

TWENTY-EIGHTH DAY - FEBRUARY 18, 2015**LEGISLATIVE JOURNAL****ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION****TWENTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 18, 2015

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 McCoy who was excused; and Senators Baker, Campbell, Garrett, Gloor, Schilz, and Sullivan 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 17, 2015

Patrick J. O'Donnell
Clerk of the Nebraska Legislature
2018 State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1, 2, 3, 4, 5, 6, 7, 8, and 9 were received in my office on February 12, 2015.

These bills were signed and delivered to the Secretary of State on February 17, 2015.

Sincerely,
(Signed) Pete Ricketts
Governor

PR/lhk

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.

GENERAL FILE

LEGISLATIVE BILL 111. Senator Chambers withdrew his motion, MO30, found on page 525, to bracket until April 15, 2015.

Senator Chambers offered the following motion:
MO31
Recommit to Government, Military and Veterans Affairs Committee.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 155. Placed on Select File with amendment.
ER39

1 1. On page 1, line 6, before "disclosure" insert "the cost of"; and
2 in line 7 strike "and" and after "sections" insert "; and to declare an
3 emergency".

LEGISLATIVE BILL 439. Placed on Select File with amendment.
ER38

1 1. On page 3, lines 1, 4, 11, and 12, strike the new matter and
2 reinstate the stricken matter.

LEGISLATIVE BILL 179. Placed on Select File.

LEGISLATIVE BILL 164. Placed on Select File with amendment.
ER40

1 1. On page 3, line 26, strike "natural resources district, or" and
2 show the old matter as stricken and after "village" insert ", or natural
3 resources district".

LEGISLATIVE BILL 207. Placed on Select File with amendment.
ER37

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 46-1139, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 46-1139 Any person who engages in chemigation without first
6 obtaining a chemigation permit shall be (1) subject to a civil penalty of
7 ~~not more than~~ one thousand dollars for each day at each site where a

8 violation occurs for the first violation and not less than one thousand
9 dollars and not more than five thousand dollars for each day at each site
10 where a violation occurs for each subsequent violation or (2) guilty of a
11 Class II misdemeanor. Each day of continued violation shall constitute a
12 separate offense. The court may issue such injunctive orders as may be
13 necessary to prohibit continued violations of the Nebraska Chemigation
14 Act. When the Attorney General, a county attorney, or a private attorney
15 brings an action on behalf of a district to recover a civil penalty under
16 this section, the district shall recover the costs of the action if a
17 civil penalty is awarded.

18 Sec. 2. Section 46-1140, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 46-1140 Any person who engages in chemigation with a suspended or
21 revoked chemigation permit shall be (1) subject to a civil penalty of ~~not~~
22 ~~more than~~ one thousand dollars for each day at each site where a
23 violation occurs for the first violation and not less than one thousand
24 dollars and not more than five thousand dollars for each day at each site
25 where a violation occurs for each subsequent violation or (2) guilty of a
26 Class II misdemeanor. Each day of continued violation shall constitute a
27 separate offense. The court may issue such injunctive orders as may be
1 necessary to prohibit continued violations of the Nebraska Chemigation
2 Act. When the Attorney General, a county attorney, or a private attorney
3 brings an action on behalf of a district to recover a civil penalty under
4 this section, the district shall recover the costs of the action if a
5 civil penalty is awarded.

6 Sec. 3. Section 46-1141, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 46-1141 Any person who willfully tampers with or otherwise willfully
9 damages in any way equipment meeting the requirements specified in
10 section 46-1127 shall be (1) subject to a civil penalty of ~~not more than~~
11 one thousand dollars for each day at each site where a violation occurs
12 for the first violation and not less than one thousand dollars and not
13 more than five thousand dollars for each day at each site where a
14 violation occurs for each subsequent violation or (2) guilty of a Class I
15 misdemeanor. Each day of continued violation shall constitute a separate
16 offense. The court may issue such injunctive orders as may be necessary
17 to prohibit continued violations of the Nebraska Chemigation Act. When
18 the Attorney General, a county attorney, or a private attorney brings an
19 action on behalf of a district to recover a civil penalty under this
20 section, the district shall recover the costs of the action if a civil
21 penalty is awarded.

22 Sec. 4. Section 46-1142, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 46-1142 Any permit holder who fails to notify the district and the
25 department of any actual or suspected accident resulting from the use of
26 chemigation shall be (1) subject to a civil penalty of one thousand
27 dollars for each day at each site where a violation occurs for the first
28 violation and not less than one thousand dollars and not more than five
29 thousand dollars for each day at each site where a violation occurs for

30 ~~each subsequent violation not more than five hundred dollars~~ or (2)
 31 guilty of a Class III misdemeanor. Each day of continued violation shall
 1 constitute a separate offense. The court may issue such injunctive orders
 2 as may be necessary to prohibit continued violations of the Nebraska
 3 Chemigation Act. When the Attorney General, a county attorney, or a
 4 private attorney brings an action on behalf of a district to recover a
 5 civil penalty under this section, the district shall recover the costs of
 6 the action if a civil penalty is awarded.

7 Sec. 5. Section 46-1143, Reissue Revised Statutes of Nebraska, is
 8 amended to read:

9 46-1143 Any person who violates any of the provisions of the
 10 Nebraska Chemigation Act for which a specific penalty is not provided
 11 shall be (1) subject to a civil penalty of one thousand dollars for each
 12 day at each site where a violation occurs for the first violation and not
 13 less than one thousand dollars and not more than five thousand dollars
 14 for each day at each site where a violation occurs for each subsequent
 15 violation not more than five hundred dollars or (2) guilty of a Class IV
 16 misdemeanor. Each day of continued violation shall constitute a separate
 17 offense. The court may issue such injunctive orders as may be necessary
 18 to prohibit continued violations of the Nebraska Chemigation Act. When
 19 the Attorney General, a county attorney, or a private attorney brings an
 20 action on behalf of a district to recover a civil penalty under this
 21 section, the district shall recover the costs of the action if a civil
 22 penalty is awarded.

23 Sec. 6. Original sections 46-1139, 46-1140, 46-1141, 46-1142, and
 24 46-1143, Reissue Revised Statutes of Nebraska, are repealed.

(Signed) Matt Hansen, Chairperson

NOTICE OF COMMITTEE HEARING(S)
 Health and Human Services

Room 1510

Thursday, March 5, 2015 1:30 p.m.

LR41

(Signed) Kathy Campbell, Chairperson

COMMITTEE REPORT(S)
 Health and Human Services

LEGISLATIVE BILL 12. Placed on General File with amendment.
 AM293

1 1. On page 2, strike beginning with "or" in line 23 through "sooner"
 2 in line 25.

(Signed) Kathy Campbell, Chairperson

AMENDMENT(S) - Print in Journal

Senator Bloomfield filed the following amendment to LB122:
AM407

1 1. On page 4, strike lines 23 through 25 and insert the following
2 new subdivisions:
3 "(a) The crossing is made at an intersection that:
4 (i) Is controlled by a traffic control signal; or
5 (ii) For any intersection located outside the corporate limits of a
6 city or village, is controlled by stop signs;
7 (b) The crossing at such intersection is made in compliance with the
8 traffic control signal or stop signs; and"; and in line 26 strike "(b)"
9 and insert "(c)".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 58. Introduced by Johnson, 23.

WHEREAS, Kevin Koopmann, the band director for Yutan Public Schools, has won the Veterans of Foreign Wars (VFW) Nebraska Citizenship Education Teacher of the Year Award for grades six through eight; and

WHEREAS, each year, the Nebraska VFW recognizes three exceptional teachers for their outstanding commitment to teach Americanism and patriotism to their students; and

WHEREAS, Kevin recognizes those who have served our country by starting each morning saying the Pledge of Allegiance with his class and leading the Yutan Public Schools band in performances at the Veteran's Day and Memorial Day programs; and

WHEREAS, Kevin will be presented with the award at the VFW State Convention in Norfolk on June 6, 2015.

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

1. That the Legislature congratulates Kevin Koopmann for winning the Veterans of Foreign Wars Nebraska Citizenship Education Teacher of the Year Award.

2. That a copy of this resolution be sent to Kevin Koopmann.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 111. The Chambers motion, MO31, found in this day's Journal, to recommit to Government, Military and Veterans Affairs Committee, was renewed.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources

Room 1525

Wednesday, February 25, 2015 1:30 p.m.

Henry H. (Hod) Kosman - Nebraska Natural Resources Commission

Thursday, March 5, 2015 1:30 p.m.

Norris Marshall - Nebraska Game and Parks Commission

(Signed) Ken Schilz, Chairperson

COMMITTEE REPORT(S)

Natural Resources

LEGISLATIVE BILL 104. Placed on General File.**LEGISLATIVE BILL 206.** Placed on General File with amendment.

AM170

- 1 1. On page 3, line 30, strike "and" and show as stricken.
- 2 2. On page 4, line 1, after the semicolon insert "and
- 3 (e) Activities related to the operation, construction, or
- 4 maintenance of industrial or commercial public power district or public
- 5 power and irrigation district facilities or sites when such activity is
- 6 conducted pursuant to state or federal law or is part of the operational
- 7 plan for such facility or site;".

LEGISLATIVE BILL 203. Indefinitely postponed.

(Signed) Ken Schilz, Chairperson

GENERAL FILE**LEGISLATIVE BILL 111.** Senator Chambers withdrew his motion, MO31, found in this day's Journal, to recommit to Government, Military and Veterans Affairs Committee.

Senator Chambers offered the following motion:

MO32

Bracket until June 5, 2015.

Pending.

ANNOUNCEMENT

Senator Campbell announced the Health and Human Services Committee will meet in Room 1510 on February 26, 2015, at 12:45 p.m. instead of 12:30 p.m.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 420. Placed on General File.

LEGISLATIVE BILL 455. Placed on General File.

LEGISLATIVE BILL 131. Placed on General File with amendment.

AM405

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

2 section:

3 Section 1. (1) If the chairperson of a sanitary and improvement

4 district board of trustees or the legal counsel or administrator for the

5 district receives written notice from a city or village proposing to

6 annex territory within the sanitary and improvement district under the

7 authority of sections 14-117, 15-104, 16-117, 16-130, 17-405.01, or

8 17-407, the district shall not spend assets for a period of ninety days

9 after receiving such notice, except for:

10 (a) All interest and principal payments on bonds due and payable

11 from the construction fund or bond fund of the district;

12 (b) All interest and principal payments on construction fund

13 warrants due and payable from the construction fund or bond fund of the

14 district;

15 (c) All interest and principal payments on general fund warrants due

16 and payable from the general fund of the district;

17 (d) Payment or issuance of warrants for services, work, labor, or

18 materials that were ordered or contracted for by the district prior to

19 receiving notice of the city or village's proposal to annex the district.

20 Such payments or warrants shall be paid from the district's general fund,

21 construction fund, bond fund, or service fee fund, so long as such

22 payment or warrant shall not cause the district to exceed its total

23 budget for the fund from which payment or warrant is to be made;

24 (e) Payment or issuance of warrants for any expense incurred by the

25 district prior to receiving notice of the city or village's proposal to

26 annex the district that is required by the district (i) to satisfy any

27 statutory obligation of the district, (ii) to address emergency or

1 imminent public safety repairs or replacements to district property, and

2 expenses that would be paid by the district in the ordinary course of

3 business of the district, and (iii) to address projects for which a

4 notice to contractors has been published, the bidding process has begun,

5 and contracts are awarded for such project that (A) does not cause the

6 district to exceed the district's total general fund budget and is paid

7 from the general fund, including, but not limited to, levied tax receipts

8 to be received by the district on April 1 and August 1 if the annexation

9 is to occur after such dates, (B) does not cause the district to exceed
 10 the district's total construction fund or bond fund budget and is paid
 11 from the construction fund or bond fund, and (C) does not cause the
 12 district to exceed the district's total service fee fund budget and is
 13 paid from the service fee fund; and
 14 (f) Payment or issuance of warrants for a commitment or contract
 15 that will bind the district to pay for any other expense approved in
 16 writing by the city finance director or other designated person
 17 responsible for such approvals.
 18 (2) If a district plans to commence a construction project or enter
 19 into any contracts required to be publicly bid pursuant to section 31-741
 20 and for which a notice to contractors has not been published and the
 21 bidding process has not begun prior to the district receiving notice of
 22 the city or village's proposal to annex the district, the district shall
 23 first submit either the plans and specifications for the improvements or
 24 the proposed contract to the city or village finance director or other
 25 designated person. Within ten business days after the district submits
 26 the plans and specifications or the proposed contract, the city or
 27 village finance director or other designated person shall either (a)
 28 approve or deny such plans and specifications or the proposed contract or
 29 (b) direct the department head within the city or village responsible for
 30 reviewing plans and specifications or contracts to approve or deny such
 31 plans and specifications or the proposed contract within ten business
 1 days.

LEGISLATIVE BILL 197. Placed on General File with amendment.
 AM390

1 1. On page 6, line 26, strike "a" and insert "the"; in line 27,
 2 after "located" insert "and the county board in which a majority of the
 3 sanitary and improvement district is located"; in line 29 strike
 4 beginning with "greater" through "eight" and insert "less than one
 5 hundred"; and in line 30 after "located" insert "predominantly".
 6 2. On page 7, line 6, strike "(1)" and insert "(6)"; and in line 9
 7 after "located" insert "and the county board in which a majority of the
 8 sanitary and improvement district is located".

LEGISLATIVE BILL 295. Placed on General File with amendment.
 AM323

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 16-901, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 16-901 (1) Except as provided in section 13-327, any city of the
 6 first class may apply by ordinance any existing or future zoning
 7 regulations, property use regulations, building ordinances, electrical
 8 ordinances, plumbing ordinances, and ordinances authorized by section
 9 16-240 to the unincorporated area two miles beyond and adjacent to its
 10 corporate boundaries with the same force and effect as if such outlying
 11 area were within the corporate limits of such city, except that no such

12 ordinance shall be extended or applied so as to prohibit, prevent, or
13 interfere with the conduct of existing farming, livestock operations,
14 businesses, or industry. For purposes of sections 70-1001 to 70-1020, the
15 zoning area of a city of the first class shall be one mile beyond and
16 adjacent to the corporate area. The fact that such unincorporated area is
17 located in a different county or counties than some or all portions of
18 the municipality shall not be construed as affecting the powers of the
19 city to apply such ordinances.

20 (2)(a) A city of the first class shall provide written notice to the
21 county board of the county in which the city's zoning area is located
22 when proposing to adopt or amend a zoning ordinance which effects the
23 city's zoning area. The written notice of the proposed change to the
24 zoning ordinance shall be sent to the county board or its designee at
25 least thirty days prior to the final decision by the city. The county
26 board may submit recommendations regarding the change in the zoning
27 ordinance at the public hearings on the proposed change or directly to
1 the city within thirty days after receiving such notice. The city may
2 make its final decision on the zoning ordinance upon receiving the
3 recommendations from the county board.

4 (b) Subdivision (2)(a) of this section does not apply to a city of
5 the first class (i) located in a county with a population in excess of
6 one hundred thousand inhabitants or (ii) if the city and the county have
7 a joint planning commission or joint planning department.

8 Sec. 2. Section 17-1001, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 17-1001 (1) Except as provided in section 13-327, any city of the
11 second class or village may apply by ordinance any existing or future
12 zoning ordinances, property use regulation ordinances, building
13 ordinances, electrical ordinances, and plumbing ordinances, to an area
14 within one mile of the corporate limits of such municipality
15 ~~municipalities~~, with the same force and effect as if such area ~~was were~~
16 within ~~its their~~ corporate limits. No such ordinance shall be extended or
17 applied so as to prohibit, prevent, or interfere with the conduct of
18 existing farming, livestock operations, businesses, or industry. For
19 purposes of sections 70-1001 to 70-1020, the zoning area of a city of the
20 second class or village shall be one-half mile from the corporate limits
21 of such municipalities. The fact that the zoning area or part thereof is
22 located in a different county or counties than some or all portions of
23 the municipality shall not be construed as affecting the necessity of
24 obtaining the approval of the city council or board of trustees of such
25 municipality or its agent designated pursuant to section 19-916.

26 (2)(a) A city of the second class or village shall provide written
27 notice to the county board of the county in which the city or village's
28 zoning area is located when proposing to adopt or amend a zoning
29 ordinance which effects the city or village's zoning area. The written
30 notice of the proposed change to the zoning ordinance shall be sent to
31 the county board or its designee at least thirty days prior to the final
1 decision by the city or village. The county board may submit
2 recommendations regarding the change in the zoning ordinance at the

3 public hearings on the proposed change or directly to the city or village
 4 within thirty days after receiving such notice. The city or village may
 5 make its final decision on the zoning ordinance upon receiving the
 6 recommendations from the county board.
 7 (b) Subdivision (2)(a) of this section does not apply to a city of
 8 the second class or a village (i) located in a county with a population
 9 in excess of one hundred thousand inhabitants or (ii) if the city or
 10 village and the county have a joint planning commission or joint planning
 11 department.
 12 Sec. 3. Original sections 16-901 and 17-1001, Reissue Revised
 13 Statutes of Nebraska, are repealed.

(Signed) Sue Crawford, Chairperson

GENERAL FILE

LEGISLATIVE BILL 111. The Chambers motion, MO32, found in this day's Journal, to bracket until June 5, 2015, was renewed.

Senator K. Haar moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 9 nays, and 13 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Chambers requested a roll call vote on the motion to bracket.

Voting in the affirmative, 25:

Baker	Davis	Harr, B.	Kolterman	Morfeld
Campbell	Gloor	Hilkemann	Krist	Nordquist
Chambers	Haar, K.	Howard	Lindstrom	Pansing Brooks
Cook	Hadley	Johnson	McCollister	Seiler
Crawford	Hansen	Kolowski	Mello	Sullivan

Voting in the negative, 15:

Bloomfield	Ebke	Groene	Larson	Schnoor
Brasch	Friesen	Hughes	Murante	Stinner
Craighead	Garrett	Kintner	Schilz	Williams

Present and not voting, 4:

Kuehn	Riepe	Schumacher	Smith
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Excused and not voting, 5:

Bolz	Coash	McCoy	Scheer	Watermeier
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The Chambers motion to bracket prevailed with 25 ayes, 15 nays, 4 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 34. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 1 nay, 12 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 46. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 129. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 37. Title read. Considered.

Committee AM140, found on page 449, was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Lindstrom - LB357

Kolterman - LB276

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB28:

AM368

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

2 sections:

3 Section 1. Sections 1 to 5 of this act shall be known and may be

4 cited as the Radon Resistant New Construction Act.

5 Sec. 2. The Legislature finds that:

6 (1) Radon is a radioactive element that is part of the radioactive

7 decay chain of naturally occurring uranium in soil;

8 (2) Radon is the leading cause of lung cancer among nonsmokers and

9 the number one risk in homes according to the Harvard School of Public
10 Health, Harvard Center for Risk Analysis;
11 (3) The World Health Organization Handbook on Indoor Radon includes
12 key messages which state:
13 (a) "There is no known threshold concentration below which radon
14 exposure presents no risk."; and
15 (b) "The majority of radon-induced lung cancers are caused by low
16 and moderate radon concentrations rather than by high radon
17 concentrations, because in general less people are exposed to high indoor
18 radon concentrations.";
19 (4) The Surgeon General of the United States urged Americans to test
20 their homes to find out how much radon they might be breathing;
21 (5) The United States Environmental Protection Agency estimates that
22 more than twenty thousand Americans die of radon-related lung cancer each
23 year; and
24 (6) The United States Environmental Protection Agency has identified
25 radon levels in Nebraska as the third highest in the United States
26 because of the high concentration of uranium in the soil.
27 Sec. 3. For purposes of the Radon Resistant New Construction Act:
1 (1) Active radon mitigation system means a family of radon
2 mitigation systems involving mechanically driven soil depressurization,
3 including subslab depressurization, drain tile depressurization, block
4 wall depressurization, and submembrane depressurization. Active radon
5 mitigation system is also known as active soil depressurization;
6 (2) Building code means an ordinance, resolution, or law that
7 establishes standards applicable to new construction;
8 (3) Building contractor means any individual, corporation,
9 partnership, limited liability company, or other business entity that
10 engages in new construction;
11 (4) Department means the Department of Health and Human Services;
12 (5) New construction means any original construction of a single-
13 family home or a multifamily dwelling, including apartments, group homes,
14 condominiums, and townhouses, or any original construction of a building
15 used for commercial, industrial, educational, or medical purposes. New
16 construction does not include additions to existing structures or
17 remodeling of existing structures;
18 (6) Passive new construction pipe means a pipe installed in new
19 construction that relies solely on the convective flow of air upward for
20 soil gas depressurization and may consist of multiple pipes routed
21 through conditioned space from below the foundation to above the roof;
22 and
23 (7) Radon mitigation specialist means an individual who is licensed
24 by the department as a radon mitigation specialist in accordance with the
25 Radiation Control Act.
26 Sec. 4. (1) The Radon Resistant New Construction Task Force is
27 created. The task force shall consist of the chief medical officer of the
28 Division of Public Health of the Department of Health and Human Services
29 as designated in section 81-3115 or his or her designee, who shall serve
30 as the chairperson of the task force, and the following additional

31 members to be appointed by the Governor:
1 (a) Three representatives of home builders' associations in
2 Nebraska, each from a different congressional district;
3 (b) A representative of a home inspectors' association in Nebraska;
4 (c) A representative of an international building code organization;
5 (d) A representative of a Nebraska realtors' organization;
6 (e) Two representatives of respiratory disease organizations, each
7 from a different organization;
8 (f) A representative of a cancer research and prevention
9 organization;
10 (g) A representative of the League of Nebraska Municipalities;
11 (h) Three community public health representatives, each from a
12 different congressional district;
13 (i) A professional engineer as defined in section 81-3422; and
14 (j) An architect as defined in section 81-3404.
15 (2) The task force shall meet at the call of the chairperson. The
16 appointed members of the task force shall serve without compensation but
17 shall be reimbursed for their actual and necessary expenses as provided
18 in sections 81-1174 to 81-1177. The department shall provide staff and
19 support for the operation of the task force.
20 (3) The task force shall develop minimum standards for radon
21 resistant new construction and shall recommend such minimum standards to
22 the Governor and to the Health and Human Services Committee of the
23 Legislature. In developing such minimum standards, the task force shall:
24 (a) Design the minimum standards so that they may be enforced by a
25 county, city, or village as part of its local building code;
26 (b) Consider Appendix F of the International Residential Code for
27 One- and Two-Family Dwellings, 2012 edition, published by the
28 International Code Council; and
29 (c) Consider including the following provisions in such minimum
30 standards:
31 (i) A requirement that the installation of an active radon
1 mitigation system only be performed by a radon mitigation specialist;
2 (ii) A requirement that the installation of radon resistant new
3 construction only be performed by a building contractor or his or her
4 subcontractors or by a radon mitigation specialist; and
5 (iii) A requirement that only a radon mitigation specialist be
6 allowed to install a radon vent fan or upgrade a passive new construction
7 pipe to an active radon mitigation system.
8 (4) The task force shall provide its recommendation by December 15,
9 2015. The task force and this section terminate on January 1, 2016.
10 Sec. 5. It is the intent of the Legislature that the recommendation
11 provided by the Radon Resistant New Construction Task Force under section
12 4 of this act be used by the Legislature during the 2016 legislative
13 session to establish, in statute, minimum standards for radon resistant
14 new construction.

VISITORS

Visitors to the Chamber were 15 members of Leadership York; 50 twelfth-grade students from Syracuse; 10 members of Leadership Beatrice; 9 members of Leadership Ogallala; and Senator Hilkemann's wife, Julie, and Diane Murphy and Bev Layten from Omaha.

The Doctor of the Day was Dr. Nathan Krug from Central City.

ADJOURNMENT

At 11:50 a.m., on a motion by Senator McCollister, the Legislature adjourned until 9:00 a.m., Thursday, February 19, 2015.

Patrick J. O'Donnell
Clerk of the Legislature