a characterization of honorable or general (under
29 honorable conditions), or (c) a current or former commissioned officer of
30 the United States Public Health Service or National Oceanic and
31 Atmospheric Administration who has been detailed directly to any branch
1 of such armed forces for service on active or reserve duty and who was
2 discharged or otherwise separated with a characterization of honorable or
3 general (under honorable conditions) as proven with valid orders from the
4 United States Department of Defense, a statement of service provided by
5 the United States Public Health Service, or a report of transfer or
6 discharge provided by the National Oceanic and Atmospheric
7 Administration. Any person using Military Honor Plates shall surrender
8 the plates to the county treasurer if such person is no longer eligible
9 for the plates. Regular plates shall be issued to any such person upon
10 surrender of the Military Honor Plates for a three-dollar transfer fee

11 and forfeiture of any of the remaining annual fee. The three-dollar
12 transfer fee shall be remitted to the State Treasurer for credit to the
13 Department of Motor Vehicles Cash Fund.

14 (2)(a) In addition to all other fees required for registration under
15 the Motor Vehicle Registration Act, each application for initial issuance
16 or renewal of alphanumeric Military Honor Plates shall be accompanied by
17 a fee of five dollars. County treasurers collecting fees pursuant to this
18 subdivision shall remit them to the State Treasurer. The State Treasurer
19 shall credit five dollars of the fee to the Nebraska Veteran Cemetery
20 System Operation Fund.

21 (b) In addition to all other fees required for registration under
22 the Motor Vehicle Registration Act, each application for initial issuance
23 or renewal of personalized message Military Honor Plates shall be
24 accompanied by a fee of forty dollars. County treasurers collecting fees
25 pursuant to this subdivision shall remit them to the State Treasurer. The
26 State Treasurer shall credit twenty-five percent of the fee for initial
27 issuance and renewal of such plates to the Department of Motor Vehicles
28 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
29 Cemetery System Operation Fund.

30 (3) When the Department of Motor Vehicles receives an application
31 for Military Honor Plates, the department shall deliver the plates to the
1 county treasurer of the county in which the motor vehicle or cabin
2 trailer is registered. The county treasurer shall issue Military Honor
3 Plates in lieu of regular license plates when the applicant complies with
4 the other provisions of the Motor Vehicle Registration Act for
5 registration of the motor vehicle or cabin trailer. If Military Honor
6 Plates are lost, stolen, or mutilated, the licensee shall be issued
7 replacement license plates upon request pursuant to section 60-3,157.

8 (4) The owner of a motor vehicle or cabin trailer bearing Military
9 Honor Plates may apply to the county treasurer to have such plates
10 transferred to a motor vehicle other than the vehicle for which such
11 plates were originally purchased if such vehicle is owned by the owner of
12 the plates. The owner may have the unused portion of the fee for the
13 plates credited to the other vehicle which will bear the plates at the
14 rate of eight and one-third percent per month for each full month left in
15 the registration period. Application for such transfer shall be
16 accompanied by a fee of three dollars. Fees collected pursuant to this
17 subsection shall be remitted to the State Treasurer for credit to the
18 Department of Motor Vehicles Cash Fund.

19 (5) If the cost of manufacturing Military Honor Plates at any time
20 exceeds the amount charged for license plates pursuant to section
21 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
22 System Operation Fund shall instead be credited first to the Highway
23 Trust Fund in an amount equal to the difference between the manufacturing
24 costs of Military Honor Plates and the amount charged pursuant to section
25 60-3,102 with respect to such plates and the remainder shall be credited
26 to the Nebraska Veteran Cemetery System Operation Fund.

27 (6) If the director discovers evidence of fraud in an application
28 for Military Honor Plates or that the holder is no longer eligible to

29 have Military Honor Plates, the director may summarily cancel the plates
30 and registration and send notice of the cancellation to the holder of the
31 license plates.

1 Sec. 3. Section 80-414, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 80-414 (1) The Department of Veterans' Affairs shall create and
4 maintain a registry of residents of Nebraska who meet the requirements of
5 ~~subsection (1) subdivision (1)(a) or (b)~~ of section 60-3,122.04 or
6 subsection (1) of section 60-4,189. The Department of Veterans' Affairs
7 may adopt and promulgate rules and regulations governing the
8 establishment and maintenance of the registry. The registry may be used
9 to assist the department in carrying out the duties of the department and
10 shall provide for the collection of sufficient information to identify an
11 individual who qualifies for Military Honor Plates or a notation of
12 "veteran" on his or her operator's license or state identification card
13 issued by the Department of Motor Vehicles. The registry may include
14 information such as identifying information on an individual, an
15 individual's records on active duty or reserve duty in the armed forces
16 of the United States, or an individual's status of active duty, reserve
17 duty, retired, discharged, or other.

18 (2) Any resident of Nebraska who meets the requirements of
19 ~~subsection (1) subdivision (1)(a) or (b)~~ of section 60-3,122.04 or
20 subsection (1) of section 60-4,189 shall register with the Department of
21 Veterans' Affairs using the registry created by this section before being
22 eligible for Military Honor Plates or a notation of "veteran" on his or
23 her operator's license or state identification card issued by the
24 Department of Motor Vehicles. No person shall be deemed eligible until
25 his or her status has been verified on the registry.

26 (3) The Department of Motor Vehicles may adopt and promulgate rules
27 and regulations governing use of the registry of the Department of
28 Veterans' Affairs for determination of eligibility for the issuance of
29 Military Honor Plates or the notation of "veteran" on operators' licenses
30 and state identification cards.

31 Sec. 4. This act becomes operative on January 1, 2018.

1 Sec. 5. Original section 80-414, Reissue Revised Statutes of
2 Nebraska, and sections 60-3,122.03 and 60-3,122.04, Revised Statutes
3 Cumulative Supplement, 2016, are repealed.

LEGISLATIVE BILL 80. Placed on Select File.

LEGISLATIVE BILL 134. Placed on Select File with amendment.
ER2 is available in the Bill Room.

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 315. Placed on General File.**LEGISLATIVE BILL 159.** Placed on General File with amendment.

AM22

1 1. On page 2, line 4, after "district" insert "in a city of the
2 metropolitan class".

LEGISLATIVE BILL 317. Placed on General File with amendment.

AM19

1 1. On page 2, line 4, strike "such city" and insert "city of the
2 second class"; in line 10 after the second "and" insert "village"; and in
3 line 22 after the first "and" insert "city" and after the second "and"
4 insert "village".

(Signed) Justin Wayne, Chairperson

MOTION - Adopt Permanent Rules

The Harr amendment, found on page 336 and considered in this day's Journal, to the proposed rule change to Rule 5, Sec. 7, was renewed.

Senator Harr withdrew his amendment to the proposed rule change.

Senator Wayne offered his amendment, found on page 336, to the proposed rule change to Rule 3, Sec. 14.

Senator Wayne moved for a call of the house. The motion prevailed with 31 ayes, 2 nays, and 16 not voting.

The Wayne amendment to the proposed rule change lost with 12 ayes, 29 nays, 4 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

The Rules Committee renewed the proposed rule change, Proposed Rule Change 2, found on page 243 and considered on page 314 and in this day's Journal, to Rule 5, Sec. 7, as amended.

Senator Harr moved for a call of the house. The motion prevailed with 39 ayes, 0 nays, and 10 not voting.

Senator Howard requested a roll call vote on the proposed rule change.

Voting in the affirmative, 14:

Baker	Chambers	Hilgers	McDonnell	Walz
Blood	Crawford	Howard	Quick	Williams
Briese	Harr	Kolowski	Vargas	

Voting in the negative, 17:

Albrecht	Craighead	Groene	Krist	Watermeier
Bostelman	Ebke	Halloran	Lowe	
Brasch	Erdman	Hilkemann	Riepe	
Brewer	Geist	Hughes	Scheer	

Present and not voting, 12:

Bolz	Kolterman	Linehan	Schumacher
Friesen	Kuehn	McCollister	Wayne
Hansen	Lindstrom	Pansing Brooks	Wishart

Excused and not voting, 6:

Kintner	Morfeld	Smith
Larson	Murante	Stinner

The Rules Committee's proposed rule change, Proposed Rule Change 2, to Rule 5, Sec. 7, as amended, lost with 14 ayes, 17 nays, 12 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 22. Introduced by Craighead, 6.

WHEREAS, Elizabeth "Kaitlyn" Fitzgerald was named the 120th Queen of Aksarben at the 2016 Aksarben Coronation and Scholarship Ball; and

WHEREAS, the coronation celebrates respect for education, the importance of community, and a desire to improve the collective quality of life in the Omaha area; and

WHEREAS, Kaitlyn's family has strong historic connections to the AKSARBEN Foundation and the Coronation and Scholarship Ball on both sides of her family dating back seven decades; and

WHEREAS, Kaitlyn is the daughter of William "Tate" and Denise Fitzgerald of Omaha. Her father is the Senior Vice President of Business Strategy and Portfolio Management for Mutual of Omaha Bank. Her mother, the former Denise Wenger, is a small business owner and

exemplary community member who volunteers at many organizations in the greater Omaha area; and

WHEREAS, Kaitlyn attends Parsons School of Design at The New School in New York City and plans to remain in New York after graduating to work under a designer and establish her own clothing brand.

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

1. That the Legislature congratulates Elizabeth "Kaitlyn" Fitzgerald on being named the 120th Queen of Aksarben.
2. That a copy of this resolution be sent to Kaitlyn.

Laid over.

LEGISLATIVE RESOLUTION 23. Introduced by Craighead, 6.

WHEREAS, the life of Dr. Jack K. Lewis, June 11, 1934 - June 20, 2016, was celebrated at a Service of Witness to the Resurrection; and

WHEREAS, Dr. Lewis practiced and loved medicine and cared for his patients for 56 years in Omaha; and

WHEREAS, Dr. Lewis worked for many years as the athletic physician for Central High School and the ring-side doctor for Golden Gloves tournaments; and

WHEREAS, the life of Dr. Lewis centered around his family, friends, and community; and

WHEREAS, Dr. Lewis served on numerous Omaha boards throughout his life and was an exemplary member of the greater Omaha community; and

WHEREAS, Dr. Lewis leaves behind his wife of 56 years, Kathy Lewis; his sister, Judy Bachman; his daughter, Cindy Liekhus (Leo); his sons, Todd Lewis (Brian) and John Lewis (Sage); his grandchildren, Jason Liekhus (Sammie), Eric Liekhus (Jessica), Lylah Lewis, Sterling Lewis, and Trapp Lewis; and his great-granddaughter, Avery Liekhus.

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

1. That the Legislature celebrates the extraordinary life of Dr. Jack K. Lewis.
2. That a copy of this resolution be sent to John Lewis, P.A.

Laid over.

LEGISLATIVE RESOLUTION 24. Introduced by Craighead, 6.

WHEREAS, Dr. Ken Bird was named the 120th King of Aksarben at the 2016 Aksarben Coronation and Scholarship Ball; and

WHEREAS, the coronation celebrates respect for education, the importance of community, and a desire to improve the collective quality of life in the Omaha area; and

WHEREAS, Dr. Bird served as superintendent of the Westside Community Schools for 16 years and now leads the Avenue Scholars Foundation; and

WHEREAS, Dr. Bird was named the 1998 Nebraska Superintendent of the Year and has received several professional awards, including the Nebraska Council of School Administrators Distinguished Service Award, the University of Nebraska-Lincoln Teachers College David W. Hutcheson Award for Distinguished Service to Education, the University of Nebraska-Omaha Department of Education Distinguished Alumni Award, the Friend of the Horace Mann League Award, the Educational Achievement Award from the Nebraska Alumni Association, and the Children's Hospital Marge Henningson Durham Leadership Award; and

WHEREAS, Dr. Bird was recognized by Creighton University with a Doctor of Humane Letters honoris causa in 2008; and

WHEREAS, Dr. Bird served and continues to serve on many boards and professional organizations in the community, state, and nation.

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

1. That the Legislature congratulates Dr. Ken Bird on being named the 120th King of Aksarben.
2. That a copy of this resolution be sent to Dr. Ken Bird.

Laid over.

LEGISLATIVE RESOLUTION 25. Introduced by Krist, 10.

PURPOSE: To study timeline, notification, and process requirements in the Rules of the Nebraska Unicameral Legislature for preparing and delivering fiscal notes in order to better serve the needs of senators and the public.

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

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That such 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.

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Wednesday, February 1, 2017 1:30 p.m.

LB268

Wednesday, February 1, 2017 1:30 p.m.

LB544 (cancel)

(Signed) Laura Ebke, Chairperson

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 17. Placed on General File.

LEGISLATIVE BILL 35. Placed on General File.

LEGISLATIVE BILL 138. Placed on General File.

LEGISLATIVE BILL 142. Placed on General File.

(Signed) Brett Lindstrom, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Pansing Brooks name added to LB188.

Senator Blood name added to LB188.

Senator Quick name added to LB188.

Senator Brasch name added to LB188.

Senator McDonnell name added to LB188.

Senator Blood name added to LB500.

Senator Blood name added to LB497.

Senator McDonnell name added to LB404.

Senator McDonnell name added to LB107.

Senator Blood name added to LB107.

Senator Blood name added to LB284.

Senator Hansen name added to LB188.

Senator Hansen name added to LB107.

MOTION(S) - Print in Journal

Senator Bolz filed the following motion:

To reconsider the adoption of Proposed Rule Change 2.

ADJOURNMENT

At 12:05 p.m., on a motion by Senator Pansing Brooks, the Legislature adjourned until 9:00 a.m., Thursday, January 26, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

SIXTEENTH DAY - JANUARY 26, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 26, 2017

PRAYER

The prayer was offered by Senator Albrecht.

ROLL CALL

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

The roll was called and all members were present except Senator Kintner who was excused; and Senator Wishart who was excused until she arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

MOTION(S) - Print in Journal

Senator McCollister filed the following motion to LB419:
MO23
Withdraw bill.

Senator Stinner filed the following motion to LB403:
MO24
Withdraw bill.

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Friday, February 10, 2017 1:30 p.m.

LB121
LB169
LB453

(Signed) Jim Smith, Chairperson

EXECUTIVE BOARD REPORT

January 25, 2017

Patrick O'Donnell
Clerk of the Legislature
Room 2018
State Capitol Building
Lincoln, NE 68509

Dear Patrick,

Today, the Executive Board met to determine appointments to a Special Investigative Committee regarding the Election Qualifications Challenge brought by John Sciara. Pursuant to Rule 10, Section 1, the committee must be comprised of an odd number of at least five members and have a chairperson who is appointed by the Executive Board.

Based on these requirements, the Board voted to appoint:

Senator Bolz
Senator Crawford
Senator Hughes
Senator Kuehn
Senator McCollister
Senator Scheer
Senator Watermeier, Chair

Please let me know if you have any questions.

Respectfully,
(Signed) Senator Dan Watermeier
Chair of the Executive Board

MOTION(S) - Confirmation Report(s)

Senator Hughes moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 322:

Game and Parks Commission
Patrick Berggren
Henry Rick Brandt
James Ernst

Voting in the affirmative, 42:

Albrecht	Craighead	Hilgers	Lowe	Smith
Baker	Crawford	Hilkemann	McCollister	Stinner
Blood	Ebke	Howard	McDonnell	Vargas
Bolz	Erdman	Hughes	Morfeld	Walz
Bostelman	Friesen	Kolowski	Pansing Brooks	Williams
Brasch	Groene	Kolterman	Quick	Wishart
Brewer	Halloran	Larson	Riepe	
Briese	Hansen	Lindstrom	Scheer	
Chambers	Harr	Linehan	Schumacher	

Voting in the negative, 0.

Present and not voting, 5:

Geist	Krist	Kuehn	Watermeier	Wayne
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Excused and not voting, 2:

Kintner	Murante
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The appointments were confirmed with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator Larson moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 335:

Nebraska Arts Council
 Stephen Bader
 Candy Henning
 Melissa Marvin
 Paula L. Pflueger
 Reven Wright

Voting in the affirmative, 36:

Albrecht	Chambers	Hilkemann	Linehan	Vargas
Baker	Crawford	Howard	Lowe	Walz
Blood	Ebke	Hughes	McCollister	Williams
Bolz	Erdman	Kolowski	Morfeld	Wishart
Bostelman	Friesen	Kolterman	Pansing Brooks	
Brasch	Halloran	Krist	Quick	
Brewer	Hansen	Larson	Schumacher	
Briese	Harr	Lindstrom	Stinner	

Voting in the negative, 0.

Present and not voting, 8:

Geist	McDonnell	Scheer	Watermeier
Kuehn	Riepe	Smith	Wayne

Excused and not voting, 5:

Craighead Groene Hilgers Kintner Murante

The appointments were confirmed with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Senator Larson moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 336:

State Racing Commission
Helen Abbott Feller

Voting in the affirmative, 33:

Albrecht	Briese	Halloran	Larson	Schumacher
Baker	Chambers	Hansen	Linehan	Vargas
Blood	Craighead	Harr	Lowe	Walz
Bolz	Crawford	Hilkemann	McCollister	Williams
Bostelman	Erdman	Hughes	Pansing Brooks	Wishart
Brasch	Friesen	Kolowski	Quick	
Brewer	Geist	Kolterman	Scheer	

Voting in the negative, 0.

Present and not voting, 12:

Ebke	Kuehn	Morfeld	Stinner
Howard	Lindstrom	Riepe	Watermeier
Krist	McDonnell	Smith	Wayne

Excused and not voting, 4:

Groene Hilgers Kintner Murante

The appointment was confirmed with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

MOTION(S) - Withdraw LB667

Senator Hilkemann offered his motion, MO22, found on page 343, to withdraw LB667.

The Hilkemann motion to withdraw the bill prevailed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Friday, February 3, 2017 1:30 p.m.

LB152
LB624

(Signed) John Murante, Chairperson

Health and Human Services

Room 1510

Thursday, February 2, 2017 1:30 p.m.

LB481

Thursday, February 2, 2017 1:30 p.m.

LB59 (cancel)

(Signed) Merv Riepe, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 18A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 18, One Hundred Fifth Legislature, First Session, 2017.

MOTION - Adopt Permanent Rules

The Hilgers motion to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year, found on page 303 and considered on pages 310, 312, 314, 343, and 348, as amended, was renewed.

Senator Bolz offered her motion, found on page 352, to reconsider the adoption of Proposed Rule Change 2, as amended.

Senator Harr moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The Bolz motion to reconsider Proposed Rule Change 2, as amended, prevailed with 37 ayes, 5 nays, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

The Rules Committee's proposed rule change, Proposed Rule Change 2, found on page 243 and considered on pages 314, 343, and 348, to Rule 5, Sec. 7, as amended, was reconsidered.

The Rules Committee's proposed rule change, Proposed Rule Change 2, to Rule 5, Sec. 7, as amended, was adopted with 30 ayes, 7 nays, 10 present and not voting, and 2 excused and not voting.

Senator Harr offered his proposed rule change, found on page 336, to Rule 8, Sec. 5.

Senator Harr withdrew his proposed rule change, to Rule 8, Sec. 5.

Senator Hansen offered his proposed rule change, found on page 337, to Rule 3, Sec. 20(b).

Senator Chambers offered the following amendment to the Hansen proposed rule change to Rule 3, Sec. 20(b):

Amend Hansen Amendment #1

Strike "three-fifths vote" and insert "vote of twenty-six".

SENATOR LINDSTROM PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems

Room 1510

Monday, February 27, 2017 4:30 p.m.

LB31

LB415

(Signed) Mark Kolterman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Chambers filed the following amendments to LB46:

FA2

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Knowledge Is Power".

FA3

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Rape Is No Laughing Matter".

FA4

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "No One Is Above The Law".

FA5

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "End Child Abuse".

FA6

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Believe The Children".

FA7

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Stamp Out Bullying".

FA8

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "End Domestic Violence".

FA9

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Abolish Capital Punishment".

FA10

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Believe In Yourself".

FA11

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Treat Others As You Would Be Treated".

FA12

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "This Too Will Pass".

FA13

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "It Could Be Worse".

FA14

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Freedom Of Choice".

FA15

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Liberty And Justice For All".

FA16

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Freedom, Justice, Equality".

FA17

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Wisdom Over Riches".

FA18

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Quality Education For All Children".

FA19

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "A Sound Mind In A Sound Body".

FA20

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Peace".

FA21

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Honest Officials".

FA22

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Love And Happiness".

FA23

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 after "Life" insert ":End Capital Punishment".

FA24

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 after "Life" insert ":Liberty And Brotherhood".

FA25

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 after "Life" insert ":Abolish The Death Penalty".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hansen name added to LB178.
Senator McDonnell name added to LB178.
Senator Blood name added to LB178.
Senator Kolterman name added to LB188.
Senator Lowe name added to LB666.
Senator Craighead name added to LB58.
Senator McDonnell name added to LB191.
Senator McDonnell name added to LB289.
Senator Morfeld name added to LB404.
Senator Brewer name added to LB602.
Senator Hilgers name added to LB46.

VISITOR(S)

The Doctor of the Day was Dr. Steven Poertner from Omaha.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Howard, the Legislature adjourned until 9:00 a.m., Friday, January 27, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTEENTH DAY - JANUARY 27, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 27, 2017

PRAYER

The prayer was offered by Pastor Nathan Henschen, St. Paul's Lutheran Church, Bancroft.

ROLL CALL

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

The roll was called and all members were present except Senator Kintner who was excused; and Senators McCollister, Morfeld, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

NOTICE OF COMMITTEE HEARING(S)

Business and Labor

Room 2102

Monday, February 6, 2017 1:30 p.m.

LB305

LB372

(Signed) Joni Albrecht, Chairperson

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>

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 26, 2017, 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

Amack, Angela K.
Jensen Rogert Associates, Inc.

Ayers, Brad
TransCanada

Christian, Brad
ABATE of Nebraska, Inc.

Eash, Matthew
Nebraska School Finance Strategies, Inc.

Fellers, Trent
Reform for Nebraska's Future

Hall, Jared
Nebraska Friends of Midwives

Heartland Strategy Group, LLC
TransCanada

Jensen Rogert Associates, Inc.
American Massage Therapy Association, Nebraska Chapter

Kelley Plucker, LLC
Omaha Exposition and Racing, Inc.

Kelley, Michael A.
Kelley Governmental Relations, LLC
Kelley Plucker, LLC

Kelley, Sean
Kelley Governmental Relations, LLC
Kelley Plucker, LLC

Klute, Anne M. N.
Associated Builders and Contractors, Inc.

Matheson, Michael D
Americans For Electricity Choice

Mueller Robak
Nebraska Council of School Administrators
Uber Technologies, Inc.

Pappas, James E.
Independent Cattlemen of Nebraska (ICON)

Plucker, Julia
Kelley Plucker, LLC

Radcliffe, Walter H. of Radcliffe and Associates
Fonner Race Course
Nebraska Horsemen's Benevolent and Protective Association
North Central States Unit of the National Association of Theatre Owners, Inc.

Torpy, Katie
Nature Conservancy, The
Wetzel, Jason
General Motors LLC
Winston, Kenneth C.
Bold Alliance, Inc.

COMMITTEE REPORT(S)
Appropriations

LEGISLATIVE BILL 22. Placed on General File with amendment.
AM13 is available in the Bill Room.

(Signed) John Stinner, Chairperson

MOTION(S) - Withdraw LB403

Senator Stinner offered his motion, MO24, found on page 353, to withdraw
LB403.

Pending.

NOTICE OF COMMITTEE HEARING(S)
Agriculture

Room 2102

Tuesday, February 14, 2017 1:30 p.m.

LB449
LB499

Tuesday, February 21, 2017 1:30 p.m.

LB617

(Signed) Lydia Brasch, Chairperson

Health and Human Services

Room 1510

Thursday, February 9, 2017 1:30 p.m.

LB534

Friday, February 10, 2017 1:30 p.m.

LB287
LB506
LB430

Friday, February 3, 2017 1:30 p.m.

LB323

Friday, February 3, 2017 1:30 p.m.

LB360 (cancel)

(Signed) Merv Riepe, Chairperson

Natural Resources

Room 1525

Wednesday, March 1, 2017 1:30 p.m.

Time change from 1:30 pm to 9:15 am

(Signed) Dan Hughes, Chairperson

Transportation and Telecommunications

Room 1113

Monday, February 6, 2017 1:30 p.m.

LB54
LB368
LB83
LB275
LB310

Tuesday, February 7, 2017 1:30 p.m.

LB351
LB294
LB263
LB143
LB355

(Signed) Curt Friesen, Chairperson

Revenue

Room 1524

Friday, February 3, 2017 1:30 p.m.

LB215
LB325
LB601

(Signed) Jim Smith, Chairperson

Executive Board

Room 2102

Monday, February 13, 2017 12:00 p.m.

LB653

Monday, February 6, 2017 12:00 p.m.

LB646
LB648

(Signed) Dan Watermeier, Chairperson

COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 182. Placed on General File.

(Signed) Dan Hughes, Chairperson

Executive Board

LEGISLATIVE BILL 6. Placed on General File with amendment.
AM38

- 1 1. On page 2, strike lines 16 through 20 and insert the following
- 2 new subsection:
- 3 "(3)(a) A summarized final report based on an investigation may be
- 4 publicly released in order to bring awareness to systemic issues.
- 5 (b) Such report shall be released only:
- 6 (i) After a disclosure is made to the appropriate chairperson or
- 7 chairpersons pursuant to subsection (2) of this section; and
- 8 (ii) If a determination is made by the Inspector General with the
- 9 appropriate chairperson that doing so would be in the best interest of
- 10 the public.
- 11 (c) If there is disagreement about whether releasing the report

12 would be in the best interest of the public, the chairperson of the
 13 Executive Board of the Legislative Council may be asked to make the final
 14 decision."

LEGISLATIVE BILL 207. Placed on General File with amendment.
 AM23

1 1. On page 5, lines 5 through 7, strike the new matter and insert "
 2 Any fees associated with counsel present under this section shall not be
 3 the responsibility of the office of Inspector General of Nebraska Child
 4 Welfare".

(Signed) Dan Watermeier, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 26. Introduced by Vargas, 7.

WHEREAS, Latinx Nebraskans are the fastest-growing demographic in Nebraska. Latinx Nebraskans currently make up ten percent of the state's population, and this percentage is projected to double by 2050; and

WHEREAS, in 2006, the Legislature passed LB239, which allowed young immigrants who grew up and were educated in Nebraska and lived in the state for at least three years and who were seeking opportunities in higher education to qualify for in-state tuition; and

WHEREAS, in 2012, President Obama implemented Deferred Action for Childhood Arrivals, commonly referred to as DACA, which allowed young immigrants who entered the United States as children through no choice of their own the opportunity to receive a renewable two-year period of deferred action from deportation and eligibility for a work permit; and

WHEREAS, in 2015, the Legislature passed LB623, which allowed young immigrants who grew up and were educated in Nebraska to obtain drivers' licenses so they could have the opportunity to continue to live and work in Nebraska; and

WHEREAS, in 2016, the Legislature passed LB947, which allowed young immigrants who grew up and were educated in Nebraska to obtain professional and commercial licenses so they could continue to live and work in Nebraska and contribute more fully to and share equally in the state's prosperity; and

WHEREAS, through these legislative measures, the Legislature has continued to affirm Nebraska's support for DACA youth who have grown up in Nebraska communities and call Nebraska home; and

WHEREAS, through these legislative measures, the Legislature has recognized that DACA youth are important members of Nebraska communities that were brought here as children through no choice of their own; and

WHEREAS, President Trump has stated that he will rescind DACA, which puts the future of DACA youth in Nebraska at risk.

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

1. That the Legislature stands by the educational, economic, and community investments that the people of Nebraska have made in these young immigrants and their families.

2. That the Legislature stands opposed to any federal action that would rescind Deferred Action for Childhood Arrivals or result in additional restrictions that would act as barriers to the continued contributions of these young immigrants and their families to Nebraska communities and the people of Nebraska.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR26 was referred to the Reference Committee.

MOTION(S) - Withdraw LB403

Senator Stinner renewed his motion, MO24, found on page 353 and considered in this day's Journal, to withdraw LB403.

Senator Krist moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 2 nays, and 19 not voting.

Senator Krist moved for a call of the house. The motion prevailed with 31 ayes, 1 nay, and 17 not voting.

Senator Krist requested a roll call vote on the motion to withdraw the bill.

Voting in the affirmative, 40:

Albrecht	Crawford	Hilkemann	Lowe	Scheer
Baker	Erdman	Howard	McCollister	Schumacher
Blood	Friesen	Kolowski	McDonnell	Stinner
Bostelman	Geist	Kolterman	Morfeld	Vargas
Brasch	Groene	Krist	Murante	Walz
Brewer	Halloran	Kuehn	Pansing Brooks	Wayne
Briese	Hansen	Lindstrom	Quick	Williams
Craighead	Hilgers	Linehan	Riepe	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 8:

Bolz	Harr	Kintner	Smith
Ebke	Hughes	Larson	Watermeier

The Stinner motion to withdraw the bill prevailed with 40 ayes, 0 nays, 1 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO25

Reconsider the vote taken to withdraw the bill.

Senator Chambers moved for a call of the house. The motion prevailed with 22 ayes, 2 nays, and 25 not voting.

Senator Chambers requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 34:

Albrecht	Ebke	Hilgers	Lowe	Vargas
Baker	Erdman	Hilkemann	McCollister	Walz
Bostelman	Friesen	Kolterman	McDonnell	Watermeier
Brasch	Geist	Krist	Pansing Brooks	Wayne
Brewer	Groene	Larson	Riepe	Williams
Briese	Halloran	Lindstrom	Schumacher	Wishart
Craighead	Hansen	Linehan	Stinner	

Present and not voting, 3:

Crawford	Howard	Morfeld
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Absent and not voting, 1:

Scheer

Excused and not voting, 10:

Blood	Harr	Kintner	Kuehn	Quick
Bolz	Hughes	Kolowski	Murante	Smith

The Chambers motion to reconsider failed with 1 aye, 34 nays, 3 present and not voting, 1 absent and not voting, and 10 excused and not voting.

The Chair declared the call raised.

MOTION(S) - Withdraw LB419

Senator McCollister offered his motion, MO23, found on page 353, to withdraw LB419.

Senator Chambers moved for a call of the house. The motion prevailed with 20 ayes, 2 nays, and 27 not voting.

Pending.

The Chair declared the call raised.

EASE

The Legislature was at ease from 12:10 p.m. until 12:45 p.m.

MOTION(S) - Withdraw LB419

Senator McCollister renewed his motion, MO23, found on page 353 and considered in this day's Journal, to withdraw LB419.

Senator Bostelman moved for a call of the house. The motion prevailed with 9 ayes, 0 nays, and 40 not voting.

Pending.

The Chair declared the call raised.

MOTION - Adjournment

Senator Chambers moved to adjourn until 10:00 a.m., Monday, January 30, 2017.

Senator Chambers requested a machine vote on the motion to adjourn.

The Chambers motion to adjourn failed with 1 aye, 24 nays, 12 present and not voting, and 12 excused and not voting.

MOTION(S) - Withdraw LB419

Senator McCollister renewed his motion, MO23, found on page 353 and considered in this day's Journal, to withdraw LB419.

Pending.

MOTION - Adopt Temporary Rules

Senator Scheer moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the twenty-fourth legislative day.

Senator Scheer moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Scheer requested a machine vote on the adoption of the temporary rules.

The motion to adopt temporary rules prevailed with 43 ayes, 0 nays, and 6 excused and not voting.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARING(S)

Executive Board

Room 2102

Wednesday, February 8, 2017 12:00 p.m.

LB530

LB539

(Signed) Dan Watermeier, Chairperson

AMENDMENT(S) - Print in Journal

Senator Pansing Brooks filed the following amendment to LB46:
AM52

- 1 1. Insert the following new sections:
- 2 Sec. 10. (1) The department shall design license plates to be known
- 3 as End Rape Culture License Plates. The department shall create designs
- 4 reflecting support for ending rape culture and supporting the victims of
- 5 rape in Nebraska. The design shall be selected on the basis of limiting
- 6 the manufacturing cost of each plate to an amount less than or equal to
- 7 the amount charged for license plates pursuant to section 60-3,102. The
- 8 department shall make applications available for this type of plate
- 9 beginning January 1, 2018. The department may adopt and promulgate rules
- 10 and regulations to carry out this section and section 11 of this act.
- 11 (2) One type of End Rape Culture License Plates shall be
- 12 alphanumeric plates. The department shall:
- 13 (a) Assign a designation up to five characters; and
- 14 (b) Not use a county designation.
- 15 (3) One type of End Rape Culture License Plates shall be
- 16 personalized message plates. Such plates shall be issued subject to the
- 17 same conditions specified for personalized message license plates in

18 section 60-3.118, except that a maximum of five characters may be used.
19 Sec. 11. (1) Beginning January 1, 2018, a person may apply to the
20 department for End Rape Culture License Plates in lieu of regular license
21 plates on an application prescribed and provided by the department for
22 any motor vehicle or trailer, except for a motor vehicle or trailer
23 registered under section 60-3,198. An applicant receiving an End Rape
24 Culture License Plate for a farm truck with a gross weight of over
25 sixteen tons or a commercial truck or truck-tractor with a gross weight
26 of five tons or over shall affix the appropriate tonnage decal to the
27 plate. The department shall make forms available for such applications
1 through the county treasurers. The license plates shall be issued upon
2 payment of the license fee described in subsection (2) of this section.
3 (2)(a) In addition to all other fees required for registration under
4 the Motor Vehicle Registration Act, each application for initial issuance
5 of alphanumeric End Rape Culture License Plates shall be accompanied by a
6 fee of five dollars. An application for renewal of such plates shall be
7 accompanied by a fee of five dollars. County treasurers collecting fees
8 pursuant to this subdivision shall remit them to the State Treasurer. The
9 State Treasurer shall credit five dollars of the fee to the Nebraska
10 Child Abuse Prevention Fund.
11 (b) In addition to all other fees required for registration under
12 the Motor Vehicle Registration Act, each application for initial issuance
13 or renewal of personalized message End Rape Culture License Plates shall
14 be accompanied by a fee of forty dollars. County treasurers collecting
15 fees pursuant to this subdivision shall remit them to the State
16 Treasurer. The State Treasurer shall credit twenty-five percent of the
17 fee for initial issuance and renewal of such plates to the Department of
18 Motor Vehicles Cash Fund and seventy-five percent of the fee to the
19 Nebraska Child Abuse Prevention Fund.
20 (3) When the department receives an application for End Rape Culture
21 License Plates, the department shall deliver the plates to the county
22 treasurer of the county in which the motor vehicle or trailer is
23 registered. The county treasurer shall issue End Rape Culture License
24 Plates in lieu of regular license plates when the applicant complies with
25 the other provisions of the Motor Vehicle Registration Act for
26 registration of the motor vehicle or trailer. If End Rape Culture License
27 Plates are lost, stolen, or mutilated, the licensee shall be issued
28 replacement license plates upon request pursuant to section 60-3,157.
29 (4) The owner of a motor vehicle or trailer bearing End Rape Culture
30 License Plates may apply to the county treasurer to have such plates
31 transferred to a motor vehicle other than the vehicle for which such
1 plates were originally purchased if such vehicle is owned by the owner of
2 the plates. The owner may have the unused portion of the fee for the
3 plates credited to the other vehicle which will bear the plates at the
4 rate of eight and one-third percent per month for each full month left in
5 the registration period. Application for such transfer shall be
6 accompanied by a fee of three dollars. Fees collected pursuant to this
7 subsection shall be remitted to the State Treasurer for credit to the
8 Department of Motor Vehicles Cash Fund.
9 (5) If the cost of manufacturing End Rape Culture License Plates at
10 any time exceeds the amount charged for license plates pursuant to

- 11 section 60-3,102, any money to be credited to the Nebraska Child Abuse
 12 Prevention Fund shall instead be credited first to the Highway Trust Fund
 13 in an amount equal to the difference between the manufacturing costs of
 14 End Rape Culture License Plates and the amount charged pursuant to
 15 section 60-3,102 with respect to such plates and the remainder shall be
 16 credited to the Nebraska Child Abuse Prevention Fund.
 17 2. On page 2, line 6, after the comma insert "the fees for End Rape
 18 Culture License Plates as provided in section 11 of this act."; and in
 19 line 26 strike "and 9" and insert "to 11".
 20 3. On page 3, lines 14 and 21; and page 6, line 2, strike "section
 21 9 and insert "sections 9 and 11".
 22 4. On page 7, after line 14 insert the following new subdivision:
 23 "(11) End Rape Culture License Plates issued pursuant to sections 10
 24 and 11 of this act."; and renumber the remaining subdivisions
 25 accordingly.
 26 5. On page 11, line 2, before the comma insert ". End Rape Culture
 27 License Plates".
 28 6. Renumber the remaining section accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Riepe name added to LB425.
 Senator Crawford name added to LB230.
 Senator Crawford name added to LB464.
 Senator Krist name added to LB553.
 Senator Pansing Brooks name added to LB438.
 Senator Kolterman name added to LB506.

VISITOR(S)

Visitors to the Chamber were Brian Kruse, Douglas County Election Commissioner; Kent Jake Greeder of the Buffalo County Board of Supervisors, Kearney; and Polly Olson, Deuel County Clerk.

The Doctor of the Day was Dr. Michael Keralis from Lincoln.

ADJOURNMENT

At 1:32 p.m., on a motion by Senator Ebke, the Legislature adjourned until 10:00 a.m., Monday, January 30, 2017.

Patrick J. O'Donnell
 Clerk of the Legislature

EIGHTEENTH DAY - JANUARY 30, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 30, 2017

PRAYER

The prayer was offered by Reverend Gregg Gahan, Craig-Alder Grove Parish, Craig.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Scheer presiding.

The roll was called and all members were present except Senators Friesen, Larson, Lindstrom, Smith, and Wayne who were excused until they arrive.

SENATOR WATERMEIER PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the seventeenth day was approved.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 20. Placed on General File.

LEGISLATIVE BILL 63. Placed on General File.

LEGISLATIVE BILL 234. Placed on General File.

(Signed) Jim Smith, Chairperson

Judiciary

LEGISLATIVE BILL 105. Placed on General File.

LEGISLATIVE BILL 146. Placed on General File.

LEGISLATIVE BILL 167. Placed on General File.

LEGISLATIVE BILL 180. Placed on General File.

LEGISLATIVE BILL 229. Placed on General File.

LEGISLATIVE BILL 350. Placed on General File.

(Signed) Laura Ebke, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Wednesday, February 15, 2017 1:30 p.m.

LB168
LB204
LB359
LB492
LB544

Thursday, February 16, 2017 1:30 p.m.

LB243
LB245
LB250
LB258

Wednesday, February 22, 2017 1:30 p.m.

LB165
LB173
LB192

Thursday, February 23, 2017 1:30 p.m.

LB178
LB191
LB289
LB394

Friday, February 24, 2017 2:00 p.m.

LB188
LB300
LB367
LB411

Wednesday, March 1, 2017 9:15 a.m.

LB478
LB500
LB558

Thursday, March 2, 2017 1:30 p.m.

LB201
LB259
LB440
LB505

Friday, March 3, 2017 2:00 p.m.

LB444
LB577
LB623
LB638

Wednesday, March 8, 2017 1:30 p.m.

LB67
LB434
LB516
LB656
LB658

Thursday, March 9, 2017 1:30 p.m.

LB501
LB520
LB556
LB637
LB666

Wednesday, March 15, 2017 1:30 p.m.

LB405
LB435
LB450
LB487
LB622

Thursday, March 16, 2017 1:30 p.m.

LB526
LB527
LB529

Friday, March 17, 2017 2:00 p.m.

LB491

(Signed) Laura Ebke, Chairperson

MOTION(S) - Overrule Speaker's Agenda

Senator Chambers moved to change the Speaker's order to consider my motions to rereference three bills [LB644 (MO18), LB595 (MO19), LB661 (MO20)] - which motions were filed January 24 and printed in the Journal at pages 332, 333.

Senator Chambers moved for a call of the house. The motion prevailed with 34 ayes, 3 nays, and 11 not voting.

Senator Chambers requested a roll call vote on the motion to overrule the Speaker's Agenda.

Voting in the affirmative, 0.

Voting in the negative, 42:

Albrecht	Ebke	Hilkemann	Morfeld	Vargas
Blood	Erdman	Hughes	Murante	Walz
Bolz	Friesen	Kolterman	Pansing Brooks	Watermeier
Bostelman	Geist	Krist	Quick	Wayne
Brasch	Groene	Kuehn	Riepe	Williams
Brewer	Halloran	Linehan	Scheer	Wishart
Briese	Hansen	Lowe	Schumacher	
Craighead	Harr	McCollister	Smith	
Crawford	Hilgers	McDonnell	Stinner	

Present and not voting, 4:

Baker	Chambers	Howard	Kolowski
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Excused and not voting, 2:

Larson	Lindstrom
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The Chambers motion to overrule the Speaker's Agenda failed with 0 ayes, 42 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers moved to reconsider the vote on the motion to overrule the Speaker's Agenda.

Senator Chambers requested a record vote on the motion to reconsider.

Voting in the affirmative, 4:

Chambers	Kolowski	Morfeld	Quick
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Voting in the negative, 27:

Albrecht	Crawford	Halloran	Lowe	Watermeier
Baker	Ebke	Hansen	Scheer	Williams
Blood	Erdman	Hilgers	Schumacher	Wishart
Bostelman	Friesen	Hilkemann	Smith	
Brasch	Geist	Lindstrom	Stinner	
Brewer	Groene	Linehan	Walz	

Present and not voting, 14:

Bolz	Howard	Kuehn	Murante	Vargas
Briese	Hughes	McCollister	Pansing Brooks	Wayne
Harr	Krist	McDonnell	Riepe	

Excused and not voting, 3:

Craighead Kolterman Larson

The Chambers motion to reconsider failed with 4 ayes, 27 nays, 14 present and not voting, and 3 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 119. Title read. Considered.

SPEAKER SCHEER PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S)

Banking, Commerce and Insurance

Room 1507

Monday, February 6, 2017 1:30 p.m.

LB220
LB406
LB384
LB476

Tuesday, February 7, 2017 1:30 p.m.

LB257
LB549
LB208

(Signed) Brett Lindstrom, Chairperson

General Affairs

Room 1510

Monday, February 6, 2017 1:30 p.m.

LB631
LB470
LB541

(Signed) Tyson Larson, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 27. Introduced by Bolz, 29; Crawford, 45; Hansen, 26; Howard, 9; Kolowski, 31; McCollister, 20; Morfeld, 46; Pansing Brooks, 28; Vargas, 7; Wishart, 27.

WHEREAS, the United States of America was built by people from all over the world; and

WHEREAS, Nebraska communities were founded and established by people of a wide variety of races, ethnicities, ages, religions, and backgrounds; and

WHEREAS, refugees serve our military and diplomatic interests and work, volunteer, and contribute to Nebraska communities every day; and

WHEREAS, organizations in our state including Catholic Charities and Lutheran Family Services work to help resettle refugees in this state; and

WHEREAS, many refugees have earned green cards and call this country home, and others have been shown, through extensive vetting, to bear good will toward our nation; and

WHEREAS, refugees include people fleeing war and oppression and include children and families in need of safety.

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

1. That the members of the Legislature believe in protecting refugees regardless of race, ethnicity, religion, age, or sex and appreciate their contributions to this state.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR27 was referred to the Reference Committee.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 38. Placed on General File.

LEGISLATIVE BILL 101. Placed on General File.

(Signed) John Murante, Chairperson

MOTION(S) - Print in Journal

Senator Chambers filed the following motion to LB119:

MO26

Indefinitely postpone.

VISITOR(S)

Visitors to the Chamber were 35 members of the Nebraska Home Care Association; and Adrian Suarez from Omaha.

The Doctor of the Day was Dr. Eric Thomsen from Beatrice.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Morfeld, the Legislature adjourned until 9:00 a.m., Tuesday, January 31, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

NINETEENTH DAY - JANUARY 31, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 31, 2017

PRAYER

The prayer was offered by Senator Brasch.

ROLL CALL

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

The roll was called and all members were present except Senator Larson who was excused; and Senators Craighead, Hansen, and Kolowski who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 19 and 20 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 19 and 20.

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Wednesday, March 15, 2017 1:30 p.m.

LB487 (cancel)

Thursday, February 23, 2017 1:30 p.m.

LB487

Thursday, March 16, 2017 1:30 p.m.

LB526 (cancel)

Wednesday, February 22, 2017 1:30 p.m.

LB526

(Signed) Laura Ebke, Chairperson

Government, Military and Veterans Affairs

Room 1507

Wednesday, February 8, 2017 1:30 p.m.

Mitch Glidden - Nebraska Tourism Commission
Roger Dixon - Nebraska Tourism Commission
Tony Moody - Nebraska Tourism Commission
Carol Schlegel - Nebraska Tourism Commission
Mary Shanahan - State Personnel Board
LB222
LB655

Thursday, February 9, 2017 1:30 p.m.

LB280
LB661

Friday, February 10, 2017 1:30 p.m.

LB628

(Signed) John Murante, Chairperson

Banking, Commerce and Insurance

Room 1507

Monday, February 13, 2017 1:30 p.m.

LB480
LB92
LB474
LB72

Tuesday, February 14, 2017 1:30 p.m.

LB375
LB341
LB454
LB96

(Signed) Brett Lindstrom, Chairperson

GENERAL FILE

LEGISLATIVE BILL 119. Senator Chambers offered his motion, MO26, found on page 381, to indefinitely postpone.

SENATOR WATERMEIER PRESIDING

Senator Chambers withdrew his motion to indefinitely postpone.

Advanced to Enrollment and Review Initial with 29 ayes, 1 nay, 15 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 22. Title read. Considered.

Committee AM13, found on page 365, was offered.

Senator Krist offered the following amendment to the committee amendment:

AM104

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 6, strike lines 3, 4, 16, 17, and 30.
- 2 2. On page 7, strike lines 1, 13, 14, 26, and 27.
- 3 3. On page 8, strike lines 9, 10, 22, and 23.
- 4 4. On page 82, strike lines 16 and 17.

SPEAKER SCHEER PRESIDING

SENATOR LINDSTROM PRESIDING

Senator Krist withdrew and refiled his amendment, AM104, found in this day's Journal.

SPEAKER SCHEER PRESIDING

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 28. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to research how this state and each of its ninety-three counties handle, process, and test sexual assault evidence collection kits and to determine how to best address any backlog or other delays in processing and testing sexual assault evidence. In order to carry out the purposes of this resolution, the study committee should seek the assistance and input of health care professionals, law enforcement, the office of the Attorney General, the office of Inspector General of the Nebraska Correctional System, the office of Inspector General of Nebraska Child Welfare, county officials, and victim advocates.

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

1. That the Judiciary 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 29. Introduced by Pansing Brooks, 28.

WHEREAS, James Louis "Louie" LaRose, a proud citizen of the Ho-Chunk Nation, resides on the Winnebago Reservation within the boundaries this state; and

WHEREAS, Mr. LaRose is also a proud citizen of this state; and

WHEREAS, Mr. LaRose has devoted the majority of his years in service to the welfare and governance of the Ho-Chunk people as both a member and the president and chair of the Winnebago Tribal Council and the Board of Trustees of the Little Priest Tribal College, as a delegate to the National Congress of American Indians, and as the conservator of the tribe's bison herd; and

WHEREAS, with his gentle wit and profound wisdom, Mr. LaRose has for many years enlightened Nebraskans regarding native history, culture, and issues; and

WHEREAS, Mr. LaRose has given of his time to this state as a member of Nebraska's Commission on Indian Affairs and in other services relating to the improvement and preservation of respect and good relations between this state and the native nations residing within the borders of Nebraska and neighboring states; and

WHEREAS, Mr. LaRose resigned from the commission and retired from active service on Friday, January 27, 2017.

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

1. That the Legislature wishes James Louis "Louie" LaRose good health and thanks him for his service and devotion to the Ho-Chunk people.
2. That a copy of this resolution be sent to Mr. LaRose.

Laid over.

COMMITTEE REPORT(S)
Natural Resources

LEGISLATIVE BILL 154. Placed on General File.
LEGISLATIVE BILL 176. Placed on General File.

(Signed) Dan Hughes, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Wednesday, February 15, 2017 1:30 p.m.

LB652
LB497
LB340

Thursday, February 16, 2017 1:30 p.m.

LB369
LB237
LB382

(Signed) John Murante, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 180A. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 180, One Hundred Fifth Legislature, First Session, 2017.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Chambers name added to LB167.

Senator Linehan name added to LB576.
Senator Harr name added to LB645.
Senator Harr name added to LB553.
Senator McCollister name added to LB553.
Senator McDonnell name added to LR27.
Senator Quick name added to LR27.
Senator Blood name added to LB438.
Senator Crawford name added to LB438.

WITHDRAW - Cointroducer(s)

Senator McDonnell name withdrawn from LB607.

VISITOR(S)

Visitors to the Chamber were Black Hills Energy employees from across the state.

The Doctor of the Day was Dr. Dan Rosenquist from Columbus.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator Hansen, the Legislature adjourned until 9:00 a.m., Wednesday, February 1, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTIETH DAY - FEBRUARY 1, 2017**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION****TWENTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 1, 2017

PRAYER

The prayer was offered by Pastor Sandy Denton, Unadilla Christian Church, Unadilla.

ROLL CALL

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

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

CORRECTIONS FOR THE JOURNAL

The Journal for the nineteenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR26	Judiciary
LR27	Judiciary

(Signed) Dan Watermeier, Chairperson
Executive Board

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 119. Placed on Select File.

(Signed) Anna Wishart, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Wednesday, March 8, 2017 1:30 p.m.

LB67 (cancel)
LB434 (cancel)
LB516 (cancel)
LB656 (cancel)
LB658 (cancel)

Thursday, March 9, 2017 1:30 p.m.

LB67
LB434
LB516
LB656
LB658

Thursday, March 9, 2017 1:30 p.m.

LB501 (cancel)
LB520 (cancel)
LB556 (cancel)
LB637 (cancel)
LB666 (cancel)

Wednesday, March 8, 2017 1:30 p.m.

LB501
LB520
LB556
LB637
LB666

(Signed) Laura Ebke, Chairperson

GENERAL FILE**LEGISLATIVE BILL 22.** Senator Krist offered the following motion:

MO27

Recommit to the Appropriations Committee.

Senator Chambers offered the following motion:

MO28

Bracket until April 1, 2017.

SENATOR LINDSTROM PRESIDING

Senator Chambers moved for a call of the house.

Senator Krist requested a record vote on the motion to place the house under call.

Voting in the affirmative, 33:

Albrecht	Ebke	Kolowski	Morfeld	Stinner
Baker	Geist	Kolterman	Pansing Brooks	Vargas
Blood	Groene	Krist	Quick	Walz
Brasch	Hansen	Kuehn	Riepe	Williams
Chambers	Hilkemann	Linehan	Scheer	Wishart
Craighead	Howard	McCollister	Schumacher	
Crawford	Hughes	McDonnell	Smith	

Voting in the negative, 2:

Erdman	Halloran
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Present and not voting, 12:

Bolz	Briese	Hilgers	Lowe
Bostelman	Friesen	Larson	Watermeier
Brewer	Harr	Lindstrom	Wayne

Excused and not voting, 1:

Murante

The motion to place the house under call prevailed with 33 ayes, 2 nays, 12 present and not voting, and 1 excused and not voting.

Senator Chambers requested a roll call vote on the motion to bracket.

Voting in the affirmative, 0.

Voting in the negative, 46:

Albrecht	Ebke	Howard	McCollister	Vargas
Baker	Erdman	Hughes	McDonnell	Walz
Blood	Friesen	Kolowski	Morfeld	Watermeier
Bolz	Geist	Kolterman	Pansing Brooks	Wayne
Bostelman	Groene	Krist	Quick	Williams
Brasch	Halloran	Kuehn	Riepe	Wishart
Brewer	Hansen	Larson	Scheer	
Briese	Harr	Lindstrom	Schumacher	
Craighead	Hilgers	Linehan	Smith	
Crawford	Hilkemann	Lowe	Stinner	

Present and not voting, 1:

Chambers

Excused and not voting, 1:

Murante

The Chambers motion to bracket failed with 0 ayes, 46 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 30. Introduced by Kolterman, 24.

WHEREAS, Hunter Ellis Miller, a member of Troop 241 out of Stromsburg, met the requirements for the rank of Eagle Scout on October 13, 2016; and

WHEREAS, to achieve the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills; and

WHEREAS, Hunter completed twenty-two merit badges and participated in summer camps at Camp Cornhusker, Camp Cedars, and Camp Augustine; and

WHEREAS, Hunter also met the requirements to be an Ordeal member in the Order of the Arrow; and

WHEREAS, Hunter's Eagle Scout Service Project involved the design and construction of a nine-hole disc golf course in Stromsburg's Buckley Park; and

WHEREAS, Hunter plans to study civil engineering at the University of Nebraska-Lincoln and play football for the Cornhuskers; and

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

WHEREAS, Hunter, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, including astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Hunter Ellis Miller on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Hunter Ellis Miller.

Laid over.

BILL ON FIRST READING

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

LEGISLATIVE BILL 10A. Introduced by Krist, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 10, One Hundred Fifth Legislature, First Session, 2017; to provide an operative date; and to declare an emergency.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 130. Placed on General File.

LEGISLATIVE BILL 304. Placed on General File.

LEGISLATIVE BILL 399. Placed on General File.

LEGISLATIVE BILL 383. Placed on General File with amendment.

AM49

- 1 1. On page 9, strike lines 27 through 31 and insert the following
- 2 new subsection:
- 3 "(4) A regular or alternate member of the planning commission may
- 4 hold any other municipal office except (a) mayor, (b) a member of the
- 5 city council or village board of trustees, (c) a member of any community
- 6 redevelopment authority or limited community redevelopment authority
- 7 created under section 18-2102.01, or (d) a member of any citizen advisory
- 8 review committee created under section 18-2715.".

(Signed) Justin Wayne, Chairperson

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB22:

AM135

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 6, strike lines 3, 4, 16, 17, and 30.

- 2 2. On page 7, strike lines 1, 13, 14, 26, and 27.
- 3 3. On page 8, strike lines 9, 10, 22, and 23.
- 4 4. On page 9, strike lines 15, 16, 28, and 29.
- 5 5. On page 10, strike lines 12, 13, 25, and 26.
- 6 6. On page 11, strike lines 8 and 9.
- 7 7. On page 12, strike lines 7, 8, 18, and 19.
- 8 8. On page 13, strike lines 10 and 11.
- 9 9. On page 15, strike lines 29 and 30.
- 10 10. On page 16, strike lines 13 and 14.
- 11 11. On page 18, strike lines 12 and 13.
- 12 12. On page 45, strike lines 11 and 12.
- 13 13. On page 46, strike lines 3, 4, 15, and 16.
- 14 14. On page 47, strike lines 27 and 28.
- 15 15. On page 48, strike lines 8 and 9.
- 16 16. On page 49, strike lines 1 and 2.
- 17 17. On page 50, strike lines 3, 4, 19, and 20.
- 18 18. On page 51, strike lines 3, 4, 25, and 26.
- 19 19. On page 58, strike lines 7 and 8.
- 20 20. On page 59, strike lines 5 and 6.
- 21 21. On page 67, strike lines 9 and 10.
- 22 22. On page 68, strike lines 27 and 28.
- 23 23. On page 69, strike lines 8 and 9.
- 24 24. On page 70, strike lines 12 and 13.
- 25 25. On page 71, strike lines 7 and 8.
- 26 26. On page 78, strike lines 10 and 11.
- 1 27. On page 79, strike lines 28 and 29.
- 2 28. On page 80, strike lines 10 and 11.
- 3 29. On page 81, strike lines 9 and 10.
- 4 30. On page 82, strike lines 16 and 17.
- 5 31. On page 85, strike lines 27 and 28.
- 6 32. On page 87, strike lines 3 and 4.
- 7 33. On page 88, strike lines 13, 14, 28, and 29.
- 8 34. On page 90, strike lines 11 and 12.
- 9 35. On page 103, strike lines 26 and 27.
- 10 36. On page 104, strike line 30.
- 11 37. On page 105, strike lines 1, 14, 15, 27, and 28.
- 12 38. On page 106, strike lines 15 and 16.
- 13 39. On page 109, strike lines 2 and 3.

MOTION(S) - Print in Journal

Senator Chambers filed the following motion to LB22:
MO29

Reconsider the vote taken to bracket.

ANNOUNCEMENT

Senator Brasch announced the Agriculture Committee will hold an executive session Thursday, February 2, 2017, at 8:45 a.m., in Room 2022.

VISITOR(S)

Visitors to the Chamber were Alice and William Tines from Venango; and 16 seventh- through twelfth-grade students and teachers of FCSTN and FCCLA from across the state.

The Doctor of the Day was Dr. Douglas States from North Platte.

ADJOURNMENT

At 11:49 a.m., on a motion by Senator Kolterman, the Legislature adjourned until 9:00 a.m., Thursday, February 2, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FIRST DAY - FEBRUARY 2, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 2, 2017

PRAYER

The prayer was offered by Senator Geist.

ROLL CALL

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

The roll was called and all members were present except Senators Bolz, Hansen, Linehan, and McCollister who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twentieth day was approved.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 137. Placed on General File.

LEGISLATIVE BILL 148. Placed on General File.

LEGISLATIVE BILL 187. Placed on General File.

LEGISLATIVE BILL 231. Placed on General File.

LEGISLATIVE BILL 239. Placed on General File.

LEGISLATIVE BILL 306. Placed on General File.

LEGISLATIVE BILL 241. Placed on General File with amendment.

AM100

1 1. On page 2, line 14, strike "44-914, 44-915, and 44-916" and

2 insert "44-913 to 44-915".

(Signed) Brett Lindstrom, Chairperson

Business and Labor

LEGISLATIVE BILL 273. Placed on General File.

LEGISLATIVE BILL 301. Placed on General File.

LEGISLATIVE BILL 519. Placed on General File.

(Signed) Joni Albrecht, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance

Room 1507

Tuesday, February 21, 2017 1:30 p.m.

LB194
LB286
LB386

Monday, February 27, 2017 1:30 p.m.

LB324
LB604

Tuesday, February 28, 2017 1:30 p.m.

LB116
LB66
LB213
LB643

Monday, March 6, 2017 1:30 p.m.

LB141
LB345
LB641

Tuesday, March 7, 2017 1:30 p.m.

LB550
LB559
LB582

Monday, March 13, 2017 1:30 p.m.

LB292
LB551
LB594

(Signed) Brett Lindstrom, Chairperson

Business and Labor

Room 2102

Monday, February 13, 2017 1:30 p.m.

LB639
LB515
LB518
LB261

Monday, February 27, 2017 1:30 p.m.

LB354
LB211
LB244
LB553
LB507

(Signed) Joni Albrecht, Chairperson

GENERAL FILE

LEGISLATIVE BILL 22. Senator Chambers asked unanimous consent to withdraw his motion, MO29, found on page 394, to reconsider the vote taken to bracket. No objections. So ordered.

Senator Krist renewed his motion, MO27, found on page 390, to recommit to the Appropriations Committee.

SENATOR WATERMEIER PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB22:

AM151

(Amendments to Standing Committee amendments, AM13)

- 1 1. Strike sections 17, 18, 19, 20, 21, 22, 23, and 122.
- 2 2. On page 111, line 30, strike "11, 12, 13, 14, 15, 16, 17,".
- 3 3. On page 112, line 7, strike "Laws 2016, LB746A, section 3;".
- 4 4. Renumber the remaining sections and correct internal references
- 5 accordingly.

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications

Room 1113

Monday, February 13, 2017 1:30 p.m.

LB157
LB522
LB523
LB573
LB654

Tuesday, February 14, 2017 1:30 p.m.

LB618
LB70
LB410
LB459
LB460

Tuesday, February 21, 2017 2:00 p.m.

LB156
LB43
LB483
LB389
LB472
LB612

Monday, February 27, 2017 1:30 p.m.

LB40
LB41
LB42
LB279
LB471

Tuesday, February 28, 2017 1:30 p.m.

LB627
LB629
LB587
LB82
LB357

(Signed) Curt Friesen, Chairperson

Business and Labor

Room 2102

Monday, March 6, 2017 1:30 p.m.

LB609
LB408
LB319
LB147

Monday, March 13, 2017 1:30 p.m.

LB420
LB473
LB436

Monday, March 20, 2017 1:30 p.m.

LB171
LB170
LB503
LB598

(Signed) Joni Albrecht, Chairperson

COMMITTEE REPORT(S)
Executive Board

LEGISLATIVE BILL 210. Placed on General File with amendment.
AM113

1 1. On page 2, after line 14, insert the following new subdivision:
2 "(4) At the beginning of each biennial legislative session, the
3 Legislative Auditor shall create a plan for meeting such standards and
4 provide the plan to the chairperson of the Legislative Performance Audit
5 Committee.".

LEGISLATIVE BILL 230. Placed on General File with amendment.
AM129

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. (1) The Legislature finds and declares that economic
4 development is vitally important to the well-being of the State of
5 Nebraska, and that the Legislature and the state would benefit from a
6 more coordinated approach to legislation addressing economic development.
7 (2) The Nebraska Economic Development Task Force is created. The
8 task force shall collaborate with the Department of Economic Development
9 and the Department of Labor to gather input on issues pertaining to
10 economic development and discuss proactive approaches on economic

11 development. The task force shall monitor analysis and policy development
 12 in all aspects of economic development in Nebraska. The task force shall
 13 also discuss long-range strategic plans to improve economic development
 14 within the state.

15 (3) The Nebraska Economic Development Task Force shall be composed
 16 of three members of the Legislature appointed by the Executive Board of
 17 the Legislative Council, one from each congressional district, and the
 18 following six members: The chairperson of the Appropriations Committee of
 19 the Legislature or his or her designee, the chairperson of the Banking,
 20 Commerce and Insurance Committee of the Legislature or his or her
 21 designee, the chairperson of the Business and Labor Committee of the
 22 Legislature or his or her designee, the chairperson of the Education
 23 Committee of the Legislature or his or her designee, the chairperson of
 24 the Revenue Committee of the Legislature or his or her designee, and the
 25 chairperson of the Urban Affairs Committee of the Legislature or his or
 26 her designee. The task force members shall choose a chairperson and vice-
 27 chairperson from among the task force members.

1 (4)(a) The Nebraska Economic Development Task Force shall meet on or
 2 before June 15, 2017, and on or before each June 15 thereafter.

3 (b) Following the meeting required by subdivision (4)(a) of this
 4 section, the task force shall meet not less than once every three months,
 5 but shall not be required to meet while the Legislature is in session.

6 (c) Meetings of the task force shall be called by the chairperson.

7 (d) The task force may ask other persons or entities to attend its
 8 meetings or present information at such meetings.

9 (e) The task force shall annually identify economic development
 10 priorities and electronically submit a report to the Legislature on or
 11 before December 31, 2017, and on or before each December 31 thereafter.

12 (5) This section shall terminate on January 1, 2021.

13 Sec. 2. Since an emergency exists, this act takes effect when
 14 passed and approved according to law.

(Signed) Dan Watermeier, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 89. Placed on General File with amendment.
 AM63

1 1. Insert the following new section:

2 Sec. 3. Section 35-507, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 35-507 A regular meeting of the registered voters who are residing
 5 within the boundaries of a district shall be held at the time of the
 6 budget hearing as provided by the Nebraska Budget Act, and special
 7 meetings may be called by the board of directors at any time. Notice of a
 8 meeting shall be given by the secretary-treasurer by one publication in a
 9 legal newspaper of general circulation in each county in which such
 10 district is situated. Notice of the place and time of a meeting shall be
 11 published at least four calendar ~~five~~ days prior to the date set for

12 meeting. For purposes of such notice, the four calendar days shall
13 include the day of publication but not the day of the meeting.
14 2. Renumber the remaining section and correct the repealer
15 accordingly.

(Signed) John Murante, Chairperson

Revenue

LEGISLATIVE BILL 161. Placed on General File with amendment.
AM141

1 1. On page 4, line 15, strike "twenty" and insert "sixteen".

LEGISLATIVE BILL 233. Placed on General File with amendment.
AM127

1 1. Strike original sections 3, 4, 12, 16, and 17.
2 2. On page 30, lines 19 and 20, strike "77-2503, 77-2506,".
3 3. Renumber the remaining sections accordingly.

(Signed) Jim Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 22. Senator Chambers offered the following
motion:

MO30

Bracket until April 1, 2017.

SPEAKER SCHEER PRESIDING

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

Senator Chambers requested a roll call vote on the motion to bracket.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 46:

Albrecht	Ebke	Howard	McCollister	Vargas
Baker	Erdman	Hughes	McDonnell	Walz
Blood	Friesen	Kolowski	Morfeld	Watermeier
Bolz	Geist	Kolterman	Murante	Wayne
Bostelman	Groene	Krist	Quick	Williams
Brasch	Halloran	Kuehn	Riepe	Wishart
Brewer	Hansen	Larson	Scheer	
Briese	Harr	Lindstrom	Schumacher	
Craighead	Hilgers	Linehan	Smith	
Crawford	Hilkemann	Lowe	Stinner	

Excused and not voting, 1:

Pansing Brooks

The Chambers motion to bracket failed with 1 aye, 46 nays, and 1 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S)

Executive Board

LEGISLATIVE BILL 464. Placed on General File with amendment.
AM99

- 1 1. Strike original sections 1 and 2.
- 2 2. On page 4, strike beginning with the comma in line 27 through the
- 3 comma in line 29 and show the old matter as stricken.
- 4 3. Amend the repealer and renumber the remaining sections
- 5 accordingly.

(Signed) Dan Watermeier, Chairperson

Business and Labor

LEGISLATIVE BILL 264. Placed on General File with amendment.
AM57

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 48-721, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:
- 5 48-721 (1) The commissioner shall employ ~~appoint~~ a state boiler
- 6 inspector who shall work under the direct supervision of the commissioner
- 7 or his or her designee and devote his or her full time to the duties of
- 8 the office. The person so appointed shall:
- 9 (a) Be ~~(1) be~~ a practical boilermaker, technical engineer, operating
- 10 engineer, or boiler inspector;

11 ~~(b) Hold an "AI" or "IS" Commission and hold a commission~~ from the
 12 National Board of Boiler and Pressure Vessel Inspectors ~~with an "A"~~
 13 ~~endorsement.~~ The state boiler inspector shall also either hold a "B" ~~and~~
 14 "R" ~~endorsements~~ ~~endorsement~~ to his or her commission at the time of hire
 15 or acquire such endorsements a "B" endorsement within eighteen months of
 16 employment.

17 ~~(c) Be appointment, (2) be~~ qualified by not less than ten years'
 18 experience in the construction, installation, repair, inspection, or
 19 operation of boilers, steam generators, and superheaters;

20 ~~(d) Have, (3) have~~ a knowledge of ~~the their~~ operation and use of
 21 boilers, steam generators, and superheaters for the generating of steam
 22 for power, heating, or other purposes; ; and

23 ~~(e) Neither (4) neither~~ directly nor indirectly be interested in the
 24 manufacture, ownership, or agency of boilers, steam generators, and
 25 superheaters the same.

26 (2) The commissioner may hire ~~appoint~~ deputy inspectors as necessary
 27 to carry out the Boiler Inspection Act. Deputy inspectors shall hold an
 1 "IS" ~~Commission a commission~~ from the National Board of Boiler and
 2 Pressure Vessel Inspectors or acquire the same within twelve months of
 3 hire ~~appointment~~. Such deputy inspectors shall otherwise be subject to
 4 and governed by the same rules and regulations applicable to and
 5 governing the acts and conduct of the state boiler inspector.

6 (3) Before entering upon his or her duties under the Boiler
 7 Inspection Act, the state boiler inspector and each deputy inspector
 8 shall be bonded or insured as required by section 11-201.

9 Sec. 2. Original section 48-721, Reissue Revised Statutes of
 10 Nebraska, is repealed.

(Signed) Joni Albrecht, Chairperson

VISITOR(S)

Visitors to the Chamber were 75 Physical Therapy students with the
 Nebraska Physical Therapy Association, Omaha.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Baker, the Legislature adjourned
 until 9:00 a.m., Friday, February 3, 2017.

Patrick J. O'Donnell
 Clerk of the Legislature

TWENTY-SECOND DAY - FEBRUARY 3, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 3, 2017

PRAYER

The prayer was offered by Monsignor Daniel Seiker, St. Gregory the Great Seminary, Seward.

ROLL CALL

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

The roll was called and all members were present except Senators Bolz, Brewer, Ebke, Kolowski, Murante, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-first day was approved.

NOTICE OF COMMITTEE HEARING(S)

General Affairs

Room 1510

Monday, February 13, 2017 1:30 p.m.

LB632
LB254
LB73

(Signed) Tyson Larson, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 2, 2017, 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

Anderson, Linda
Bold Alliance, Inc.

Bocour, Nicola
Americans for Responsible Solutions

Brubaker, Steve
The Small Businesses of Fantasy Sports Trade Association

Bruning Law Group
Altria Client Services LLC and its Affiliates
Coalition for Ethical Petroleum Marketing
Vigilant Solutions

Bunger, Charles K.
North Platte Area Chamber & Development Corporation

Hein, Derek
DraftKings Inc.

Hilton, Felicia
North Central States Regional Council of Carpenters

Kissel/E&S Associates, LLC
CenturyLink

Malik, Meghan
Women's Fund of Greater Omaha, Inc.

Meckler, Mark
Convention of States Action

Neuhaus, Joe
Lincoln Independent Business Association (LIBA)

Ostrow, Sean
FanDuel, Inc.

Pappas, James E.
League of Human Dignity

Pollock, Andy
Families Against Mandatory Minimums

Radcliffe, Walter H. of Radcliffe and Associates
Speedway Motors, Inc.

Winston, Kenneth C.
Cavanaugh Law Firm, P.C., L.L.O.

Woepfel, Ed
Nebraska Cooperative Council

Zulkoski Weber LLC
Nebraska Emergency Medical Services Association

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>

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 22, 23, and 24 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 22, 23, and 24.

GENERAL FILE

LEGISLATIVE BILL 22. Senator Krist withdrew his motion, MO27, found on page 390 and considered on page 399, to recommit to the Appropriations Committee.

Senator Krist withdrew his amendment, AM135, found on page 393.

Committee AM13, found on page 365 and considered on page 385, was renewed.

Senator Krist moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 42 ayes, 1 nay, and 5 not voting.

The committee amendment was adopted with 46 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 46 ayes, 1 nay, and 1 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 31. Introduced by Watermeier, 1.

WHEREAS, Betty Stukenholtz was born on March 12, 1938, in Nebraska City, Nebraska; and

WHEREAS, Betty worked for Congressman Phil Weaver in Washington D.C., served as the Deputy State Treasurer under Frank Marsh, and worked for the University of Nebraska-Lincoln; and

WHEREAS, Betty bought and saved the country school she attended, the Harmony School just south of Nebraska City in Otoe County; and

WHEREAS, Betty started the Nebraska Country School Association; and

WHEREAS, Betty worked tirelessly on the first Annual Country School Conference in July 2016 at Peru State College with nearly 100 people in attendance; and

WHEREAS, Betty left a remarkable legacy that her family wishes to carry forward; and

WHEREAS, Betty Stukenholtz passed away on January 14, 2017.

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

1. That the Legislature recognizes the contributions and service of Betty Stukenholtz and extends its deepest sympathy to her family.
2. That the Legislature acknowledges the time and effort Betty Stukenholtz dedicated to country schools, especially in founding and organizing the first Annual Country School Conference.
3. That a copy of this resolution be sent to the family of Betty Stukenholtz.

Laid over.

MOTION - Adopt Permanent Rules

The Hilgers motion to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year, found on page 303 and considered on pages 310, 312, 314, 343, 348, and 357, as amended, was renewed.

The Hansen proposed rule change found on page 337 and considered on page 358, to Rule 3, Sec. 20(b), was renewed.

Senator Chambers renewed his amendment, found on page 358, to the Hansen proposed rule change, to Rule 3, Sec. 20(b).

PRESIDENT FOLEY PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S) Health and Human Services

Room 1510

Thursday, February 16, 2017 1:30 p.m.

LB311
LB358

Thursday, February 23, 2017 1:30 p.m.

LB298

LB179
LB297

Friday, February 24, 2017 1:30 p.m.

LB588

Friday, February 24, 2017 1:30 p.m.

Mary Beth Hanus - Nebraska Child Abuse Prevention Fund Board (rehearing)

Wednesday, March 1, 2017 9:15 a.m.

LB344
LB343

Thursday, March 2, 2017 1:30 p.m.

LB224
LB537

Friday, March 3, 2017 5:30 p.m.

LB391
LB466

Wednesday, March 8, 2017 1:30 p.m.

LB282
LB441

Thursday, March 9, 2017 1:30 p.m.

LB596

Wednesday, March 15, 2017 1:30 p.m.

LB120
LB578

Thursday, March 16, 2017 1:30 p.m.

LB360
LB439

Friday, March 17, 2017 1:30 p.m.

LB649
LB552

Wednesday, March 22, 2017 1:30 p.m.

LB128

Thursday, March 23, 2017 1:30 p.m.

LB223

LB586

(Signed) Merv Riepe, Chairperson

COMMITTEE REPORT(S)

Agriculture

The Agriculture 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.

Dennis Hoffman - Nebraska State Fair Board

Aye: 6 Albrecht, Blood, Brasch, Chambers, Halloran, Lowe. Nay: 0.
Absent: 2 Harr, Krist. Present and not voting: 0.

LEGISLATIVE BILL 135. Placed on General File.

LEGISLATIVE BILL 276. Placed on General File with amendment.

AM50

1 1. On page 3, lines 3 and 4, strike "or threatening to violate"; in
2 line 6 strike "or is about to occur"; in line 12 strike "or are about to
3 occur"; and in line 13 strike "or threatened violations".

(Signed) Lydia Brasch, Chairperson

MOTION - Adopt Permanent Rules

Senator Chambers renewed his amendment, found on page 358 and considered in this day's Journal, to the Hansen proposed rule change, to Rule 3, Sec. 20(b).

Senator Chambers withdrew his amendment.

Pending.

VISITOR(S)

Visitors to the Chamber were Senator Albrecht's husband, Mike, from Thurston; Senator Williams' son-in-law, Luke Rickertsen, from Gothenburg; members of the American Legion, Veterans of Foreign War, Disabled American Veterans, Paralyzed Veterans of America, Military Order of the

Purple Heart, American Veterans, and the Nebraska Association of Veterans Advocates from across the state; and former Senator Carol Hudkins from Malcolm.

The Doctor of the Day was Dr. Jacob Peterson from Omaha.

ADJOURNMENT

At 12:06 p.m., on a motion by Senator Larson, the Legislature adjourned until 10:00 a.m., Monday, February 6, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-THIRD DAY - FEBRUARY 6, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 6, 2017

PRAYER

The prayer was offered by Senator Blood.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Scheer presiding.

The roll was called and all members were present except Senator Kolterman who was excused; and Senators Albrecht, Brasch, Briese, Erdman, Larson, Smith, Vargas, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-second day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 22. Placed on Select File with amendment.

ER4

1 1. In the Standing Committee amendments, AM13:

2 a. On page 2, line 2, after "FY2016-17" insert an underscored comma;

3 and in line 6 after "Legislature" insert an underscored comma;

4 b. Renumber sections 122, 123, and 124 as 124, 122, and 123,

5 respectively;

6 c. On page 110, insert underscoring beginning with "LIMITATION" in

7 line 15 through line 30; and

8 d. On page 111, lines 1 through 27, insert underscoring.

9 2. On page 1, strike beginning with "Laws" in line 1 through "1" in

10 line 14 and insert "Laws 2015, LB259A, section 2; Laws 2015, LB265A,

11 section 1; Laws 2015, LB469A, section 1; Laws 2015, LB605A, section 8;

12 Laws 2015, LB657, sections 11, 12, 13, 14, 15, 16, 17, 19, 21, 25, 26,

13 27, 28, 29, 34, 38, 39, 44, 51, 53, 54, 55, 56, 58, 64, 67, 68, 71, 80,

14 83, 84, 85, 90, 94, 95, 97, 99, 100, 101, 107, 108, 112, 113, 114, 119,

15 126, 127, 129, 131, 133, 134, 136, 137, 138, 139, 140, 145, 150, 152,

16 153, 154, 155, 163, 166, 167, 169, 174, 175, 178, 179, 188, 191, 192,
 17 194, 195, 202, 204, 211, 213, 216, 218, 219, 221, 223, 224, 226, 232,
 18 233, 234, 235, 237, 238, 239, 240, 241, 242, 244, 245, 247, 249, 256, and
 19 260; Laws 2015, LB659, sections 7, 15, and 17; Laws 2015, LB660, sections
 20 35 and 40; Laws 2016, LB746A, section 3; Laws 2016, LB956, sections 7,
 21 10, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 61,
 22 62, 63, 65, and 67; and Laws 2016, LB1038A, section 1".

(Signed) Anna Wishart, Chairperson

NOTICE OF COMMITTEE HEARING(S)
 Health and Human Services

Room 1510

Wednesday, February 15, 2017 1:30 p.m.

LB88
 LB342
 LB402

(Signed) Merv Riepe, Chairperson

AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to LB263:
 AM156

1 1. Insert the following new sections:

2 Sec. 9. If the owner does not have a certificate of title for a
 3 vehicle manufactured more than thirty years prior to application for a
 4 certificate of title which has not had any major component part replaced,
 5 the department shall search its records and any records readily
 6 accessible to the department for evidence of issuance of a certificate of
 7 title for such vehicle at the request of the owner. If no certificate of
 8 title has been issued, the owner may apply for a certificate of title
 9 indicating that the year, make, and model of the vehicle is that
 10 originally designated by the manufacturer by presenting a notarized bill
 11 of sale, an affidavit in support of the application for title, and a
 12 statement that an inspection has been conducted on the vehicle.
 13 Sec. 10. For each certificate of title issued by the department
 14 under section 9 of this act, the fee shall be twenty-five dollars, which
 15 shall be remitted to the State Treasurer for credit to the Department of
 16 Motor Vehicles Cash Fund.

17 Sec. 12. Section 60-149, Revised Statutes Cumulative Supplement,
 18 2016, is amended to read:

19 60-149 (1)(a) If a certificate of title has previously been issued
 20 for a vehicle in this state, the application for a new certificate of
 21 title shall be accompanied by the certificate of title duly assigned
 22 except as otherwise provided in the Motor Vehicle Certificate of Title

23 Act.

24 (b) Except for manufactured homes or mobile homes as provided in
25 subsection (2) of this section, if a certificate of title has not
26 previously been issued for the vehicle in this state or if a certificate
27 of title is unavailable pursuant to subsection (4) of section 52-1801,

1 the application shall be accompanied by:

2 (i) A manufacturer's or importer's certificate except as otherwise
3 provided in subdivision (vii) of this subdivision;

4 (ii) A duly certified copy of the manufacturer's or importer's
5 certificate;

6 (iii) An affidavit by the owner affirming ownership in the case of
7 an all-terrain vehicle, a utility-type vehicle, or a minibike;

8 (iv) A certificate of title from another state;

9 (v) A court order issued by a court of record, a manufacturer's
10 certificate of origin, or an assigned registration certificate, if the
11 law of the state from which the vehicle was brought into this state does
12 not have a certificate of title law;

13 (vi) Documentation prescribed in section 60-142.01, 60-142.02,
14 60-142.04, ~~or 60-142.05~~, or section 9 of this act; or

15 (vii) A manufacturer's or importer's certificate and an affidavit by
16 the owner affirming ownership in the case of a minitruck.

17 (c) If the application for a certificate of title in this state is
18 accompanied by a valid certificate of title issued by another state which
19 meets that state's requirements for transfer of ownership, then the
20 application may be accepted by this state.

21 (d) If a certificate of title has not previously been issued for the
22 vehicle in this state and the applicant is unable to provide such
23 documentation, the applicant may apply for a bonded certificate of title
24 as prescribed in section 60-167.

25 (2)(a) If the application for a certificate of title for a
26 manufactured home or a mobile home is being made in accordance with
27 subdivision (4)(b) of section 60-137 or if the certificate of title for a
28 manufactured home or a mobile home is unavailable pursuant to section
29 52-1801, the application shall be accompanied by proof of ownership in
30 the form of:

31 (i) A duly assigned manufacturer's or importer's certificate;

1 (ii) A certificate of title from another state;

2 (iii) A court order issued by a court of record;

3 (iv) Evidence of ownership as provided for in section 30-24,125,
4 52-601.01 to 52-605, 60-1901 to 60-1911, or 60-2401 to 60-2411; or

5 (v) Assessment records for the manufactured home or mobile home from
6 the county assessor and an affidavit by the owner affirming ownership.

7 (b) If the applicant cannot produce proof of ownership described in
8 subdivision (a) of this subsection, he or she may submit to the
9 department such evidence as he or she may have, and the department may
10 thereupon, if it finds the evidence sufficient, issue the certificate of
11 title or authorize the county treasurer to issue a certificate of title,
12 as the case may be.

13 (3) For purposes of this section, certificate of title includes a

14 salvage certificate, a salvage branded certificate of title, or any other
15 document of ownership issued by another state or jurisdiction for a
16 salvage vehicle. Only a salvage branded certificate of title shall be
17 issued to any vehicle conveyed upon a salvage certificate, a salvage
18 branded certificate of title, or any other document of ownership issued
19 by another state or jurisdiction for a salvage vehicle.

20 (4) The county treasurer shall retain the evidence of title
21 presented by the applicant and on which the certificate of title is
22 issued.

23 2. On page 8, line 1, strike "(a)".

24 3. On page 9, after line 26, insert the following new subdivision:

25 "(e) The department shall issue certificates of title pursuant to
26 section 9 of this act. Application for a certificate of title shall be
27 made upon a form prescribed by the department. All applications shall be
28 accompanied by the appropriate fee or fees.".

29 4. Renumber the remaining sections, correct internal references, and
30 amend the repealer accordingly.

MESSAGE(S) FROM THE GOVERNOR

February 2, 2017

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individuals are being
reappointed to the Nebraska Rural Health Advisory Commission:

Dr. Brian Buhlke, 2606 28th Street, Central City, NE 68826
Martin Fattig, 73091 643A Avenue, Auburn, NE 68305
Jessye Goertz, 79483 Highway 2, Berwyn, NE 68814

Contingent upon your approval, the following individuals are being
appointed to the Nebraska Rural Health Advisory Commission:

Benjamin R. Iske, D.D.S., 7625 Road 123, Broadwater, NE 69125
April Dexter, 84866 477 Street, Amelia, NE 68711

The aforementioned appointees are respectfully submitted for your
consideration. Copies of the certificates and background information are
included for your review.

(Signed) Sincerely,
Pete Ricketts
Governor

Enclosures

MOTION - Adopt Permanent Rules

The Hilgers motion to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year, found on page 303 and considered on pages 310, 312, 314, 343, 348, 357, 410, and 412, as amended, was renewed.

The Hansen proposed rule change found on page 337 and considered on pages 358, 410, and 412, to Rule 3, Sec. 20(b), was renewed.

Senator Chambers offered the following amendment to the Hansen proposed rule change to Rule 3, Sec. 20(b):

Strike "three-fifths vote" and insert "vote of twenty-seven".

Senator Chambers withdrew his amendment.

Senator Hansen withdrew his proposed rule change to Rule 3, Sec. 20(b).

Senator Hansen withdrew his proposed rule change, found on page 337, to Rule 3, Sec. 18.

Senator Larson offered the following proposed rule change to Rule 7, Sec. 10:

Amend Rule 7, Sec. 10

Sec. 10. Cloture. At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. ~~A vote on the cloture motion shall be taken immediately. A two-thirds majority of the elected members shall be required for the cloture motion to be successful.~~ A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the presiding officer rules that cloture is invoked, a motion to continue debate may then be offered by any member, and is not debatable. Two-fifths of the elected members shall be required for the motion to continue debate to be successful. The vote on the motion to continue debate shall be taken immediately, without debate. If the motion for cloture is successful, If the vote on the motion to continue debate fails, or if no motion to continue debate is made, then a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original

undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred. If the presiding officer rejects a motion for cloture on a bill due to lack of full and fair debate, successive motions for cloture on the bill may be offered at any time.

Senator Larson asked unanimous consent to withdraw his proposed rule change, found in this day's Journal, and replace it with his substitute proposed rule change.

Amend Rule 7, Sec. 10

Sec. 10. Cloture. At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately, which shall require a majority of the elected members, and shall not prevail if two-fifths of the elected members are voting in the negative. ~~A two-thirds majority of the elected members shall be required for the cloture motion to be successful.~~ A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred. If the

presiding officer rejects a motion for cloture on a bill due to lack of full and fair debate, successive motions for cloture on the bill may be offered at any time.

Senator Morfeld objected.

Senator Larson moved to withdraw his proposed rule change, found in this day's Journal, and replace it with his substitute proposed rule change, found in this day's Journal.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Monday, February 13, 2017 1:30 p.m.

Chad W. Buckendahl - Technical Advisory Committee for Statewide Assessment
Gwenn Aspen - Coordinating Commission for Postsecondary Education
LB608

(Signed) Mike Groene, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, February 14, 2017 1:30 p.m.

William Ashburn - Motor Vehicle Industry Licensing Board

(Signed) Curt Friesen, Chairperson

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 81. Placed on General File.
LEGISLATIVE BILL 100. Placed on General File.
LEGISLATIVE BILL 293. Placed on General File.
LEGISLATIVE BILL 321. Placed on General File.
LEGISLATIVE BILL 349. Placed on General File.
LEGISLATIVE BILL 371. Placed on General File.

(Signed) Laura Ebke, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 177. Placed on General File.

LEGISLATIVE BILL 271. Placed on General File.

LEGISLATIVE BILL 86. Placed on General File with amendment.

AM33

1 1. Strike original section 1 and insert the following new section:

2 Section 1. Section 39-810, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 39-810 (1)(a) The county board of each county may erect and repair
5 all bridges and approaches thereto and build all culverts and make
6 improvements on roads, including the purchase of gravel for roads, and
7 stockpile any materials to be used for such purposes, the cost and
8 expense of which shall for no project exceed one hundred thousand
9 dollars.

10 (b) All contracts for the erection or repair of bridges and
11 approaches thereto or for the building of culverts and improvements on
12 roads, the cost and expense of which shall exceed one hundred thousand
13 dollars, shall be let by the county board to the lowest responsible
14 bidder.

15 (c) All contracts for materials for repairing, erecting, and
16 constructing bridges and approaches thereto or culverts or for the
17 purchase of gravel for roads, the cost and expense of which exceed twenty
18 thousand dollars, shall be let to the lowest responsible bidder, but the
19 board may reject any and all bids submitted for such materials.

20 (d) Upon rejection of any bid or bids by the board of such a county,
21 such board shall have power and authority to purchase materials to
22 repair, erect, or construct the bridges of such county, approaches
23 thereto, or culverts or to purchase gravel for roads.

24 (e) All contracts for bridge erection or repair, approaches thereto,
25 culverts, or road improvements in excess of twenty thousand dollars shall
26 require individual cost-accounting records on each individual project.
27 The total costs of each such separate project shall be included in the
1 annual reports to the Board of Public Roads Classifications and Standards
2 as required by section 39-2120.

3 (2)(a) Except as otherwise provided in subdivision (b) of this
4 subsection, all ~~all~~ bids for the letting of contracts shall be deposited
5 with the county clerk of such a county, opened by him or her in the
6 presence of the county board, and filed in such clerk's office.

7 (b) In a county with a population of more than one hundred fifty
8 thousand inhabitants with a purchasing agent under section 23-3105, the
9 bids shall be opened as directed pursuant to section 23-3111.

LEGISLATIVE BILL 164. Placed on General File with amendment.

AM4

1 1. On page 31, line 16, strike ". For", show as stricken, and insert

2 "and for"; in line 19 after "records" insert ". For bulk record requests

3 of multiple motor vehicle, trailer, motorboat, all-terrain vehicle,

4 utility-type vehicle, snowmobile, or minibike titles and registrations;
5 and in line 21 after "records" insert an underscored comma.

(Signed) Curt Friesen, Chairperson

Judiciary

LEGISLATIVE BILL 93. Placed on General File with amendment.
AM121

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

3 Section 1. Sections 1 to 9 of this act shall be known and may be
4 cited as the Automatic License Plate Reader Privacy Act.

5 Sec. 2. For purposes of the Automatic License Plate Reader Privacy
6 Act:

7 (1) Alert means data held by the Department of Motor Vehicles, each
8 criminal justice information system maintained in this state, the Federal
9 Bureau of Investigation National Crime Information Center, the Federal
10 Bureau of Investigation Kidnappings and Missing Persons list, the Missing
11 Persons Information Clearinghouse established under section 29-214.01,
12 and license plate numbers that have been manually entered into the
13 automatic license plate reader system upon a law enforcement officer's
14 determination that the vehicles or individuals associated with the
15 license plate numbers are relevant and material to an ongoing criminal or
16 missing persons investigation;

17 (2) Automatic license plate reader system means one or more mobile
18 or fixed automated high-speed cameras used in combination with computer
19 algorithms to convert images of license plates into computer-readable
20 data;

21 (3) Captured plate data means global positioning system coordinates,
22 date and time information, photographs, license plate numbers, and any
23 other data captured by or derived from any automatic license plate reader
24 system;

25 (4) Governmental entity means a department or agency of this state,
26 the federal government, another state, or a political subdivision or an
27 individual acting for or as an agent of any of such entities; and

1 (5) Secured area means a place, enclosed by clear boundaries, to
2 which access is limited and not open to the public and into which entry
3 is only obtainable through specific access-control points.

4 Sec. 3. (1) Except as otherwise provided in this section or in
5 section 4 of this act, the use of an automatic license plate reader
6 system by a governmental entity is prohibited.

7 (2) An automatic license plate reader system may be used when such
8 use is:

9 (a) By a law enforcement agency of a governmental entity for the
10 purpose of identifying:

11 (i) Outstanding parking or traffic violations;

12 (ii) An unregistered or uninsured vehicle;

13 (iii) A vehicle in violation of the vehicle equipment requirements

14 set forth under the Nebraska Rules of the Road;
15 (iv) A vehicle in violation of any other vehicle registration
16 requirement;
17 (v) A vehicle registered to an individual for whom there is an
18 outstanding warrant;
19 (vi) A vehicle associated with a missing person;
20 (vii) A vehicle that has been reported as stolen; or
21 (viii) A vehicle that is relevant and material to an ongoing
22 criminal investigation;
23 (b) By a parking enforcement entity for regulating the use of a
24 parking facility;
25 (c) For the purpose of controlling access to a secured area;
26 (d) For the purpose of electronic toll collection; or
27 (e) To assist weighing stations in performing their duties under
28 section 60-1301.
29 Sec. 4. (1) A government entity shall not retain captured plate
30 data obtained under subsection (2) of section 3 of this act for more than
31 sixty days unless the captured plate data is:
1 (a) Evidence related to a purpose listed in subsection (2) of
2 section 3 of this act;
3 (b) Subject to a preservation request under subsection (1) of
4 section 5 of this act; or
5 (c) The subject of a warrant, subpoena, or court order.
6 (2) Any governmental entity that uses automatic license plate reader
7 systems pursuant to subsection (2) of section 3 of this act must update
8 such systems from the data bases used by the governmental entities
9 enumerated in such subsection at the beginning of each law enforcement
10 agency shift if such updates are available.
11 (3) Any governmental entity that uses automatic license plate reader
12 systems pursuant to subsection (2) of section 3 of this act may manually
13 query captured plate data only when a law enforcement officer determines
14 that the vehicle or individuals associated with the license plate number
15 are relevant and material to an ongoing criminal or missing persons
16 investigation subject to the following limitations:
17 (a) Any manual entry must document the reason for the entry; and
18 (b) Manual entries must be automatically purged at the end of each
19 law enforcement agency shift, unless the criminal investigation or
20 missing persons investigation remains ongoing.
21 Sec. 5. (1)(a) An operator of an automatic license plate reader
22 system shall, upon the request of a governmental entity or a defendant in
23 a criminal case, take all necessary steps to preserve captured plate data
24 in its possession pending the issuance of a warrant, subpoena, or order
25 of a court.
26 (b) A requesting governmental entity or defendant in a criminal case
27 must specify in a written sworn statement:
28 (i) The particular camera or cameras for which captured plate data
29 must be preserved or the particular license plate for which captured
30 plate data must be preserved; and
31 (ii) The date or dates and timeframes for which captured plate data

1 must be preserved.
2 (2) A governmental entity or defendant in a criminal case may apply
3 for a court order for disclosure of captured plate data, which shall be
4 issued by the court if the governmental entity or defendant in a criminal
5 case offers specific and articulable facts showing there are reasonable
6 grounds to believe the captured plate data is relevant and material to
7 the criminal or civil action. Nothing in this subsection shall prevent
8 the governmental entity from disclosing any captured plate data: (a) To
9 the parties to a criminal or civil action; (b) for administrative
10 purposes; (c) to alert the public of an emergency situation; or (d)
11 relating to a missing person.
12 Sec. 6. Except as otherwise provided in subdivision (3)(b) of this
13 section, any governmental entity that uses an automatic license plate
14 reader system shall:
15 (1) Adopt a policy governing use of the system and conspicuously
16 post the policy on the governmental entity's Internet web site or, if no
17 web site is available, in its main office;
18 (2) Adopt a privacy policy to ensure that captured plate data is not
19 shared in violation of the Automatic License Plate Reader Privacy Act or
20 any other law and conspicuously post the privacy policy on its Internet
21 web site or, if no web site is available, in its main governmental
22 office; and
23 (3)(a) Report annually to the Nebraska Commission on Law Enforcement
24 and Criminal Justice on its automatic license plate reader practices and
25 usage. The report shall also be conspicuously posted on the governmental
26 entity's Internet web site or, if no web site is available, in its main
27 office. The report shall include the following information, if captured
28 by the automatic license plate reader system:
29 (i) The names of each list against which captured plate data was
30 checked, the number of confirmed matches, and the number of matches that
31 upon further investigation did not correlate to an alert; and
1 (ii) The number of manually-entered license plate numbers under
2 subsection (3) of section 4 of this act, the number of confirmed matches,
3 and the number of matches that upon further investigation did not
4 correlate to an alert.
5 (b) The reporting requirements of this subsection shall not apply to
6 governmental entities using an automatic license plate reader system
7 pursuant to subdivisions (2)(b) through (e) of section 3 of this act.
8 Sec. 7. No captured plate data and no evidence derived therefrom
9 may be received in evidence in any trial, hearing, or other proceeding
10 before any court, grand jury, department, officer, agency, regulatory
11 body, legislative committee, or other authority of this state, or a
12 political subdivision thereof, if the disclosure of that information
13 would be in violation of the Automatic License Plate Reader Privacy Act.
14 Sec. 8. Any person who violates the Automatic License Plate Reader
15 Privacy Act shall be liable for damages that proximately cause injury to
16 the business, person, or reputation of another individual or entity.
17 Sec. 9. (1) Captured plate data held by a governmental entity is
18 not considered a public record for purposes of sections 84-712 to

19 84-712.09 and shall only be disclosed to the person to whom the vehicle
 20 is registered or with the prior written consent of the person to whom the
 21 vehicle is registered or pursuant to a disclosure order under subsection
 22 (2) of section 5 of this act or as the result of a match pursuant to
 23 subsection (2) of section 3 of this act.
 24 (2) Upon the presentation to a governmental entity of a valid,
 25 outstanding protection order pursuant to the Protection from Domestic
 26 Abuse Act, the Uniform Interstate Enforcement of Domestic Violence
 27 Protection Orders Act, or section 28-311.09 or 28-311.10 protecting the
 28 driver of a vehicle jointly registered with or registered solely in the
 29 name of the individual against whom the order was issued, captured plate
 30 data may not be disclosed except pursuant to a disclosure order under
 31 subsection (2) of section 5 of this act or as the result of a match
 1 pursuant to subsection (2) of section 3 of this act.

LEGISLATIVE BILL 158. Placed on General File with amendment.

AM145

1 1. On page 2, line 27, after the comma insert "and the matter
 2 leading to such filing has not already been resolved through a juvenile
 3 pretrial diversion program established pursuant to sections 43-260.02 to
 4 43-260.07."
 5 2. On page 5, line 14, after the period insert "If a juvenile waives
 6 his or her right to counsel, the juvenile court shall at each subsequent
 7 hearing inform the juvenile of his or her right to rescind such waiver of
 8 counsel and have counsel reappointed."

LEGISLATIVE BILL 574. Indefinitely postponed.

(Signed) Laura Ebke, Chairperson

ANNOUNCEMENT

Senator Craighead announced Committee on Committees will meet Tuesday, February 7, 2017, at 10:15 a.m. in Room 2022.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hilkemann name added to LB18.
 Senator Halloran name added to LB121.
 Senator Pansing Brooks name added to LB180.
 Senator Albrecht name added to LB289.
 Senator Brewer name added to LB342.
 Senator Brewer name added to LB355.
 Senator Baker name added to LB438.
 Senator Brewer name added to LB556.
 Senator Lindstrom name added to LB576.

Senator Erdman name added to LB576.
Senator Hilkekmann name added to LB578.
Senator Ebke name added to LB611.
Senator Blood name added to LB624.
Senator Brewer name added to LB624.
Senator Brewer name added to LB635.
Senator Brewer name added to LB650.
Senator Hilkekmann name added to LR23.
Senator Hilkekmann name added to LR24.
Senator Pansing Brooks name added to LR26.

MOTION - Recess

Senator Chambers moved to recess until 2:30 p.m.

The motion failed.

VISITOR(S)

Visitors to the Chamber were Wes Ropers and Mike Pittz from Lincoln; and Senator Albrecht's husband, Mike, and Leon Bruns, Darrell Olson, Donald Liedman, Roger Brandt, Tom Wittler, and Dennis Zvack.

ADJOURNMENT

At 12:03 p.m., on a motion by Senator Groene, the Legislature adjourned until 9:00 a.m., Tuesday, February 7, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FOURTH DAY - FEBRUARY 7, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 7, 2017

PRAYER

The prayer was offered by Senator Watermeier.

ROLL CALL

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

The roll was called and all members were present.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-third day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 6, 2017

Robert Clements
221 South 5th Street
Elmwood, NE 68349

Dear Mr. Clements:

It is my pleasure to appoint you as a member of the Nebraska Legislature representing District 2 effective February 6, 2017. Your term will continue until January 1, 2019. Your knowledge and input are valuable and your willingness to serve in this important position is appreciated.

Congratulations and best wishes.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 190. Indefinitely postponed.

(Signed) Jim Smith, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Wednesday, February 15, 2017 1:30 p.m.

LB380
LB452
LB468
LB461

Thursday, February 16, 2017 1:30 p.m.

LB251
LB266
LB640

Wednesday, February 22, 2017 1:30 p.m.

LB535
LB322
LB385
LB555

Thursday, February 23, 2017 1:30 p.m.

LB232
LB236
LB238
LB249

Friday, February 24, 2017 1:30 p.m.

LB602
LB498
LB253
LB288

(Signed) Jim Smith, Chairperson

Judiciary

Room 1113

Thursday, March 2, 2017 1:30 p.m.

LB589

Thursday, March 9, 2017 1:30 p.m.

LB226

Thursday, March 16, 2017 1:30 p.m.

LB145

LB395

LB615

Friday, March 17, 2017 2:00 p.m.

LB366

LB424

LB585

Wednesday, March 22, 2017 1:30 p.m.

LB446

LB560

LB562

LB593

LR26

Thursday, March 23, 2017 1:30 p.m.

LB397

LB502

LB606

LR27

(Signed) Laura Ebke, Chairperson

Education

Room 1525

Tuesday, February 14, 2017 1:30 p.m.

LB246

LB247

LB525
LB575

(Signed) Mike Groene, Chairperson

AMENDMENT(S) - Print in Journal

Senator Erdman filed the following amendment to LB568:

AM150

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

3 Section 1. Section 79-802, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 79-802 (1) Except as provided in subsection (2) of this section, no
6 person shall be employed to teach in any public, private, denominational,
7 or parochial school in this state who does not hold a valid Nebraska
8 certificate or permit issued by the Commissioner of Education legalizing
9 him or her to teach the grade or subjects to which elected.

10 (2) Any person who holds a valid certificate or permit to teach
11 issued by another state may be employed as a substitute teacher in any
12 public, private, denominational, or parochial school in this state for
13 not more than ten working days if he or she begins the application
14 process, on the first employment day, for a Nebraska substitute teacher's
15 certificate and the issuance of such certificate is pending. A person
16 employed as a substitute teacher pursuant to this subsection shall not be
17 required to hold a temporary certificate or a temporary substitute
18 teacher's certificate pursuant to subsection (2) or (3) of section 79-808
19 while subject to this subsection.

20 (3) Public, private, denominational, or parochial schools in the
21 state may employ persons who do not hold a valid Nebraska teaching
22 certificate or permit issued by the Commissioner of Education to serve as
23 aides to a teacher or teachers. Such teacher aides may not assume any
24 teaching responsibilities. A teacher aide may be assigned duties which
25 are nonteaching in nature if the employing school has assured itself that
26 the aide has been specifically prepared for such duties, including the
27 handling of emergency situations which might arise in the course of his
1 or her work.

2 Sec. 2. Section 79-808, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 79-808 (1) Except as otherwise provided in subsection (3) of this
5 section, the ~~The~~ board shall establish, adopt, and promulgate appropriate
6 rules, regulations, and procedures governing the issuance, renewal,
7 conversion, suspension, and revocation of certificates and permits to
8 teach, provide special services, and administer based upon (a) earned
9 college credit in humanities, social and natural sciences, mathematics,
10 or career and technical education, (b) earned college credit, or its
11 equivalent in professional education, for particular teaching, special
12 services, or administrative assignments, (c) criminal history record
13 information if the applicant has not been a continuous Nebraska resident

14 for five years immediately preceding application for the first issuance
 15 of a certificate, (d) human relations training, (e) successful teaching,
 16 administration, or provision of special services, and (f) moral, mental,
 17 and physical fitness for teaching, all in accordance with sound
 18 educational practices. Such rules, regulations, and procedures shall also
 19 provide for endorsement requirements to indicate areas of specialization
 20 on such certificates and permits.

21 (2) The board may issue a temporary certificate, valid for a period
 22 not to exceed two years, to any applicant for certification who has not
 23 completed the human relations training requirement.

24 (3) Beginning August 1, 2018, the board may issue a temporary
 25 substitute teacher's certificate, valid for a period of five years, to
 26 any qualified candidate. Any person who holds a temporary substitute
 27 teacher's certificate may be employed as a substitute teacher in any
 28 public, private, denominational, or parochial school in this state for
 29 not more than the equivalent of ninety full school days in the same
 30 school or school district during any school year. To be a qualified
 31 candidate for a temporary substitute teacher's certificate, an applicant
 1 shall:

2 (a) Be twenty-one years of age or older;

3 (b) Possess a valid high school diploma;

4 (c) Complete twenty-four hours of inservice training;

5 (d) Complete ten hours of classroom observation at each level for

6 (i) elementary school or early childhood education, (ii) middle school,
 7 and (iii) high school for a total of thirty hours;

8 (e) Successfully complete a course and pass an examination

9 administered by the department with a score of at least eighty percent on
 10 the Constitution of the United States;

11 (f) Successfully complete a course and pass an examination

12 administered by the department with a score of at least eighty percent on
 13 the Constitution of Nebraska;

14 (g) Submit fingerprints for purposes of a search for criminal

15 history record information pursuant to section 79-814.01; and

16 (h) Complete an application for a temporary substitute teacher's

17 certificate and submit an application fee pursuant to section 79-810.

18 ~~(4) (3)~~ Members of any advisory committee established by the board

19 to assist the board in teacher education and certification matters shall
 20 be reimbursed for their actual and necessary expenses as provided in
 21 sections 81-1174 to 81-1177. Each school district which has an employee
 22 who serves as a member of such committee and which is required to hire a
 23 person to replace such member during the member's attendance at meetings
 24 or activities of the committee or any subcommittee thereof shall be
 25 reimbursed from the Certification Fund for the expense it incurs from
 26 hiring a replacement. School districts may excuse employees who serve on
 27 such advisory committees from certain duties which conflict with any
 28 advisory committee duties.

29 Sec. 3. Section 79-810, Reissue Revised Statutes of Nebraska, is

30 amended to read:

31 79-810 (1) Certificates and permits shall be issued by the

1 commissioner upon application on forms prescribed and provided by him or
2 her which shall include the applicant's social security number.

3 (2) Each certificate or permit issued by the commissioner shall
4 indicate the area of authorization to teach, provide special services, or
5 administer and any areas of endorsement for which the holder qualifies.

6 During the term of any certificate or permit issued by the commissioner,
7 additional endorsements may be made on the certificate or permit if the
8 holder submits an application, meets the requirements for issuance of the
9 additional endorsements, and pays a nonrefundable fee of forty dollars.

10 (3) The Certification Fund is created. Any fee received by the
11 department under sections 79-806 to 79-815 shall be remitted to the State
12 Treasurer for credit to the fund. The fund shall be used by the
13 department in paying the costs of certifying educators pursuant to such
14 sections and to carry out subsection (4) ~~(3)~~ of section 79-808.

15 (4) Except as provided in subsection (6) of this section, for ~~For~~
16 issuance of a certificate or permit valid in all schools, the
17 nonrefundable fee shall be fifty-five dollars, except that thirteen
18 dollars of the fifty-five-dollar fee shall be credited to the
19 Professional Practices Commission Fund which is created for use by the
20 department to pay for the provisions of sections 79-859 to 79-871, except
21 that transfers may be made from the fund to the General Fund at the
22 direction of the Legislature.

23 (5) Except as provided in subsection (6) of this section, for ~~For~~
24 issuance of a certificate or permit valid only in nonpublic schools, the
25 nonrefundable fee shall be forty dollars.

26 (6) For the issuance of a temporary substitute teacher's
27 certificate, the nonrefundable fee shall be determined by the board and
28 shall not exceed eighty dollars for a resident who has resided within the
29 state for the past two years or one hundred dollars for any other
30 applicant.

31 (7) Any money in the Certification Fund or the Professional
1 Practices Commission Fund available for investment shall be invested by
2 the state investment officer pursuant to the Nebraska Capital Expansion
3 Act and the Nebraska State Funds Investment Act.

4 Sec. 4. Section 79-814.01, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 79-814.01 (1) Upon request by the commissioner, the Nebraska State
7 Patrol shall undertake a search for criminal history record information
8 relating to an applicant for a certificate pursuant to subdivision (1)(c)
9 or subsection (3) of section 79-808, including transmittal of the
10 applicant's fingerprints to the Federal Bureau of Investigation for a
11 national criminal history record information check. The criminal history
12 record information check shall include information concerning the
13 applicant from federal repositories of such information and repositories
14 of such information in other states if authorized by federal law. The
15 Nebraska State Patrol shall issue a report to the commissioner that shall
16 include the criminal history record information concerning the applicant.

17 (2) The commissioner may deny issuance of a certificate or permit to
18 any applicant who has a felony conviction or who has any misdemeanor

19 conviction involving abuse, neglect, or sexual misconduct. In reviewing
 20 an applicant's criminal history record information, the commissioner
 21 shall take into consideration any information, including information
 22 submitted by the applicant, regarding (a) the facts and circumstances
 23 surrounding a conviction, (b) the type of offense and the sentence
 24 imposed, (c) whether the conduct resulting in a conviction would
 25 constitute a crime in Nebraska, (d) the date of the offense, (e) the age
 26 of the applicant at the time of the offense, and (f) the applicant's
 27 conduct and positive social contributions since the offense.
 28 (3) The board shall determine and set the costs for processing
 29 criminal history record information checks pursuant to this section and
 30 section 79-808 which shall be borne by the applicant for a certificate or
 31 permit. The costs shall be limited to the actual direct costs arising
 1 from the processing of the criminal history record information checks.
 2 (4) Criminal history record information subject to federal
 3 confidentiality requirements shall remain confidential and may be
 4 released only upon the written authorization by the applicant, except
 5 that if the applicant appeals the denial of a certificate or permit by
 6 the commissioner, the filing of an administrative appeal shall constitute
 7 a release of the information for the limited purpose of the appeal. If
 8 the applicant requests a closed hearing, such request shall be subject to
 9 the Open Meetings Act.
 10 Sec. 5. Original sections 79-802, 79-808, 79-810, and 79-814.01,
 11 Reissue Revised Statutes of Nebraska, are repealed.

MOTION - Adopt Permanent Rules

Senator Larson withdrew his motion, found on page 421, to withdraw his proposed rule change, found on page 419, and replace it with his substitute proposed rule change, found on page 420, to Rule 7, Sec. 10.

Senator Larson renewed his proposed rule change, found on page 419, to Rule 7, Sec. 10.

Senator Larson offered the following amendment to his proposed rule change to Rule 7, Sec. 10:

Strike the new language in the original Larson amendment to Rule 7, Sec. 10, and insert the following new language:

A vote on the cloture motion shall be taken immediately, which shall require a majority of the elected members, and shall not prevail if two-fifths of the elected members are voting in the negative. ~~A two-thirds majority of the elected members shall be required for the cloture motion to be successful.~~

SENATOR WATERMEIER PRESIDING

Senator Morfeld moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 1 nay, and 17 not voting.

Senator Larson moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

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

Voting in the affirmative, 22:

Albrecht	Clements	Groene	Lindstrom	Smith
Bostelman	Craighead	Halloran	Linehan	Watermeier
Brasch	Erdman	Hilgers	Lowe	
Brewer	Friesen	Hughes	Murante	
Briese	Geist	Kuehn	Riepe	

Voting in the negative, 23:

Baker	Harr	McCollister	Scheer	Wayne
Blood	Hilkemann	McDonnell	Schumacher	Williams
Bolz	Howard	Morfeld	Stinner	Wishart
Crawford	Kolowski	Pansing Brooks	Vargas	
Hansen	Krist	Quick	Walz	

Present and not voting, 4:

Chambers	Ebke	Kolterman	Larson
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The Larson amendment lost with 22 ayes, 23 nays, and 4 present and not voting.

The Chair declared the call raised.

Senator Larson offered the following motion:
Reconsider the vote just taken on his amendment.

SPEAKER SCHEER PRESIDING

Senator Larson asked unanimous consent to withdraw his motion to reconsider the vote just taken on his amendment. No objections. So ordered.

Senator Larson offered the following amendment to his proposed rule change to Rule 7, Sec. 10:

Strike the new language in the original Larson amendment to Rule 7, Sec. 10, reinstate the stricken language, and insert the following new language:

A vote on the cloture motion shall be taken immediately, which shall require a three-fifths majority of the elected members, and shall not prevail if one-third of the elected members are voting in the negative. ~~A two-thirds majority of the elected members shall be required for the cloture motion to be successful.~~

Pending.

MOTION - Adopt Temporary Rules

Senator Harr moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the twenty-ninth legislative day.

Senator Larson offered the following amendment to the motion to adopt the temporary rules:

Amend Rule 7, Sec. 10.

Sec. 10. Cloture. At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately. A two-thirds majority of the elected members shall be required for the cloture motion to be successful. A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until ~~two~~ three additional hours of debate on the bill has occurred. If the presiding officer rejects a motion for cloture on a bill due to lack of full and fair debate, successive motions for cloture on the bill may be offered at any time.

Senator Larson offered the following amendment to his amendment:

Amend Rule 2, Sec. 1.

Section 1. Rules, Matters Not Covered. (a) At the commencement of each regular session, a motion shall be offered to adopt the rules of the preceding session as temporary rules. The motion to adopt temporary rules shall require a majority vote of the members. The temporary rules shall be in effect until such time as the permanent rules are adopted and shall be subject

to cloture pursuant to Rule 7, Section 10, which shall require a majority of the elected members for adoption. The motion to adopt permanent rules and amendments to that motion shall require a majority vote of the elected members. In all matters not covered herein, the Legislature shall decide as to the procedure to be followed, the same to require the concurrence of a majority of the elected members.

(b) In the absence of a controlling rule to cover a specific situation and in the absence of controlling custom, usage, and/or precedent, the presiding officer may utilize Mason's Manual of Legislative Procedure as authority.

Senator Larson withdrew his amendments.

Senator Chambers offered the following amendment to the motion to adopt the temporary rules:
Strike Rule 1.

Senator Chambers withdrew his amendment.

The motion to adopt temporary rules prevailed with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 32. Introduced by Stinner, 48.

WHEREAS, the Nebraska Dry Bean Commission was created as a part of the Dry Bean Resources Act with the passage of Legislative Bill 145 in 1987; and

WHEREAS, Legislative Bill 145 was introduced by Senators John Weihing and Dennis Baack and was signed into law by Governor Kay Orr on March 30, 1987; and

WHEREAS, the Nebraska Dry Bean Commission was created to allow dry bean producers and processors the ability to adopt and devise a dry bean program consisting of research, education, advertising, publicity, and promotion to increase total consumption of dry beans on a state, national, and international basis; and

WHEREAS, the majority of Nebraska's dry bean production occurs along the North Platte River located in the panhandle, southwestern, north central, and central regions of Nebraska; and

WHEREAS, Nebraska has historically been the third largest producer of dry edible beans in the United States, producing an average of 2,270 pounds per acre on 122,000 acres for a total production of 2.766 million hundredweight bags; and

WHEREAS, Nebraska is the largest domestic producer of great northern beans, with approximately 85% of all national production occurring within 75 miles of Scottsbluff; and

WHEREAS, Nebraska is the second largest producer of pinto beans and light red kidney beans in this country; and

WHEREAS, the production of dry edible beans has a significant economic impact in this state; and

WHEREAS, dry edible beans are a low-cost, nutrient-dense food compatible with many current food trends, including high-protein, high-fiber, low-fat, plant-based protein, and low-cholesterol diets.

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

1. That the Legislature recognizes February 7, 2017, as the 30th anniversary of the Nebraska Dry Bean Commission.

Laid over.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Buhlke, Brian - Nebraska Rural Health Advisory Commission - Health and Human Services

Dexter, April - Nebraska Rural Health Advisory Commission - Health and Human Services

Fattig, Martin - Nebraska Rural Health Advisory Commission - Health and Human Services

Goertz, Jessye - Nebraska Rural Health Advisory Commission - Health and Human Services

Iske, Benjamin R. - Nebraska Rural Health Advisory Commission - Health and Human Services

(Signed) Dan Watermeier, Chairperson
Executive Board

COMMITTEE ON COMMITTEES REPORT

Committee on Committees reported the following committee assignment made due to the resignation of Senator Kintner:

Senator Clements has been appointed to the Appropriations Committee.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Brewer name added to LB494.

Senator Ebke name added to LB503.

Senator Lowe name added to LB576.

Senator Erdman name added to LB645.

VISITOR(S)

Visitors to the Chamber were 43 fourth-grade students, teachers, and sponsors from Malcolm; 50 retired members of NSEA from across the state; and members of the Nebraska Bankers Association Leadership Program class from across the state.

The Doctor of the Day was Dr. Tina Kearney from Lincoln.

ADJOURNMENT

At 12:37 p.m., on a motion by Senator Brasch, the Legislature adjourned until 9:00 a.m., Wednesday, February 8, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FIFTH DAY - FEBRUARY 8, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 8, 2017

PRAYER

The prayer was offered by Senator Erdman.

ROLL CALL

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

The roll was called and all members were present except Senator Craighead who was excused; and Senators Krist, Larson, Watermeier, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fourth day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 29 and 30 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 29 and 30.

SELECT FILE

LEGISLATIVE BILL 119. Considered.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 22. ER4, found on page 415, was adopted.

Senator Chambers offered the following motion:

MO32

Indefinitely postpone.

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

The Chambers motion to indefinitely postpone failed with 1 aye, 30 nays, 14 present and not voting, and 4 excused and not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 21 ayes, 3 nays, and 25 not voting.

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

Voting in the affirmative, 45:

Albrecht	Crawford	Hilgers	Linehan	Scheer
Baker	Ebke	Hilkemann	Lowe	Schumacher
Blood	Erdman	Howard	McCollister	Smith
Bolz	Friesen	Hughes	McDonnell	Stinner
Bostelman	Geist	Kolowski	Morfeld	Vargas
Brasch	Groene	Kolterman	Murante	Walz
Brewer	Halloran	Kuehn	Pansing Brooks	Watermeier
Briese	Hansen	Larson	Quick	Williams
Clements	Harr	Lindstrom	Riepe	Wishart

Voting in the negative, 1:

Chambers

Excused and not voting, 3:

Craighead Krist Wayne

Advanced to Enrollment and Review for Engrossment with 45 ayes, 1 nay, and 3 excused and not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 33. Introduced by Hilkemann, 4; Linehan, 39.

WHEREAS, the Elkhorn South High School football team won the 2016 Class B State Football Championship; and

WHEREAS, the championship game was the second contest between the Elkhorn South Storm and the Skutt Catholic SkyHawks during the 2016 season; and

WHEREAS, Skutt had a chance to tie the game on a two point conversion with just over one minute left; and

WHEREAS, with this victory, Elkhorn South earned a second consecutive state title and extended its overall winning streak to 26 games; 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 FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the Elkhorn South High School football team on winning the 2016 Class B State Football Championship.
2. That a copy of this resolution be sent to the Elkhorn South High School football team and coach Guy Rosenberg.

Laid over.

LEGISLATIVE RESOLUTION 34. Introduced by Hilkemann, 4; Kolowski, 31.

WHEREAS, Jesse L. Mu has been awarded the Winston Churchill Scholarship to study at the University of Cambridge's Churchill College; and

WHEREAS, Mr. Mu graduated from Millard North High School in 2013 and expects to graduate from Boston College in May of 2017; and

WHEREAS, the Winston Churchill Scholarship was established at the request of Sir Winston Churchill to fulfill his vision for scientific and technological exchange between the United Kingdom and the United States; and

WHEREAS, the scholarship is awarded to the nation's top undergraduate students who have demonstrated exceptional research talent and a capacity to contribute to the progress of knowledge in the sciences, engineering, or mathematics by pursuing original, creative work at an advanced level; and

WHEREAS, Mr. Mu previously received the 2016 Barry M. Goldwater Scholarship, researched Parkinson's disease at the Technical University of Madrid, and participated in a highly selective summer internship program at Stanford University's Center for the Study of Language and Information; and

WHEREAS, Mr. Mu is excited to spend the coming year at Churchill College pursuing a master's degree in natural language processing as used in voice-activated technology.

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

1. That the Legislature congratulates Jesse L. Mu on his academic excellence and on receiving the Winston Churchill Scholarship.
2. That a copy of this resolution be sent to Jesse L. Mu.

Laid over.

MOTION - Adopt Permanent Rules

The Larson proposed rule change, found on page 419 and considered on page 436, to Rule 7, Sec. 10, was renewed.

Senator Larson renewed his amendment, found on page 437, to Rule 7, Sec. 10, to his proposed rule change.

SENATOR LINDSTROM PRESIDING**SPEAKER SCHEER PRESIDING**

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

Senator Larson moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

Senator Larson requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 29:

Albrecht	Clements	Groene	Kuehn	Riepe
Bolz	Craighead	Halloran	Larson	Scheer
Bostelman	Ebke	Hilgers	Lindstrom	Smith
Brasch	Erdman	Hilkemann	Linehan	Stinner
Brewer	Friesen	Hughes	Lowe	Watermeier
Briese	Geist	Kolterman	Murante	

Voting in the negative, 12:

Baker	Harr	Morfeld	Vargas
Blood	Kolowski	Pansing Brooks	Walz
Crawford	McDonnell	Quick	Wishart

Present and not voting, 6:

Chambers	Howard	Schumacher
Hansen	McCollister	Williams

Excused and not voting, 2:

Krist	Wayne
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The motion to cease debate prevailed with 29 ayes, 12 nays, 6 present and not voting, and 2 excused and not voting.

Senator Larson requested a roll call vote on his amendment.

Voting in the affirmative, 25:

Albrecht	Clements	Geist	Kuehn	Murante
Bostelman	Craighead	Groene	Larson	Riepe
Brasch	Ebke	Halloran	Lindstrom	Scheer
Brewer	Erdman	Hilgers	Linehan	Smith
Briese	Friesen	Hughes	Low	Watermeier

Voting in the negative, 19:

Baker	Hansen	Kolowski	Pansing Brooks	Walz
Blood	Harr	McCollister	Quick	Williams
Bolz	Hilkemann	McDonnell	Schumacher	Wishart
Crawford	Howard	Morfeld	Vargas	

Present and not voting, 3:

Chambers	Kolterman	Stinner
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Excused and not voting, 2:

Krist	Wayne
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The Larson amendment was adopted with 25 ayes, 19 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

Reconsider the vote on the Larson amendment to the Larson proposed rule change.

Pending.

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 404. Indefinitely postponed.

(Signed) Curt Friesen, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 119. Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 195. Placed on General File.

LEGISLATIVE BILL 255. Placed on General File with amendment.

AM91

- 1 1. Insert the following new section:
- 2 Section 13. Since an emergency exists, this act takes effect when
- 3 passed and approved according to law.

(Signed) Merv Riepe, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs

Room 1507

Wednesday, February 22, 2017 1:30 p.m.

LB508

LB567

LB603

Thursday, February 23, 2017 1:30 p.m.

LB644

Friday, February 24, 2017 1:30 p.m.

LB299

LB320

LB482

Wednesday, March 1, 2017 9:15 a.m.

LB75

LB314

LB451

Thursday, March 2, 2017 1:30 p.m.

LR1CA

Friday, March 3, 2017 1:30 p.m.

LB309

LB433

(Signed) John Murante, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Linehan name added to LB21.

Senator Geist name added to LB576.

Senator Hilgers name added to LB576.

VISITOR(S)

Visitors to the Chamber were members of Leadership Hastings; members of Leadership Cheyenne County from Sidney; members of Custer County Economic Development Leadership class; Senator Erdman's son, former Senator Philip Erdman, from Lincoln; Jeff Metz, Morrill County Commissioner; members of Educators Rising Nebraska, Nicole Simanek, VP of Communication, and Margarita Rodriguez, VP of Membership; and Bob Post, Banner County Commissioner.

The Doctor of the Day was Dr. Gilbert Head from Omaha.

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Williams, the Legislature adjourned until 9:00 a.m., Thursday, February 9, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-SIXTH DAY - FEBRUARY 9, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 9, 2017

PRAYER

The prayer was offered by Pastor Ed Milligan, Douglas United Methodist Church, Douglas.

ROLL CALL

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

The roll was called and all members were present except Senators Craighead and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fifth day was approved.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 22. Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 425. Placed on General File with amendment.
AM92

- 1 1. Insert the following new section:
- 2 Sec. 6. Since an emergency exists, this act takes effect when passed
- 3 and approved according to law.

(Signed) Merv Riepe, Chairperson

ANNOUNCEMENT

The Chair announced the birthday of Senator Smith.

MOTION - Adopt Permanent Rules

Senator Chambers renewed his motion, found on page 447, to reconsider the vote on the Larson amendment to the Larson proposed rule change.

SENATOR LINDSTROM PRESIDING**SPEAKER SCHEER PRESIDING**

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

Senator Kolterman moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Larson requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 27:

Albrecht	Craighead	Halloran	Lindstrom	Smith
Bostelman	Ebke	Hilgers	Linehan	Stinner
Brasch	Erdman	Hughes	Lowe	Watermeier
Brewer	Friesen	Kolterman	Murante	
Briese	Geist	Kuehn	Riepe	
Clements	Groene	Larson	Scheer	

Voting in the negative, 21:

Baker	Hansen	McCollister	Schumacher	Wishart
Blood	Hilkemann	McDonnell	Vargas	
Bolz	Howard	Morfeld	Walz	
Chambers	Kolowski	Pansing Brooks	Wayne	
Crawford	Krist	Quick	Williams	

Present and not voting, 1:

Harr

The motion to cease debate prevailed with 27 ayes, 21 nays, and 1 present and not voting.

Senator Chambers requested a record vote on the motion to reconsider.

Voting in the affirmative, 22:

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

Voting in the negative, 25:

Albrecht	Clements	Groene	Larson	Riepe
Bostelman	Craighead	Halloran	Lindstrom	Scheer
Brasch	Erdman	Hilgers	Linehan	Smith
Brewer	Friesen	Hughes	Lowe	Sinner
Briese	Geist	Kuehn	Murante	Watermeier

Present and not voting, 2:

Ebke Kolterman

The Chambers motion to reconsider failed with 22 ayes, 25 nays, and 2 present and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 455. Placed on General File.

(Signed) Justin Wayne, Chairperson

Executive Board

LEGISLATIVE BILL 376. Placed on General File with amendment.

AM159

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

2 sections:

3 Section 1. (1) For purposes of this section, qualified property

4 means the 43.55 acres that were deemed to be not needed for state

5 purposes pursuant to section 90-202 and were deemed to be excess land by

6 the Vacant Building and Excess Land Committee.

7 (2) Notwithstanding sections 72-811 to 72-818 or any other provision

8 of law, the Director of Administrative Services shall, within thirty days

9 after the effective date of this act, submit a request to the Legislature

10 and the Governor asking for authorization to convey the qualified

11 property to the Northeast Community College Area as a donation so that

12 the qualified property may be used for the purpose of development of the

13 Northeast Community College Technology Park.

14 (3) Approval of the Governor and the Legislature or, if the
 15 Legislature is not in session, the Executive Board of the Legislative
 16 Council shall be required to donate the qualified property to the
 17 Northeast Community College Area.
 18 (4) If the Northeast Community College Area sells the qualified
 19 property within ten years after it is donated pursuant to this section,
 20 all proceeds of the sale shall be remitted to the State Treasurer for
 21 credit to the General Fund.
 22 Sec. 2. Since an emergency exists, this act takes effect when
 23 passed and approved according to law.

(Signed) Dan Watermeier, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 384. Placed on General File.

LEGISLATIVE BILL 476. Placed on General File.

LEGISLATIVE BILL 549. Placed on General File.

LEGISLATIVE BILL 406. Placed on General File with amendment.
 AM204

1 1. On page 4, line 10, after the second occurrence of "mail" insert
 2 "first-class mail".

(Signed) Brett Lindstrom, Chairperson

Business and Labor

LEGISLATIVE BILL 181. Placed on General File.

LEGISLATIVE BILL 203. Placed on General File.

LEGISLATIVE BILL 172. Placed on General File with amendment.
 AM162

1 1. On page 8, after line 6 insert the following new subdivision:
 2 "(19) Hearing officer means a person employed by the Department of
 3 Labor who conducts hearings, contested cases, or other proceedings
 4 pursuant to the Employment Security Law."; in line 7 strike "(19)" and
 5 insert "(20)"; in line 23 strike "(20)" and insert "(21)"; in line 24
 6 strike "(21)" and insert "(22)"; and in line 29 strike "(22)" and insert
 7 "(23)".
 8 2. On page 9, line 2, strike "(23)" and insert "(24)"; in line 5
 9 strike "(24)" and insert "(25)"; in line 19 strike "(25)" and insert
 10 "(26)"; in line 25 strike "(26)" and insert "(27)"; and in line 29 strike
 11 "(27)" and insert "(28)".
 12 3. On page 10, line 1, strike "(28)" and insert "(29)"; in line 6
 13 strike "(29)" and insert "(30)"; in line 9 strike "(30)" and insert
 14 "(31)"; in line 11 strike "(31)" and insert "(32)"; in line 16 strike
 15 "(32)" and insert "(33)"; and in line 28 strike "(33)" and insert "(34)".
 16 4. On page 11, line 2, strike "(34)" and insert "(35)".

17 5. On page 13, line 16, strike “(35)” and insert “(36)”; in line 18
 18 strike “(36)” and insert “(37)”; in line 22 strike “(37)” and insert
 19 “(38)”; and in line 26 strike “(38)” and insert “(39)”.
 20 6. On page 69, line 1, strike “(34)(g)” and insert “(35)(g)”.

(Signed) Joni Albrecht, Chairperson

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB22:
 AM235

(Amendments to Final Reading copy)

- 1 1. Strike sections 17, 18, 19, 20, 21, 22, 23, and 24.
- 2 2. On page 1, lines 3 and 4 strike "11, 12, 13, 14, 15, 16, 17,";
- 3 and in line 12 strike "Laws 2016, LB746A, section 3;".
- 4 3. On page 3, line 3, strike "149" and insert "141".
- 5 4. On page 110, line 16, strike "11, 12, 13, 14, 15, 16, 17,"; and
- 6 in line 24 strike "Laws 2016, LB746A, section 3;".
- 7 5. Renumber the remaining sections and correct internal references
- 8 accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 35. Introduced by Scheer, 19.

WHEREAS, on Saturday, March 4, 2017, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award to three honorees at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Judi gaiashkibos, who has served as the Executive Director of the Nebraska Commission on Indian Affairs since 1995. Under her leadership, the commission has focused on creating partnerships and coalitions with elected representatives, tribal leaders, nonprofit organizations, and educational institutions. Judi is a native of Norfolk and an enrolled member of the Ponca Tribe of Nebraska. She also served as a past president of the Governors' Interstate Indian Council, which was established to improve cooperation between tribal and state governments. She has been the principal liaison to the Legislature in developing policy for native citizens and the four federally recognized tribes of this state. Her work was recognized by Humanities Nebraska when she was awarded the 2012 Sower Award in the Humanities. Judi is, and continues to be, an exemplary engaged Nebraskan; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Robert Ripley, FAIA, whose work as State Capitol Administrator has created a legacy that will serve the state for generations to come. Bob has spent more than 33 years serving as the steward, guardian, and curator of Nebraska's monumental State Capitol Building and oversaw the twelve-year, \$57 million project to repair the building's exterior and restore the iconic Sower. Nebraskans of all ages have benefited from Bob's passion for

public service and architecture and his dedication to preserving our cultural heritage. A Lincoln native, his national reputation and preservation expertise led to his service as a project coordinator for the restoration of the Washington Monument and his receipt of the 2015 Harry F. Cunningham Gold Medal for Architectural Excellence in the State of Nebraska; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Dayle Williamson, who has devoted his life to preserving and protecting Nebraska's abundant natural resources for future generations. Dayle was the first director of the Natural Resources Commission in 1971, serving for 30 years and under six governors in that position. He was instrumental in overseeing implementation of the landmark law that created Nebraska's natural resources districts. In this role, Williamson guided hundreds of state and federal projects that promoted soil and water conservation and flood control across the state, protected the state's soil and water resources, and averted millions of dollars in potential flood damage. Born and raised on a farm near Ohiowa, Williamson rose to the rank of Brigadier General in the Nebraska Army National Guard.

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

1. That the Legislature congratulates the recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.

2. That a copy of this resolution be given to Judi gaiashkibos, to Robert Ripley, and to Dayle Williamson.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Albrecht name added to LB661.

VISITOR(S)

Visitors to the Chamber were Kearney High Fine Arts students; members of Hall County Leadership Tomorrow; and Anne Berg from Lincoln.

The Doctor of the Day was Dr. Anna Dalrymple from Gothenburg.

ADJOURNMENT

At 11:50 a.m., on a motion by Senator Craighead, the Legislature adjourned until 9:00 a.m., Friday, February 10, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-SEVENTH DAY - FEBRUARY 10, 2017**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION****TWENTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, February 10, 2017

PRAYER

The prayer was offered by Senator Bostelman.

ROLL CALL

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

The roll was called and all members were present except Senators Groene, Watermeier, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-sixth day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 9, 2017

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Investment Council:

Richard DeFusco, 6611 South 41 Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

February 9, 2017

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Ethanol Board:

Scott McPheeters, 26118 S. McNickle Road, Gothenburg, NE 69138

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

NOTICE OF COMMITTEE HEARING(S)
Appropriations

Room 1524

Tuesday, February 21, 2017 1:30 p.m.

Budget bills scheduled at this time for official record purposes. Testimony on the overall budget is appropriate, however testimony on specific issues and/or agencies should be presented at the date scheduled for the relevant agency.

LB327
LB328
LB329
LB330
LB331
LB332
LB150

Room 1003

Wednesday, February 22, 2017 1:30 p.m.

Agency 45 - Barber Examiners, Board of
Agency 30 - Electrical Board, State
Agency 74 - Power Review Board, Nebraska

Agency 41 - State Real Estate Commission
Agency 53 - Real Property Appraiser Board
Agency 63 - Public Accountancy, Nebraska Board of
Agency 36 - Racing Commission, Nebraska State
Agency 58 - Board of Engineers and Architects
Agency 59 - Board of Geologists
Agency 62 - Land Surveyors, State Board of Examiners for
Agency 66 - Abstracters Board of Examiners
Agency 73 - Landscape Architects, State Board of

Thursday, February 23, 2017 1:30 p.m.

Agency 18 - Agriculture, Department of
Agency 18 - Agriculture, Department of
Note: Potato Board & Poultry/Egg
Agency 39 - Brand Committee, Nebraska
Agency 60 - Ethanol Board, Nebraska
Agency 56 - Wheat Board, Nebraska
Agency 61 - Dairy Industry Development Board, Nebraska
Agency 86 - Dry Bean Commission
Agency 88 - Corn Development, Utilization and Marketing Board
Agency 92 - Grain Sorghum Board, Nebraska

Friday, February 24, 2017 1:30 p.m.

LB416
Agency 28 - Veterans' Affairs, Department of
Agency 23 - Labor, Department of
Agency 37 - Workers' Compensation Court
Agency 77 - Industrial Relations, Commission of
Agency 85 - Public Employees Retirement Board, Nebraska

(Signed) John Stinner, Chairperson

Judiciary

Room 1113

Wednesday, March 22, 2017 1:30 p.m.

LB562 (cancel)

Friday, March 17, 2017 2:00 p.m.

LB562

(Signed) Laura Ebke, Chairperson

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>

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 9, 2017, 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

Becker, David
 The Nebraska Geological Society
 Boschult, Mary
 League of Women Voters of Lincoln and Lancaster County
 Heartland Strategy Group, LLC
 American Society of Composers, Authors & Publishers
 Peetz & Company
 Thai Boxing Association
 Husch Blackwell LLP
 Charter Communications, Inc.
 Jensen Rogert Associates, Inc.
 ABATE of Nebraska, Inc.
 Lautenbaugh, Scott
 Kissel/E&S Associates, LLC
 Madon, Alexi
 CompTIA Member Services, LLC
 Mueller Robak
 Notarize, Inc.
 Plumb, Marjorie
 Coalition for a Strong Nebraska

MOTION - Adopt Permanent Rules

The Larson proposed rule change, found on page 419 and considered on pages 436 and 446, to Rule 7, Sec. 10, as amended, was renewed.

Senator Chambers offered the following amendment to the Larson proposed rule change:

Strike new language and reinstate the stricken; after "time" at the end of the third paragraph, insert "No member shall consume food during a public hearing".

SENATOR LINDSTROM PRESIDING

SPEAKER SCHEER PRESIDING

Pending.

COMMITTEE REPORT(S)
Transportation and Telecommunications

LEGISLATIVE BILL 418. Placed on General File.

LEGISLATIVE BILL 347. Placed on General File with amendment.
AM16

1 1. On page 7, strike beginning with "No" in line 16 through line 20
2 and show as stricken.

LEGISLATIVE BILL 584. Placed on General File with amendment.
AM181

1 1. On page 2, line 6, reinstate the stricken matter beginning with
2 "at" through the second comma; in line 7 before the period insert
3 "sometime in July for the first time and sometime in September for the
4 second time"; strike lines 8 through 11 and insert the following new
5 subsection:
6 "(2) This section shall not restrict landowners, a county, or a
7 township from management of (a) roadside vegetation on road shoulders or
8 of sight distances at intersections and entrances at any time of the year
9 or (b) snow control mowing as may be necessary."; and in line 12 strike
10 "No" and insert "Except as provided in subsection (2) of this section,
11 no".

(Signed) Curt Friesen, Chairperson

Nebraska Retirement Systems

LEGISLATIVE BILL 32. Placed on General File.

LEGISLATIVE BILL 110. Placed on General File.

LEGISLATIVE BILL 79. Indefinitely postponed.

(Signed) Mark Kolterman, Chairperson

COMMITTEE REPORT(S)
Natural Resources

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

Randy Gard - Nebraska Ethanol Board

Aye: 8 Albrecht, Bostelman, Geist, Hughes, Kolowski, McCollister, Quick, Walz. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Dan Hughes, Chairperson

VISITOR(S)

Visitors to the Chamber were Dental Hygiene students from UNMC College of Dentistry; and members of the Nebraska State Bar Association Leadership Academy from across the state.

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

ADJOURNMENT

At 11:53 a.m., on a motion by Senator Kuehn, the Legislature adjourned until 9:00 a.m., Monday, February 13, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-EIGHTH DAY - FEBRUARY 13, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 13, 2017

PRAYER

The prayer was offered by Senator Craighead.

ROLL CALL

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

The roll was called and all members were present except Senator Riepe who was excused; and Senators Hansen and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-seventh day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 9, 2017

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Commission on Problem Gambling:

Cameron Arch, 7204 South 160th Street, Omaha, NE 68136

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR31 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR31.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 119. With Emergency Clause.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1022.02, 79-1027, and 79-1031.01, Reissue Revised Statutes of Nebraska, and sections 79-1022 and 79-1023, Revised Statutes Cumulative Supplement, 2016; to change the determination and certification dates relating to distribution of aid, certification of certain budget limitations as prescribed, and duties of the Appropriations Committee of the Legislature; to harmonize provisions; 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:

Albrecht	Clements	Hilgers	Lindstrom	Schumacher
Baker	Crawford	Hilkemann	Linehan	Smith
Blood	Ebke	Howard	Lowe	Stinner
Bolz	Erdman	Hughes	McCollister	Vargas
Bostelman	Friesen	Kolowski	McDonnell	Walz
Brasch	Geist	Kolterman	Morfeld	Watermeier
Brewer	Groene	Krist	Pansing Brooks	Wayne
Briese	Halloran	Kuehn	Quick	Williams
Chambers	Harr	Larson	Scheer	Wishart

Voting in the negative, 0.

Excused and not voting, 4:

Craighead Hansen Murante Riepe

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

WITHDRAW - Amendments to LB22

Senator Krist withdrew his amendments, AM104 and AM151, found on pages 385 and 399, to LB22.

MOTION(S) - Return LB22 to Select File

Senator Krist moved to return LB22 to Select File for his specific amendment, AM235, found on page 455.

Senator Krist requested a record vote on the motion to return.

Voting in the affirmative, 11:

Ebke	Kolowski	Pansing Brooks	Walz
Hansen	Krist	Quick	Wayne
Howard	Morfeld	Schumacher	

Voting in the negative, 30:

Albrecht	Clements	Halloran	Larson	Smith
Blood	Craighead	Hilgers	Linehan	Stinner
Bostelman	Crawford	Hilkemann	Lowe	Vargas
Brasch	Erdman	Hughes	McDonnell	Watermeier
Brewer	Geist	Kolterman	Murante	Williams
Briese	Groene	Kuehn	Scheer	Wishart

Present and not voting, 7:

Baker	Chambers	Harr	McCollister
Bolz	Friesen	Lindstrom	

Excused and not voting, 1:

Riepe

The Krist motion to return failed with 11 ayes, 30 nays, 7 present and not voting, and 1 excused and not voting.

Senator Chambers offered the following motion:

MO33

Reconsider the vote taken to return the bill to Select File.

SENATOR LINDSTROM PRESIDING

SPEAKER SCHEER PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 40 ayes, 3 nays, and 6 not voting.

Senator Chambers requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 9:

Blood	Ebke	Howard	Krist	Schumacher
Chambers	Hansen	Kolowski	Quick	

Voting in the negative, 31:

Albrecht	Crawford	Hilkemann	Lowe	Watermeier
Bostelman	Erdman	Hughes	McDonnell	Williams
Brasch	Friesen	Kolterman	Murante	Wishart
Brewer	Geist	Kuehn	Scheer	
Briese	Groene	Larson	Smith	
Clements	Halloran	Lindstrom	Stinner	
Craighead	Hilgers	Linehan	Vargas	

Present and not voting, 8:

Baker	Harr	Morfeld	Walz
Bolz	McCollister	Pansing Brooks	Wayne

Excused and not voting, 1:

Riepe

The Chambers motion to reconsider failed with 9 ayes, 31 nays, 8 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

MOTION(S) - Bracket LB22

Senator Chambers offered the following motion to LB22:

MO34

Bracket until February 27, 2017.

SENATOR WATERMEIER PRESIDING**SPEAKER SCHEER PRESIDING**

Senator Stinner offered the following motion:

MO35

Invoke cloture pursuant to Rule 7, Sec. 10.

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

Voting in the affirmative, 43:

Albrecht	Crawford	Hilgers	Lowe	Smith
Blood	Ebke	Hilkemann	McCollister	Stinner
Bolz	Erdman	Howard	McDonnell	Vargas
Bostelman	Friesen	Hughes	Morfeld	Walz
Brasch	Geist	Kolterman	Murante	Watermeier
Brewer	Groene	Kuehn	Pansing Brooks	Williams
Briese	Halloran	Larson	Quick	Wishart
Clements	Hansen	Lindstrom	Scheer	
Craighead	Harr	Linehan	Schumacher	

Voting in the negative, 1:

Chambers

Present and not voting, 4:

Baker	Kolowski	Krist	Wayne
-------	----------	-------	-------

Excused and not voting, 1:

Riepe

The Stinner motion to invoke cloture prevailed with 43 ayes, 1 nay, 4 present and not voting, and 1 excused and not voting.

Senator Chambers requested a roll call vote on the motion to bracket.

Voting in the affirmative, 2:

Chambers	Schumacher
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Voting in the negative, 42:

Albrecht	Crawford	Hilkemann	McCollister	Vargas
Blood	Ebke	Howard	McDonnell	Walz
Bolz	Erdman	Hughes	Morfeld	Watermeier
Bostelman	Friesen	Kolterman	Murante	Wayne
Brasch	Geist	Kuehn	Pansing Brooks	Williams
Brewer	Groene	Larson	Quick	Wishart
Briese	Halloran	Lindstrom	Scheer	
Clements	Harr	Linehan	Smith	
Craighead	Hilgers	Lowe	Stinner	

Present and not voting, 4:

Baker Hansen Kolowski Krist

Excused and not voting, 1:

Riepe

The Chambers motion to bracket failed with 2 ayes, 42 nays, 4 present and not voting, and 1 excused and not voting.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB22 with 42 ayes, 5 nays, 1 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 22. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2015, LB259A, section 2; Laws 2015, LB265A, section 1; Laws 2015, LB469A, section 1; Laws 2015, LB605A, section 8; Laws 2015, LB657, sections 11, 12, 13, 14, 15, 16, 17, 19, 21, 25, 26, 27, 28, 29, 34, 38, 39, 44, 51, 53, 54, 55, 56, 58, 64, 67, 68, 71, 80, 83, 84, 85, 90, 94, 95, 97, 99, 100, 101, 107, 108, 112, 113, 114, 119, 126, 127, 129, 131, 133, 134, 136, 137, 138, 139, 140, 145, 150, 152, 153, 154, 155, 163, 166, 167, 169, 174, 175, 178, 179, 188, 191, 192, 194, 195, 202, 204, 211, 213, 216, 218, 219, 221, 223, 224, 226, 232, 233, 234, 235, 237, 238, 239, 240, 241, 242, 244, 245, 247, 249, 256, and 260; Laws 2015, LB659, sections 7, 15, and 17; Laws 2015, LB660, sections 35 and 40; Laws 2016, LB746A, section 3; Laws 2016, LB956, sections 7, 10, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 61, 62, 63, 65, and 67; and Laws 2016, LB1038A, section 1; to define terms; to provide, change, and eliminate provisions relating to appropriations; to reduce appropriations; to state intent; 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, 42:

Albrecht	Crawford	Hilgers	McCollister	Vargas
Blood	Ebke	Hilkemann	McDonnell	Walz
Bolz	Erdman	Hughes	Morfeld	Watermeier
Bostelman	Friesen	Kolterman	Murante	Wayne
Brasch	Geist	Kuehn	Pansing Brooks	Williams
Brewer	Groene	Larson	Scheer	Wishart
Briese	Halloran	Lindstrom	Schumacher	
Clements	Hansen	Linehan	Smith	
Craighead	Harr	Lowe	Stinner	

Voting in the negative, 3:

Chambers Krist Quick

Present and not voting, 3:

Baker Howard Kolowski

Excused and not voting, 1:

Riepe

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

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 119 and 22.

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 368. Placed on General File.

(Signed) Curt Friesen, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Friday, March 17, 2017 2:00 p.m.

LB366 (cancel)

Wednesday, March 22, 2017 1:30 p.m.

LB366

(Signed) Laura Ebke, Chairperson

PRESIDENT FOLEY PRESIDING**MOTION - Adopt Permanent Rules**

The Larson proposed rule change, found on page 419 and considered on pages 436, 446, and 460, to Rule 7, Sec. 10, as amended, was renewed.

Senator Chambers renewed his amendment, found on page 460, to the Larson proposed rule change.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 13, 2017, at 11:42 a.m. were the following: LBs 119e and 22e.

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

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Baker name added to LB122.
Senator Pansing Brooks name added to LB355.
Senator Ebke name added to LB447.
Senator Halloran name added to LB506.
Senator Murante name added to LB576.

VISITOR(S)

Visitors to the Chamber were members of the Nebraska Realtors Association and Leadership Academy; members of One World: Olha Artemieva, Ivanna Fedkeo, Svetlana Ioffe, Yulia Ivaniv, Kateryna Sharag, and Alina Mosendz from Ukraine; and Alexander Keck from Lincoln.

The Doctor of the Day was Dr. Elizabeth Wooster from Lincoln.

ADJOURNMENT

At 11:53 a.m., on a motion by Senator Pansing Brooks, the Legislature adjourned until 9:00 a.m., Tuesday, February 14, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-NINTH DAY - FEBRUARY 14, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 14, 2017

PRAYER

The prayer was offered by Senator Quick.

ROLL CALL

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

The roll was called and all members were present except Senators Groene and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-eighth day was approved.

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Wednesday, February 22, 2017 1:30 p.m.

LB322 (cancel)
LB385 (cancel)
LB555 (cancel)

Wednesday, February 22, 2017 1:30 p.m.

LB313
LB312
LB563

Wednesday, March 1, 2017 9:30 a.m.

LB322
LB385
LB555

Thursday, March 2, 2017 1:30 p.m.

LB326
LB633
LB400
LB531

Friday, March 3, 2017 1:30 p.m.

LB272
LB475
LB528
LB228

Wednesday, March 8, 2017 1:30 p.m.

LB443
LB561
LB557
LB616

Thursday, March 9, 2017 1:30 p.m.

LB570
LB572
LB576
LB599

(Signed) Jim Smith, Chairperson

COMMITTEE REPORT(S)

Judiciary

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

Jeffrey Davis - Crime Victim's Reparations Committee
Joe P. Kelly - Crime Victim's Reparations Committee
Rita G. Sanders - Crime Victim's Reparations Committee

Aye: 8 Baker, Chambers, Ebke, Halloran, Hansen, Krist, Morfeld,
Pansing Brooks. Nay: 0. Absent: 0. Present and not voting: 0.

LEGISLATIVE BILL 160. Placed on General File.
LEGISLATIVE BILL 198. Placed on General File.
LEGISLATIVE BILL 447. Placed on General File.

LEGISLATIVE BILL 39. Placed on General File with amendment.

AM133

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

2 sections:

3 Section 1. Section 28-101, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 28-101 Sections 28-101 to 28-1357, 28-1418.01, 28-1429.03, and
6 28-1601 to 28-1603 and section 2 of this act shall be known and may be
7 cited as the Nebraska Criminal Code.

8 Sec. 2. (1) For purposes of this section, ivory means the tusk of
9 any species of elephant or mammoth or any piece thereof, and the horn of
10 any species of rhinoceros, or any piece thereof. The term ivory includes
11 both raw ivory and worked ivory and includes any item containing or
12 advertised as containing ivory.

13 (2) Except as provided in subsection (3) of this section, it is
14 unlawful to purchase, sell, possess with intent to sell, offer for sale,
15 trade, or barter ivory. Any person who violates this section shall be
16 guilty of a Class II misdemeanor. Ivory used in violation of this section
17 is contraband, shall be subject to seizure, and shall be disposed of
18 pursuant to section 29-820.

19 (3) The prohibitions set forth in subsection (2) of this section
20 shall not apply to:

21 (a) Any activity authorized by an exemption or permit under federal
22 law or that is otherwise expressly authorized under federal law;

23 (b) Musical instruments containing ivory if:

24 (i) The ivory in such instrument is less than twenty percent of the
25 volume of such instrument;

26 (ii) The ivory is a fixed or integral component or components of the
27 instrument as a whole and the ivory does not, in its current form,
1 account for more than twenty percent of the value of the instrument;

2 (iii) The instrument was manufactured or created before 1975; and

3 (iv) The owner or seller provides historical documentation
4 demonstrating provenance and showing the instrument was manufactured or
5 created before 1975;

6 (c) A bona fide antique containing ivory if:

7 (i) The antique is at least one hundred years old at the time of the
8 transaction;

9 (ii) The owner or seller provides historical documentation
10 demonstrating provenance and showing the item was manufactured or created
11 at least one hundred years prior to such time;

12 (iii) The ivory component or components do not account for more than
13 twenty percent of the volume of the antique; and

14 (iv) The ivory is a fixed or integral component or components of the
15 antique as a whole and the ivory does not, in its current form, account
16 for more than twenty percent of the value of the antique;

17 (d) Acquisition or distribution for educational or scientific
18 purposes by a bona fide educational or scientific institution, including
19 a museum;

20 (e) An employee or agent of federal, state, or local government

21 undertaking a law enforcement activity pursuant to federal or state law
22 or a mandatory duty required by law; and

23 (f) Firearms, knives, or their component parts containing ivory.

24 Sec. 3. Section 29-820, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 29-820 (1) Unless other disposition is specifically provided by law,
27 when property seized or held is no longer required as evidence, it shall
28 be disposed of by the law enforcement agency on such showing as the law
29 enforcement agency may deem adequate, as follows:

30 (a) Property stolen, embezzled, obtained by false pretenses, or
31 otherwise obtained unlawfully from the rightful owner thereof shall be
1 restored to the owner;

2 (b) Money shall be restored to the owner unless it was used in
3 unlawful gambling or lotteries or it was used or intended to be used to
4 facilitate a violation of Chapter 28, article 4, in which case the money
5 shall be forfeited and disposed of as required by Article VII, section 7,
6 of the Constitution of Nebraska;

7 (c) Property which is unclaimed or the ownership of which is unknown
8 shall be sold at a public auction held by the officer having custody
9 thereof and the net proceeds disposed of as provided in subdivision (b)
10 of this subsection, as shall any money which is unclaimed or the
11 ownership of which is unknown;

12 (d) Except as provided in ~~subsections~~ subsection (2) and (3) of this
13 section, articles of contraband shall be destroyed;

14 (e) Firearms, ammunition, explosives, bombs, and like devices which
15 have been used in the commission of crime shall be destroyed; and

16 (f) Firearms which have come into the law enforcement agency's
17 possession through a seizure or otherwise and (i) have not been used in
18 the commission of crime, (ii) have not been defaced or altered in any
19 manner that violates any state or federal law, (iii) may have a lawful
20 use and be lawfully possessed, and (iv) are not subject to section 29-440
21 shall be restored to the owner.

22 (2) When the following property is seized or held and is no longer
23 required as evidence, such property shall be disposed of on order of the
24 court as the court may deem adequate:

25 Goods which are declared to be contraband but may reasonably be
26 returned to a condition or state in which such goods may be lawfully
27 used, possessed, or distributed by the public.

28 (3) Ivory used in violation of section 2 of this act which is seized
29 or held and is no longer required as evidence may, by order of the court,
30 be donated to a bona fide educational or scientific institution,

31 including a museum, for educational or research purposes or to raise
1 awareness of the trafficking and threatened nature of endangered animals,
2 unless otherwise prohibited under state and federal law. The recipient of
3 such donation shall pay any costs associated with receiving such
4 donation. If such donation is not feasible, such ivory shall be destroyed
5 or placed in storage as the court may direct.

6 ~~(4)~~ (3) When any animal as defined by section 28-1008 is seized or
7 held and is no longer required as evidence, such animal may be disposed

8 of in such manner as the court may direct. The court may consider
 9 adoption alternatives through humane societies or comparable institutions
 10 and the protection of such animal's welfare. For a humane society or
 11 comparable institution to be considered as an adoption alternative under
 12 this subsection, it must first be licensed by the Department of
 13 Agriculture as having passed the inspection requirements in the
 14 Commercial Dog and Cat Operator Inspection Act and paid the fee for
 15 inspection under the act. The court may prohibit an adopting or
 16 purchasing party from selling such animal for a period not to exceed one
 17 year.
 18 ~~(5)~~ (4) Unless otherwise provided by law, all other property shall
 19 be disposed of in such manner as the court in its sound discretion shall
 20 direct.
 21 Sec. 4. Original sections 28-101 and 29-820, Reissue Revised
 22 Statutes of Nebraska, are repealed.

LEGISLATIVE BILL 122. Placed on General File with amendment.
 AM223

1 1. On page 2, line 2, strike "eighteen" and insert "nineteen"; in
 2 line 8 strike "or" and after "sibling" insert ", aunt, uncle, niece,
 3 nephew, cousin, or domestic partner"; in line 18 after "member" insert ",
 4 unless such action is authorized by a nursing home administrator pursuant
 5 to section 71-6021"; and strike lines 19 through 23 and insert the
 6 following new subsection:
 7 "(2) If a family member is being denied visitation with a resident,
 8 the family member may petition the county court to compel visitation with
 9 the resident. If the resident has been appointed a guardian under the
 10 jurisdiction of a county court in Nebraska, the petition shall be filed
 11 in the county court having such jurisdiction. If there is no such
 12 guardianship, the petition shall be filed in the county court for the
 13 county in which the resident resides. The court may not issue an order
 14 compelling visitation if the court finds any of the following:".

(Signed) Laura Ebke, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR32 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR32.

MOTION - Adopt Permanent Rules

Senator Chambers withdrew his amendment, found on page 460 and considered on page 470, to the Larson proposed rule change, to Rule 7, Sec. 10.

Senator Larson asked unanimous consent to withdraw his proposed rule change, found on page 419 and considered on pages 436, 446, 460, and 470, to Rule 7, Sec. 10, as amended. No objections. So ordered.

Senator Brewer offered the following proposed rule change:

Amend Rule 7, Sec. 1(b)

Insert "Pledge of Allegiance" after "a. Prayer by the Chaplain"

Senator Brewer asked unanimous consent to withdraw his proposed rule change, found in this day's Journal, and replace it with the following substitute proposed rule change. No objections. So ordered.

Amend Rule 7, Sec. 10.

Sec. 10. Cloture. At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately. A two-thirds majority of ~~the elected members~~ those members present and voting or a majority of the elected members, whichever is greater, shall be required for the cloture motion to be successful. The requirement for cloture needed for the majority of members present and voting is as follows:

<u>Members Present and Voting</u>	<u>Vote Required</u>
<u>49</u>	<u>33</u>
<u>48</u>	<u>32</u>
<u>47</u>	<u>31</u>
<u>46</u>	<u>31</u>
<u>45</u>	<u>30</u>
<u>44</u>	<u>29</u>
<u>43</u>	<u>29</u>
<u>42</u>	<u>28</u>
<u>41</u>	<u>27</u>
<u>40</u>	<u>27</u>
<u>39</u>	<u>26</u>
<u>38 and fewer</u>	<u>25</u>

A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the

original amendment. If the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred. If the presiding officer rejects a motion for cloture on a bill due to lack of full and fair debate, successive motions for cloture on the bill may be offered at any time.

Senator Krist offered the following amendment to the Brewer proposed rule change:

Amend Rule 7, Sec. 10.

Sec. 10. Cloture. At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately. A two-thirds majority of ~~the elected members~~ those members present and voting or a majority three-fifths vote of the elected members, whichever is greater, shall be required for the cloture motion to be successful. The requirement for cloture needed for the majority of members present and voting is as follows:

<u>Members Present and Voting</u>	<u>Vote Required</u>
<u>49</u>	<u>33</u>
<u>48</u>	<u>32</u>
<u>47</u>	<u>31</u>
<u>46</u>	<u>31</u>
<u>45</u>	<u>30</u>
<u>44</u>	<u>29 30</u>
<u>43</u>	<u>29 30</u>
<u>42</u>	<u>28 30</u>
<u>41</u>	<u>27 30</u>
<u>40</u>	<u>27 30</u>
<u>39</u>	<u>26 30</u>
<u>38 and fewer</u>	<u>25 30</u>

A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred. If the presiding officer rejects a motion for cloture on a bill due to lack of full and fair debate, successive motions for cloture on the bill may be offered at any time.

Pending.

MOTION - Adopt Temporary Rules

Senator Scheer moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the thirty-first legislative day.

Senator Williams offered the following amendment to the temporary rules: Amend the Scheer motion to adopt the temporary rules by striking "thirty-first" and inserting "ninetieth".

Senator Krist moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 6 nays, and 15 not voting.

Senator Williams moved for a call of the house. The motion prevailed with 40 ayes, 1 nay, and 8 not voting.

Senator Williams requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 23:

Baker	Hansen	Krist	Quick	Wayne
Blood	Hilkemann	McCollister	Schumacher	Williams
Bolz	Howard	McDonnell	Stinner	Wishart
Chambers	Kolowski	Morfeld	Vargas	
Crawford	Kolterman	Pansing Brooks	Walz	

Voting in the negative, 25:

Albrecht	Clements	Geist	Kuehn	Murante
Bostelman	Craighead	Groene	Larson	Riepe
Brasch	Ebke	Halloran	Lindstrom	Scheer
Brewer	Erdman	Hilgers	Linehan	Smith
Briese	Friesen	Hughes	Lowe	Watermeier

Present and not voting, 1:

Harr

The Williams amendment lost with 23 ayes, 25 nays, and 1 present and not voting.

The Chair declared the call raised.

Senator Scheer moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 4 nays, and 14 not voting.

Senator Chambers requested a roll call vote on the Scheer motion to adopt temporary rules.

The Scheer motion to adopt temporary rules prevailed with 33 ayes, 8 nays, and 8 present and not voting.

MOTION - Adopt Permanent Rules

The Krist amendment, found in this day's Journal, to the Brewer proposed rule change, to Rule 7, Sec. 10, was renewed.

Pending.

COMMITTEE REPORT(S)

Executive Board

LEGISLATIVE BILL 539. Placed on General File.

(Signed) Dan Watermeier, Chairperson

Health and Human Services

LEGISLATIVE BILL 323. Placed on General File.

(Signed) Merv Riepe, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications

Room 1113

Tuesday, February 21, 2017 2:00 p.m.

Dennis Schworer - Motor Vehicle Industry Licensing Board

(Signed) Curt Friesen, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Pansing Brooks name added to LB194.

Senator Erdman name added to LB404.

Senator Hilgers name added to LB506.

Senator Hilkemann name added to LB506.

Senator Lowe name added to LB639.

MOTION(S) - Recess

Senator Chambers moved to recess until 3:00 p.m.

The motion failed.

VISITOR(S)

Visitors to the Chamber were members of Leadership Wayne; members of Leadership Sarpy; and members of Planned Parenthood of the Heartland.

ADJOURNMENT

At 11:58 a.m., on a motion by Speaker Scheer, the Legislature adjourned until 9:00 a.m., Wednesday, February 15, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTIETH DAY - FEBRUARY 15, 2017**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION****THIRTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 15, 2017

PRAYER

The prayer was offered by Senator Linehan.

ROLL CALL

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

The roll was called and all members were present except Senator Briese who was excused; and Senators Bolz, Bostelman, Krist, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 461, line 8, correct spelling of "stricken".
The Journal for the twenty-seventh day was approved as corrected.

The Journal for the twenty-ninth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 36. Introduced by Kolterman, 24.

WHEREAS, Dr. Ron Wallman, DVM, was honored for his dedication to the practice of veterinary medicine with the Veterinarian of the Year Award for 2016 by the Nebraska Veterinary Medical Association; and

WHEREAS, the Nebraska Veterinary Medical Association promotes animal health, public safety, and human-animal relationships through professional development, networking, and communications; and

WHEREAS, Dr. Wallman practices at the Seward Animal Hospital; and

WHEREAS, Dr. Wallman received his Doctorate of Veterinary Medicine from Iowa State University in 1982; and

WHEREAS, Dr. Wallman is the past president of the Nebraska Veterinary Medical Association and currently serves on the Continuing Education Committee and as the chair of the University Liaison Committee. Dr. Wallman is also a member of the American Veterinary Medical Association,

American Association of Bovine Practitioners, and the Academy of Veterinary Consultants; and

WHEREAS, Dr. Wallman contributes to his community by serving as president of the Seward County Agricultural Society, as a member of the board of directors for the Blue River Pet Rescue, as a long-time member of the Planning Commission of the City of Seward, as past president of the Seward Rotary Club, and as an active member of Seward's Faith Lutheran Church.

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

1. That the Legislature congratulates Dr. Ron Wallman for being selected by his peers as Veterinarian of the Year for 2016.
2. That a copy of this resolution be sent to Dr. Wallman.

Laid over.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 119 and 22.

(Signed) Merv Riepe

MOTION(S) - Withdraw LB419

Senator McCollister renewed his motion, MO23, found on page 353 and considered on page 371, to withdraw LB419.

The McCollister motion to withdraw the bill prevailed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

MOTION(S) - Rerefer LB644

Senator Chambers offered his motion, MO18, found on page 332, to rerefer LB644 to the Judiciary Committee.

PRESIDENT FOLEY PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 25 ayes, 3 nays, and 21 not voting.

Senator Chambers requested a roll call vote on the motion to rerefer to the Judiciary Committee.

Voting in the affirmative, 14:

Baker	Crawford	Howard	McCollister	Schumacher
Blood	Hansen	Kolowski	Pansing Brooks	Walz
Chambers	Harr	Krist	Quick	

Voting in the negative, 28:

Albrecht	Friesen	Hughes	Lowe	Stinner
Bostelman	Geist	Kolterman	McDonnell	Watermeier
Brasch	Groene	Kuehn	Murante	Wayne
Brewer	Halloran	Larson	Riepe	Wishart
Clements	Hilgers	Lindstrom	Scheer	
Erdman	Hilkemann	Linehan	Smith	

Present and not voting, 4:

Bolz	Ebke	Morfeld	Williams
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Absent and not voting, 1:

Vargas

Excused and not voting, 2:

Briese	Craighead
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The Chambers motion to rerefer to the Judiciary Committee failed with 14 ayes, 28 nays, 4 present and not voting, 1 absent and not voting, and 2 excused and not voting.

MOTION - Adopt Temporary Rules

Senator Scheer moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the fiftieth legislative day.

The Chair declared the call raised.

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

Senator Chambers requested a roll call vote on the motion to adopt the temporary rules.

Voting in the affirmative, 45:

Albrecht	Crawford	Hilgers	Lindstrom	Scheer
Baker	Ebke	Hilkemann	Linehan	Schumacher
Blood	Erdman	Howard	McCollister	Smith
Bolz	Friesen	Hughes	McDonnell	Stinner
Bostelman	Geist	Kolowski	Morfeld	Vargas
Brasch	Groene	Kolterman	Murante	Walz
Brewer	Halloran	Krist	Pansing Brooks	Watermeier
Clements	Hansen	Kuehn	Quick	Williams
Craighead	Harr	Larson	Riepe	Wishart

Voting in the negative, 1:

Lowe

Present and not voting, 2:

Chambers Wayne

Excused and not voting, 1:

Briese

The Scheer motion to adopt the temporary rules prevailed with 45 ayes, 1 nay, 2 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 267. Placed on General File with amendment.

AM41

1 1. On page 2, line 17, after "for" insert "(a)"; and in line 18
 2 strike "employees" through "inpatients" and insert "residents and (b)
 3 influenza to all employees".

(Signed) Merv Riepe, Chairperson

Urban Affairs

LEGISLATIVE BILL 9. Placed on General File.

LEGISLATIVE BILL 97. Placed on General File.

LEGISLATIVE BILL 614. Placed on General File.

LEGISLATIVE BILL 590. Placed on General File with amendment.

AM200

1 1. Insert the following new section:
 2 Sec. 5. Since an emergency exists, this act takes effect when
 3 passed and approved according to law.

(Signed) Justin Wayne, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Arch, Cameron - Nebraska Commission on Problem Gambling - General
Affairs
DeFusco, Richard - Nebraska Investment Council - Nebraska Retirement
Systems
McPheeters, Scott - Nebraska Ethanol Board - Natural Resources

(Signed) Dan Watermeier, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)
Natural Resources

Room 1525

Wednesday, March 1, 2017 9:15 a.m.

LB547 (cancel)

Thursday, February 23, 2017 1:30 p.m.

LB547

(Signed) Dan Hughes, Chairperson

MESSAGE(S) FROM THE GOVERNOR

February 15, 2017

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 22e and 119e were received in my office on
February 13, 2017.

These bills were signed and delivered to the Secretary of State on
February 15, 2017.

Sincerely,
(Signed) Pete Ricketts
Governor

CONFLICT OF INTEREST STATEMENT

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

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Linehan name added to LB602.

VISITOR(S)

Visitors to the Chamber were members of Leadership York and Leadership Beatrice; 36 twelfth-grade students and teachers from Syracuse High School; members of Hamilton County Leadership Tomorrow class of 2016-17; members of Leadership Fremont; members of Merrick County Leading Locally; Senator Hilkemann's wife, Julie, from Omaha and Jean McFarland from Grand Island; and Jan Vermilyea and Judy Nelson from Omaha.

The Doctor of the Day was Dr. Richard Gustafson from Lincoln.

ADJOURNMENT

At 11:46 a.m., on a motion by Senator Krist, the Legislature adjourned until 9:00 a.m., Thursday, February 16, 2017.

Patrick J. O'Donnell
Clerk of the Legislature