

**SEVENTY-NINTH DAY - MAY 13, 2015**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION**

**SEVENTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, May 13, 2015

**PRAYER**

The prayer was offered by Senator Scheer.

**ROLL CALL**

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

The roll was called and all members were present except Senators Coash, Friesen, Hughes, McCoy, Morfeld, Murante, and Watermeier who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the seventy-eighth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

May 13, 2015

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

Dear Mr. President, Speaker Hadley and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Environmental Quality Council:

John Kinter, 1619 N. 37 Street, Norfolk, NE 68701  
John C. Turnbull, 711 Maine Avenue, York, NE 68467  
Douglas M. Anderson, 1407 West 10 Road, Aurora, NE 68818  
Ronald J. Sheppard, 404 E. Kimball St., Box 129, Callaway, NE 68825

Contingent upon your approval, the following individual is being appointed

to the Environmental Quality Council:

Dennis D. Grams, 9701 South 64 Street, Lincoln, NE 68516

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

### **GENERAL FILE**

**LEGISLATIVE BILL 605A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 598A.** Title read. Considered.

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

**LEGISLATIVE BILL 173A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 8 nays, 9 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 629A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 1 nay, 12 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 525A.** Title read. Considered.

Senator Sullivan offered the following motion:  
MO110  
Indefinitely postpone.

Senator Chambers offered the following motion:  
MO111  
Bracket until June 5, 2015.

Senator Chambers withdrew his motion to bracket.

**SPEAKER HADLEY PRESIDING**

Senator Baker moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Kolowski moved for a call of the house. The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

The Sullivan motion to indefinitely postpone failed with 19 ayes, 19 nays, 7 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Murante offered the following motion:

MO112

Reconsider the vote to indefinitely postpone.

The Murante motion to reconsider prevailed with 25 ayes, 2 nays, 18 present and not voting, and 4 excused and not voting.

The Sullivan motion, MO110, found in this day's Journal, to indefinitely postpone, was reconsidered.

Senator Sullivan moved for a call of the house. The motion prevailed with 42 ayes, 0 nays, and 7 not voting.

Senator Sullivan requested a roll call vote on the motion to indefinitely postpone.

Voting in the affirmative, 21:

Bloomfield	Craighead	Kintner	Schilz	Williams
Brasch	Ebke	Kuehn	Schnoor	
Campbell	Friesen	McCoy	Stinner	
Coash	Groene	Murante	Sullivan	
Cook	Hadley	Scheer	Watermeier	

Voting in the negative, 20:

Baker	Garrett	Harr, B.	Kolowski	Morfeld
Bolz	Gloor	Hilkemann	Krist	Pansing Brooks
Chambers	Haar, K.	Howard	Lindstrom	Riepe
Crawford	Hansen	Johnson	McCollister	Seiler

Present and not voting, 5:

Davis	Mello	Nordquist	Schumacher	Smith
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Excused and not voting, 3:

Hughes      Kolterman      Larson

The Sullivan motion to indefinitely postpone prevailed with 21 ayes, 20 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 266.** Introduced by Larson, 40.

**PURPOSE:** The purpose of this resolution is to examine state law as it pertains to weight limits for a single axle and a group of axles and the maximum load limits for motor vehicles, semitrailers, trailers, farm tractors, and implements of husbandry carrying agricultural products or commodities. The study shall also examine the exemptions to maximum load limits and permissible loads by permit, as well as the height, width, and length limits for motor vehicles, semitrailers, trailers, farm tractors, and implements of husbandry carrying agricultural products or commodities.

Agricultural producers utilize a variety of vehicles of varying sizes and weights to haul agricultural products and commodities. These vehicles, when manufactured, may be constructed in such a way that the vehicle alone exceeds applicable statutory limitations on size and weight. At the same time, technological advances have also improved to minimize the impact of these vehicles on roads despite exceeding statutory size and weight limits.

The Transportation and Telecommunications Committee of the Legislature shall conduct an interim study to invite testimony from agricultural commodity organizations, state and local government representatives, and other necessary stakeholders and to review all issues involved with the current use of vehicles hauling or carrying agricultural products or commodities and the practicality of adopting different size and weight limits for such vehicles. The interim study shall also consider any public safety concerns relating to the safe and practical operation of these vehicles by adoption of different size and weight limits, including, but not limited to, speed and distance limitations.

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

1. That the Transportation and Telecommunications 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 267.** Introduced by Larson, 40.

WHEREAS, the Wausa High School speech team won the 2015 Class D-1 State Speech Tournament; and

WHEREAS, the Wausa Vikings earned their first place finish with a score of 150 points; and

WHEREAS, the win gives the Wausa Vikings their second consecutive state speech championship; and

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

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

1. That the Legislature congratulates the Wausa High School speech team on winning the 2015 Class D-1 State Speech Tournament.

2. That a copy of this resolution be sent to the Wausa High School speech team and Head Coach Patricia Marks.

Laid over.

**LEGISLATIVE RESOLUTION 268.** Introduced by Larson, 40.

WHEREAS, Jerick O. Graber, a member of Troop 149 of Bloomfield, 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, Jerick 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, Jerick worked to clean and beautify his small community of Lindy. Jerick organized a roadside pickup at Lindy for the summer, as well as making flower barrels and flower boxes to place throughout the community. Jerick also created a new rose garden on the south side of Good Shepherd Lutheran Church in Lindy; and

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

WHEREAS, Jerick, 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 Jerick O. Graber on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Jerick O. Graber.

Laid over.

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

Senator Bolz filed the following amendment to LB320A:  
AM1617

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. There is hereby appropriated (1) \$390,887 from the
- 4 General Fund for FY2015-16 and (2) \$321,182 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 \$78,690
- 10 for FY2015-16 or \$104,919 for FY2016-17.
- 11 Sec. 2. There is hereby appropriated (1) \$165,652 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.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Anderson, Douglas M. - Environmental Quality Council - Natural Resources  
Grams, Dennis D. - Environmental Quality Council - Natural Resources  
Kinter, John - Environmental Quality Council - Natural Resources  
Sheppard, Ronald J. - Environmental Quality Council - Natural Resources  
Turnbull, John C. - Environmental Quality Council - Natural Resources

(Signed) Bob Krist, Chairperson  
Executive Board

**MESSAGE(S) FROM THE GOVERNOR**

May 13, 2015

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 72, 72A, 80, 85, 132, 141e, 240, 253, 264, 317, 348e, 414, 449e, 458, 519, 519A, and 561 were received in my office on May 7, 2015.

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

Sincerely,  
(Signed) Pete Ricketts  
Governor

PR/lhk

**GENERAL FILE****LEGISLATIVE BILL 623.** Title read. Considered.

Committee AM1203, found on page 1165, was offered.

Senator Groene offered the following amendment to the committee amendment:

AM1620 is available in the Bill Room.

Pending.

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 234, 235, 236, 237, 238, and 241 were adopted.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 234, 235, 236, 237, 238, and 241.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 269.** Introduced by Schilz, 47.

**PURPOSE:** The purpose of this resolution is to examine the aerial and aviation safety concerns of structures over fifty feet in height that are either self-standing or supported by guy wires and ground anchors and have accessory facilities on which an antenna, sensor, camera, or other equipment is mounted.

This study shall examine such towers that are located outside the corporate limits of a city or village and which are not:

(1) Towers or poles that support electric utility transmission or distribution lines;

(2) Facilities licensed by the Federal Communications Commission;

(3) Any structures supporting telecommunications equipment, including microwave relay facilities and towers erected for the purpose of providing commercial mobile radio service or commercial mobile data service as defined in 47 C.F.R. 20.3, but not including towers or poles used for providing private mobile radio services;

(4) Wind-powered electrical generators with a rotor blade radius greater than six feet;

(5) Street lights erected or maintained by the Department of Roads; and

(6) Structures located fifty feet or less from a house, barn, electric utility substation, or in the curtilage of a farmstead.

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.

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

Senator Schnoor filed the following amendment to LB525:  
AM1575

(Amendments to E and R amendments, ER120)

1 1. Strike sections 3 to 8.

2 2. Renumber the remaining sections, correct internal references, and

3 amend the repealer accordingly.

**EASE**

The Legislature was at ease from 12:00 p.m. until 12:21 p.m.



**SENATOR SCHEER PRESIDING****GENERAL FILE**

**LEGISLATIVE BILL 623.** The Groene amendment, AM1620, found in this day's Journal, to the committee amendment, was renewed.

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

Senator K. Haar moved for a call of the house. The motion prevailed with 29 ayes, 1 nay, and 19 not voting.

The motion to cease debate prevailed with 26 ayes, 3 nays, and 20 not voting.

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

Voting in the affirmative, 14:

Bloomfield	Garrett	Hughes	Murante	Schnoor
Craighead	Groene	Kintner	Riepe	Watermeier
Ebke	Hilkemann	Lindstrom	Schilz	

Voting in the negative, 29:

Baker	Gloor	Johnson	Mello	Seiler
Campbell	Haar, K.	Kolowski	Morfeld	Smith
Chambers	Hadley	Kolterman	Nordquist	Stinner
Coash	Hansen	Krist	Pansing Brooks	Sullivan
Cook	Harr, B.	Kuehn	Scheer	Williams
Davis	Howard	McCollister	Schumacher	

Present and not voting, 4:

Brasch	Crawford	Friesen	McCoy
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Excused and not voting, 2:

Bolz	Larson
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The Groene amendment lost with 14 ayes, 29 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Nordquist offered the following amendment to the committee amendment:

AM1590

(Amendments to Standing Committee amendments, AM1203)

- 1 1. Insert the following new amendment:
- 2 2. On page 3, line 21, after "Security" insert ", the United States
- 3 Citizenship and Immigration Services." and after "agencies" insert "
- 4 such as one of the types of Form I-797 used by the United States
- 5 Citizenship and Immigration Services."; and strike beginning with "the"
- 6 in line 22 through "applicant" in line 23, show the old matter as
- 7 stricken, and insert "the applicant has".
- 8 2. Renumber the remaining amendment accordingly.

### **PRESIDENT FOLEY PRESIDING**

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

Senator Hansen moved for a call of the house. The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

The motion to cease debate prevailed with 26 ayes, 0 nays, and 23 not voting.

The Nordquist amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Kintner offered the following amendment to the committee amendment:

AM1623

(Amendments to Standing Committee amendments, AM1203)

- 1 1. On page 1, line 1, strike "section" and insert "sections"; and
- 2 after line 26 insert:
- 3 Sec. 3. This act becomes operative on January 1, 2017.

### **SPEAKER HADLEY PRESIDING**

Senator Hansen moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Kintner requested a roll call vote on the amendment.

Voting in the affirmative, 8:

Bloomfield	Craighead	McCoy	Riepe
Brasch	Groene	Murante	Schnoor

Voting in the negative, 28:

Baker	Garrett	Hilkemann	McCollister	Seiler
Bolz	Gloor	Howard	Morfeld	Stinner
Campbell	Haar, K.	Johnson	Nordquist	Watermeier
Chambers	Hadley	Kolowski	Pansing Brooks	Williams
Cook	Hansen	Kolterman	Scheer	
Friesen	Harr, B.	Kuehn	Schumacher	

Present and not voting, 7:

Crawford	Ebke	Kintner	Smith
Davis	Hughes	Lindstrom	

Excused and not voting, 6:

Coash	Larson	Schilz
Krist	Mello	Sullivan

The Kintner amendment lost with 8 ayes, 28 nays, 7 present and not voting, and 6 excused and not voting.

Senator Kintner offered the following motion:

MO113

Reconsider the vote taken on AM1623.

#### **SENATOR SCHEER PRESIDING**

Senator Kintner moved for a call of the house. The motion prevailed with 16 ayes, 0 nays, and 33 not voting.

Senator Kintner requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 7:

Bloomfield	Craighead	Murante	Schnoor
Brasch	Kintner	Riepe	

Voting in the negative, 37:

Baker	Friesen	Howard	McCollister	Smith
Campbell	Garrett	Hughes	Mello	Stinner
Chambers	Gloor	Johnson	Morfeld	Sullivan
Coash	Haar, K.	Kolowski	Nordquist	Watermeier
Cook	Hadley	Kolterman	Pansing Brooks	Williams
Crawford	Hansen	Krist	Scheer	
Davis	Harr, B.	Kuehn	Schumacher	
Ebke	Hilkemann	Lindstrom	Seiler	

Excused and not voting, 5:

Bolz            Groene            Larson            McCoy            Schilz

The Kintner motion to reconsider failed with 7 ayes, 37 nays, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 196A.** Introduced by Campbell, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 196, One Hundred Fourth Legislature, First Session, 2015.

**LEGISLATIVE BILL 200A.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 200, One Hundred Fourth Legislature, First Session, 2015.

**LEGISLATIVE BILL 390A.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 390, One Hundred Fourth Legislature, First Session, 2015; and to declare an emergency.

**LEGISLATIVE BILL 607A.** Introduced by Campbell, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 607, One Hundred Fourth Legislature, First Session, 2015.

**LEGISLATIVE BILL 448A.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 448, One Hundred Fourth Legislature, First Session, 2015; and to declare an emergency.

**LEGISLATIVE BILL 643A.** Introduced by Garrett, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

aid in carrying out the provisions of Legislative Bill 643, One Hundred Fourth Legislature, First Session, 2015.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 643.** Placed on Select File with amendment.

ER124

- 1 1. In the Standing Committee amendments, AM1254:
- 2 a. On page 14, line 20, strike "manufacture" and insert
- 3 "manufacturer"; and
- 4 b. On page 22, line 5, strike "designated registered" and insert
- 5 "registered designated".
- 6 2. On page 1, strike beginning with "77-4303" in line 1 through line
- 7 4 and insert "28-439, Reissue Revised Statutes of Nebraska, and section
- 8 28-416, Revised Statutes Cumulative Supplement, 2014; to adopt the
- 9 Medical Cannabis Act; to change provisions relating to possession of
- 10 marijuana and drug paraphernalia; and to repeal the original sections."

(Signed) Matt Hansen, Chairperson

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 81.** Placed on Final Reading Second.

**LEGISLATIVE BILL 173.** Placed on Final Reading.

ST43

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

1. On page 1, the matter beginning with "section" in line 1 through line 4 and all amendments thereto have been struck and "section 29-2221, Reissue Revised Statutes of Nebraska, and section 28-105, Revised Statutes Cumulative Supplement, 2014; to eliminate certain mandatory minimum penalties; to change provisions relating to habitual criminals; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 347.** Placed on Final Reading Second.

**LEGISLATIVE BILL 598.** Placed on Final Reading.

ST42

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

1. In the Seiler amendment, AM1587, on page 2, line 2, "and" has been struck and shown as stricken.
2. In the E and R amendments, ER83:
  - a. On page 34, line 27, "83-170," has been inserted after "81-8,245,"; and
  - b. On page 35, line 9, "segregation" has been struck and "restrictive housing" inserted; and in line 10 the matter beginning with "mandate"

through the second "of" has been struck and "change provisions relating to" inserted.

**LEGISLATIVE BILL 605.** Placed on Final Reading.

ST41

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

1. In the Seiler amendment, AM1530:
  - a. On page 71, line 29, "~~(20)~~" has been struck and "(18)" inserted;
  - b. On page 90, line 20, "legislative" has been inserted after "special"; and
  - c. On page 117, line 22, "~~96~~" has been struck and "97" inserted.
2. On page 1, lines 2 to 23 and all amendments thereto have been struck and "9-262, 9-352, 9-434, 9-652, 23-135.01, 28-204, 28-305, 28-310.01, 28-311.01, 28-311.04, 28-320, 28-322.02, 28-322.03, 28-322.04, 28-393, 28-397, 28-507, 28-514, 28-519, 28-620, 28-621, 28-622, 28-627, 28-703, 28-912, 28-1102, 28-1103, 28-1104, 28-1222, 28-1224, 28-1344, 28-1345, 29-2246, 29-2260, 29-2263, 29-2266, 29-2268, 29-2281, 29-2308, 29-3523, 60-6,197.06, 71-2228, 71-2229, 81-1185, 81-1415, 81-1416, 81-1423, 81-1802, 81-1803, 81-1813, 81-1823, 81-1848, 83-182.01, 83-183, 83-183.01, 83-184, 83-1,100, 83-1,107, 83-1,119, 83-1,122, 83-1,135, 83-1,135.02, and 83-915.01, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-106, 28-201, 28-306, 28-309, 28-311, 28-311.08, 28-323, 28-394, 28-416, 28-504, 28-518, 28-603, 28-604, 28-611, 28-611.01, 28-631, 28-638, 28-639, 28-707, 28-813.01, 28-932, 28-1005, 28-1009, 28-1212.03, 28-1463.05, 28-1501, 29-1816, 29-2204, 29-2252, 29-2252.01, 29-2262, 29-4011, 43-412, 60-6,197.03, 68-1017, and 68-1017.01, Revised Statutes Cumulative Supplement, 2014; to provide, change, and eliminate offenses, penalties, and punishments as prescribed; to change and eliminate sentencing provisions; to change provisions and provide requirements relating to restitution, probation, and parole; to provide for post-release supervision; to change provisions of the Nebraska Probation Administration Act, the Nebraska Crime Victim's Reparations Act, and the Nebraska Treatment and Corrections Act; to authorize access to criminal records as prescribed; to provide powers and duties for the Department of Correctional Services, the Office of Probation Administration, the Office of Parole Administration, and the Board of Parole; to create the Committee on Justice Reinvestment Oversight and the County Justice Reinvestment Grant Program; to provide for studies and reports; to change provisions relating to victims' rights and the Inmate Welfare and Club Accounts Fund; to provide for suspension of medical assistance for inmates of public institutions as prescribed; to provide for applicability of provisions; to eliminate requirements relating to indeterminate sentences, the Nebraska Justice Reinvestment Working Group, and certain evaluations of juveniles and obsolete provisions; to harmonize provisions; to provide severability; to repeal the original sections; and to outright repeal sections 29-2204.01 and 83-1,105.01, Reissue Revised Statutes of Nebraska, and section 43-413, Revised Statutes Cumulative Supplement, 2014." inserted.

(Signed) Matt Hansen, Chairperson

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

Senator Crawford filed the following amendment to LB390:  
AM1627

(Amendments to AM1144)

- 1 1. Strike section 10 and insert the following new section:
- 2 Sec. 10. Section 71-7611, Revised Statutes Cumulative Supplement,
- 3 2014, is amended to read:
- 4 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
- 5 Treasurer shall transfer (a) fifty-six million one hundred thousand
- 6 dollars no later than July 15, 2009, (b) fifty-nine million one hundred
- 7 thousand dollars on or before July 15, 2010, July 15, 2011, July 15,
- 8 2012, and July 15, 2013, and (c) sixty million ~~three one~~ hundred fifty
- 9 thousand dollars on or before July 15, 2014, and on or before every July
- 10 15 thereafter from the Nebraska Medicaid Intergovernmental Trust Fund and
- 11 the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care
- 12 Cash Fund, except that such amount shall be reduced by the amount of the
- 13 unobligated balance in the Nebraska Health Care Cash Fund at the time the
- 14 transfer is made. The state investment officer upon consultation with the
- 15 Nebraska Investment Council shall advise the State Treasurer on the
- 16 amounts to be transferred from the Nebraska Medicaid Intergovernmental
- 17 Trust Fund and from the Nebraska Tobacco Settlement Trust Fund under this
- 18 section in order to sustain such transfers in perpetuity. The state
- 19 investment officer shall report electronically to the Legislature on or
- 20 before October 1 of every even-numbered year on the sustainability of
- 21 such transfers. Except as otherwise provided by law, no more than the
- 22 amount specified in this subsection may be appropriated or transferred
- 23 from the Nebraska Health Care Cash Fund in any fiscal year.
- 24 It is the intent of the Legislature that no additional programs are
- 25 funded through the Nebraska Health Care Cash Fund until funding for all
- 26 programs with an appropriation from the fund during FY2012-13 are
- 1 restored to their FY2012-13 levels.
- 2 (2) Any money in the Nebraska Health Care Cash Fund available for
- 3 investment shall be invested by the state investment officer pursuant to
- 4 the Nebraska Capital Expansion Act and the Nebraska State Funds
- 5 Investment Act.
- 6 (3) The University of Nebraska and postsecondary educational
- 7 institutions having colleges of medicine in Nebraska and their affiliated
- 8 research hospitals in Nebraska, as a condition of receiving any funds
- 9 appropriated or transferred from the Nebraska Health Care Cash Fund,
- 10 shall not discriminate against any person on the basis of sexual
- 11 orientation.
- 12 2. On page 1, line 6; page 3, line 10; page 8, lines 27 and 29; page
- 13 9, line 18; and page 11, line 29, strike "10" and insert "9".
- 14 3. On page 12, lines 13 and 18, strike "11" and insert "9".
- 15 4. On page 13, line 11, strike "10" and insert "9".
- 16 5. Renumber the remaining sections and correct the repealer

17 accordingly.

**COMMITTEE REPORT(S)**

General Affairs

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

Bruce D. Bailey - Nebraska Liquor Control Commission  
Janice Wiebusch - Nebraska Liquor Control Commission

Aye: 8 Coash, Hansen, Hughes, Kolterman, Krist, Larson, Riepe, Schilz.  
Nay: 0. Absent: 0. Present and not voting: 0.

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

Matthew Anselmo - Nebraska Commission on Problem Gambling

Aye: 8 Coash, Hansen, Hughes, Kolterman, Krist, Larson, Riepe, Schilz.  
Nay: 0. Absent: 0. Present and not voting: 0.

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

Timothy Hart - Nebraska Arts Council  
Jon Hinrichs - Nebraska Arts Council  
Pamela Price - Nebraska Arts Council

Aye: 8 Coash, Hansen, Hughes, Kolterman, Krist, Larson, Riepe, Schilz.  
Nay: 0. Absent: 0. Present and not voting: 0.

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

Tom Ourada - State Electrical Board

Aye: 8 Coash, Hansen, Hughes, Kolterman, Krist, Larson, Riepe, Schilz.  
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tyson Larson, Chairperson



**NOTICE OF COMMITTEE HEARING(S)**  
Transportation and Telecommunications

Room 1113

Thursday, May 21, 2015 10:00 a.m.

Lori G. Scherer - Nebraska Motor Vehicle Industry Licensing Board  
Joe Kosiski - Nebraska Motor Vehicle Industry Licensing Board

(Signed) Jim Smith, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 270.** Introduced by Schilz, 47; Davis, 43.

**PURPOSE:** The purpose of this resolution is to conduct a comprehensive study and review of the fee structure of the Nebraska Brand Committee which includes, but is not limited to, per head inspection fees, surcharge fees, recording fees, grazing permit fees, registered feedlot fees, registered dairy fees, and other fees. The study shall examine the history and appropriateness of the current fee structure including:

- (1) The rationale behind the current fee structure;
- (2) The functions and services provided for the fees assessed to different segments of the beef industry;
- (3) The last time the fee structure was updated; and
- (4) A comparison of Nebraska's brand inspection fee structure with other states.

The study shall also examine possible statutory changes of the fee structure and the rationale for any proposed changes as well as technological upgrades and other innovations to assist the Nebraska Brand Committee in modernizing services. The committee may solicit comments, suggestions, and recommendations from appropriate stakeholders.

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

1. That the Agriculture 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 271.** Introduced by Kintner, 2.

**PURPOSE:** The purpose of this resolution is to examine and identify the positive and negative effects of education funding if Nebraska chooses not to accept federal funds that are tied to federal mandates which reduce

flexibility in the administration of education in Nebraska's school districts. Over the last several decades, school districts have experienced ever increasing involvement by the federal government in the education of students in our elementary and secondary schools through mandates tied to federal education dollars. This study shall examine the effects of this trend and whether there are fiscal or other benefits of increased flexibility and freedom gained by refusing to accept federal funds which outweigh the monetary benefits of accepting federal education money.

The study shall include, but not be limited to, identifying and categorizing:

- (1) All federal funds received by Nebraska to support school districts;
- (2) What specific mandates are connected with any such funds;
- (3) The positive and negative fiscal impacts and other effects of refusing such money; and
- (4) Any recommendations from the findings.

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

1. That the Education 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 272.** Introduced by Haar, K., 21; Larson, 40.

**PURPOSE:** The purpose of this resolution is to study the Niobrara Council and its current statutory authority outlined in the Niobrara Scenic River Act. The issues examined in this study shall include, but not be limited to, the following:

- (1) The qualifications needed to serve on the council;
- (2) The process of appointing council members;
- (3) The authority of the council to act;
- (4) The boundaries over which the council has jurisdiction; and
- (5) Other issues related to the council.

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

1. That the Natural Resources 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 273.** Introduced by Davis, 43.

PURPOSE: The purpose of this resolution is to examine the current practices of municipalities using tax increment financing (TIF) under the Community Development Law. The issues examined by this study shall include, but not be limited to:

(1) Whether municipalities are consistently conducting the cost-benefit analysis required under section 18-2113 of the Nebraska statutes;

(2) What factors municipalities are using to determine whether projects authorized under the Community Development Law are meeting the test in section 18-2116 of the Nebraska statutes;

(3) Whether municipalities are accurately applying the definitions of substandard and blighted areas as described in section 18-2103 of the Nebraska statutes for purposes of declaring an area as such;

(4) The prevalence of TIF being utilized by municipalities as a development tool for building housing subdivisions or other private development projects;

(5) Whether the current requirement that municipalities give notice to the other taxing entities whose property tax receipts would be affected by a potential project allows for sufficient input and cooperation among the taxing authorities;

(6) Whether impacted local governments or other taxing entities should have more participation in the TIF approval process;

(7) Whether the local presence of TIF projects adversely affects the property tax receipts of other local taxing entities, such as school districts, community colleges, and natural resources districts;

(8) Whether municipalities are paying off bonds in a timely manner and using any excess TIF funds appropriately;

(9) How prevalently TIF is being used in conjunction or concurrently with other tax-supported economic development incentives; and

(10) A determination of any changes that should be made to the Community Development Law to address any inadequacies or inconsistencies in these areas.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 274.** Introduced by Mello, 5.

PURPOSE: The purpose of this resolution is to examine the feasibility of using pay for success financing in Nebraska. Since 2011, states around the

country have begun implementing new financing strategies for programs known as social impact bonds. This approach to funding programs allows government entities to pay for services only after the intended results have been achieved. Public-private partnerships are created through private investment to fund government programs. Investors are paid an interest rate upon completion and certification of successful results.

The study shall include, but not be limited to, an examination of the following issues:

(1) The use of pay for success financing by other states and political subdivisions;

(2) Areas of state government in Nebraska that may benefit from the use of pay-for-success financing as a funding mechanism including early childhood education, public health, juvenile justice, and reduction of inmate recidivism;

(3) The specifics of pay for success financing contracts including mechanisms to measure and evaluate results, identify appropriate funding sources, and determine appropriate interest rates to attract successful private organizations and funds; and

(4) The negative effects of pay for success financing including potential bureaucratic growth, complexities of measuring results, the potential to exclude new providers and innovative programs, and the inability and lack of willingness of local private entities to enter into pay for success contracts.

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

1. That the Appropriations 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 275.** Introduced by Mello, 5.

**PURPOSE:** The purpose of this resolution is to study issues surrounding the affordability, delivery, and taxation of child care in Nebraska. The high cost of child care can be a crippling burden for families with young children. The average cost of care for an infant in a Nebraska child care center is over \$9,000 per year or nearly 47% of the income for a single parent at the federal poverty level. Child care and early education is a labor intensive industry which leads to high costs for families, despite the fact that child care workers are among the lowest paid professionals nationwide. In addition, child care providers incur high costs to provide high-quality child care and comply with necessary regulations. This study shall include, but not be limited to, an examination of the following issues:

(1) The effectiveness of the current child care tax credit and how it compares with other states;

- (2) State child care subsidies;
- (3) The history of tax policies that assist families with children in acquiring child care;
- (4) Public policy options to address child care affordability;
- (5) The current state of the child care workforce in Nebraska including pay, benefits, supply, and demand; and
- (6) Demographic and workforce trends that may impact the cost of child care in the future.

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

1. That the Health and Human Services 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 276.** Introduced by Pansing Brooks, 28; Morfeld, 46.

**PURPOSE:** The purpose of this resolution is to study bullying by and against students and youth. Bullying is a form of violence among students and youth that is common at schools, at playgrounds, on buses, at extracurricular activities, and in neighborhoods. Current anti-bullying protections fail to adequately address bullying, leaving young persons especially vulnerable to harassment based on characteristics such as race, gender, religion, sexual orientation, gender identity, national origin, and physical, mental, emotional, or learning disability. Society has evolved in such a way that communication technologies provide an unprecedented arsenal of bullying weapons, commonly referred to as cyberbullying. Bullying in and out of educational settings is a pervasive problem that can have negative consequences for the educational climate and for the right of students to learn in a safe environment without fear. Bullying can have negative lifelong consequences, both for students and youth who bully and for their targets.

The study shall include, but not be limited to, defining bullying, including cyberbullying, identifying populations that may be most impacted by bullying, identifying measures for preventing bullying, ascertaining age-appropriate discipline methods or penalties, conducting a thorough review of state and federal policies, and making recommendations for legislation to ensure that students and youth have the opportunity to learn and thrive in safe environments.

The committee may consider input from interested persons including the Nebraska State Bar Association, law enforcement, educators, and other stakeholders.

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

1. That the Judiciary 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 277.** Introduced by Pansing Brooks, 28; Morfeld, 46.

**PURPOSE:** The purpose of this resolution is to examine workforce development that will support the growth and retention of youth talent and startup businesses in the areas of new technology, computer sciences, and related fields in the State of Nebraska. The study shall include, but not be limited to, an examination of the following:

- (1) Workforce development and job creation through public and private partnerships;
- (2) Current educational tools available for students interested in technology and business;
- (3) Recommendations from existing businesses on the educational needs relating to the areas of new technology, computer sciences, and related startup businesses;
- (4) Development of existing business competitions, code camps, and startup weekends in the state;
- (5) Recommendations on capital and noncapital resources needed to improve the startup culture;
- (6) Development of startup technology companies leading to "Silicon Prairie" branding; and
- (7) Current policies that may restrict the growth of startup businesses.

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

1. That the Business and Labor 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 278.** Introduced by Pansing Brooks, 28.

**PURPOSE:** Nebraska is a state with a rich history and is the home to several municipalities with significant older and historic neighborhoods in decline.

Some municipalities have been encouraging neighborhood revitalization through zoning activities, neighborhood plans, and studies. The purpose of this resolution is to examine the existing resources and the need for additional tools for municipalities to further encourage revitalization of neighborhoods. The study shall include, but not be limited to, an examination of the following issues:

- (1) Approaches to maximize neighborhood revitalization benefits for businesses, residents, and the larger community;
- (2) The need for financial incentives to encourage business investments in declining neighborhoods;
- (3) The prospect for additional incentives to encourage home ownership of rehabilitated older buildings; and
- (4) The possibility of establishing collaboration between state and local government entities as well as between public and private entities.

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

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 279.** Introduced by Seiler, 33.

PURPOSE: The purpose of this resolution is to examine any issues within the jurisdiction of the Judiciary Committee.

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

1. That the Judiciary 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 280.** Introduced by Crawford, 45.

PURPOSE: The purpose of this resolution is to study municipal bankruptcy. The issues examined in this study shall include, but not be limited to, a review of the following:

- (1) The petitions filed in the United States Bankruptcy Court for the District of Nebraska including whether such petitions were filed by municipalities or other political subdivisions;

(2) The fiscal health of Nebraska municipalities compared with the fiscal health of municipalities in other states;

(3) Bond ratings and interest rates received on municipal bonds by Nebraska's municipalities; and

(4) The financial interests in a municipal bankruptcy filing including continuation of municipal services and pensions and other retirement and health care benefits owed to current and former municipal employers, bondholders, and other creditors.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 281.** Introduced by McCollister, 20; Kolowski, 31.

PURPOSE: The purpose of this resolution is to examine and review issues concerning the dates on which the fiscal year for Nebraska's public schools begin and end. This study shall include, but not be limited to, an examination of the following issues:

(1) School districts' abilities to predict their annual budget;

(2) School districts' abilities to plan for potential budget shortfalls prior to the start of the academic year;

(3) Counties' abilities to certify property taxes for school districts;

(4) Factors the State Department of Education must take into consideration for certifying school district state aid;

(5) The history and reasoning for adopting different cycles for the fiscal year and the academic year; and

(6) Such other relevant matters relating to this subject as may be appropriate.

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

1. That the Education 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 623.** Committee AM1203, found on page 1165 and considered in this day's Journal, as amended, was renewed.

The committee amendment, as amended, was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Kintner offered the following amendment:

FA63

Strike lines 17 and 18 on page 2.

**SPEAKER HADLEY PRESIDING**

Pending.

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 315A.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 315, One Hundred Fourth Legislature, First Session, 2015.

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

Senator Kintner filed the following amendment to LB623:

FA64

Strike on Page 2, line 7 "The Legislature" down to line 12 ending at LB 215.

**GENERAL FILE**

**LEGISLATIVE BILL 607.** Title read. Considered.

Committee AM782, found on page 806, lost with 1 aye, 28 nays, 18 present and not voting, and 2 excused and not voting.

Senator Campbell offered her amendment, AM1551, found on page 1433.

The Campbell amendment was adopted with 30 ayes, 1 nay, 15 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 1 nay, 4 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 607A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 1 nay, 3 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 196.** Title read. Considered.

Senator Campbell offered her amendment, AM696, found on page 768.

The Campbell amendment was adopted with 38 ayes, 2 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 2 nays, 4 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 196A.** Title read. Considered.

Senator Mello offered the following motion:

MO115

Indefinitely postpone.

The Mello motion to indefinitely postpone prevailed with 38 ayes, 2 nays, 6 present and not voting, and 3 excused and not voting.

#### **BILL ON FIRST READING**

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

**LEGISLATIVE BILL 619A.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 619, One Hundred Fourth Legislature, First Session, 2015.

#### **NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services

Room 2102

Wednesday, May 20, 2015 12:00 p.m.

Jim Trebbien - State Board of Health

Tuesday, May 26, 2015 12:00 p.m.

Norman B. Weverka - Commission for the Deaf and Hard of Hearing

Stacie L. Ray - Commission for the Deaf and Hard of Hearing

Craig A. Timm - Foster Care Advisory Committee

Wednesday, May 20, 2015 12:00 p.m.

John Hogue - Commission for the Deaf and Hard of Hearing

(Signed) Kathy Campbell, Chairperson

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 282.** Introduced by Mello, 5; Haar, K., 21; Hilkemann, 4; Kuehn, 38; Nordquist, 7; Stinner, 48; Watermeier, 1.

PURPOSE: LB 561 (Laws 2013) moved juvenile services from the Department of Health and Human Services to the Office of Probation Administration. At the time, it was estimated there could be significant cost savings but that has not been the case. The Office of Probation Administration has requested deficit appropriations in both the 2014 and 2015 legislative sessions for juvenile services. This study will examine the reasons for the higher cost of juvenile services under the Office of Probation Administration. This study shall include, but not be limited to, the following issues:

- (1) The cost differences for specific services;
- (2) The difference in services provided by the Department of Health and Human Services and the Office of Probation Administration to the juvenile justice population;
- (3) The differences between the pilot projects and full implementation;
- (4) The differences in reimbursement methods; and
- (5) The outcome of meetings with medicaid and child welfare staff, the medicaid managed care contractor, and probation personnel.

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

1. That the Appropriations 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 283.** Introduced by Sullivan, 41.

PURPOSE: The purpose of this resolution is to study potential state policy and funding improvements to address the unique educational needs of low-achieving students in poverty and students with limited English proficiency.

The study committee shall consult with the State Board of Education's student achievement coordinator and superintendents from a variety of school districts during the course of the study.

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

1. That the Education 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 284.** Introduced by Sullivan, 41.

**PURPOSE:** The purpose of this resolution is to study potential modifications to the laws governing learning communities. The study shall focus on developing legislation to ensure that community, educational, and school district issues will continue to be addressed cooperatively across boundary lines to positively impact the quality, accessibility, and effectiveness of education available to students in all parts of a learning community. The study shall build upon the report prepared by the school superintendents of the Learning Community of Douglas and Sarpy Counties and submitted to the Education Committee of the Legislature in December 2015. Furthermore, the learning community coordinating councils and advisory committees established pursuant to section 79-2104.01 of the Nebraska statutes may jointly make additional recommendations which expand the conversation beyond educational entities to include counties, cities, and other community interests.

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

1. That the Education 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.

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

Senator Howard filed the following amendment to LB315:  
AM510

(Amendments to Standing Committee amendments, AM458)

- 1 1. On page 4, line 22, strike "either"; and in line 23 strike "or
- 2 digital versatile disc" and insert ", digital versatile disc, or other
- 3 electronic format deemed appropriate by the department".

**VISITORS**

Visitors to the Chamber were 12 eighth-grade students and teacher from St. Michael's School, South Sioux City; 40 fourth-grade students and teachers from St. Michael's Elementary, Hastings; 4 Tibetan Monks from Drepung Gomang Monastery and Rev. Toni Stephens Coleman and Janet Carlson from Lincoln; 120 fourth-grade students and teachers from Gateway Elementary, Omaha; 75 fourth-grade students and teachers from Saddlebrook Elementary, Omaha; and John Karuta from Lincoln, along with Ministers of Agriculture Mr. Okaasai Opolot and Dr. Patience Rwamigisa from Uganda.

**ADJOURNMENT**

At 7:17 p.m., on a motion by Senator Davis, the Legislature adjourned until 9:00 a.m., Thursday, May 14, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature

