

**FIFTY-FIFTH DAY - MARCH 31, 2015**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FOURTH LEGISLATURE**  
**FIRST SESSION**

**FIFTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 31, 2015

**PRAYER**

The prayer was offered by Reverend Karla Cooper, Quinn Chapel - African Methodist Episcopal Church, Lincoln.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Coash presiding.

The roll was called and all members were present except Senators Davis, Kolowski, Kolterman, Krist, Murante, Pansing Brooks, and Watermeier who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-fourth day was approved.

**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 605.** Placed on General File with amendment. AM1010 is available in the Bill Room.

(Signed) Les Seiler, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Crawford filed the following amendment to LB152:  
AM1040

(Amendments to Standing Committee amendments, AM656)

1 1. On page 1, lines 5, 12, and 24, after "ordinance" insert "or  
2 resolution".

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 159.** Introduced by Crawford, 45.

**PURPOSE:** The purpose of this resolution is to examine issues surrounding handicapped parking. The issues addressed by this study shall include but not be limited to:

- (1) A review of current handicapped parking statutes in sections 18-1736 through 18-1741.07 of the Nebraska statutes;
- (2) A review of handicapped parking statutes in other states;
- (3) A review of handicapped parking requirements in the federal Americans with Disabilities Act of 1990 and related federal regulations; and
- (4) A review of handicapped parking policies in state-owned buildings, including the State Capitol building.

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

1. That the Urban Affairs 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.

**GENERAL FILE**

**LEGISLATIVE BILL 199A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 413A.** 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 106.** Committee AM521, found on page 752 and considered on page 1014, was renewed.

Senator Watermeier renewed the Watermeier-Groene amendment, AM1029, found on page 1014, to the committee amendment.

Pending.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 160.** Introduced by Nordquist, 7; Baker, 30; Bloomfield, 17; Bolz, 29; Brasch, 16; Campbell, 25; 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; 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, within every community of the State of Nebraska there are law enforcement officers who, by virtue of their commitment and dedication, command the respect and admiration of their community for their exemplary contribution and service on behalf of others; and

WHEREAS, law enforcement officers protect communities across our state and nation and selflessly put their lives on the line to keep Nebraskans safe; and

WHEREAS, law enforcement officers perform a variety of duties to pursue justice and maintain public safety; and

WHEREAS, it is the sense of the Legislature that law enforcement officers should be recognized for their selfless acts of bravery and law enforcement officers who have made the ultimate sacrifice should be remembered and honored; and

WHEREAS, the Legislature has stood by Nebraska law enforcement in recent years by providing workers' compensation coverage for post-traumatic stress, enacting procedural safeguards for peace officers during administrative formal investigations, and protecting collective bargaining rights for law enforcement; and

WHEREAS, it is the sense of the Legislature that those committed public servants who unselfishly dedicate their lives to the protection of others are worthy of and due full praise for their commitment to making Nebraska communities stronger.

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

1. The Legislature recognizes and honors the nearly 5,000 law enforcement officers in Nebraska who demonstrate great courage and diligence in providing for the care and welfare of the citizens of their communities and this state.

2. The Legislature recognizes law enforcement officers for their efforts to create safer and more secure communities and expresses its strong support for the state's law enforcement personnel.

3. That a copy of this resolution be sent to law enforcement groups including the Nebraska Fraternal Order of Police, the State Troopers Association of Nebraska, Incorporated, the Police Officers' Association of

Nebraska, the Nebraska Sheriffs' Association, the Omaha Police Officers Association, and the Police Chiefs Association of Nebraska.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 106.** Senator Chambers offered the following motion:

MO63

Bracket until June 5, 2015.

Senator Bloomfield moved the previous question. The question is, "Shall the debate now close?"

Senator Bloomfield moved for a call of the house. The motion prevailed with 32 ayes, 0 nays, and 17 not voting.

The motion to cease debate prevailed with 26 ayes, 16 nays, and 7 present and not voting.

The Chair declared the call raised.

Senator Chambers withdrew his motion to bracket.

Senator Bloomfield offered the following motion:

MO64

Recommit to the Government, Military and Veterans Affairs Committee.

Pending.

### COMMITTEE REPORT(S)

Appropriations

**LEGISLATIVE BILL 449.** Placed on General File with amendment. AM1035 is available in the Bill Room.

(Signed) Heath Mello, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Krist filed the following amendment to LB15:

AM1067

(Amendments to Final Reading copy)

- 1 1. On page 4, line 20, after "thereafter" insert ", unless the court
- 2 approves other methods of consultation as provided in subsection (6) of
- 3 this section."; and in lines 21 and 22 strike the new matter.
- 4 2. On page 5, lines 6 and 7, strike "relevant stakeholders" and
- 5 insert "individuals described in subdivision (d) of this subsection";

6 strike beginning with "A" in line 8 through "43-1301" in line 10; in line  
7 12 strike beginning with the first comma through "alternative", show as  
8 stricken, and insert "As an alternative to the written reports and  
9 recommendations"; and in line 14 after "hearing" insert ". A copy of the  
10 written reports and recommendations to the court or a copy of the  
11 checklist presented to the court shall also be submitted to the Foster  
12 Care Review Office for any juvenile in foster care placement as defined  
13 in section 43-1301".

14 3. On page 6, strike lines 13 through 29 and insert the following  
15 new subsection:

16 "(6) The guardian ad litem shall meet in person with the juvenile  
17 for purposes of the consultation required by subdivision (2)(d) of this  
18 section unless prohibited or made impracticable by exceptional  
19 circumstances, including, but not limited to, situations in which an  
20 unreasonable geographical distance is involved between the location of  
21 the guardian ad litem and the juvenile. When such exceptional  
22 circumstances exist, the guardian ad litem shall attempt such  
23 consultation by other reasonable means, including, but not limited to, by  
24 telephone or suitable electronic means, if the juvenile is of sufficient  
25 age and capacity to participate in such means of communication and there  
26 are no other barriers preventing such means of communication. If  
1 consultation by telephone or suitable electronic means is not feasible,  
2 the guardian ad litem shall seek direction from the court as to any other  
3 acceptable method by which to accomplish consultation required by  
4 subdivision (2)(d) of this section.".

### VISITORS

Visitors to the Chamber were 8 members of the Lymphedema Awareness Association from Lincoln and Crete; Senator Sullivan's husband, Mike, from Cedar Rapids, and grandson, River, from Los Angeles, CA; 13 members of Bellevue Leadership Class; 45 fourth-grade students and teachers from Montclair Elementary, Omaha; and 15 fourth-grade students, teacher, and sponsors from Faith Lutheran School, Lincoln.

### RECESS

At 11:54 a.m., on a motion by Senator Sullivan, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 2:30 p.m., upon the call of the Speaker, Senator Krist presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Mello who was excused; and Senators Campbell, Coash, Larson, Schilz, Sullivan, and Watermeier who were excused until they arrive.

**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 136.** Placed on General File.

**LEGISLATIVE BILL 289.** Placed on General File.

**LEGISLATIVE BILL 30.** Placed on General File with amendment.

AM29

1 1. On page 2, line 7, strike "for specific investigatory purposes".

**LEGISLATIVE BILL 426.** Indefinitely postponed.

(Signed) Les Seiler, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 610.** Title read. Considered.

Pending.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 33.** Placed on Final Reading.

ST20

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

1. On page 1, line 3, "to require a strategic plan and reporting by the Department of Correctional Services;" has been inserted after the first semicolon.

**LEGISLATIVE BILL 139.** Placed on Final Reading.

**LEGISLATIVE BILL 139A.** Placed on Final Reading.

**LEGISLATIVE BILL 324.** Placed on Final Reading.

ST21

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

1. On page 1, line 4, "to prohibit sanitary and improvement districts from making expenditures after receiving a notice of proposed annexation as prescribed;" has been inserted before "and".

**LEGISLATIVE BILL 356.** Placed on Final Reading.

**LEGISLATIVE BILL 627.** Placed on Final Reading.

ST19

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

1. On page 1, the matter beginning with "redefine" in line 4 through line 6 and all amendments thereto have been struck and "define and redefine terms; to prohibit employment practices discriminating against individuals who are pregnant, have given birth, or have a related medical condition as prescribed; to change provisions relating to lawful employment practices; to provide requirements for reports by the Equal Opportunity Commission; to eliminate provisions relating to membership in certain organizations; to harmonize provisions; to repeal the original sections; and to outright repeal section 48-1109, Reissue Revised Statutes of Nebraska." inserted.

(Signed) Matt Hansen, Chairperson

#### **COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE RESOLUTION 7CA.** Placed on Select File.

**LEGISLATIVE BILL 183.** Placed on Select File.

**LEGISLATIVE BILL 81.** Placed on Select File.

**LEGISLATIVE BILL 81A.** Placed on Select File.

**LEGISLATIVE BILL 199.** Placed on Select File with amendment.

ER66

1 1. On page 1, line 4, strike "public".

**LEGISLATIVE BILL 199A.** Placed on Select File.

**LEGISLATIVE BILL 413A.** Placed on Select File with amendment.

ER67

1 1. On page 2, line 3, after "Environmental" insert "Infrastructure".

(Signed) Matt Hansen, Chairperson

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 161.** Introduced by Kolterman, 24.

WHEREAS, Ted "T.R." R. Hughes II was born on May 1, 1938; and  
WHEREAS, T.R. graduated from Seward High School in 1956 and earned a bachelor of science degree from the University of Nebraska in 1961; and  
WHEREAS, T.R. was a member of the United States Marine Corps from 1957-1962; and

WHEREAS, T.R. was instrumental in starting several service organizations in Seward including the Seward County chapter of the Izaak Walton League, the Seward Foundation, and the City of Seward Recycling Center; and

WHEREAS, in 1984, T.R. was awarded the Seward County Community Service Award; and

WHEREAS, T.R. was a long-time board member of the Mari Sandoz Heritage Society and received the In the Spirit of Mari Sandoz Award in 2009; and

WHEREAS, T.R.'s passion was working with the Northern Cheyenne Tribe, the Great Plains Buffalo Association, the Spanish Barb Horse Association, as well as supporting environmental conservation and education; and

WHEREAS, in 1972, T.R. began a bison herd and used the offspring to establish other tribal and conservation herds. He recently sold the last of his herd to establish a conservation herd at the Crane Trust in Wood River; and

WHEREAS, T.R. passed away on March 17, 2015.

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

1. That the Legislature honors Ted "T.R." R. Hughes II for his service to his community, state, and country.
2. That the Legislature extends its deep sympathy to the family of Ted "T.R." R. Hughes II.
3. That a copy of this resolution be sent to the family of Ted "T.R." R. Hughes II.

Laid over.

**LEGISLATIVE RESOLUTION 162.** Introduced by Brasch, 16.

WHEREAS, the Bancroft-Rosalie High School speech team won the 2015 Class D-2 State Speech Tournament; and

WHEREAS, the Bancroft-Rosalie Panthers earned their first place finish with a score of 128 points; 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 Bancroft-Rosalie High School speech team on winning the 2015 Class D-2 State Speech Tournament.
2. That a copy of this resolution be sent to the Bancroft-Rosalie High School speech team and their coach, Ronda Ras.

Laid over.

**LEGISLATIVE RESOLUTION 163.** Introduced by Brasch, 16.

WHEREAS, the Guardian Angels Central Catholic High School speech team won the 2015 Class C-2 State Speech Tournament; and

WHEREAS, the Guardian Angels Central Catholic Bluejays earned their first place finish with a score of 80 points; 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 Guardian Angels Central Catholic High School speech team on winning the 2015 Class C-2 State Speech Tournament.

2. That a copy of this resolution be sent to the Guardian Angels Central Catholic High School speech team and their coach, Brooke Meister.

Laid over.

**LEGISLATIVE RESOLUTION 164.** Introduced by Haar, K., 21; Johnson, 23.

WHEREAS, the Raymond Central High School speech team won the 2015 Class C-1 State Speech Tournament; and

WHEREAS, the Raymond Central Mustangs earned their first place finish with a score of 118 points; 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 Raymond Central High School speech team on winning the 2015 Class C-1 State Speech Tournament.

2. That a copy of this resolution be sent to the Raymond Central High School speech team.

Laid over.

**COMMITTEE REPORT(S)**

## Natural Resources

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

Robert Allen - Nebraska Game and Parks Commission

Aye: 7 Friesen, Hughes, Johnson, Kolowski, Lindstrom, Schilz, Schnoor.  
Nay: 0. Absent: 0. Present and not voting: 1 McCollister.

(Signed) Ken Schilz, Chairperson

### **CONFLICT OF INTEREST STATEMENT**

Pursuant to Rule 1, Sec. 19, Senator Kintner 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 610.** Considered.

Pending.

### **BILL ON FIRST READING**

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

**LEGISLATIVE BILL 243A.** 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 243, One Hundred Fourth Legislature, First Session, 2015.

### **MOTION - Print in Journal**

Senator Schnoor filed the following motion to LB106:  
MO66  
Bracket until June 5, 2015.

### **VISITORS**

Visitors to the Chamber were members of the Omaha Tribal Council from Northeast Nebraska.

### **ADJOURNMENT**

At 4:04 p.m., on a motion by Senator Morfeld, the Legislature adjourned until 9:00 a.m., Wednesday, April 1, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature