

SIXTY-SECOND DAY - APRIL 13, 2015

LEGISLATIVE JOURNAL

**ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION**

SIXTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 13, 2015

PRAYER

The prayer was offered by Pastor Dale Topp, Christ Lutheran Church, Wisner.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Coash presiding.

The roll was called and all members were present except Senator Cook who was excused; and Senators Friesen, Hansen, Kolowski, Morfeld, Pansing Brooks, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-first day was approved.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 348. Placed on General File with amendment.
AM1013 is available in the Bill Room.

(Signed) Jim Scheer, Chairperson

EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 33, 139, 139A, 242, 242A, 356, 367, 431, and 627.

(Signed) Mark Kolterman

GENERAL FILE

LEGISLATIVE BILL 265A. Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 500A. Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 1 nay, 20 present and not voting, and 3 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 89. Senator Mello offered his amendment, AM1009, found on page 991.

The Mello amendment was adopted with 32 ayes, 0 nays, 16 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 89A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 641. ER56, found on page 975, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 413. ER59, found on page 975, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 413A. ER67, found on page 1029, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 538. ER58, found on page 995, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 538A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 320. ER60, found on page 995, was adopted.

Senator Bolz offered her amendment, AM1066, found on page 1104.

The Bolz amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 320A. Senator Bolz offered the following amendment:

AM1228

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

2 sections:

3 Section 1. There is hereby appropriated (1) \$319,000 from the

4 General Fund for FY2015-16 and (2) \$227,166 from the General Fund for

5 FY2016-17 to the Department of Health and Human Services, for Program 33,

6 to aid in carrying out the provisions of Legislative Bill 320, One

7 Hundred Fourth Legislature, First Session, 2015.

8 Total expenditures for permanent and temporary salaries and per

9 diems from funds appropriated in this section shall not exceed \$39,345

10 for FY2015-16 or \$52,460 for FY2016-17.

11 Sec. 2. There is hereby appropriated (1) \$366,956 from the General

12 Fund for FY2015-16 and (2) \$603,912 from the General Fund for FY2016-17

13 to the Department of Health and Human Services, for Program 559, to aid

14 in carrying out the provisions of Legislative Bill 320, One Hundred

15 Fourth Legislature, First Session, 2015.

16 No expenditures for permanent and temporary salaries and per diems

17 for state employees shall be made from funds appropriated in this

18 section.

The Bolz amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 500. Senator Schilz offered his amendment, AM1041, found on page 1038.

The Schilz amendment was adopted with 29 ayes, 0 nays, 19 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 347. ER63, found on page 1005, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 347A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 265. ER61, found on page 1005, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 482. ER64, found on page 1005, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 415. ER65, found on page 1005, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 56. ER62, found on page 1006, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 152. Senator Crawford withdrew her amendment, AM1040, found on page 1023.

Senator Crawford offered her amendment, AM1150, found on page 1113.

The Crawford amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE RESOLUTION 7CA. Senator Schumacher withdrew his amendment, AM922, found on page 970, considered on pages 982 and 984, withdrawn on page 1013, and refiled on page 1091.

Senator Schumacher offered his amendment, AM921, found on page 1103.

The Schumacher amendment was adopted with 27 ayes, 15 nays, 6 present and not voting, and 1 excused and not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 47 ayes, 0 nays, and 2 not voting.

Senator Schumacher requested a roll call vote, in reverse order, on the advancement of the resolution.

Voting in the affirmative, 20:

Baker	Haar, K.	Howard	Krist	Pansing Brooks
Campbell	Hadley	Hughes	Kuehn	Schilz
Chambers	Hansen	Johnson	Larson	Schumacher
Gloor	Harr, B.	Kolowski	Morfeld	Sullivan

Voting in the negative, 22:

Bloomfield	Ebke	Kolterman	Riepe	Watermeier
Brasch	Garrett	Lindstrom	Scheer	Williams
Coash	Groene	McCollister	Schnoor	
Craighead	Hilkemann	McCoy	Seiler	
Crawford	Kintner	Nordquist	Smith	

Present and not voting, 6:

Bolz	Friesen	Murante
Davis	Mello	Stinner

Excused and not voting, 1:

Cook

Failed to advance to Enrollment and Review for Engrossment with 20 ayes, 22 nays, 6 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 183. Considered.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 81. Senator Campbell offered the following Cook amendment:

AM1186

1 1. Insert the following new section:

2 Sec. 2. Section 81-3133, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 81-3133 (1)(a) On or before July 30, 2012, the Division of Children
5 and Family Services of the Department of Health and Human Services shall
6 report in writing its expenditures between January 1, 2012, and June 30,
7 2012, and the outcomes relating to such expenditures to the
8 Appropriations Committee of the Legislature and the Health and Human
9 Services Committee of the Legislature. Such report shall identify any
10 changes or movement of funds in excess of two hundred fifty thousand
11 dollars relating to child welfare between subprograms within Budget
12 Program 347 and Budget Program 354.

13 (b) Beginning with the third calendar quarter of 2012, the division
14 shall report electronically its expenditures for each quarter and the
15 outcomes relating to such expenditures within thirty days after the end
16 of the quarter to the Appropriations Committee of the Legislature and the
17 Health and Human Services Committee of the Legislature. Such report shall
18 identify any changes or movement of funds in excess of two hundred fifty
19 thousand dollars relating to child welfare between subprograms within
20 Budget Program 347 and Budget Program 354.

21 (2)(a) For the biennium ending June 30, 2015, the biennium ending
22 June 30, 2017, and the biennium ending June 30, 2019, the Division of
23 Children and Family Services of the Department of Health and Human
24 Services shall, as part of the appropriations request process pursuant to
25 section 81-132, include a strategic plan that identifies the main purpose
26 or purposes of each program, verifiable and auditable key goals that the
27 division believes are fair measures of its progress in meeting each
1 program's main purpose or purposes, and benchmarks for improving
2 performance on the key goals for the state as a whole and for each
3 Department of Health and Human Services service area designated pursuant
4 to section 81-3116. The division shall also report whether the benchmarks
5 are being met and, if not, the expected timeframes for meeting them. Such
6 key goals and benchmarks shall be developed by the Division of Children
7 and Family Services with the assistance of the budget division of the
8 Department of Administrative Services pursuant to subdivision (2) of
9 section 81-1113.

10 (b) Not later than September 15, 2013, not later than September 15,
11 2015, and not later than September 15, 2017, the Division of Children and
12 Family Services of the Department of Health and Human Services shall
13 report electronically to the Health and Human Services Committee of the
14 Legislature and the Appropriations Committee of the Legislature on the
15 progress towards the key goals identified pursuant to this subsection
16 that occurred in the previous twelve months. The division shall annually
17 appear at a joint hearing of the two legislative committees and present
18 the report.

19 (3) On or before December 1, 2016, and each year thereafter, the
20 Division of Children and Family Services of the Department of Health and
21 Human Services shall report electronically to the Governor and the
22 Legislature the number of families in all transitional child care
23 assistance programs and the number of families no longer eligible for all
24 transitional child care assistance programs due to failure to meet income
25 guidelines.

26 2. Renumber the remaining section and correct the repealer
27 accordingly.

The Cook amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 81A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 199. ER66, found on page 1029, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 199A. Advanced to Enrollment and Review for

Engrossment.

LEGISLATIVE BILL 106. ER69, found on page 1054, was adopted.

Senator Watermeier withdrew his amendment, AM643, found on page 733.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 106A. Advanced to Enrollment and Review for Engrossment.

AMENDMENT(S) - Print in Journal

Senator Johnson filed the following amendment to LB360:
AM1193

(Amendments to Standing Committee amendments, AM1151)

- 1 1. Insert the following new section:
- 2 Sec. 2. Section 54-603, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 54-603 (1) Any county, city, or village shall have authority by
- 5 ordinance or resolution to impose a license tax, in an amount which shall
- 6 be determined by the appropriate governing body, on the owner or harborer
- 7 of any dog or dogs, to be paid under such regulations as shall be
- 8 provided by such ordinance or resolutions.
- 9 (2) Every service animal shall be licensed as required by local
- 10 ordinances or resolutions, but no license tax shall be charged. Upon the
- 11 retirement or discontinuance of the animal as a service animal, the owner
- 12 of the animal shall be liable for the payment of a license tax as
- 13 prescribed by local ordinances or resolutions.
- 14 (3) Any county, city, or village that imposes a license tax on the
- 15 owner or harborer of any cat or cats or any dog or dogs under this
- 16 section shall, in addition to the license tax imposed by the licensing
- 17 jurisdiction, collect from the licensee a fee of one dollar and twenty-
- 18 five cents. The person designated by the licensing jurisdiction to
- 19 collect and administer the license tax shall act as agent for the State
- 20 of Nebraska in the collection of the fee. From each ~~one-dollar~~ fee of one
- 21 dollar and twenty-five cents collected, such person shall retain three
- 22 cents and remit the balance to the State Treasurer for credit to the
- 23 Commercial Dog and Cat Operator Inspection Program Cash Fund. If the
- 24 person collecting the fee is the licensing jurisdiction, the three cents
- 25 shall be credited to the licensing jurisdiction's general fund. If the
- 26 person collecting the fee is a private contractor, the three cents shall
- 1 be credited to an account of the private contractor. The remittance to
- 2 the State Treasurer shall be made at least annually at the conclusion of
- 3 the licensing jurisdiction's fiscal year, except that any licensing
- 4 jurisdiction or private contractor that collects fifty dollars or less of
- 5 such fees during the fiscal year may remit the fees when the cumulative
- 6 amount of fees collected reaches fifty dollars.

7 2. On page 8, line 15, strike "fifty", show as stricken, and insert
 8 "seventy-five"; in line 16 after "two" insert "twenty-five"; in line 17
 9 strike "fifty", show as stricken, and insert "seventy-five"; in line 20
 10 after "hundred" insert "twenty-five"; in line 22 strike "fifty", show as
 11 stricken, and insert "seventy-five"; in line 23 after the third "hundred"
 12 insert "twenty-five"; in line 26 strike "fifty", show as stricken, and
 13 insert "seventy-five"; in line 28 after "hundred" insert "twenty-five";
 14 in line 30 strike "fifty", show as stricken, and insert "seventy-five";
 15 and in line 31 after the third "hundred" insert "twenty-five".
 16 3. On page 9, line 3, strike "fifty", show as stricken, and insert
 17 "seventy-five"; in line 4 after "thousand" insert "one hundred"; in line
 18 19 after the period insert the following new subdivision:
 19 "(f) In addition to the fee as prescribed in the fee schedule set
 20 forth in subdivision (3)(a) of this section, the annual license fee for a
 21 commercial dog or cat breeder, pet shop, dealer, or boarding kennel shall
 22 include a fee of two dollars times the daily average number of dogs or
 23 cats housed by the licensee over the previous annual licensure period
 24 numbering more than ten dogs or cats."; in line 20 strike "(f)", show as
 25 stricken, and insert "(g)", and strike "this subsection", show as
 26 stricken, and insert "subdivision (3)(a) of this section"; strike
 27 beginning with the first "the" in line 21 through "The" in line 22, show
 28 as stricken, and insert "rule and regulation as adopted and promulgated
 29 by the department, but the"; in line 24 strike "this subsection", show as
 30 stricken, and insert "subdivision (3)(a) of this section"; and in line 25
 31 after the period insert "The fee charged under subdivision (3)(f) of this
 1 section may be increased or decreased by rule and regulation as adopted
 2 and promulgated by the department, but such fee shall not exceed three
 3 dollars.".
 4 4. Renumber the remaining sections and correct internal references
 5 and the repealer accordingly.

Senator Johnson filed the following amendment to LB360:
 AM1194 is available in the Bill Room.

Senator K. Haar filed the following amendment to LB67:
 AM1083

1 1. On page 3, line 11, strike "any county," and show as stricken.

Senator K. Haar filed the following amendment to LB67:
 AM1086

1 1. On page 3, line 12, strike "public power district," and show as
 2 stricken.

VISITORS

Visitors to the Chamber were Senator Hilkemann's wife, Julie, from Omaha, and Judy Stransky from Omaha; 75 fourth-grade students and teachers from Holling Height Elementary, Omaha; and 83 fourth-grade students and teachers from St. Wenceslaus School, Omaha.

RECESS

At 11:48 a.m., on a motion by Speaker Hadley, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senator Cook who was excused; and Senators B. Harr, Mello, and Watermeier who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 610. ER68, found on page 1053, was adopted.

Senator Groene offered the following amendment:

AM1158

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

2 sections:

3 Section 1. Section 39-2509, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 39-2509 (1) Beginning with revenue received under subdivision (1)

6 (b) of section 66-4,148 on January 1, 2016, through December 31, 2020,

7 each county or municipal county shall be entitled to an allocation under

8 sections 2 and 3 of this act from the amount distributed pursuant to

9 subdivision (1)(b) of section 66-4,148 for bridges and culverts only.

10 (2) Each county or municipal county shall be entitled to one-half

11 of the remaining amount allocated to it each year under section 66-4,148

12 for road purposes under sections 39-2507 and 39-2508 with no requirement

13 for providing funds locally, but shall be required to match the second

14 one-half of such remaining amount on the basis of one dollar for each two

15 dollars it receives with any available funds.

16 (3) Each county or municipal county which, during the preceding

17 fiscal year, failed to provide locally the minimum required by subsection

18 (2) of this section shall forfeit one dollar for each dollar which it

19 fails to so provide locally. Any amounts forfeited under the provisions

20 of this subsection first shall be made available to the incorporated

21 municipalities, as determined by the county board or the council of the

22 municipal county, within the county or municipal county which forfeits

23 the funds, such funds to be matched by the incorporated municipalities in

24 the same manner as would have been required of the county or municipal

25 county had it not forfeited the funds, and if not so used, then shall be

26 allocated among and distributed to the counties and municipal counties

27 that have complied with the requirements of subsection (2) of this

1 section. Such distribution shall be made as provided in sections 39-2507

2 and 39-2508, except that any county or municipal county having levied its
 3 constitutional maximum and not levied sufficient funds to fully match its
 4 share of the second half of the remaining amount of the highway-user
 5 funds allocated to that county or municipal county may apply to the Board
 6 of Public Roads Classifications and Standards for exemption from that
 7 part of the local matching requirement that it cannot match. The board
 8 may grant such exemption if, in its judgment, the county or municipal
 9 county has not unnecessarily increased its expenditures for other than
 10 road purposes after receiving its allocation for roads in previous years.

11 (4 ~~3~~) For ~~the~~ purposes of this section, providing locally shall
 12 include, but not be limited to, providing money for road purposes through
 13 the following, except that there shall not be duplication in the
 14 following in the determination of the total:

15 (a) Property taxes levied by action of county and township boards or
 16 the council of the municipal county for construction, improvement,
 17 maintenance, and repair of roads, bridges, culverts, and drainage
 18 structures, for curbs, for snow removal, for grading of dirt and gravel
 19 roads, for traffic signs and signals, and for construction of storm
 20 sewers directly related to roads and property taxes levied for the
 21 payment of the principal and interest on general obligation bonds for any
 22 of the foregoing;

23 (b) Contributions received for road purposes;

24 (c) Local costs in the acquisition of road right-of-way, including
 25 incidental expenses directly related to such acquisition; and

26 (d) Inheritance taxes allocated for road purposes.

27 Sec. 2. The following factors and weights shall be used in
 28 determining the amount to be allocated to each of the counties or
 29 municipal counties for purposes of bridges and culverts only under
 30 section 66-4.148 each year:

31 (1) Rural population of each county or municipal county, as
 1 determined by the most recent federal census, twenty percent;

2 (2) Total population of each county or municipal county, as
 3 determined by the most recent federal census, ten percent;

4 (3) Lineal feet of bridges twenty feet or more in length and all
 5 overpasses in each county or municipal county, as determined by the most
 6 recent inventory available within the Department of Roads, ten percent,
 7 and for purposes of this subdivision a bridge or overpass located partly
 8 in one county or municipal county and partly in another shall be
 9 considered as being located one-half in each county or municipal county;

10 (4) Total motor vehicle registrations, other than prorated
 11 commercial vehicles, in the rural areas of each county or municipal
 12 county, as determined from the most recent information available from the
 13 Department of Motor Vehicles, twenty percent;

14 (5) Total motor vehicle registrations, other than prorated
 15 commercial vehicles, in each county or municipal county as determined
 16 from the most recent information available from the Department of Motor
 17 Vehicles, ten percent; and

18 (6) Value of farm products sold from each county or municipal
 19 county, as determined from the most recent federal Census of Agriculture,

20 ten percent.

21 Sec. 3. The Department of Roads shall compute the amount allocated
22 to each county or municipal county under each of the factors listed in
23 section 2 of this act and shall then compute the total allocation to each
24 such county or municipal county and transmit such information to the
25 local governing board and the State Treasurer, who shall disburse funds
26 accordingly.

27 Sec. 4. Section 39-2519, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 39-2519 (1) Beginning with revenue received under subdivision (1)(b)
30 of section 60-4,148 on January 1, 2016, through December 31, 2020, each
31 city, village, or municipal county shall be entitled to an allocation
1 under sections 5 and 6 of this act from the amount distributed pursuant
2 to subdivision (1)(b) of section 66-4,148 for bridges and culverts only.

3 (2) ~~4~~ Each city of the metropolitan or primary class or successor
4 municipal county shall be entitled to the first one-third of its annual
5 allocation for roads with no requirement of matching, but shall be
6 required to match the second one-third of its annual allocation for
7 roads, on the basis of one dollar for each dollar it receives, with funds
8 provided locally for street purposes, and shall be required to match the
9 final one-third of its annual allocation for roads, on the basis of one
10 dollar for each two dollars it receives, with funds so provided. Each
11 city of the first or second class or village or successor municipal
12 county shall be entitled to one-half of its annual allocation for roads
13 with no requirement of matching, but shall be required to match the
14 second one-half of its annual allocation for roads on the basis of one
15 dollar for each two dollars it receives, with any available funds. Any
16 municipality or municipal county which during the preceding fiscal year
17 failed to provide the matching funds required by this subsection shall,
18 except as provided in subsection ~~(2)~~ ~~or~~ (3) ~~or~~ (4) of this section,
19 forfeit so much of its allocation as it fails to match. Any amount so
20 forfeited shall be reallocated and distributed to the municipalities or
21 municipal counties which have met the full matching provisions of this
22 subsection. Such reallocation shall be made in the manner provided in
23 sections 39-2517 and 39-2518.

24 (3) ~~2~~ Any municipality or municipal county may accumulate and invest
25 any portion or all of the money it receives for a period not to exceed
26 four years so as to provide funds for one or more specific street
27 improvement projects. Any municipality or municipal county so
28 accumulating funds shall certify to the State Treasurer that the required
29 matching funds are being accumulated and invested each year of the
30 accumulation.

31 (4) ~~3~~ Any municipality may, for any year, certify to the State
1 Treasurer that it relinquishes, to the county in which it is situated in
2 whole or in part or to a county whose border is contiguous with and
3 adjacent to any county which is adjacent to the county in which the
4 municipality is situated in whole or in part, all or a part of the state
5 funds allocated to it for that year. The amount so relinquished shall be
6 available for distribution to such county subject to the same matching as

7 would have been required of the municipality had it not relinquished such
8 funds and without regard to ~~the provisions of~~ sections 39-2501 to
9 39-2510. Any amount so distributed to the county shall be used
10 exclusively for road purposes within the trade area of the relinquishing
11 municipality as may be agreed upon by the county and municipal governing
12 bodies.

13 (5 4) Any municipality may certify to the State Treasurer that it
14 relinquishes, to the county in which it is situated in whole or in part,
15 all or a part of the state funds allocated to it for not to exceed three
16 years. The amount so relinquished shall be available for distribution to
17 such county subject to the same matching as would have been required of
18 the municipality had it not relinquished such funds and without regard to
19 the provisions of sections 39-2501 to 39-2510. Any relinquishment under
20 this subsection shall be made pursuant to an agreement between the
21 relinquishing municipality and the county, to which other political
22 subdivisions may also be parties, which provides for the accumulation and
23 investment by the county of the amount relinquished for not to exceed
24 three years so as to provide funds for one or more specific road
25 improvement projects.

26 (6 5) For purposes of this section, provided locally shall include,
27 but not be limited to, money provided for street purposes through the
28 following, except that there shall not be duplication in the following in
29 the determination of the total:

30 (a) Local motor vehicle or wheel fees or taxes;

31 (b) Property taxes levied by action of the local governing body for
1 construction, improvement, maintenance, and repair of streets and
2 bridges, curbs, snow removal, street cleaning, grading of dirt and gravel
3 streets and roads, traffic signs and signals, construction of storm
4 sewers directly related to streets, offstreet public parking owned by the
5 municipality or municipal county, and the payment of the principal and
6 interest on general obligation bonds for any of the foregoing;

7 (c) Special assessments levied for street paving or improvement
8 districts and offstreet public parking owned by the municipality or
9 municipal county;

10 (d) Local costs in the acquisition of street right-of-way including
11 incidental expenses directly related to such acquisition; and

12 (e) Any other funds provided solely for street purposes.

13 Sec. 5. The following factors and weights shall be used in
14 determining the amount to be allocated to each of the municipalities or
15 municipal counties for purposes of bridges and culverts only under
16 section 60-4.148 each year:

17 (1) Total population of each incorporated municipality or the
18 urbanized area of a municipal county, as determined by the most recent
19 federal census figures certified by the Tax Commissioner as provided in
20 section 77-3.119, fifty percent;

21 (2) Total motor vehicle registrations, other than prorated
22 commercial vehicles, in each incorporated municipality or the urbanized
23 area of a municipal county, as determined from the most recent
24 information available from the Department of Motor Vehicles, thirty

25 percent; and
 26 (3) Total number of bridges and culverts in each incorporated
 27 municipality or the urbanized area of a municipal county, as determined
 28 by the most recent inventory available within the Department of Roads,
 29 twenty percent.

30 Sec. 6. The Department of Roads shall compute the amount allocated
 31 to each municipality or municipal county under the factors listed in
 1 section 5 of this act and shall then compute the total allocation to each
 2 such municipality or municipal county and transmit such information to
 3 the local governing body and the State Treasurer, who shall disburse
 4 funds accordingly.

5 Sec. 7. Section 66-4,145, Reissue Revised Statutes of Nebraska, is
 6 amended to read:

7 66-4,145 (1) In addition to the tax imposed by sections 66-489,
 8 66-489.02, and 66-4,140, each producer, supplier, distributor,
 9 wholesaler, and importer required by section 66-489 to pay motor fuels
 10 taxes shall pay an excise tax in an amount set in subsection (2) of this
 11 section of two and eight tenths cents per gallon on all motor fuels
 12 received, imported, produced, refined, manufactured, blended, or
 13 compounded by such producer, supplier, distributor, wholesaler, or
 14 importer within the State of Nebraska. The changes made to this section
 15 by Laws 2008, LB 846, apply for tax periods beginning on and after July
 16 1, 2009.

17 (2) The excise tax shall be:

18 (a) Two and eight-tenths cents per gallon through December 31, 2015;

19 (b) Five and six-tenths cents per gallon beginning on January 1,

20 2016, through December 31, 2020; and

21 (c) Two and eight-tenths cents per gallon beginning January 1, 2021.

22 Sec. 8. Section 66-4,146, Reissue Revised Statutes of Nebraska, is
 23 amended to read:

24 66-4,146 (1) In addition to the tax imposed by sections 66-489,
 25 66-489.02, 66-4,140, and 66-4,145, each producer, supplier, distributor,
 26 wholesaler, and importer required by section 66-489 to pay motor fuels
 27 taxes shall pay an excise tax in an amount set in subsection (2) of this
 28 section of two and eight tenths cents per gallon on all motor fuels used
 29 in the State of Nebraska. The changes made to this section by Laws 2008,
 30 LB 846, apply for tax periods beginning on and after July 1, 2009.

31 (2) The excise tax shall be:

1 (a) Two and eight-tenths cents per gallon through December 31, 2015;

2 (b) Five and six-tenths cents per gallon beginning on January 1,

3 2016, through December 31, 2020; and

4 (c) Two and eight-tenths cents per gallon beginning January 1, 2021.

5 Sec. 9. Section 66-4,148, Reissue Revised Statutes of Nebraska, is
 6 amended to read:

7 66-4,148 (1)(a) The State Treasurer shall monthly distribute the
 8 receipts accruing to the Highway Allocation Fund pursuant to section
 9 66-4,147.

10 (b) An amount equal to one and four-tenths cents per gallon from
 11 such receipts of the tax imposed beginning January 1, 2016, through

12 December 31, 2020, shall be distributed to the various counties and
13 municipal counties for purposes of bridges and culverts only. An amount
14 equal to one and four-tenths cents per gallon from such receipts of the
15 tax imposed beginning January 1, 2016, through December 31, 2020, shall
16 be distributed to the various municipalities and municipal counties for
17 purposes of bridges and culverts only.

18 (c) One-half of the remaining amount of such receipts from section
19 66-4,147 shall be distributed to the various counties and municipal
20 counties for road purposes and one-half of the remaining amount of such
21 receipts from section 66-4,147 shall be distributed to the various
22 municipalities and municipal counties for street purposes.

23 (2) The distribution of funds to the respective cities, counties,
24 and municipal counties under subsection (1) of this section shall be
25 based on ~~the provisions of Chapter 39, article 25, and sections 2, 3, 5,~~
26 and 6 of this act.

27 Sec. 10. Section 66-6,109, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 66-6,109 (1) In addition to the tax imposed by sections 66-6,107,
30 66-6,108, and 66-6,109.02, each retailer shall pay an excise tax in an
31 amount set in subsection (2) of this section ~~of two and eight tenths~~
1 cents per gallon or gallon equivalent on all compressed fuel sold for use
2 in registered motor vehicles. ~~The changes made to this section by Laws~~
3 2008, LB 846, apply for tax periods beginning on and after July 1, 2009.

4 (2) The tax shall be:

5 (a) Two and eight-tenths cents per gallon or gallon equivalent
6 through December 31, 2015;

7 (b) Five and six-tenths cents per gallon or gallon equivalent
8 beginning on January 1, 2016, through December 31, 2020; and

9 (c) Two and eight-tenths cents per gallon or gallon equivalent
10 beginning on January 1, 2021.

11 Sec. 11. Section 77-3,119, Revised Statutes Cumulative Supplement,
12 2014, is amended to read:

13 77-3,119 (1) The Tax Commissioner shall certify the population of
14 cities and villages to be used for purposes of calculations made pursuant
15 to subdivision (4) of section 18-2603, subdivisions (3)(a) and (b) of
16 section 35-1205, subdivision (1) of section 39-2517, subdivision (1) of
17 section 5 of this act, and sections 39-2513 and 77-27,139.02. The Tax
18 Commissioner shall transmit copies of such certification to all
19 interested parties upon request.

20 (2) The Tax Commissioner shall certify the population of each city
21 and village based upon the most recent federal census. The Tax
22 Commissioner shall determine the most recent federal census for each city
23 and village by using the most recent federal census figures available
24 from (a) the most recent federal decennial census, (b) the most recent
25 federal census update or recount certified by the United States Bureau of
26 the Census, or (c) the most recent federal census figure of the city or
27 village plus the population of territory annexed as calculated in
28 sections 18-1753 and 18-1754.

29 (3) The Tax Commissioner may adopt and promulgate rules and

30 regulations to carry out this section.

31 Sec. 12. Original sections 39-2509, 39-2519, 66-4,145, 66-4,146,
1 66-4,148, and 66-6,109, Reissue Revised Statutes of Nebraska, and section
2 77-3,119, Revised Statutes Cumulative Supplement, 2014, are repealed.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 278. Placed on General File.

(Signed) Mike Gloor, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hansen filed the following amendment to LB67:

AM1085

1 1. On page 3, line 11, strike "city," and show as stricken.

Senator Kolowski filed the following amendment to LB67:

AM1163

1 1. On page 3, line 11, after "city" insert "except a city of the
2 metropolitan class".

Senator Kolowski filed the following amendment to LB67:

AM1084

1 1. On page 3, line 11, strike "school district," and show as
2 stricken.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services

Room 1510

Thursday, April 30, 2015 12:00 p.m.

Courtney Phillips - Department of Health and Human Services

Calder Lynch - Division of Medicaid and Long Term Care-Department of
Health and Human Services

(Signed) Kathy Campbell, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 180. Introduced by Garrett, 3; Crawford, 45.

WHEREAS, the Bellevue Fraternal Order of Eagles Aerie 3912 is Bellevue's largest fraternal organization; and

WHEREAS, the Bellevue Fraternal Order of Eagles Aerie 3912 was established on March 23, 1980, and recently celebrated its 35th anniversary; and

WHEREAS, the fraternity, along with its auxiliary, has financially supported many programs including the Bellevue police and fire departments, the Bellevue Food Pantry, Nebraska's Official Veteran's Day Parade in Bellevue, the Salvation Army's angel trees, the Bellevue Public Library, the Bellevue Senior Community Center, and the Safe Haven Home of Bellevue.

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

1. That the Legislature commends the Bellevue Fraternal Order of Eagles Aerie 3912 for its service to the community.
2. That the Legislature congratulates the Bellevue Fraternal Order of Eagles Aerie 3912 on its 35th anniversary.
3. That a copy of this resolution be sent to the Bellevue Fraternal Order of Eagles Aerie 3912.

Laid over.

MESSAGE(S) FROM THE GOVERNOR

April 13, 2015

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 33, 139, 139A, 242e, 242Ae, 356, 367, 431, and 627 were received in my office on April 7, 2015.

These bills were signed and delivered to the Secretary of State on April 13, 2015.

Sincerely,
(Signed) Pete Ricketts
Governor

PR/lhk

April 13, 2015

Mr. President, Mr. Speaker, and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 498 without my signature and with my objections.

LB 498 would place the duty for collection of sales tax on purchases of all-terrain vehicles ("ATVs") and utility-type ("UTVs") vehicles upon the dealer or seller of the vehicles. The bill would also impose a new registration requirement upon these vehicles. As presented to me, the bill would apply retroactively to all ATVs and UTVs in Nebraska.

The bill's introducer, Speaker Hadley, has requested that the bill be vetoed due to a structural flaw that would make the new requirements in the bill apply retroactively rather than only prospectively. Due to the structural defect in the bill and to accommodate the bill's introducer, I have vetoed the bill.

For these reasons, I respectfully urge you to sustain my veto of LB 498.

Sincerely,
(Signed) Pete Ricketts
Governor

SELECT FILE

LEGISLATIVE BILL 610. The Groene amendment, AM1158, found in this day's Journal, was renewed.

Senator McCollister moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Smith moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

Senator Smith requested a roll call vote, in reverse order, on the Groene amendment.

Voting in the affirmative, 6:

Bloomfield	Ebke	Kintner
Brasch	Groene	Murante

Voting in the negative, 28:

Campbell	Haar, K.	Kolowski	Pansing Brooks	Stinner
Chambers	Hadley	Kolterman	Riepe	Sullivan
Coash	Hansen	Kuehn	Scheer	Watermeier
Davis	Hilkemann	McCollister	Schumacher	Williams
Friesen	Hughes	Morfeld	Seiler	
Gloor	Johnson	Nordquist	Smith	

Present and not voting, 11:

Baker	Crawford	Larson	Schilz
Bolz	Garrett	Lindstrom	Schnoor
Craighead	Krist	McCoy	

Excused and not voting, 4:

Cook	Harr, B.	Howard	Mello
------	----------	--------	-------

The Groene amendment lost with 6 ayes, 28 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Murante offered the following amendment:

AM1120

1 1. Insert the following new sections:

2 Sec. 7. Section 77-2715.07, Revised Statutes Cumulative Supplement,

3 2014, is amended to read:

4 77-2715.07 (1) There shall be allowed to qualified resident

5 individuals as a nonrefundable credit against the income tax imposed by

6 the Nebraska Revenue Act of 1967:

7 (a) A credit equal to the federal credit allowed under section 22 of

8 the Internal Revenue Code; and

9 (b) A credit for taxes paid to another state as provided in section

10 77-2730.

11 (2) There shall be allowed to qualified resident individuals against

12 the income tax imposed by the Nebraska Revenue Act of 1967:

13 (a) For returns filed reporting federal adjusted gross incomes of

14 greater than twenty-nine thousand dollars, a nonrefundable credit equal

15 to twenty-five percent of the federal credit allowed under section 21 of

16 the Internal Revenue Code of 1986, as amended;

17 (b) For returns filed reporting federal adjusted gross income of

18 twenty-nine thousand dollars or less, a refundable credit equal to a

19 percentage of the federal credit allowable under section 21 of the

20 Internal Revenue Code of 1986, as amended, whether or not the federal

21 credit was limited by the federal tax liability. The percentage of the

22 federal credit shall be one hundred percent for incomes not greater than

23 twenty-two thousand dollars, and the percentage shall be reduced by ten

24 percent for each one thousand dollars, or fraction thereof, by which the
25 reported federal adjusted gross income exceeds twenty-two thousand
26 dollars;

27 (c) A refundable credit as provided in section 77-5209.01 for
1 individuals who qualify for an income tax credit as a qualified beginning
2 farmer or livestock producer under the Beginning Farmer Tax Credit Act
3 for all taxable years beginning or deemed to begin on or after January 1,
4 2006, under the Internal Revenue Code of 1986, as amended;

5 (d) A refundable credit for individuals who qualify for an income
6 tax credit under the Angel Investment Tax Credit Act, the Nebraska
7 Advantage Microenterprise Tax Credit Act, or the Nebraska Advantage
8 Research and Development Act; and

9 (e) A refundable credit equal to ten percent of the federal credit
10 allowed under section 32 of the Internal Revenue Code of 1986, as
11 amended.

12 (3) There shall be allowed to all individuals as a nonrefundable
13 credit against the income tax imposed by the Nebraska Revenue Act of
14 1967:

15 (a) A credit for personal exemptions allowed under section
16 77-2716.01;

17 (b) A credit for contributions to certified community betterment
18 programs as provided in the Community Development Assistance Act. Each
19 partner, each shareholder of an electing subchapter S corporation, each
20 beneficiary of an estate or trust, or each member of a limited liability
21 company shall report his or her share of the credit in the same manner
22 and proportion as he or she reports the partnership, subchapter S
23 corporation, estate, trust, or limited liability company income;

24 (c) A credit for investment in a biodiesel facility as provided in
25 section 77-27,236;

26 (d) A credit as provided in the New Markets Job Growth Investment
27 Act; and

28 (e) A credit as provided in the Nebraska Job Creation and Mainstreet
29 Revitalization Act.

30 (4) There shall be allowed as a credit against the income tax
31 imposed by the Nebraska Revenue Act of 1967:

1 (a) A credit to all resident estates and trusts for taxes paid to
2 another state as provided in section 77-2730;

3 (b) A credit to all estates and trusts for contributions to
4 certified community betterment programs as provided in the Community
5 Development Assistance Act; and

6 (c) A refundable credit for individuals who qualify for an income
7 tax credit as an owner of agricultural assets under the Beginning Farmer
8 Tax Credit Act for all taxable years beginning or deemed to begin on or
9 after January 1, 2009, under the Internal Revenue Code of 1986, as
10 amended. The credit allowed for each partner, shareholder, member, or
11 beneficiary of a partnership, corporation, limited liability company, or
12 estate or trust qualifying for an income tax credit as an owner of
13 agricultural assets under the Beginning Farmer Tax Credit Act shall be
14 equal to the partner's, shareholder's, member's, or beneficiary's portion

15 of the amount of tax credit distributed pursuant to subsection (4) of
16 section 77-5211.

17 (5)(a) For all taxable years beginning on or after January 1, 2007,
18 and before January 1, 2009, under the Internal Revenue Code of 1986, as
19 amended, there shall be allowed to each partner, shareholder, member, or
20 beneficiary of a partnership, subchapter S corporation, limited liability
21 company, or estate or trust a nonrefundable credit against the income tax
22 imposed by the Nebraska Revenue Act of 1967 equal to fifty percent of the
23 partner's, shareholder's, member's, or beneficiary's portion of the
24 amount of franchise tax paid to the state under sections 77-3801 to
25 77-3807 by a financial institution.

26 (b) For all taxable years beginning on or after January 1, 2009,
27 under the Internal Revenue Code of 1986, as amended, there shall be
28 allowed to each partner, shareholder, member, or beneficiary of a
29 partnership, subchapter S corporation, limited liability company, or
30 estate or trust a nonrefundable credit against the income tax imposed by
31 the Nebraska Revenue Act of 1967 equal to the partner's, shareholder's,
1 member's, or beneficiary's portion of the amount of franchise tax paid to
2 the state under sections 77-3801 to 77-3807 by a financial institution.

3 (c) Each partner, shareholder, member, or beneficiary shall report
4 his or her share of the credit in the same manner and proportion as he or
5 she reports the partnership, subchapter S corporation, limited liability
6 company, or estate or trust income. If any partner, shareholder, member,
7 or beneficiary cannot fully utilize the credit for that year, the credit
8 may not be carried forward or back.

9 (6)(a) There shall be allowed to a qualified resident individual for
10 motor vehicle fuel taxes paid a refundable credit against the income tax
11 imposed by the Nebraska Revenue Act of 1967 in an amount set by
12 subdivision (b) of this subsection if the qualified resident individual's
13 federal adjusted gross income is less than twenty-five thousand dollars.

14 (b) The amount of the credit shall be:

15 (i) Eighteen dollars beginning on January 1, 2016, through December
16 31, 2016;

17 (ii) Thirty-six dollars beginning on January 1, 2017, through
18 December 31, 2017;

19 (iii) Fifty-four dollars beginning on January 1, 2018, through
20 December 31, 2018; and

21 (iv) Seventy-two dollars beginning on January 1, 2019.

22 Sec. 8. Sections 7, 8, and 9 of this act becomes operative for all
23 taxable years beginning or deemed to begin on or after January 1, 2016,
24 under the Internal Revenue Code of 1986, as amended. The other sections
25 of this act become operative on their effective date.

26 Sec. 9. Original section 77-2715.07, Revised Statutes Cumulative
27 Supplement, 2014, is repealed.

28 2. Renumber the remaining section accordingly.

Senator Gloor requested a ruling of the Chair on whether the Murante
amendment is germane to the bill.

The Chair ruled the Murante amendment is not germane to the bill.

Senator Murante challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Murante moved for a call of the house. The motion prevailed with 40 ayes, 1 nay, and 8 not voting.

Senator Murante requested a roll call vote on the motion to overrule the Chair.

Voting in the affirmative, 15:

Bolz	Craighead	Groene	Lindstrom	Schilz
Brasch	Davis	Kintner	McCoy	Seiler
Chambers	Ebke	Larson	Murante	Watermeier

Voting in the negative, 29:

Baker	Garrett	Hilkemann	Kuehn	Schumacher
Bloomfield	Gloor	Howard	McCollister	Smith
Campbell	Haar, K.	Hughes	Morfeld	Stinner
Coash	Hadley	Johnson	Nordquist	Sullivan
Crawford	Hansen	Kolowski	Pansing Brooks	Williams
Friesen	Harr, B.	Kolterman	Scheer	

Present and not voting, 4:

Krist	Mello	Riepe	Schnoor
-------	-------	-------	---------

Excused and not voting, 1:

Cook

The Murante motion to overrule the Chair failed with 15 ayes, 29 nays, 4 present and not voting, and 1 excused and not voting.

The Chair was sustained.

The Chair declared the call raised.

Pending.

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB67:
AM1162

1 1. On page 4, strike lines 6 through 12; in line 13 strike "(14)"
2 and insert "(13)"; and in line 16 strike "(15)" and insert "(14)".

- 3 2. On page 5, strike lines 2 through 4; in line 5 strike "(c)" and
 4 insert "(b)"; in line 10 strike "(d)" and insert "(c)"; in line 15 strike
 5 "(e)" and insert "(d)"; and in lines 28 through 31 strike the new matter.
 6 3. On page 6, strike lines 1 through 19; in line 20 strike "(c)" and
 7 insert "(2)"; and strike lines 23 through 31.
 8 4. On page 7, strike lines 1 through 23.

Senator Johnson filed the following amendment to LB67:

AM1165

- 1 1. Insert the following new section:
 2 Sec. 7. Any bond issuer must offer a discount rate under the
 3 Nebraska Governmental Unit Security Interest and Pledge Act at a rate of
 4 one point below the prime interest rate published by the Federal Reserve
 5 Board.
 6 2. On page 2, line 3, after "10-1106" insert "and section 7 of this
 7 act".
 8 3. Renumber the remaining sections accordingly.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 519. Placed on Select File with amendment.
 ER76 is available in the Bill Room.

LEGISLATIVE BILL 449. Placed on Select File with amendment.
 ER74

- 1 1. In the Standing Committee amendment, AM1035, on page 12, line 13,
 2 strike "shall"; and in line 14 after "after" insert "the".
 3 2. On page 1, strike beginning with "the" in line 1 through line 5
 4 and insert "state government; to amend sections 81-12,153, 81-12,157,
 5 81-12,158, 81-12,159, 81-12,160, 81-12,161, 81-12,162, 81-12,163,
 6 81-12,166, 81-3701, 81-3711, and 81-3714, Reissue Revised Statutes of
 7 Nebraska; to change provisions of the Business Innovation Act; to
 8 redefine a term; to change limitations on and requirements for funding
 9 projects, financial assistance, and microloans; to restate intent
 10 regarding appropriations; to provide for confidentiality of certain
 11 records; to change provisions of the Nebraska Visitors Development Act;
 12 to provide powers and duties for the Nebraska Tourism Commission; to
 13 provide for marketing assistance grants; to create a fund; to state
 14 intent regarding tourism; to provide operative dates; to repeal the
 15 original sections; and to declare an emergency."

LEGISLATIVE BILL 132. Placed on Select File with amendment.
 ER75

- 1 1. On page 1, line 2, strike "13-2530" and insert "13-2507"; in line
 2 3 after "bonds" insert "and levy a property tax"; and in line 4 after the
 3 semicolon insert "to provide for an election;".

LEGISLATIVE BILL 561. Placed on Select File with amendment.
ER77

1 1. On page 1, line 7, after the last semicolon insert "to provide an
2 operative date;".

LEGISLATIVE BILL 243. Placed on Select File with amendment.
ER78

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. It is the intent of the Legislature to:
4 (1) Promote kinship care and lifelong connections through the
5 process of family finding when a child has been removed from the legal
6 custody of the child's parents;
7 (2) Prevent recurrence of abuse, neglect, exploitation, or other
8 maltreatment of children;
9 (3) Reduce the length of time children spend in foster care;
10 (4) Reduce multiple placements of children in foster care;
11 (5) Remain in compliance with the federal Fostering Connections to
12 Success and Increasing Adoptions Act of 2008, Public Law 110-351; and
13 (6) Create a pilot project for the process of locating and engaging
14 family members in the life of a child who is a ward of the state or is
15 participating in the bridge to independence program as defined in section
16 43-4503, or both and in need of permanency through a lifelong network of
17 support.
18 Sec. 2. For purposes of sections 1 to 9 of this act:
19 (1) Department means the Department of Health and Human Services;
20 (2) Family finding means the process described in section 3 of this
21 act;
22 (3) Family member means:
23 (a) A person related to a child by blood, adoption, or affinity
24 within the fifth degree of kinship;
25 (b) A stepparent;
26 (c) A stepsibling;
27 (d) The spouse, widow, widower, former spouse, or domestic partner
1 of any of the persons described in subdivisions (a) through (c) of this
2 subdivision; and
3 (e) Fictive kin;
4 (4) Fictive kin means an individual, unrelated by birth or marriage
5 to a child, who has an emotionally significant relationship with the
6 child that takes on the characteristics of a family relationship;
7 (5) Provider means an organization providing services as a child-
8 placing agency; and
9 (6) Service area means a geographic area administered by the
10 department and designated pursuant to section 81-3116.
11 Sec. 3. The department, its contracted providers of family finding
12 services, and family members of children involved in cases which are part
13 of the pilot project created in section 4 of this act shall participate
14 in family finding. Family finding is the process of engagement,

15 searching, preparation, planning, decisionmaking, lifetime network
16 creation, healing, and permanency in order to:
17 (1) Search for and identify family members and engage them in
18 planning and decisionmaking;
19 (2) Gain commitments from family members to support a child through
20 nurturing relationships and to support the parent or parents, when
21 appropriate; and
22 (3) Achieve a safe, permanent legal home or lifelong connection for
23 the child, either through reunification or through permanent placement
24 through legal guardianship or adoption.
25 Sec. 4. A pilot project is created to provide family finding
26 services within at least two service areas. The department shall contract
27 with providers of family finding services or the case management lead
28 agency pilot project authorized under section 68-1212 to carry out the
29 family finding services pilot project. A provider may contract within
30 multiple service areas. Each contracting provider shall be trained in and
31 implement the steps described in section 3 of this act. The family
1 finding services pilot project shall terminate on June 30, 2019.
2 Sec. 5. (1) Under the pilot project created under section 4 of this
3 act, the department shall refer a portion of all cases involving children
4 who are wards of the state in foster care or participating in the bridge
5 to independence program as defined in section 43-4503, or both to
6 providers of family finding services who or which shall (a) locate family
7 members of the children, (b) engage and empower family members, and (c)
8 create an individualized plan to achieve a safe, permanent legal home for
9 the children when possible.
10 (2) The department shall provide administrative oversight of the
11 contracts entered into pursuant to the pilot program created under
12 section 4 of this act.
13 (3) A child's departmental case manager, the child's foster parents,
14 and the provider of family finding services shall collaborate together to
15 maximize success throughout the family finding process.
16 (4) The department shall carry out the requirements of the
17 Interstate Compact for the Placement of Children when achieving out-of-
18 state placement of a ward of the court, including prompt submission of
19 required paperwork to ensure that the family finding process moves
20 forward in a timely manner.
21 Sec. 6. It is the intent of the Legislature to appropriate one
22 million five hundred thousand dollars from the General Fund for each of
23 fiscal years 2015-16, 2016-17, 2017-18, and 2018-19, to the department
24 which shall pursue federal matching funds as applicable and allocate such
25 funds to contracting providers of family finding services who or which
26 shall use such funds to (1) provide family finding services pursuant to
27 contracts with the department, (2) create and coordinate training
28 initiatives for departmental case managers assigned to cases referred for
29 family finding services to promote provider and family engagement and to
30 train case managers on the principles of family finding services for
31 successful outcomes, and (3) provide contract monitoring and oversight of
1 the pilot project and pay evaluation costs.

2 Sec. 7. The department shall establish a data collection system and
 3 collect data from participating providers annually. Such data shall be
 4 divided by service area and shall include (1) the number of participating
 5 children and youth, (2) the ages of the participating children and youth,
 6 (3) the duration of each case, and (4) case outcomes, including
 7 permanency, guardianship, and family support. Data involving incomplete
 8 cases shall be included and identified as such.

9 Sec. 8. The department shall contract with an academic institution
 10 to complete an independent evaluation of the pilot project created under
 11 section 4 of this act. The evaluation shall assess the effectiveness of
 12 the pilot project in achieving the purposes described in section 1 of
 13 this act and the overall fiscal impact. The evaluation shall begin after
 14 completion of the second year of the pilot project and shall be completed
 15 in the third year of the pilot project. The department shall
 16 electronically transmit the evaluation to the Health and Human Services
 17 Committee of the Legislature.

18 Sec. 9. The department may adopt and promulgate rules and
 19 regulations to carry out sections 1 to 8 of this act.

LEGISLATIVE BILL 243A. Placed on Select File.

LEGISLATIVE BILL 292. Placed on Select File.

LEGISLATIVE BILL 292A. Placed on Select File.

LEGISLATIVE BILL 265A. Placed on Select File with amendment.

ER80

1 1. On page 3, line 18, after "Institute" insert an underscored
 2 comma.

LEGISLATIVE BILL 500A. Placed on Select File.

(Signed) Matt Hansen, Chairperson

SELECT FILE

LEGISLATIVE BILL 610. Senator McCoy offered the following amendment:

AM1118

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

3 Section 1. Section 84-612, Reissue Revised Statutes of Nebraska, is
 4 amended to read:

5 84-612 (1) There is hereby created within the state treasury a fund
 6 known as the Cash Reserve Fund which shall be under the direction of the
 7 State Treasurer. The fund shall only be used pursuant to this section.

8 (2) The State Treasurer shall transfer funds from the Cash Reserve
 9 Fund to the General Fund upon certification by the Director of
 10 Administrative Services that the current cash balance in the General Fund
 11 is inadequate to meet current obligations. Such certification shall
 12 include the dollar amount to be transferred. Any transfers made pursuant

13 to this subsection shall be reversed upon notification by the Director of
14 Administrative Services that sufficient funds are available.

15 (3) In addition to receiving transfers from other funds, the Cash
16 Reserve Fund shall receive federal funds received by the State of
17 Nebraska for undesignated general government purposes, federal revenue
18 sharing, or general fiscal relief of the state.

19 (4) On July 7, 2009, the State Treasurer shall transfer five million
20 dollars from the Cash Reserve Fund to the Roads Operations Cash Fund. The
21 Department of Roads shall use such funds to provide the required state
22 match for federal funding made available to the state through
23 congressional earmarks.

24 (5) The State Treasurer shall transfer a total of sixty-eight
25 million dollars from the Cash Reserve Fund to the General Fund on or
26 before June 30, 2013, on such dates and in such amounts as directed by
27 the budget administrator of the budget division of the Department of
1 Administrative Services.

2 (6) The State Treasurer shall transfer ten million dollars from the
3 Cash Reserve Fund to the General Fund on or before June 30, 2013, on such
4 date as directed by the budget administrator of the budget division of
5 the Department of Administrative Services.

6 (7) The State Treasurer, at the direction of the budget
7 administrator of the budget division of the Department of Administrative
8 Services, shall transfer not to exceed forty-three million fifteen
9 thousand four hundred fifty-nine dollars in total from the Cash Reserve
10 Fund to the Nebraska Capital Construction Fund between July 1, 2013, and
11 June 30, 2017.

12 (8) The State Treasurer shall transfer fourteen million five hundred
13 thousand dollars from the Cash Reserve Fund to the Nebraska Capital
14 Construction Fund on or before June 30, 2015, on such date as directed by
15 the budget administrator of the budget division of the Department of
16 Administrative Services.

17 (9) The State Treasurer shall transfer fifty million five hundred
18 thousand dollars from the Cash Reserve Fund to the General Fund on or
19 before December 31, 2014, on such date as directed by the budget
20 administrator of the budget division of the Department of Administrative
21 Services.

22 (10) The State Treasurer shall transfer two million five hundred
23 thousand dollars from the Cash Reserve Fund to the Highway Cash Fund on
24 or before October 1, 2015, on such date as directed by the budget
25 administrator of the budget division of the Department of Administrative
26 Services.

27 (11) The State Treasurer shall transfer eight million five hundred
28 thousand dollars from the Cash Reserve Fund to the Highway Cash Fund on
29 or before October 1, 2016, on such date as directed by the budget
30 administrator of the budget division of the Department of Administrative
31 Services.

1 Sec. 2. Original section 84-612, Reissue Revised Statutes of
2 Nebraska, is repealed.

Senator McCoy withdrew his amendment.

Senator Smith moved for a call of the house. The motion prevailed with 45 ayes, 0 nays, and 4 not voting.

Senator Smith requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 27:

Baker	Gloor	Johnson	Morfeld	Smith
Campbell	Haar, K.	Kolowski	Nordquist	Stinner
Coash	Hadley	Kolterman	Pansing Brooks	Williams
Crawford	Harr, B.	Kuehn	Scheer	
Ebke	Howard	Lindstrom	Schumacher	
Friesen	Hughes	McCollister	Seiler	

Voting in the negative, 14:

Bloomfield	Chambers	Groene	Larson	Sullivan
Bolz	Craighead	Kintner	McCoy	Watermeier
Brasch	Davis	Krist	Murante	

Present and not voting, 6:

Hansen	Mello	Schilz
Hilkemann	Riepe	Schnoor

Excused and not voting, 2:

Cook	Garrett
------	---------

Advanced to Enrollment and Review for Engrossment with 27 ayes, 14 nays, 6 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 610A. Advanced to Enrollment and Review for Engrossment.

VISITORS

Visitors to the Chamber were 23 fourth-grade students from Cedar Elementary, Beatrice; and 14 student pharmacists and pharmacists from Creighton University School of Pharmacy and UNMC College of Pharmacy, Omaha.

The Doctor of the Day was Dr. Jillian Fickenscher from Omaha.

ADJOURNMENT

At 5:18 p.m., on a motion by Senator Ebke, the Legislature adjourned until 9:00 a.m., Tuesday, April 14, 2015.

Patrick J. O'Donnell
Clerk of the Legislature