

SIXTH DAY - JANUARY 14, 2015**LEGISLATIVE JOURNAL****ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 14, 2015

PRAYER

The prayer was offered by Pastor Brian High, First Baptist Church, Tekamah.

ROLL CALL

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

The roll was called and all members were present except Senators Craighead and Howard who were excused; and Senators Krist and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB157	Banking, Commerce and Insurance
LB158	Business and Labor
LB159	Banking, Commerce and Insurance
LB160	General Affairs
LB161	Appropriations
LB162	Revenue
LB163	Government, Military and Veterans Affairs
LB164	Natural Resources
LB165	Revenue
LB166	Government, Military and Veterans Affairs
LB167	Judiciary
LB168	Urban Affairs
LB169	Appropriations
LB170	Revenue

LB171 Revenue
LB172 Judiciary
LB173 Judiciary
LB174 Natural Resources
LB175 Agriculture
LB176 Agriculture
LB177 Government, Military and Veterans Affairs
LB178 Revenue
LB179 General Affairs
LB180 Banking, Commerce and Insurance
LB181 Transportation and Telecommunications
LB182 Education
LB183 Agriculture
LB184 Judiciary
LB185 Appropriations
LB186 Revenue
LB187 Judiciary
LB188 Judiciary
LB189 Judiciary
LB190 Judiciary
LB191 Revenue
LB192 Transportation and Telecommunications
LR10CA General Affairs

(Signed) Bob Krist, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Wednesday, January 21, 2015 1:30 p.m.

LB170
LB171

(Signed) Mike Gloor, Chairperson

COMMUNICATION(S)

Pursuant to 84-104.05 R.R.S. of Nebraska Governor Pete Ricketts issued a proclamation declaring January 5, 2015, as George W. Norris Day.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 236. Introduced by Coash, 27.

A BILL FOR AN ACT relating to retirement; to amend sections 16-1019, 16-1038, 23-2322, 25-1563.01, 71-1631, 79-948, 79-9,104, 81-2032, 84-1324, 84-1505, 85-106, and 85-320, Reissue Revised Statutes of Nebraska, and sections 2-3228, 14-567, 14-2111, 19-3501, 24-710.02, and 48-1401, Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions relating to collection of judgments; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 237. Introduced by Coash, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for correctional facilities.

LEGISLATIVE BILL 238. Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2107, 18-2116, and 18-2117.01, Reissue Revised Statutes of Nebraska, and sections 18-2103 and 18-2147, Revised Statutes Cumulative Supplement, 2014; to define a term; to change provisions relating to tax-increment financing; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 239. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to education; to amend sections 79-308, 79-309.01, 79-761, 79-1028.01, and 79-1035, Reissue Revised Statutes of Nebraska; to provide for a Coordinator for Educator Effectiveness and educator evaluation models as prescribed; to provide for grants and funding; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 240. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to behavioral health; to amend sections 71-8511 and 71-8512, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the Behavioral Health Screening and Referral Pilot Program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 241. Introduced by Stinner, 48.

A BILL FOR AN ACT relating to cemeteries; to amend sections 15-241, 16-243, 17-941, and 17-945, Reissue Revised Statutes of Nebraska; to change provisions relating to conveyances of cemetery lots; and to repeal the original sections.

LEGISLATIVE BILL 242. Introduced by Stinner, 48; Hughes, 44.

A BILL FOR AN ACT relating to the Dry Bean Resources Act; to amend sections 2-3755, 2-3762, and 2-3763, Reissue Revised Statutes of Nebraska; to change provisions relating to fees; to change annual report requirements; to change a provision relating to collection and credit of funds; to eliminate a refund; to repeal the original sections; to outright repeal section 2-3760, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 243. Introduced by Bolz, 29; Campbell, 25; Howard, 9; Krist, 10.

A BILL FOR AN ACT relating to children; to state intent; to define terms; to create a pilot project relating to family finding services; to provide duties for the Department of Health and Human Services; to state intent relating to appropriations; and to provide for rules and regulations.

LEGISLATIVE BILL 244. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2103, Reissue Revised Statutes of Nebraska; to change provisions relating to motions for new trial based upon discovery of new evidence; and to repeal the original section.

LEGISLATIVE BILL 245. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the DNA Testing Act; to amend section 29-4120, Reissue Revised Statutes of Nebraska; to change provisions relating to DNA testing of biological material; and to repeal the original section.

LEGISLATIVE BILL 246. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Nebraska Advantage Microenterprise Tax Credit Act; to amend section 77-5903, Reissue Revised Statutes of Nebraska; to redefine microbusiness; and to repeal the original section.

LEGISLATIVE BILL 247. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Uniform Partnership Act of 1998; to amend section 67-405, Reissue Revised Statutes of Nebraska; to change an interest rate specification reference; and to repeal the original section.

LEGISLATIVE BILL 248. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to schools; to amend section 79-609, Reissue Revised Statutes of Nebraska; to prohibit use of interactive wireless communication devices by school bus drivers as prescribed; and to repeal

the original section.

LEGISLATIVE BILL 249. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2014; to exempt horses from sales and use taxes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 250. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend section 9-607, Reissue Revised Statutes of Nebraska; to change restrictions on keno; and to repeal the original section.

LEGISLATIVE BILL 251. Introduced by Nordquist, 7; Crawford, 45; Garrett, 3; Morfeld, 46; Schnoor, 15.

A BILL FOR AN ACT relating to labor; to adopt the Veterans Subsidized Training and Employment Act.

LEGISLATIVE BILL 252. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend section 8-1106, Reissue Revised Statutes of Nebraska, and section 8-1108.02, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to registration by coordination and federal covered securities; and to repeal the original sections.

LEGISLATIVE BILL 253. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to homesteads; to amend section 40-104, Reissue Revised Statutes of Nebraska; to provide when acknowledgment is not required; and to repeal the original section.

LEGISLATIVE BILL 254. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to unsworn declarations; to amend section 28-915, Reissue Revised Statutes of Nebraska, and section 28-915.01, Revised Statutes Cumulative Supplement, 2014; to adopt the Uniform Unsworn Foreign Declarations Act; to change provisions relating to perjury; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 255. Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2014; to provide income tax credits for apprenticeships as prescribed; to harmonize provisions; and to repeal the

original sections.

LEGISLATIVE BILL 256. Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska, and sections 77-27,132 and 77-4212, Revised Statutes Cumulative Supplement, 2014; to change the sales tax rate; to change the distribution of sales and use tax revenue; to provide funding for property tax relief; and to repeal the original sections.

LEGISLATIVE BILL 257. Introduced by Nordquist, 7; Campbell, 25; Gloor, 35.

A BILL FOR AN ACT relating to insurance; to require insurers to provide descriptions relating to telehealth and telemonitoring as prescribed.

LEGISLATIVE BILL 258. Introduced by Nordquist, 7; Campbell, 25; Gloor, 35.

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

LEGISLATIVE BILL 259. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-518, Reissue Revised Statutes of Nebraska, and sections 77-202 and 77-5007, Revised Statutes Cumulative Supplement, 2014; to adopt the Personal Property Tax Relief Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 260. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to revenue and taxation; to authorize the Property Tax Administrator to correct errors as prescribed; and to declare an emergency.

LEGISLATIVE BILL 261. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-519, 13-520, 77-115, 77-376, and 77-1248, Reissue Revised Statutes of Nebraska, and sections 23-2306, 69-2708, 70-1903, 77-1342, 77-2604, 77-2604.01, 77-27,235, 77-2904, and 77-3442, Revised Statutes Cumulative Supplement, 2014; to eliminate obsolete provisions relating to transferring the assessment function to counties; to change provisions relating to the sharing of tax information; to redefine qualified owner under the Rural Community-Based Energy Development Act; to change provisions relating to the valuation of flight equipment of air carriers; to disallow interest on

refunds relating to certain tax credits; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 77-1340.05 and 77-1340.06, Reissue Revised Statutes of Nebraska, and section 77-1340.04, Revised Statutes Cumulative Supplement, 2014; and to declare an emergency.

LEGISLATIVE BILL 262. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to the Dairy Industry Development Act; to amend sections 2-3949, 2-3957, and 2-3959, Reissue Revised Statutes of Nebraska; to define a term; to eliminate provisions relating to refunds; to change powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 263. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Nebraska State Historical Society.

LEGISLATIVE BILL 264. Introduced by Morfeld, 46; Crawford, 45; Garrett, 3; Kolowski, 31; Nordquist, 7.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-126, Reissue Revised Statutes of Nebraska, and section 38-101, Revised Statutes Cumulative Supplement, 2014; to provide for issuance of credentials based on military education, training, or service; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 265. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to juveniles; to amend section 29-1926, Reissue Revised Statutes of Nebraska, and sections 43-272.01, 43-285, 43-297.01, 43-2,108, 43-1301, 43-1302, 43-1303, 43-1304, 43-1308, 43-1309, 43-1313, 43-1318, 43-3001, and 43-4318, Revised Statutes Cumulative Supplement, 2014; to change powers and duties for guardians ad litem, the Office of Probation Administration, the Foster Care Review Office, and the office of Inspector General of Nebraska Child Welfare; to define terms; to provide for confidentiality of certain information; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 266. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to municipalities; to amend sections 14-102, 14-103, 15-211, 15-268, 16-207, 16-240, 17-123, 17-123.01, 17-207, and 17-555, Reissue Revised Statutes of Nebraska, and sections 16-230 and 17-563, Revised Statutes Cumulative Supplement, 2014; to change provisions regarding jurisdiction for municipalities to enforce ordinances; to change nuisance ordinance provisions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 267. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to change the income tax exemption for military retirement income as prescribed; and to repeal the original section.

LEGISLATIVE BILL 268. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 23-3406, 24-1106, 25-1140.09, 28-104, 28-303, 29-1602, 29-1822, 29-2004, 29-2005, 29-2006, 29-2020, 29-2027, 29-2282, 29-2407, 29-2519, 29-2521, 29-2523, 29-2801, 29-3205, 29-3920, 29-3928, 29-3929, 29-3930, 55-480, 83-1,110.02, and 83-4,143, Reissue Revised Statutes of Nebraska, and sections 28-105, 29-1603, 29-2204, 29-2522, and 29-3922, Revised Statutes Cumulative Supplement, 2014; to state findings and intent; to change provisions relating to murder in the first degree; to change a penalty from death to life imprisonment without possibility of parole; to eliminate a homicide-case report, provisions on capital punishment, proportionality review provisions, and obsolete provisions; to provide for retroactive applicability of a penalty change; to change provisions relating to restitution; to harmonize provisions; to repeal the original sections; and to outright repeal sections 24-1105, 29-2521.01, 29-2521.03, 29-2521.04, 29-2524.01, 29-2524.02, 29-2525, 29-2527, 29-2528, 29-2811, 83-1,105.01, 83-1,132, 83-964, 83-965, 83-966, 83-967, 83-968, 83-969, 83-970, 83-971, and 83-972, Reissue Revised Statutes of Nebraska, and sections 28-105.01, 29-2521.02, 29-2524, 29-2537, 29-2538, 29-2539, 29-2540, 29-2541, 29-2542, 29-2543, and 29-2546, Revised Statutes Cumulative Supplement, 2014.

LEGISLATIVE BILL 269. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to the Abstracters Act; to amend section 76-550, Revised Statutes Cumulative Supplement, 2014; to eliminate a requirement to prepare and distribute a roster of all registered abstracters; and to repeal the original section.

LEGISLATIVE BILL 270. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to labor; to amend sections 48-1706, 48-2107, and 48-2710, Reissue Revised Statutes of Nebraska; to create and eliminate funds; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 48-1707 and 48-2115, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 271. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to labor; to amend sections 48-602, 48-603, 48-603.01, 48-605, 48-625, 48-648, 48-648.01, 48-654, 48-660.01, and

48-669, Reissue Revised Statutes of Nebraska, and section 48-663.01, Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions of the Employment Security Law; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 272. Introduced by Crawford, 45; Garrett, 3; Morfeld, 46; Nordquist, 7.

A BILL FOR AN ACT relating to veterans; to provide for a voluntary veterans preference in private employment; and to define terms.

LEGISLATIVE BILL 273. Introduced by Sullivan, 41; Hughes, 44.

A BILL FOR AN ACT relating to elections; to amend sections 32-517, 32-518, 32-520, 32-521, 32-522, 32-523, 32-526, 32-528, and 32-529, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-519, 32-524, and 32-525, Revised Statutes Cumulative Supplement, 2014; to authorize voters to vote regarding partisan or nonpartisan ballots for nomination and election of county officers in certain counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 274. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Department of Education for mentor teacher programs in local systems.

LEGISLATIVE BILL 275. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,197.06, Reissue Revised Statutes of Nebraska; to change penalties for operating a motor vehicle during a revocation period; and to repeal the original section.

LEGISLATIVE BILL 276. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-106 and 48-116, Reissue Revised Statutes of Nebraska, and section 48-1,110, Revised Statutes Cumulative Supplement, 2014; to provide for certified independent contractors and exempt such persons from the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 277. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1838 and 77-1842, Reissue Revised Statutes of Nebraska; to change a provision relating to tax deed lien priority; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 278. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.14, Reissue Revised Statutes of Nebraska, and section 77-2701.16, Revised Statutes Cumulative Supplement, 2014; to exempt motor vehicle washing and waxing services from sales and use tax; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 279. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to business entities; to amend sections 21-152, 21-1905, 21-19,139, 21-19,159, 21-2005, 21-20,160, 21-20,180.01, and 21-2995, Reissue Revised Statutes of Nebraska, and sections 21-192, 21-205, 21-2,195, 21-2,219, 21-323.01, 21-325.01, and 21-414, Revised Statutes Cumulative Supplement, 2014; to change provisions and fees relating to reinstatement; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 21-2005, 21-20,160, and 21-20,180.01, Reissue Revised Statutes of Nebraska, as amended by this legislative bill; and to declare an emergency.

LEGISLATIVE BILL 280. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 79-1001, 79-1003, 79-1007.11, 79-1007.18, 79-1008.02, 79-1015.01, 79-1016, 79-1017.01, and 79-1023, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2014; to authorize a school-funding surtax; to reduce the levy authority for school districts and learning communities; to change the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Wednesday, January 21, 2015 1:30 p.m.

LB84
LB65
LB135
LB177

(Signed) John Murante, Chairperson

Natural Resources

Room 1525

Wednesday, January 21, 2015 1:30 p.m.

LB142

(Signed) Ken Schilz, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 23. Introduced by Riepe, 12.

WHEREAS, veterans have earned and deserve high-quality, safe, consistent, and accessible health care services; and

WHEREAS, veterans in Nebraska often travel long distances to receive health care at a United States Department of Veterans Affairs facility, especially hospital care; and

WHEREAS, veterans deserve access to health care services closer to where they reside, including access to personal physicians, local hospitals, and other health care facilities and services; and

WHEREAS, the retention and recruitment of physicians and other health care professionals will promote stronger community-based health care services to veterans and the surrounding communities, and reduce needless duplication of health care services; and

WHEREAS, continuity of care and promotion of the medical home will be improved with veterans having access to local physicians and local hospitals; and

WHEREAS, the economies of local communities will benefit from veterans accessing all components of the community's health care resources; and

WHEREAS, money and time will be saved by allowing veterans to access local community health care services for their health care needs; and

WHEREAS, expanding health care options for veterans will increase access for veterans, especially in rural areas.

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

1. That the Legislature urges the United States Department of Veterans Affairs to provide veterans with direct access to health care services in each local community in Nebraska.

2. That a copy of this resolution be sent to the Secretary and Under Secretary of Health of the United States Department of Veterans Affairs and to each member of Nebraska's delegation to the United States Congress.

Laid over.

LEGISLATIVE RESOLUTION 24. Introduced by Murante, 49.

WHEREAS, Gretna High School won the 2014 Class A One-Act Play State Championship with their performance of "Young Frankenstein"; and

WHEREAS, this is Gretna High School's sixth Class A one-act play state championship since 2008; and

WHEREAS, Gretna High School's performance is a wonderful example of successful collaboration between directors, actors, and crew; 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 Gretna High School for winning the 2014 Class A One-Act Play State Championship.

2. That a copy of this resolution be sent to the Gretna High School one-act team.

Laid over.

LEGISLATIVE RESOLUTION 25. Introduced by Coash, 27.

WHEREAS, Kadynce Mullins is the 2014 National American Miss Nebraska Princess; and

WHEREAS, Kadynce is the daughter of Kevin and Brenna Mullins and a second grader at Northside Elementary School in Nebraska City; and

WHEREAS, because Kadynce has been hospitalized for seizure episodes, she chose the Children's Miracle Network (CMN) for her summer project and started a nonprofit called "Lollipop Limo" which raises funds for CMN; 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 Kadynce Mullins for being crowned the 2014 National American Miss Nebraska Princess.

2. That a copy of this resolution be sent to Kadynce Mullins.

Laid over.

PROPOSED RULES CHANGES

The Rules Committee offered the following proposed rules changes:

Rule 5, Sec. 5. Scheduling of Bills, Priority Bills.

(d) The State-Tribal Relations Committee may designate one bill consistent with the committee's jurisdiction as a priority bill but the principal

introducer must concur with the designation as a priority bill, and with the withdrawal of the designation once made.

~~(d)~~(e) The Speaker may designate up to 25 additional priority bills.

~~(e)~~(f) Priority bill designations may be made at any time prior to the annual designation deadline which shall be set each year by the Speaker. The designation deadline shall be prior to the 45th legislative day in the ninety-day session and prior to the 30th legislative day in the sixty-day session.

~~(f)~~(g) A senator or committee may withdraw a priority designation at any time, but will not be allowed to designate another bill as a priority bill in its place. The Speaker may withdraw a priority designation made by the Speaker.

~~(g)~~(h) All committees shall schedule priority bills for public hearing ahead of all unscheduled, nonpriority bills unless the person or committee making the priority designation shall otherwise agree.

~~(h)~~(i) All bills not designated as priority bills shall be heard on General File in the order in which they are reported to the floor by the committees, unless the introducer of the bill and the Speaker agree to delay the hearing of a particular bill. This provision shall not be construed to prevent the Speaker from placing bills reported out of committee with no dissenting votes on a consent calendar.

~~(i)~~(j) Priority bills shall generally be considered ahead of all other bills at each stage of debate, except as provided for in Rule 1, Section 17. Priority bills requiring the expenditure of appropriated funds shall be held on Final Reading until such time as the annual appropriations bills have been passed. A priority bill which fails to advance after two votes on General File, or after one vote on Select File, shall return to nonpriority status.

~~(j)~~(k) No priority bill designated under this rule shall have priority over appropriations bills.

Rule 7, Sec. 3. Motion, in Writing, Withdrawal.

(e) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. Once a division is ordered by the presiding officer, each component shall be treated as a separate and distinct proposition. For purposes of germaneness, even if a question is germane prior to a request for division, each and every other component or proposition of the divided question will be subject to germaneness rulings. Once a vote or change has occurred on any of the divisible questions, the remaining divided sections may not be withdrawn without a majority of those voting or without

unanimous consent. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert. Such call for division shall not be allowed when considering motions under Rule 6, Section 6. Such a call for division shall not be allowed for the mainline budget bill, the deficit bill, the capital construction bill, the constitutional officers salary bill, and the funds transfer bill.

The Rules Committee indefinitely postponed the following proposed rules changes:

Rule 1, Sec. 1. Officers to be Elected.

(a) At the commencement of each regular session in odd-numbered years the Legislature shall nominate from the floor and elect by ~~secret ballot~~ roll call vote with each member indicating the candidate he/she is supporting the following officers:

Speaker
 Chairperson of Committee on Committees
 Chairperson of Executive Board
 Vice Chairperson of Executive Board
~~6 Members of Executive Board (See footnote)~~

If the election is not contested, the presiding officer may accept a motion to declare the nominations closed, and declare the nominee elected by acclamation.

Before the ~~ballot~~ vote is taken each person so nominated may make a public statement to the Legislature indicating what the Legislature may expect from him or her in the area of the responsibility of such office. The officers so elected shall hold such office for a period of two years.

At the end of the roll call vote but prior to the presiding officer declaring a winner, the clerk shall verify how each member voted and the result shall be entered into the legislative journal.

The Legislature elects two from Legislative Districts 2, 3, 15, 16, 19, 21 through 29, 45, and 46; two from Legislative Districts 4 through 14, 18, 20, 31, 39, and 49; and two from Legislative Districts 1, 17, 30, 32 through 38, 40 through 44, 47, and 48. Speaker is member of Board; Chairperson of Appropriations is nonvoting member. RRS 50-401.01.

(b) In the event a vacancy occurs on the Executive Board, the following shall apply:

(i) The Vice Chairperson shall serve as acting Chairperson upon the resignation or death of the Chairperson until the commencing of the next regular session of the Legislature, at which time the Legislature shall

nominate from the floor and elect ~~by secret ballot~~ a Chairperson of the Executive Board for the balance of the original term.

(ii) Upon the resignation or death of the Speaker, during the interim, said position shall remain vacant until the next regular session or special session the Legislature convenes, at which time a Speaker shall be nominated from the floor and elected ~~by secret ballot~~ for the balance of the original term.

Upon the resignation or death of the Speaker during the session, a Speaker shall immediately be nominated from the floor and elected ~~by secret ballot~~ for the balance of the term.

(iii) In the event there is a vacancy of the Vice Chairperson of the Executive Board during the interim, said vacancy shall be filled pursuant to Rule 3, Section 8(c) until the commencing of the next regular session of the Legislature at which time the Legislature shall nominate from the floor and elect ~~by secret ballot~~ a Vice Chairperson of the Executive Board for the balance of the original term.

(iv) During session, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Legislature. The individual so selected shall serve for the balance of the original term.

During the interim, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Executive Board. The individual so selected shall serve for the balance of the original term.

Rule 3, Sec. 8. Chairperson, Vice Chairperson.

(a) The chairperson of each standing and select committee shall be selected by ~~secret ballot~~ roll call vote with each member indicating the candidate he/she is supporting.

(b) At the end of the roll call vote but prior to the presiding officer declaring a winner, the clerk shall verify how each member voted and the result shall be entered into the legislative journal.

If the election is not contested, the presiding officer may accept a motion to declare the nominations closed, and declare the nominee elected by acclamation.

~~(b)~~(c) The chairperson of a special committee shall be selected in the manner provided by the act authorizing the committee, or if not specified, by the Executive Board.

~~(c)~~(d) Each committee shall elect from its membership a vice chairperson to serve in the absence of the chairperson.

~~(d)~~(e) The chairperson may, at his or her discretion, assume the title of chairman, chairwoman, or chair for legislative purposes.

The Rules Committee held the following proposed rules changes:

Rule 3, Sec. 11. Conduct During Committee Hearings.

(a) The use of any mobile, portable, or wireless communication device, other than those authorized by the Legislative Council is prohibited in legislative hearing rooms during a meeting of a legislative committee, unless allowed by the committee chairperson.

(b) Electronic Submission of Documents

(i) Copies of any additional testimony and/or exhibits being presented may be done electronically to the committee clerk for access by members choosing to use electronic data, as allowed by the committee chairperson.

(ii) These document submissions may occur via electronic mail, disk, or portable drive and shall be placed in an electronic file by the committee clerk.

Rule 7, Sec. 5. Call of the House.

(a) A call of the house may be made by any member in the manner following: "I move for a call of the house." The presiding officer shall direct that the board be cleared and the members shall then vote on placing themselves under call. If a majority of the senators present and voting, vote in favor of such a motion, then the Legislature shall be deemed to be under call. Each member present shall indicate his or her presence upon the electric roll call system and shall remain in his or her seat except when excused by the President during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members then present, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members elected. The President may declare a motion to place the house under call out of order if all of the absentees were to vote on one side of the question and if their combined vote would be insufficient to change a result of the vote.

Rule 2, Sec. 3. Chamber, Guests, Distribution of Material.

(h) Members shall remain in their seats or within the immediate vicinity of their seats during the final reading of a bill and until the vote thereon has been announced, except when excused by the President. During discussion of amendments or motions offered pursuant to Rule 6, Section 8, officers and employees of the Legislature shall be permitted on the floor of the Legislature and members may move about the legislative environs subject to a quorum call request by any member pursuant to Rule 7, Section 5. For purposes of this rule, legislative environs shall mean the Legislative Chamber, the Senate Lounge, and the hallway connecting those areas.

Rule 3, Sec. 2. Appointment of Committees.

(b) Immediately following chairmanship and Committee on Committees membership elections, the Committee shall meet and, by a majority vote of all its members, submit electronically to the Legislature and all Senators a preliminary report of appointments to the remaining standing and select committees, each with the number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. On the following day the Committee on Committees shall meet and, by a majority vote of all its members, submit to the Legislature a final report for its approval, appointments to the standing and select committees, each with a number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. Once the final report is presented to the Legislature, no amendments shall be considered. If the Legislature, by majority of the elected members, fails to adopt the final report of the Committee on Committees, such report shall be returned to the Committee for further action.

ANNOUNCEMENT(S)

The Rules Committee elected Senator Bloomfield as Vice Chairperson.

MOTION - Print in Journal

Senator Scheer filed the following motion to LB59:

MO2

Withdraw bill.

ADJOURNMENT

At 11:09 a.m., on a motion by Senator Brasch, the Legislature adjourned until 9:00 a.m., Thursday, January 15, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

