

THIRTEENTH DAY - JANUARY 26, 2015
LEGISLATIVE JOURNAL
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 26, 2015

PRAYER

The prayer was offered by Pastor Russ Foust, Grace United Methodist Church, Kennard.

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 Bolz, B. Harr, Schilz, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twelfth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

| LB/LR | Committee |
|--------------|------------------|
| LB656 | Appropriations |
| LB657 | Appropriations |
| LB658 | Appropriations |
| LB659 | Appropriations |
| LB660 | Appropriations |
| LB661 | Appropriations |
| LB662 | Appropriations |
| LB663 | Judiciary |

Rehmeier, Randall L. - Board of Parole - Judiciary

(Signed) Bob Krist, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs

Room 1510

Tuesday, February 3, 2015 1:30 p.m.

LB295
LB304
LB266

Tuesday, February 10, 2015 1:30 p.m.

LB197
LB300
LB324
LB420

Tuesday, February 17, 2015 1:30 p.m.

LB455
LB378
LB540

Tuesday, February 24, 2015 1:30 p.m.

LB596
LB238
LB445

(Signed) Sue Crawford, Chairperson

MOTION - Print in JournalSenator Scheer filed the following motion to LB50:MO5
Withdraw bill.**GENERAL FILE****LEGISLATIVE BILL 91.** 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 41. Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 42. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 126. Title read. Considered.

Committee AM12, found on page 238, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 35. Title read. Considered.

Committee AM6, found on page 239, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

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

RESOLUTION(S)

LEGISLATIVE RESOLUTION 38. Introduced by Seiler, 33; Bolz, 29; Chambers, 11; Krist, 10; Mello, 5; Schumacher, 22.

PURPOSE: The purpose of this resolution is to examine the statutes governing prisons and parole to ensure that the Board of Parole is independent from the Department of Correctional Services. Such a review was recommended by the Department of Correctional Services Special Investigative Committee of the Legislature in its report released on December 15, 2014. This study shall include, but not be limited to, the following issues:

- (1) Harmonizing and potentially amending certain statutes to ensure clarity and consistency of definitions and procedures; and
- (2) Recommending consolidation and reorganization of statutory provisions concerning jail, prison, probation, parole, and other aspects of the criminal justice system to the Revisor of Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH 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 39. Introduced by Seiler, 33; Bolz, 29; Chambers, 11; Krist, 10; Mello, 5; Schumacher, 22.

PURPOSE: The purpose of this resolution is to examine the Nebraska Mental Health Commitment Act, the Sex Offender Commitment Act, and the Nebraska Treatment and Corrections Act in order to ensure that the evaluation procedures regarding potentially mentally ill and dangerous inmates and potentially dangerous sex offenders are clear and consistent. Such a review was recommended by the Legislative Performance Audit Committee in its report released on November 17, 2014, entitled "Nebraska Department of Correctional Services: Disciplinary Process, Programs, and Commitment Processes." This interim study shall include the following issues:

- (1) Harmonizing and potentially amending certain statutes to ensure clarity and consistency of the definitions and procedures;
- (2) Examining whether the Nebraska Mental Health Commitment Act would benefit from the more formal notification processes as contained in the Sex Offender Commitment Act; and
- (3) Potentially clarifying definitions to ensure that any differences are intentional and desired.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH 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.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Monday, February 2, 2015 1:30 p.m.

LB351
LB590
LB58
LB444
LB522

Tuesday, February 3, 2015 1:30 p.m.

LB323
LB182
LB563
LB343
LB534

(Signed) Kate Sullivan, Chairperson

Agriculture

Room 1524

Tuesday, February 10, 2015 1:30 p.m.

LB176
LB175

(Signed) Jerry Johnson, Chairperson

Transportation and Telecommunications

Room 1113

Monday, February 2, 2015 1:30 p.m.

LB231
LB312
LB313

Tuesday, February 3, 2015 1:30 p.m.

LB642
LB624
LB53

(Signed) Jim Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 92. Title read. Considered.

Committee AM25, found on page 239, was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 93. Title read. Considered.

Committee AM26, found on page 239, was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 95. Title read. Considered.

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

LEGISLATIVE BILL 150. Title read. Considered.

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

LEGISLATIVE BILL 151. Title read. Considered.

Committee AM19, found on page 271, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

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

LEGISLATIVE BILL 170. Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 171. 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 99. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 100. Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 65. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

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.

LEGISLATIVE BILL 6. Placed on Select File.

LEGISLATIVE BILL 7. Placed on Select File.

LEGISLATIVE BILL 8. Placed on Select File.

LEGISLATIVE BILL 9. Placed on Select File.

(Signed) Matt Hansen, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Business and Labor

Room 2102

Monday, February 2, 2015 1:30 p.m.

LB251

LB494

LB611

LB599

(Signed) Burke Harr, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 40. Introduced by Coash, 27; Bolz, 29; Campbell, 25; Haar, K., 21; Hansen, 26; Morfeld, 46; Pansing Brooks, 28.

WHEREAS, Russell D. Brehm was born in Lincoln, Nebraska, on May 31, 1921; and

WHEREAS, in 1952, Russell founded the Douglas Theatre Company which started with a single drive-in theater in Omaha and grew to a chain of 101 movie screens; and

WHEREAS, in 2000, Russell was honored by the National Theatre Owners Association as the Theatre Owner of the Year; and

WHEREAS, under Russell's leadership, the Douglas Theatre Company sponsored an annual Make-A-Wish Academy Awards event that consistently raised over \$100,000 for the Make-A-Wish Foundation; and

WHEREAS, Russell started a relationship with Clinton Elementary School in Lincoln where he transported the entire student body to the theater for a Christmas party which included a movie, treats, and a gift for each student; and

WHEREAS, Russell was a life-long supporter and fan of the University of Nebraska, especially University of Nebraska football where he had been a season ticket holder since the early 1950's; and

WHEREAS, during Russell's lifetime, he only missed one home football game prior to the 2014 season due to being hospitalized; and

WHEREAS, Russell received the Clarence E. Swanson Memorial Award from the University of Nebraska-Lincoln Athletic Department in 2005, and the University of Nebraska Alumni Achievement Award in 1995; and

WHEREAS, Russell and his late wife, Louise, established a scholarship fund that awards scholarships for students to attend college and become teachers; and

WHEREAS, at age 24, Russell was the youngest man ever elected to the Lancaster County Board of Commissioners where he served for three terms; and

WHEREAS, Russell was a World War II veteran and a member of the American Legion; and

WHEREAS, Russell D. Brehm passed away on January 20, 2015.

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

1. That the Legislature recognizes the contributions of Russell D. Brehm and extends its sympathy to his family.
2. That a copy of this resolution be sent to the family of Russell D. Brehm.

Laid over.

LEGISLATIVE RESOLUTION 41. Introduced by Campbell, 25; Baker, 30; Bloomfield, 17; Bolz, 29; Brasch, 16; Coash, 27; Cook, 13; Craighead, 6; Crawford, 45; Davis, 43; Ebke, 32; Friesen, 34; Garrett, 3; Gloor, 35; Groene, 42; Haar, K., 21; Hadley, 37; Hansen, 26; Harr, B., 8; Hilkemann, 4; Howard, 9; Hughes, 44; Johnson, 23; Kintner, 2; Kolowski, 31; Kolterman, 24; Krist, 10; Kuehn, 38; Larson, 40; Lindstrom, 18; McCollister, 20; McCoy, 39; Mello, 5; Morfeld, 46; Murante, 49; Nordquist, 7; Pansing Brooks, 28; Riepe, 12; Scheer, 19; Schilz, 47; Schnoor, 15; Schumacher, 22; Seiler, 33; Smith, 14; Stinner, 48; Sullivan, 41; Watermeier, 1; Williams, 36.

WHEREAS, the clinical skill, training, educational ability, and readiness of the Nebraska Biocontainment Patient Care Unit at the University of Nebraska Medical Center (UNMC) has received national and international recognition for Nebraska as a leader in the fight against Ebola; and

WHEREAS, the United States Department of State, United States Centers for Disease Control and Prevention, United States Department of Defense, and United States Department of Health and Human Services have

identified the Nebraska Biocontainment Patient Care Unit as one of the premier facilities for treating Ebola patients; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit has been called a national asset by the United States Department of State for its readiness and expertise to treat Ebola patients; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit has responded to hundreds of requests from hospitals across the nation seeking consultations, second opinions, and requests for assistance to train their staffs to help them better prepare to deal with Ebola and other highly infectious diseases; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit is recognized across the nation as the "gold standard" in treating Ebola and in training staff to respond to highly infectious diseases in the United States and around the world; and

WHEREAS, UNMC had the vision and expertise to create the Nebraska Biocontainment Patient Care Unit in 2005 to protect and serve the state and nation against the threat of highly infectious diseases; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit's dedicated and expert staff of nurses, lab workers, respiratory therapists, pharmacists, care technicians, and physicians selflessly treat patients who have contracted a highly infectious disease to restore their health; and

WHEREAS, the members of the Nebraska Ebola Team were named 2014 Midlanders of the Year by the Omaha World-Herald for their dedication and contributions in the nation's fight against Ebola; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit is the largest unit of its kind in the nation and has worked closely with global, federal, state, and local agencies and organizations to deliver care and protect our country; and

WHEREAS, as hospitals across the nation asked the Nebraska Biocontainment Patient Care Unit to help them prepare to defend against Ebola, the unit immediately released all its treatment protocols and training materials in a timely and effective manner; and

WHEREAS, to help meet the crisis demand for highly infectious disease protocol procedures, the Nebraska Biocontainment Patient Care Unit collaborated with Apple, Inc. to develop and distribute protocols and other state-of-the-art training materials through Apple iTunes for professionals, facilities, and the public; and

WHEREAS, since the Ebola crisis began to affect United States communities in the summer of 2014, more than 40 civilian and military hospital teams from across the nation have sought and received specialized intense training from UNMC in highly infectious disease protocols to better prepare and protect their communities; and

WHEREAS, the Nebraska Biocontainment Patient Care Unit is a Nebraska asset and a national leader in global preparedness and readiness to respond to highly infectious disease threats.

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

1. That the Legislature recognizes the Nebraska Biocontainment Patient Care Unit for its service to our state, nation, and world.
2. That the Legislature urges the Nebraska congressional delegation to work with federal agencies to support efforts in Congress to establish a national training center in highly infectious diseases at the University of Nebraska Medical Center.
3. That a copy of this resolution be sent to the University of Nebraska Board of Regents, the University of Nebraska Medical Center, and Nebraska Medicine.

Laid over.

LEGISLATIVE RESOLUTION 42. Introduced by Friesen, 34.

WHEREAS, the Central City Care Center in Central City provides Nebraskans with professional and compassionate care and support which is invaluable to our state; and

WHEREAS, the Central City Care Center recently received a deficiency-free survey from the Department of Health and Human Services for its nursing facility; and

WHEREAS, in unannounced onsite inspections, the Central City Care Center was in full compliance in the areas of operational care, treatment, and physical plant standards; and

WHEREAS, the Central City Care Center's deficiency-free survey illustrates the staff's commitment to high quality of care for their residents.

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

1. That the Legislature congratulates the Central City Care Center on receiving a deficiency-free survey from the Department of Health and Human Services.
2. That a copy of this resolution be sent to the Central City Care Center and its administrator, Katherine Klingsporn.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Ebke, Groene, Kintner, Schnoor - LB31
 Coash - LB62 and LB64
 Crawford - LB484
 Davis, Krist, McCoy, Morfeld, Schumacher - LB31
 Davis, Scheer, Smith - LB190
 Kolterman - LB364
 Watermeier - LB187

VISITORS

Visitors to the Chamber were 6 seventh and eighth-grade students and teacher from Papillion; 70 members of A.B.A.T.E. of Nebraska from across the state; and 27 Career Student Organization State Officers of FCCLA, FBLA, HOSA, SkillsUSA, FFA, and FEA from across the state.

The Doctor of the Day was Dr. Eric Thomsen from Beatrice.

ADJOURNMENT

At 11:47 a.m., on a motion by Senator Bolz, the Legislature adjourned until 10:00 a.m., Tuesday, January 27, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

