

FIFTY-FIRST DAY - MARCH 24, 2015
LEGISLATIVE JOURNAL
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

FIFTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
 Tuesday, March 24, 2015

PRAYER

The prayer was offered by Pastor Matt Bahnfleth, Christ the Servant Lutheran Church, Norfolk.

ROLL CALL

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

The roll was called and all members were present except Senators K. Haar, Morfeld, and Murante who were excused; and Senators Baker, Kuehn, Nordquist, Schnoor, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fiftieth day was approved.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 422. Placed on General File.

LEGISLATIVE BILL 663. Placed on General File with amendment.
 AM885

1 1. Strike original section 1 and insert the following new section:
 2 Section 1. Section 24-201.01, Revised Statutes Cumulative
 3 Supplement, 2014, is amended to read:
 4 24-201.01 ~~On July 1, 2012, the salary of the Chief Justice and the~~
 5 ~~judges of the Supreme Court shall be one hundred forty five thousand six~~
 6 ~~hundred fourteen dollars and seventy four cents. On July 1, 2013, the~~
 7 ~~salary of the Chief Justice and the judges of the Supreme Court shall be~~
 8 ~~one hundred fifty two thousand eight hundred ninety five dollars and~~
 9 ~~forty eight cents. On July 1, 2014, the salary of the Chief Justice and~~
 10 ~~the judges of the Supreme Court shall be one hundred sixty thousand five~~
 11 ~~hundred forty dollars and twenty-five cents. On July 1, 2015, the salary~~
 12 of the Chief Justice and the judges of the Supreme Court shall be one

13 hundred sixty-six thousand one hundred fifty-nine dollars and sixteen
14 cents. On July 1, 2016, the salary of the Chief Justice and the judges of
15 the Supreme Court shall be one hundred seventy-one thousand nine hundred
16 seventy-four dollars and seventy-three cents.
17 The Chief Justice and the judges of the Supreme Court shall hold no
18 other public office of profit or trust during their terms of office nor
19 accept any public appointment or employment under the authority of the
20 government of the United States for which they receive compensation for
21 their services. Such salaries shall be payable in equal monthly
22 installments.

(Signed) Les Seiler, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 591A. 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 591, One Hundred Fourth Legislature, First Session, 2015.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 114, 115, 116, 117, and 118 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 114, 115, 116, 117, and 118.

SELECT FILE

LEGISLATIVE BILL 242A. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 641. Title read. Considered.

Committee AM719, found on page 766, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Senator Garrett offered his amendment, AM1000, found on page 952.

PRESIDENT FOLEY PRESIDING

Senator Garrett withdrew his amendment.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB15:
AM1005

(Amendments to Standing Committee amendments, AM514)

- 1 1. On page 2, strike lines 20 through 23 and insert the following
- 2 new subsection:
- 3 "(4) By July 1, 2015, the Supreme Court shall provide by court rule
- 4 standards for guardians ad litem for juveniles in juvenile court
- 5 proceedings.".
- 6 2. On page 3, line 27, strike the new matter and reinstate the
- 7 stricken matter.

Senator B. Harr filed the following amendment to LB356:
AM977

(Amendments to E and R amendments, ER54)

- 1 1. On page 5, strike beginning with "within" in line 15 through
- 2 "date" in line 16 and insert "no later than January 31"; and in line 31
- 3 strike beginning with "within" through "property's" and insert "no later
- 4 than January 31".
- 5 2. On page 6, line 1, strike "valuation date".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 141. Introduced by Kolterman, 24.

WHEREAS, Esther Pfabe of Seward has received the Crest of Christ Award from Concordia University; and

WHEREAS, the Crest of Christ Award is given to members of the Lutheran Church for outstanding service to the church; and

WHEREAS, the award is given to individuals who support and sustain, in a quiet and deliberate fashion, the public ministries and work of the church-at-large.

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

1. That the Legislature congratulates Esther Pfabe for receiving the Crest of Christ Award from Concordia University.
2. That a copy of this resolution be sent to Esther Pfabe.

Laid over.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 546. Placed on General File with amendment.
AM567

- 1 1. On page 2, line 11, after "prescribe" insert "or dispense".
- 2 2. On page 3, strike beginning with "means" in line 10 through
- 3 "injection" in line 11 and insert "has the same meaning as in section
- 4 38-2806"; and strike beginning with "means" in line 12 through "deliver"
- 5 in line 13 and insert "has the same meaning as in section 38-2817".

(Signed) Les Seiler, Chairperson

GENERAL FILE

LEGISLATIVE BILL 413. Title read. Considered.

Committee AM566, found on page 723, was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 538. Title read. Considered.

Senator Watermeier offered the following amendment:

AM944

- 1 1. Strike original section 11 and insert the following new sections:
- 2 Sec. 9. Section 77-1116, Revised Statutes Cumulative Supplement,
- 3 2014, is amended to read:
- 4 77-1116 (1) A qualified community development entity that seeks to
- 5 have an equity investment or long-term debt security designated as a
- 6 qualified equity investment and eligible for tax credits under the New
- 7 Markets Job Growth Investment Act shall apply to the Tax Commissioner.
- 8 There shall be no new applications for such designation filed under this
- 9 section after December 31, 2019.
- 10 (2) The qualified community development entity shall submit an
- 11 application on a form that the Tax Commissioner provides that includes:
- 12 (a) Evidence of the entity's certification as a qualified community
- 13 development entity, including evidence of the service area of the entity

14 that includes this state;
15 (b) A copy of the allocation agreement executed by the entity, or
16 its controlling entity, and the Community Development Financial
17 Institutions Fund referred to in section 77-1109;
18 (c) A certificate executed by an executive officer of the entity
19 attesting that the allocation agreement remains in effect and has not
20 been revoked or cancelled by the Community Development Financial
21 Institutions Fund referred to in section 77-1109;
22 (d) A description of the proposed amount, structure, and purchaser
23 of the equity investment or long-term debt security;
24 (e) Identifying information for any taxpayer eligible to utilize tax
25 credits earned as a result of the issuance of the qualified equity
26 investment;
27 (f) Information regarding the proposed use of proceeds from the
1 issuance of the qualified equity investment; and
2 (g) A nonrefundable application fee of five thousand dollars.
3 ~~(3 2)~~ Within thirty days after receipt of a completed application
4 containing the information necessary for the Tax Commissioner to certify
5 a potential qualified equity investment, including the payment of the
6 application fee, the Tax Commissioner shall grant or deny the application
7 in full or in part. If the Tax Commissioner denies any part of the
8 application, the Tax Commissioner shall inform the qualified community
9 development entity of the grounds for the denial. If the qualified
10 community development entity provides any additional information required
11 by the Tax Commissioner or otherwise completes its application within
12 fifteen days after the notice of denial, the application shall be
13 considered completed as of the original date of submission. If the
14 qualified community development entity fails to provide the information
15 or complete its application within the fifteen-day period, the
16 application remains denied and must be resubmitted in full with a new
17 submission date.
18 ~~(4 3)~~ If the application is deemed complete, the Tax Commissioner
19 shall certify the proposed equity investment or long-term debt security
20 as a qualified equity investment that is eligible for tax credits,
21 subject to the limitations contained in section 77-1115. The Tax
22 Commissioner shall provide written notice of the certification to the
23 qualified community development entity. The notice shall include the
24 names of those taxpayers who are eligible to utilize the credits and
25 their respective credit amounts. If the names of the taxpayers who are
26 eligible to utilize the credits change due to a transfer of a qualified
27 equity investment or a change in an allocation pursuant to section
28 77-1114, the qualified community development entity shall notify the Tax
29 Commissioner of such change.
30 ~~(5 4)~~ The Tax Commissioner shall certify qualified equity
31 investments in the order applications are received. Applications received
1 on the same day shall be deemed to have been received simultaneously. For
2 applications received on the same day and deemed complete, the Tax
3 Commissioner shall certify, consistent with remaining tax credit
4 capacity, qualified equity investments in proportionate percentages based

5 upon the ratio of the amount of qualified equity investment requested in
6 an application to the total amount of qualified equity investments
7 requested in all applications received on the same day.
8 (6 5) Once the Tax Commissioner has certified qualified equity
9 investments that, on a cumulative basis, are eligible for the maximum
10 limitation contained in section 77-1115, the Tax Commissioner may not
11 certify any more qualified equity investments for that fiscal year. If a
12 pending request cannot be fully certified, the Tax Commissioner shall
13 certify the portion that may be certified unless the qualified community
14 development entity elects to withdraw its request rather than receive
15 partial credit.

16 (7 6) Within thirty days after receiving notice of certification,
17 the qualified community development entity shall issue the qualified
18 equity investment and receive cash in the amount of the certified amount.
19 The qualified community development entity shall provide the Tax
20 Commissioner with evidence of the receipt of the cash investment within
21 ten business days after receipt. If the qualified community development
22 entity does not receive the cash investment and issue the qualified
23 equity investment within thirty days after receipt of the certification
24 notice, the certification shall lapse and the entity may not issue the
25 qualified equity investment without reapplying to the Tax Commissioner
26 for certification. A certification that lapses reverts back to the Tax
27 Commissioner and may be reissued only in accordance with the application
28 process outlined in this section.

29 Sec. 10. Section 77-27,187.02, Revised Statutes Cumulative
30 Supplement, 2014, is amended to read:

31 77-27,187.02 (1) To earn the incentives set forth in the Nebraska
1 Advantage Rural Development Act, the taxpayer shall file an application
2 for an agreement with the Tax Commissioner. There shall be no new
3 applications for incentives filed under this section after December 31,
4 2019.

5 (2) The application shall contain:

6 (a) A written statement describing the full expected employment or
7 type of livestock production and the investment amount for a qualified
8 business, as described in section 77-27,189, in this state;

9 (b) Sufficient documents, plans, and specifications as required by
10 the Tax Commissioner to support the plan and to define a project; and

11 (c) An application fee of five hundred dollars. The fee shall be
12 remitted to the State Treasurer for credit to the Nebraska Incentives
13 Fund. The application and all supporting information shall be
14 confidential except for the name of the taxpayer, the location of the
15 project, and the amounts of increased employment or investment.

16 (3)(a) The Tax Commissioner shall approve the application and
17 authorize the total amount of credits expected to be earned as a result
18 of the project if he or she is satisfied that the plan in the application
19 defines a project that (i) meets the requirements established in section
20 77-27,188 and such requirements will be reached within the required time
21 period and (ii) for projects other than livestock modernization or
22 expansion projects, is located in an eligible county, city, or village.

23 (b) The Tax Commissioner shall not approve further applications once
24 the expected credits from the approved projects total two million five
25 hundred thousand dollars in each of fiscal years 2004-05 and 2005-06,
26 three million dollars in each of fiscal years 2006-07 through 2008-09,
27 and four million dollars in fiscal year 2009-10. For applications filed
28 in calendar years 2010 and 2011, the Tax Commissioner shall not approve
29 further applications once the expected credits from the approved projects
30 total four million dollars. For applications filed in calendar year 2012
31 and each year thereafter, the Tax Commissioner shall not approve further
1 applications once the expected credits from the approved projects total
2 one million dollars. Four hundred dollars of the application fee shall be
3 refunded to the applicant if the application is not approved because the
4 expected credits from approved projects exceed such amounts. It is the
5 intent of the Legislature that all tax credits deemed unallocated for
6 this section for calendar year 2011 shall be used for purposes of the
7 Angel Investment Tax Credit Act.

8 (c) Applications for benefits shall be considered in the order in
9 which they are received.

10 (d)(i) For applications filed in calendar year 2011, applications
11 shall be filed by July 1 and shall be complete by August 1 of the
12 calendar year. Any application that is filed after July 1 or that is not
13 complete on August 1 shall be considered to be filed during the following
14 calendar year.

15 (ii) For applications filed in calendar year 2012 and each year
16 thereafter, applications shall be filed by November 1 and shall be
17 complete by December 1 of each calendar year. Any application that is
18 filed after November 1 or that is not complete on December 1 shall be
19 considered to be filed during the following calendar year.

20 (4) After approval, the taxpayer and the Tax Commissioner shall
21 enter into a written agreement. The taxpayer shall agree to complete the
22 project, and the Tax Commissioner, on behalf of the State of Nebraska,
23 shall designate the approved plans of the taxpayer as a project and, in
24 consideration of the taxpayer's agreement, agree to allow the taxpayer to
25 use the incentives contained in the Nebraska Advantage Rural Development
26 Act up to the total amount that were authorized by the Tax Commissioner
27 at the time of approval. The application, and all supporting
28 documentation, to the extent approved, shall be considered a part of the
29 agreement. The agreement shall state:

30 (a) The levels of employment and investment required by the act for
31 the project;

1 (b) The time period under the act in which the required level must
2 be met;

3 (c) The documentation the taxpayer will need to supply when claiming
4 an incentive under the act;

5 (d) The date the application was filed; and

6 (e) The maximum amount of credits authorized.

7 Sec. 11. Section 77-2912, Revised Statutes Cumulative Supplement,
8 2014, is amended to read:

9 77-2912 There shall be no new applications filed under the Nebraska

10 Job Creation and Mainstreet Revitalization Act after December 31, 2019
11 ~~2018~~. All applications and all credits pending or approved before such
12 date shall continue in full force and effect, except that no credits
13 shall be allocated under section 77-2905, issued under section 77-2906,
14 or used on any tax return or similar filing after December 31, 2024.

15 Sec. 12. Section 77-5208, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 77-5208 The board shall meet at least twice during the year. The
18 board shall review pending applications in order to approve and certify
19 beginning farmers and livestock producers as eligible for the programs
20 provided by the board, to approve and certify owners of agricultural
21 assets as eligible for the tax credits authorized by sections 77-5211 to
22 77-5213, and to approve and certify qualified beginning farmers and
23 livestock producers as eligible for the tax credit authorized by section
24 77-5209.01 and for qualification to claim an exemption of taxable
25 tangible personal property as provided by section 77-5209.02. No new
26 applications for any such programs, tax credits, or exemptions shall be
27 approved or certified by the board after December 31, 2019. Any action
28 taken by the board regarding approval and certification of program
29 eligibility, granting of tax credits, or termination of rental agreements
30 shall require the affirmative vote of at least four members of the board.

31 Sec. 15. Section 77-5905, Revised Statutes Cumulative Supplement,
1 2014, is amended to read:

2 77-5905 (1) If the Department of Revenue determines that an
3 application meets the requirements of section 77-5904 and that the
4 investment or employment is eligible for the credit and (a) the applicant
5 is actively engaged in the operation of the microbusiness or will be
6 actively engaged in the operation upon its establishment, (b) the
7 majority of the assets of the microbusiness are located in a distressed
8 area or will be upon its establishment, (c) the applicant will make new
9 investment or employment in the microbusiness, and (d) the new investment
10 or employment will create new income or jobs in the distressed area, the
11 department shall approve the application and authorize tentative tax
12 credits to the applicant within the limits set forth in this section and
13 certify the amount of tentative tax credits approved for the applicant.
14 Applications for tax credits shall be considered in the order in which
15 they are received.

16 (2) The department may approve applications up to the adjusted limit
17 for each calendar year beginning January 1, 2006, through December 31,
18 2019 ~~2017~~. After applications totaling the adjusted limit have been
19 approved for a calendar year, no further applications shall be approved
20 for that year. The adjusted limit in a given year is two million dollars
21 plus tentative tax credits that were not granted by the end of the
22 preceding year. Tax credits shall not be allowed for a taxpayer receiving
23 benefits under the Employment and Investment Growth Act, the Nebraska
24 Advantage Act, or the Nebraska Advantage Rural Development Act.

25 2. On page 7, line 13, strike "positive"; and in line 14 after
26 "impacts" insert "generally" and strike "negative".

27 3. On page 10, lines 30 and 31; and page 11, lines 3, 13, 14, and

28 17, strike the new matter and reinstate the stricken matter.
 29 4. On page 11, lines 10 and 21, after “employees” insert “. There
 30 shall be no new project applications for benefits under this tier filed
 31 after December 31, 2017. All complete project applications filed on or
 1 before December 31, 2017, shall be considered by the Tax Commissioner and
 2 approved if the project and taxpayer qualify for benefits. Agreements may
 3 be executed with regard to completed project applications filed on or
 4 before December 31, 2017. All project agreements pending, approved, or
 5 entered into before such date shall continue in full force and effect”;
 6 and in line 29 after “benefits” insert “. There shall be no new project
 7 applications for benefits under this tier filed after December 31, 2017.
 8 All complete project applications filed on or before December 31, 2017,
 9 shall be considered by the Tax Commissioner and approved if the project
 10 and taxpayer qualify for benefits. Agreements may be executed with regard
 11 to completed project applications filed on or before December 31, 2017.
 12 All project agreements pending, approved, or entered into before such
 13 date shall continue in full force and effect”.
 14 5. On page 12, line 2, after the period insert “There shall be no
 15 new project applications for benefits under this tier filed after
 16 December 31, 2017. All complete project applications filed on or before
 17 December 31, 2017, shall be considered by the Tax Commissioner and
 18 approved if the project and taxpayer qualify for benefits.”; and strike
 19 beginning with “before” in line 3 through “2020” in line 4, show the old
 20 matter as stricken, and insert “on or before December 31, 2017”.
 21 6. Renumber the remaining sections and correct the repealer
 22 accordingly.

The Watermeier amendment was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

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

LEGISLATIVE BILL 538A. Title read. Considered.

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

LEGISLATIVE BILL 320. Title read. Considered.

Corrected committee AM767, found on page 858, was offered.

Senator Davis offered the following amendment to the committee amendment:

AM969

(Amendments to Standing Committee amendments, AM767)

1 1. Insert the following new sections:
 2 Sec. 10. Section 68-1107, Revised Statutes Cumulative Supplement,
 3 2014, is amended to read:

4 68-1107 (1) The Aging Nebraskans Task Force is created. The purposes
5 ~~purpose~~ of the task force are (a) is to develop and facilitate
6 implementation of a statewide strategic plan for addressing the needs of
7 the aging population in the state and (b) to develop a state plan
8 regarding persons with Alzheimer's or related disorders as provided in
9 section 13 of this act. The task force shall provide a forum for
10 collaboration among state, local, community, public, and private
11 stakeholders in long-term care programs.

12 (2)(a) The executive committee of the task force shall include as
13 voting members the chairperson of the Health and Human Services Committee
14 of the Legislature, a member of the Appropriations Committee of the
15 Legislature appointed by the Executive Board of the Legislative Council,
16 a member of the Health and Human Services Committee of the Legislature
17 appointed by the Executive Board of the Legislative Council, a member of
18 the Legislature's Planning Committee appointed by the Executive Board of
19 the Legislative Council, and an at-large member appointed by the
20 Executive Board of the Legislative Council. The voting members of the
21 executive committee shall choose a chairperson and vice-chairperson from
22 among the voting members.

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

1 (c) The remaining four members of the task force shall be nonvoting
2 members appointed by the executive committee of the task force through an
3 application and selection process, representing stakeholders in the long-
4 term care system and may include a representative of the Division of
5 Medicaid and Long-Term Care Advisory Committee on Aging, representatives
6 of health care providers, elder law attorneys, representatives of the
7 long-term care ombudsman program, health care economists, geriatric
8 specialists, family caregivers of seniors in at-home care, providers of
9 services to the elderly, seniors currently or previously in institutional
10 care, and aging advocacy organizations.

11 (3) The executive committee of the task force shall advise the task
12 force regarding the interaction among the three branches of government
13 related to long-term care programs and services. The members of the
14 executive committee shall each represent his or her own branch of
15 government, and no member of the executive committee shall participate in
16 actions that could be deemed to be the exercise of the duties and
17 prerogatives of another branch of government or that improperly delegate
18 the powers and duties of any branch of government to another branch of
19 government.

20 (4) The task force shall work with administrators of area agencies
21 on aging, nursing home and assisted-living residence providers,
22 hospitals, rehabilitation centers, managed care companies, senior citizen
23 centers, community stakeholders, advocates for elder services and
24 programs, the Center for Public Affairs Research of the College of Public
25 Affairs and Community Service at the University of Nebraska at Omaha, and
26 seniors statewide to establish effective community collaboration for

27 informed decisionmaking that supports the provisions of effective and
28 efficient long-term care services.

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

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

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

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

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

13 (e) Development of a process for evaluating the quality of
14 residential and home and community-based long-term care services and
15 support.

16 Sec. 11. Section 68-1108, Revised Statutes Cumulative Supplement,
17 2014, is amended to read:

18 68-1108 (1) On or before December 15, 2014, the Aging Nebraskans
19 Task Force shall present electronically to the Legislature a report of
20 recommendations for the statewide strategic plan described in section
21 68-1107. The Department of Health and Human Services shall also annually
22 report electronically to the Legislature the percentage growth of
23 medicaid spending for people over sixty-five years of age for no fewer
24 than five years following acceptance of the application to the State
25 Balancing Incentive Payments Program pursuant to section 81-3138.

26 (2) The task force shall develop a state plan as provided in section
27 13 of this act and electronically deliver the state plan to the Governor
28 and the Legislature on or before December 15, 2016. The task force shall
29 make a presentation of the state plan to the Health and Human Services
30 Committee of the Legislature on or before December 15, 2016.

31 Sec. 12. Section 68-1109, Revised Statutes Cumulative Supplement,
1 2014, is amended to read:

2 68-1109 The Aging Nebraskans Task Force terminates on January 1,
3 2017 ~~June 30, 2016~~, unless extended by the Legislature.

4 Sec. 13. (1) The Aging Nebraskans Task Force shall develop a state
5 plan regarding persons with Alzheimer's and related disorders. The task
6 force shall work with the chief executive officer of the Department of
7 Health and Human Services, the Public Guardian, the area agencies on
8 aging, organizations advocating for patients and caregivers for patients
9 with Alzheimer's or related disorders, the law enforcement community,
10 patients with Alzheimer's or related disorders, caregivers for patients
11 with Alzheimer's or related disorders, client advocacy organizations,
12 health care provider advocacy organizations, private health care
13 providers, and community-based health professionals.

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

SPEAKER HADLEY PRESIDING

The Davis amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 26 ayes, 0 nays,

17 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 1 nay, 15 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 320A. Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 2 nays, 16 present and not voting, and 6 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 70A. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 70, One Hundred Fourth Legislature, First Session, 2015; and to declare an emergency.

LEGISLATIVE BILL 81A. Introduced by Cook, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 81, One Hundred Fourth Legislature, First Session, 2015.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Hellbusch, Jim - Nebraska Environmental Trust Board - Natural Resources
Rice, Bradley - Superintendent, Nebraska State Patrol - Government,
Military and Veterans Affairs

(Signed) Bob Krist, Chairperson
Executive Board

VISITORS

Visitors to the Chamber were 95 junior level Bachelor of Science in Nursing students from Creighton University, Omaha and Hastings; 44 fourth-grade students and teachers from Franklin Elementary, Omaha; 55 fourth-grade students and teachers from Rockwell Elementary, Omaha; and 80 members for Catholics at the Capitol from Councils of Catholic Women, Knights of Columbus, and Catholic Daughters from across the state.

RECESS

At 12:05 p.m., on a motion by Senator Groene, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Coash presiding.

ROLL CALL

The roll was called and all members were present except Senators K. Haar, Morfeld, and Murante who were excused; and Senators Bolz, Groene, Hadley, McCoy, and Mello who were excused until they arrive.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 70. Placed on Final Reading.
ST16

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E and R amendments, ER27:
 - a. On page 1, line 8; page 4, lines 23 and 31; page 5, line 5; page 6, lines 11, 16, and 27; and page 7, line 8, "3" has been struck and "4" inserted; and
 - b. On page 7, line 10, "77-3001," has been inserted after "sections".
2. On page 1, the matter beginning with "the" in line 1 through line 7 and all amendments thereto have been struck and "mechanical amusement devices; to amend sections 77-3001, 77-3004, 77-3005, 77-3006, 77-3007, 77-3008, 77-3009, 77-3010, and 77-3011, Reissue Revised States of Nebraska, and section 9-1006, Revised Statutes Cumulative Supplement, 2014; to provide revenue for the Compulsive Gamblers Assistance Fund; to change provisions of the Mechanical Amusement Device Tax Act; to define and redefine terms; to require an additional occupation tax on certain mechanical amusement devices; to provide procedures and requirements for and provide for the distribution of additional occupation taxes as prescribed; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 242. Placed on Final Reading.
LEGISLATIVE BILL 242A. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 142. Introduced by Stinner, 48.

WHEREAS, Roger Franklin is the owner of Gary's Cleaning and Restoration in Scottsbluff; and

WHEREAS, Gary's Cleaning and Restoration received the 2014 Champion of Small Business Award; and

WHEREAS, the Champion of Small Business Award is presented annually by the Nebraska Business Development Center to a small business owner who has triumphed in the field of business and is an empowering entrepreneur who stands up for other small business owners; and

WHEREAS, Gary's Cleaning and Restoration provides commercial and residential carpet cleaning, smoke, fire, and water damage restoration, and reconstruction services including drywall, plumbing, electrical, and painting.

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

1. That the Legislature congratulates Gary's Cleaning and Restoration on receiving the 2014 Champion of Small Business Award.
2. That a copy of this resolution be sent to Roger Franklin.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 500. Title read. Considered.

Committee AM650, found on page 805, was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 143. Introduced by Craighead, 6; McCollister, 20.

WHEREAS, the Amazing Technicolor Show Choir of Westside High School in Omaha competed in the 2015 FAME Orlando Show Choir Competition; and

WHEREAS, the Amazing Technicolor Show Choir of Westside High School was named third runner up at the competition and qualified for the 2015 National Show Choir Finals in Chicago on April 25th; and

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

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

1. That the Legislature congratulates the Amazing Technicolor Show Choir of Westside High School for qualifying for the 2015 National Show Choir Finals.

2. That a copy of this resolution be sent to the Amazing Technicolor Show Choir of Westside High School and Director Doran Johnson.

Laid over.

LEGISLATIVE RESOLUTION 144. Introduced by Brasch, 16.

WHEREAS, Natalie Ott, the daughter of Annette and Tim Ott of Blair, has received the Girl Scout Gold Award; and

WHEREAS, the Girl Scout Gold Award is the highest award that can be earned by a Girl Scout in grades nine through twelve; and

WHEREAS, to earn the award, Natalie completed a project which included creating five "Fun Photo" boards, writing an informational pamphlet, and posting guidelines for the tricycle path at Camp Fontanelle near Nickerson; and

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

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

1. That the Legislature congratulates Natalie Ott for receiving the Girl Scout Gold Award.

2. That a copy of this resolution be sent to Natalie Ott.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Schumacher filed the following amendment to LR7CA:
AM922

(Amendments to Standing Committee amendments, AM822)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. At the general election in November 2016 the following
4 proposed amendment to the Constitution of Nebraska shall be submitted to
5 the electors of the State of Nebraska for approval or rejection:
6 To amend Article III, section 7:
7 III-7 Until the general election to be held in November 2020, one-
8 half of the members of the Legislature, or as nearly thereto as may be
9 practicable, shall be elected for a term of four years in November of
10 every even-numbered year. For the elections in November of 2020 and 2022,
11 the Legislature shall proportion the number of members to be elected for
12 either a four-year term or a six-year term so that beginning with the

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

GENERAL FILE

LEGISLATIVE BILL 347. Title read. Considered.

Committee AM598, found on page 842, was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 265. Title read. Considered.

Committee AM878, found on page 917, was offered.

SPEAKER HADLEY PRESIDING

Senator Krist offered the following amendment to the committee amendment:

AM1014

(Amendments to Standing Committee amendments, AM878)

- 1 1. On page 5, line 24, after "(3)" insert "(11), or (12)".
- 2 2. On page 7, line 2, strike "eighteen years of age or younger" and
- 3 insert "under the age of eighteen".
- 4 3. On page 9, line 10, strike "and"; and in line 12 after "act"
- 5 insert "; and
- 6 (13) Except as provided in subdivisions (11) and (12) of this
- 7 section, any individual adjudged to be within the provisions of this
- 8 section until the individual reaches the age of majority or the court
- 9 otherwise discharges the individual from its jurisdiction".
- 10 4. On page 11, line 26, after "(c)" insert "all types of".
- 11 5. On page 12, line 29, strike "that" and insert "who".
- 12 6. On page 14, lines 17 and 18, strike "initial members and" and
- 13 show as stricken; and in lines 29 and 30 strike "in the same manner as
- 14 the original appointments", show as stricken, and insert "from the same
- 15 category as the vacated position".
- 16 7. On page 15, line 29, after the underscored comma insert "the".
- 17 8. On page 18, line 2, after "director" insert "of the office".
- 18 9. On page 20, strike beginning with "or" in line 24 through
- 19 "Administration" in line 25 and insert an underscored comma; in line 28
- 20 strike "or", show as stricken, and insert "by"; and in line 30 after
- 21 "child" insert ", or, upon court order, by the Office of Probation
- 22 Administration".
- 23 10. On page 24, line 8, strike "with" and insert "by the" and after
- 24 "Aid" insert "Program"; and in line 29 after "records" insert "for
- 25 purposes of sections 84-712 to 84-712.09".
- 26 11. On page 25, line 1, strike "the year 2016" and insert "fiscal
- 1 year 2015-16"; in line 4 strike "the year 2017" and insert "fiscal year
- 2 2016-17"; in line 7 after "Every" insert "fiscal"; and in line 8 strike
- 3 "the year 2018" and insert "fiscal year 2017-18".
- 4 12. On page 27, line 9, after "through" insert "the"; and in line 10
- 5 after "Aid" insert "Program".

The Krist amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 482. Title read. Considered.

Committee AM691, found on page 847, 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 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 415. Title read. Considered.

Committee AM200, found on page 600, 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 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 47. Title read. Considered.

Committee AM635, found on page 775, was offered.

Senator Chambers offered the following motion:

MO57

Bracket until June 5, 2015.

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 roll call vote on the motion to bracket.

Voting in the affirmative, 14:

Baker	Campbell	Cook	Larson	Sullivan
Bloomfield	Chambers	Ebke	Schumacher	Williams
Bolz	Coash	Kolowski	Stinner	

Voting in the negative, 19:

Brasch	Garrett	Kolterman	McCoy	Seiler
Crawford	Hilkemann	Kuehn	Riepe	Smith
Davis	Hughes	Lindstrom	Scheer	Watermeier
Friesen	Johnson	McCollister	Schnoor	

Present and not voting, 6:

Groene	Hansen	Nordquist
Hadley	Harr, B.	Pansing Brooks

Absent and not voting, 1:

Craighead

Excused and not voting, 9:

Gloor	Howard	Krist	Morfeld	Schilz
Haar, K.	Kintner	Mello	Murante	

The Chambers motion to bracket failed with 14 ayes, 19 nays, 6 present and not voting, 1 absent and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Pending.

AMENDMENT(S) - Print in Journal

Senator Chambers filed the following amendment to LB47:

FA33

Amend AM635

1. Page 2, lines 25-31 strike new matter.
2. Page 3, lines 1-3 strike new matter.
3. Page 11, lines 11-18 strike new matter.
4. Repeal outright section 60-494.

Senator Mello filed the following amendment to LB419:

AM984

- 1 1. On page 2, strike beginning with the first "or" in line 13
- 2 through line 14 and insert "of a membership in or an admission to or any
- 3 purchase by a nationally accredited zoo or aquarium operated by a public
- 4 agency or nonprofit corporation primarily for educational, scientific, or
- 5 tourism purposes.".

Senator Watermeier filed the following amendment to LB47:

AM938

(Amendments to Standing Committee amendments, AM635)

- 1 1. On page 3, line 3; and page 11, line 18, after "no" insert
- 2 "...elect not to answer".

VISITORS

Visitors to the Chamber were 31 fourth-grade students and teachers from Freeman Public School, Adams.

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

ADJOURNMENT

At 4:23 p.m., on a motion by Senator Pansing Brooks, the Legislature adjourned until 9:00 a.m., Wednesday, March 25, 2015.

Patrick J. O'Donnell
Clerk of the Legislature