

SIXTY-SIXTH DAY - APRIL 20, 2015

LEGISLATIVE JOURNAL

**ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION**

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 20, 2015

PRAYER

The prayer was offered by Pastor Janice Heidlberger, St. John's Lutheran Church County Line, Scribner, and St. Paul's Lutheran Church, Uehling.

ROLL CALL

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

The roll was called and all members were present except Senators Campbell, B. Harr, Murante, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-fifth day was approved.

GENERAL FILE

LEGISLATIVE BILL 72. Senator Schumacher offered his amendment, AM1225, found on page 1182.

The Schumacher amendment was adopted with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 72A. Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

RESOLUTION(S)**LEGISLATIVE RESOLUTION 191.** Introduced by Craighead, 6.

WHEREAS, Evan English, Jacob Keller, Brian Magee, and Uy Nguyen, juniors at Creighton Prep High School in Omaha, each won a Nebraska Young Artist Award presented by the University of Nebraska-Lincoln Hixson-Lied College of Fine and Performing Arts; and

WHEREAS, the Nebraska Young Artists Awards are awarded annually to recognize 11th grade students from Nebraska who are gifted and talented in the areas of visual art, dance, music, theater, and film and new media; 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 Evan English, Jacob Keller, Brian Magee, and Uy Nguyen on each winning a Nebraska Young Artist Award.
2. That a copy of this resolution be sent to Creighton Prep High School.

Laid over.

LEGISLATIVE RESOLUTION 192. Introduced by Craighead, 6.

WHEREAS, Erin Troy, a junior at Westside High School in Omaha, won a Nebraska Young Artist Award presented by the University of Nebraska-Lincoln Hixson-Lied College of Fine and Performing Arts; and

WHEREAS, the Nebraska Young Artists Awards are awarded annually to recognize 11th grade students from Nebraska who are gifted and talented in the areas of visual art, dance, music, theater, and film and new media; 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 Erin Troy on winning a Nebraska Young Artist Award.
2. That a copy of this resolution be sent to Erin Troy.

Laid over.

LEGISLATIVE RESOLUTION 193. Introduced by Garrett, 3; Crawford, 45.

WHEREAS, Matt Lewis was named the 2015 Nebraska Champion Ambassador for Children's Miracle Network Hospitals; and

WHEREAS, Matt, a 12-year-old from Bellevue, has battled Crohn's disease for most of his life; and

WHEREAS, Matt uses his illness to educate others including fellow students and visitors to his school's science fair; and

WHEREAS, Matt is a straight-A student despite having to frequently miss school because of his illness; and

WHEREAS, as the Nebraska Champion Ambassador, Matt and his family will serve as local, state, and national spokespersons advocating for the needs of children's hospitals.

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

1. That the Legislature commends Matt Lewis for bringing greater awareness to Crohn's disease and congratulates him on being named the 2015 Nebraska Champion Ambassador for Children's Miracle Network Hospitals.

2. That a copy of this resolution be sent to Matt Lewis.

Laid over.

LEGISLATIVE RESOLUTION 194. Introduced by Campbell, 25.

WHEREAS, April 2015 is National Child Abuse Prevention Month; and

WHEREAS, in Nebraska over 12 children every day experience some form of maltreatment. In 2013, 32,037 reports of alleged maltreatment were made to the child abuse and neglect hotline, and 2,892 of those reports were substantiated by the Department of Health and Human Services, including 635 cases of physical abuse, 402 cases of sexual abuse, and 49 cases of emotional abuse; and

WHEREAS, studies indicate that 95% of sexual abuse cases are never reported, and as few as 10% of all abuse cases are actually confirmed by social service agencies; and

WHEREAS, Nebraska state law requires any person to report suspected physical or sexual abuse or neglect of a child promptly to the Department of Health and Human Services, and one way to report such abuse or neglect is by calling the child abuse and neglect hotline at 1-800-652-1999; and

WHEREAS, exposure to childhood abuse and neglect hinders a child's healthy social, emotional, and cognitive development. If untreated, toxic stress makes it more likely that an abused or neglected child will adopt risky behaviors which negatively impact his or her future health and success; and

WHEREAS, Nebraska has an above average rate of out-of-home placements of children (3,219 in June 2014) and state wards (4,545 in June 2014). Studies show policies aimed at keeping families together, when supported by a successful service delivery system targeted to families in need before they become involved in the system, keeps children safer and helps them to become successful adults.

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

1. That the Legislature recognizes the significance of child abuse and its impact on children, families, and society at large.

2. That the Legislature encourages the elimination of child abuse and supports efforts to educate parents, teachers, caregivers, caseworkers, and others involved in the lives of children.

3. That the Legislature encourages the Department of Health and Human Services to institute and continue prevention practices such as early intervention, crisis intervention, access to trauma-informed services for the entire family, careful observation of home situations, parenting skills education, and ongoing review of family needs.

4. That the Legislature recognizes April 2015 as Child Abuse Prevention Month in Nebraska and encourages Nebraskans to become educated on how to prevent child abuse and to report observed abuse.

5. That a copy of this resolution be sent to the Department of Health and Human Services.

Laid over.

LEGISLATIVE RESOLUTION 195. Introduced by Morfeld, 46; Mello, 5; Nordquist, 7.

WHEREAS, Annie Himes, a junior at the University of Nebraska-Lincoln, was selected as one of approximately sixty students nationwide to receive the prestigious and highly competitive Truman Scholarship; and

WHEREAS, Truman Scholarships are given to students who demonstrate leadership potential and have an outstanding record of public service; and

WHEREAS, as a 2015 Truman Scholar, Annie will receive a \$30,000 scholarship to be used for graduate school; and

WHEREAS, in addition to her classwork and extensive extracurricular activities at college, Annie has also worked as a legislative intern and is currently a page at the Legislature.

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

1. That the Legislature recognizes the academic and leadership achievements of Annie Himes and congratulates her on being selected as a 2015 Truman Scholar.

2. That a copy of this resolution be sent to Annie Himes.

Laid over.

NOTICE OF COMMITTEE HEARING(S)
Health and Human Services

Room 1510

Tuesday, May 5, 2015 12:00 p.m.

Frank R. Turk - Commission for the Deaf and Hard of Hearing

John Hogue - Commission for the Deaf and Hard of Hearing

Travis James Teetor - State Board of Health

Shane Fleming - State Board of Health
Russell Hopp - State Board of Health
Kevin Borchert - State Board of Health
Douglas Vander Broek - State Board of Health
Kevin C. Low - State Board of Health

(Signed) Kathy Campbell, Chairperson

GENERAL FILE

LEGISLATIVE BILL 469. Title read. Considered.

Committee AM833, found on page 876, was adopted with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

VISITORS

Visitors to the Chamber were Perciveranda and Steven Chase from Omaha; 45 fourth-grade students, teachers, and sponsors from St. Wenceslaus School, Wahoo; Senator Sullivan's daughter, granddaughters, and brother-in-law, Mollie, Clara, Nora Morrow from Omaha and David Sullivan from San Diego, CA; 41 fourth-grade students from Loveland Elementary, Omaha; and 11 third- and fourth-grade students from Friedel Jewish Academy, Omaha.

RECESS

At 11:52 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 Stinner who was excused; and Senators Larson and Mello who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 85. Title read. Considered.

Senator Bloomfield offered his amendment, AM1112, found on page 1084.

The Bloomfield amendment was adopted with 29 ayes, 1 nay, 17 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 2 nays, 17 present and not voting, and 2 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 196. Introduced by Hansen, 26.

PURPOSE: The purpose of this resolution is to study current state statutes governing population thresholds for Nebraska counties. The study should specifically examine the public policy ramifications of increasing various statutory population thresholds for counties having three hundred thousand or more inhabitants. The study shall include, but not be limited to, an examination of the following:

- (1) The policy decisions which resulted in exemptions from certain population thresholds for counties;
- (2) The policy considerations for classifying counties based on population;
- (3) The projected population of Nebraska counties at the time of the upcoming 2020 United States Census; and
- (4) Whether legislation is needed to update current state statutes governing population thresholds for counties.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 197. Introduced by Brasch, 16.

WHEREAS, Quinton Z. Roeder, an 8th grader at Otte Middle School in Blair, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Throughout his scouting experience, Quinton has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Quinton designed and installed a

privacy fence to hide dumpsters and trash bins at the Living Hope Church in Blair; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Quinton, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Quinton Z. Roeder on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Quinton Z. Roeder.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 343. Title read. Considered.

SENATOR COASH PRESIDING

Committee AM913, found on page 941, was offered.

Senator Baker offered his amendment, AM987, found on page 953, to the committee amendment.

Senator Baker moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

The Baker amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

The committee amendment, as amended, was adopted with 25 ayes, 6 nays, 13 present and not voting, and 5 excused and not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 35 ayes, 0 nays, and 14 not voting.

Senator Kolowski requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 24:

Baker	Crawford	Hansen	McCollister	Riepe
Bolz	Davis	Hilkemann	Mello	Scheer
Campbell	Gloor	Johnson	Morfeld	Schilz
Chambers	Haar, K.	Kolowski	Nordquist	Seiler
Cook	Hadley	Krist	Pansing Brooks	

Voting in the negative, 11:

Bloomfield	Groene	Kuehn	Watermeier
Friesen	Hughes	Schnoor	Williams
Garrett	Kintner	Sullivan	

Present and not voting, 9:

Brasch	Ebke	Lindstrom	Murante	Smith
Coash	Kolterman	McCoy	Schumacher	

Excused and not voting, 5:

Craighead	Harr, B.	Howard	Larson	Stinner
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Failed to advance to Enrollment and Review Initial with 24 ayes, 11 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 605. Placed on Select File with amendment. ER81 is available in the Bill Room.

LEGISLATIVE BILL 598. Placed on Select File with amendment. ER83 is available in the Bill Room.

LEGISLATIVE BILL 173. Placed on Select File with amendment. ER82 is available in the Bill Room.

LEGISLATIVE BILL 264. Placed on Select File.

LEGISLATIVE BILL 599. Placed on Select File with amendment. ER84

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 48-1203, Reissue Revised Statutes of Nebraska, as
 4 amended by section 1, Initiative Law 2014, No. 425, is amended to read:
 5 48-1203 (1) Except as otherwise provided in this section and section
 6 48-1203.01, every employer shall pay to each of his or her employees a
 7 minimum wage of:

8 (a) Seven dollars and twenty-five cents per hour through December
 9 31, 2014;
 10 (b) Eight dollars per hour on and after January 1, 2015, through
 11 December 31, 2015; and
 12 (c) Nine dollars per hour on and after January 1, 2016.
 13 (2) For persons compensated by way of gratuities such as waitresses,
 14 waiters, hotel bellhops, porters, and shoeshine persons, the employer
 15 shall pay wages at the minimum rate of two dollars and thirteen cents per
 16 hour, plus all gratuities given to them for services rendered. The sum of
 17 wages and gratuities received by each person compensated by way of
 18 gratuities shall equal or exceed the minimum wage rate provided in
 19 subsection (1) of this section. In determining whether or not the
 20 individual is compensated by way of gratuities, the burden of proof shall
 21 be upon the employer.
 22 (3) Any employer employing student-learners as part of a bona fide
 23 vocational training program shall pay such student-learners' wages at a
 24 rate of at least seventy-five percent of the minimum wage rate which
 25 would otherwise be applicable.
 26 (4)(a) Any employer employing young student workers shall pay such
 27 young student workers wages at a rate of at least eight dollars per hour.
 1 No more than one-fourth of the total hours paid by the employer shall be
 2 at the wage rate prescribed in this subsection.
 3 (b) For purposes of this subsection, young student worker means any
 4 person who (i) is eighteen years of age or younger, (ii) attends any
 5 public or private high school, and (iii) does not qualify for the wage
 6 rate prescribed in subsection (3) of this section or section 48-1203.01.
 7 Sec. 2. This act becomes operative on January 1, 2016.
 8 Sec. 3. Original section 48-1203, Reissue Revised Statutes of
 9 Nebraska, as amended by section 1, Initiative Law 2014, No. 425, is
 10 repealed.
 11 2. On page 1, line 4, after the semicolon insert "to provide an
 12 operative date;"

(Signed) Matt Hansen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 198. Introduced by Krist, 10.

PURPOSE: The unemployment rate among persons with disabilities in Nebraska is extraordinarily high relative to that of the general population. Nebraska should develop and adopt policies that encourage job opportunities for persons with disabilities. Jobs provided by public agencies offer another option to help persons with disabilities become more self-sufficient. Such jobs also provide a real advantage for these individuals because they are earning wages and paying taxes rather than being recipients of public assistance programs such as medicaid.

State Use programs are modeled after the federal AbilityOne program. Forty-six states currently have State Use programs but only twenty-four

states have a strong program currently in operation. State Use programs create meaningful employment opportunities for one of the most vulnerable segments of our population while continuing to provide them with the support and services they need to succeed. Just last year, seventeen State Use programs across the country employed 39,500 individuals with disabilities who worked almost 20 million hours and earned \$176 million in wages. Almost \$700 million of their products and services were sold to state government departments and agencies, as well as to local county and city governments, school districts, and universities.

The purpose of this resolution is to study how the state can assist individuals who are blind or who have other disabilities to achieve maximum personal independence through useful, productive, and gainful employment and ensure an extended and constant market for their commodities and services, thereby enhancing their dignity and capacity for self-support through meaningful employment. The study shall bring together all parties in Nebraska who are interested in encouraging employment opportunities for persons with disabilities and examine State Use programs in other states to develop recommendations for how Nebraska could move forward with a State Use program.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 348. Title read. Considered.

Committee AM1013, found on page 1131, was offered.

SENATOR WATERMEIER PRESIDING

The committee amendment was adopted with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 643. Placed on General File with amendment.
AM1254 is available in the Bill Room.

(Signed) Les Seiler, Chairperson

AMENDMENT(S) - Print in Journal

Senator Larson filed the following amendment to LB330:
AM613

(Amendments to Standing Committee amendments, AM113)

- 1 1. Insert the following new section:
- 2 Sec. 8. Section 53-123.11, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 53-123.11 (1) A farm winery license shall entitle the holder to:
- 5 (a) Sell wines produced at the farm winery onsite at wholesale and
- 6 retail and to sell wines produced at the farm winery at off-premises
- 7 sites holding the appropriate retail license;
- 8 (b) Sell wines produced at the farm winery at retail for consumption
- 9 on the premises;
- 10 (c)(i) Permit a customer to remove one unsealed bottle of wine for
- 11 consumption off the premises. The licensee or his or her agent shall (A)
- 12 securely reseal such bottle and place the bottle in a bag designed so
- 13 that it is visibly apparent that the resealed bottle of wine has not been
- 14 opened or tampered with and (B) provide a dated receipt to the customer
- 15 and attach to such bag a copy of the dated receipt for the resealed
- 16 bottle of wine.
- 17 (ii) If the resealed bottle of wine is transported in a motor
- 18 vehicle, it must be placed in the trunk of the motor vehicle or the area
- 19 behind the last upright seat of such motor vehicle if the area is not
- 20 normally occupied by the driver or a passenger and the motor vehicle is
- 21 not equipped with a trunk;
- 22 (d) Ship wines produced at the farm winery by common carrier and
- 23 sold at retail to recipients in and outside the State of Nebraska, if the
- 24 output of such farm winery for each calendar year as reported to the
- 25 commission by December 31 of each year does not exceed thirty thousand
- 26 gallons. In the event such amount exceeds thirty thousand gallons, the
- 1 farm winery shall be required to use a licensed wholesaler to distribute
- 2 its wines for the following calendar year, except that this requirement
- 3 shall not apply to wines produced and sold onsite at the farm winery
- 4 pursuant to subdivision (1)(a) of this section;
- 5 (e) Allow sampling of the wine at the farm winery and at one branch
- 6 outlet in the state in reasonable amounts;
- 7 (f) Sell wines produced at the farm winery to other Nebraska farm
- 8 winery licensees, in bulk, bottled, labeled, or unlabeled, in accordance
- 9 with 27 C.F.R. 24.308, 27 C.F.R. 24.309, and 27 C.F.R. 24.314, as such
- 10 regulations existed on January 1, 2008;

11 (g) Purchase distilled spirits from licensed microdistilleries in
12 Nebraska, in bulk or bottled, made entirely from Nebraska-licensed farm
13 winery wine to be used in the production of fortified wine at the
14 purchasing licensed farm winery; and
15 (h) Store and warehouse products produced at the farm winery in a
16 designated, secure, offsite storage facility if the holder of the farm
17 winery license notifies the commission of the location of the facility
18 and maintains, at the farm winery and at the facility, a separate
19 perpetual inventory of the product stored at the facility. Consumption of
20 alcoholic liquor at the facility is strictly prohibited.
21 (2) No farm winery shall manufacture wine in excess of fifty
22 thousand gallons per year.
23 (3) A farm winery may manufacture and sell hard cider on its
24 licensed premises. A farm winery shall not otherwise distribute the hard
25 cider it manufactures except by sale to a wholesaler licensed under the
26 Nebraska Liquor Control Act.
27 (4 ~~3~~) A holder of a farm winery license may obtain a special
28 designated license pursuant to section 53-124.11.
29 (5 ~~4~~) A holder of a farm winery license may obtain an annual
30 catering license pursuant to section 53-124.12.
31 2. Renumber the remaining sections and correct internal references
1 and the repealer accordingly.

Senator Nordquist filed the following amendment to LB330:
AM581 is available in the Bill Room.

Senator Morfeld filed the following amendment to LB629:
FA47
Amend AM1075
Strike Section 34.

Senator Lindstrom filed the following amendment to LB629:
AM1300

(Amendments to Standing Committee amendments, AM1075)

1 1. Insert the following new section:
2 Section 1. Section 60-2907, Revised Statutes Cumulative Supplement,
3 2014, is amended to read:
4 60-2907 The department and any officer, employee, agent, or
5 contractor of the department having custody of a motor vehicle record
6 shall, upon the verification of identity and purpose of a requester,
7 disclose and make available the requested motor vehicle record, including
8 the personal information in the record, for the following purposes:
9 (1) For use by any federal, state, or local governmental agency,
10 including any court or law enforcement agency, in carrying out the
11 agency's functions or by a private person or entity acting on behalf of a
12 governmental agency in carrying out the agency's functions;
13 (2) For use in connection with matters of motor vehicle or driver
14 safety and theft; motor vehicle emissions; motor vehicle product
15 alterations, recalls, or advisories; performance monitoring of motor

16 vehicles, motor vehicle parts, and dealers; motor vehicle market research
17 activities, including survey research; and removal of nonowner records
18 from the original owner records of motor vehicle manufacturers;
19 (3) For use in the normal course of business by a legitimate
20 business or its agents, employees, or contractors but only:
21 (a) To verify the accuracy of personal information submitted by the
22 individual to the business or its agents, employees, or contractors; and
23 (b) If such information as so submitted is not correct or is no
24 longer correct, to obtain the correct information, but only for the
25 purposes of preventing fraud by, pursuing legal remedies against, or
26 recovering on a debt or security interest against, the individual;
27 (4) For use in connection with any civil, criminal, administrative,
28 or arbitral proceeding in any federal, state, or local court or
29 governmental agency or before any self-regulatory body, including service
30 of process, investigation in anticipation of litigation, and execution or
31 enforcement of judgments and orders, or pursuant to an order of a
32 federal, state, or local court, an administrative agency, or a self-
33 regulatory body;
34 (5) For use in research activities, and for use in producing
35 statistical reports, so long as the personal information is not
36 published, redisclosed, or used to contact individuals;
37 (6) For use by any insurer or insurance support organization, or by
38 a self-insured entity, or its agents, employees, or contractors, in
39 connection with claims investigation activities, anti-fraud activities,
40 rating, or underwriting;
41 (7) For use in providing notice to the owners of abandoned, towed,
42 or impounded vehicles;
43 (8) For use only for a purpose permitted under this section either
44 by a private detective, plain clothes investigator, or private
45 investigative agency licensed under sections 71-3201 to 71-3213;
46 (9) For use by an employer or the employer's agent or insurer to
47 obtain or verify information relating to a holder of a commercial
48 driver's license or CLP-commercial learner's permit that is required
49 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et
50 seq., or pursuant to sections 60-4,132 and 60-4,141;
51 (10) For use in connection with the operation of private toll
52 transportation facilities;
53 (11) For bulk distribution for surveys of, marketing to, or
54 solicitations of persons who have expressly consented to such disclosure
55 if the requester has obtained the notarized written consent of the
56 individual who is the subject of the personal information being requested
57 and has provided proof of receipt of such written consent to the
58 department or an officer, employee, agent, or contractor of the
59 department on a form prescribed by the department;
60 (12) For any use if the requester has obtained the notarized written
61 consent of the individual who is the subject of the personal information
62 being requested and has provided proof of receipt of such written consent
63 to the department or an officer, employee, agent, or contractor of the
64 department;

8 (13) For use, including redisclosure through news publication, of a
9 member of a medium of communication as defined in section 20-145 who
10 requests such information in connection with preparing, researching,
11 gathering, or confirming news information involving motor vehicle or
12 driver safety or motor vehicle theft;

13 (14) For use by the federally designated organ procurement
14 organization for Nebraska to establish and maintain the Donor Registry of
15 Nebraska as provided in section 71-4822; ~~and~~

16 (15) For use by a transportation network company to determine if
17 there is a lien on a personal vehicle as provided in subsection (2) of
18 section 8 of this act; and

19 ~~(16 45)~~ For any other use specifically authorized by law that is
20 related to the operation of a motor vehicle or public safety.

21 2. On page 3, line 9, strike "uses" and insert "owns, leases, or is
22 otherwise authorized to use"; and in line 14 after "hail" insert "
23 Prearranged ride does not include shared expense carpool or vanpool
24 arrangements or transportation provided using a taxi, limousine, or other
25 for-hire vehicle".

26 3. On page 9, after line 30, insert the following new subsection:
27 "(2) Prior to permitting a person to act as a participating driver,
28 the transportation network company shall conduct a record search to
29 determine if there is a lien against a personal vehicle to be operated in
30 connection with the transportation network company. If such a lien
31 exists, the transportation network company shall provide written notice
1 to such lienholder by certified mail, return receipt requested, at the
2 address reflected on the certificate of title or electronic certificate
3 of title record for such vehicle. The written notice required under this
4 subsection shall be provided at least seven business days prior to the
5 transportation network company allowing the person to act as a
6 participating driver and shall indicate that the personal vehicle will be
7 operated in connection with the transportation network company."; and in
8 line 31 strike "(2)" and insert "(3)".

9 4. On page 10, line 24, strike "(3)" and insert "(4)"; and in line
10 28 strike "(4)" and insert "(5)".

11 5. On page 12, line 15, strike "A" and insert "Beginning on
12 September 1, 2015, a".

13 6. On page 13, line 8, strike "The" and insert "Beginning on
14 September 1, 2015, the".

15 7. On page 14, strike beginning with the comma in line 20 through
16 "payment" in line 27 and insert "and if such personal vehicle is subject
17 to a lien, the transportation network company insurance carrier shall
18 make payment for a claim covered under collision physical damage coverage
19 or comprehensive physical damage coverage".

20 8. On page 15, line 2, after the first "coverage" insert "for
21 transportation network company activity".

22 9. Renumber the remaining sections and correct internal references
23 and the repealer accordingly.

Senator Crawford filed the following amendment to LB67:

AM1236

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

VISITORS

Visitors to the Chamber were 140 third-grade students from Norris Intermediate School, Firth; 22 third- and fourth-grade students from Zion Lutheran School, Pierce; and 40 fourth-grade students from Grant Elementary, Norfolk.

The Doctor of the Day was Dr. Jason Bespalec from Geneva.

ADJOURNMENT

At 4:41 p.m., on a motion by Senator Baker, the Legislature adjourned until 9:00 a.m., Tuesday, April 21, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

