

EIGHTY-THIRD DAY - MAY 19, 2015
LEGISLATIVE JOURNAL
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

EIGHTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 19, 2015

PRAYER

The prayer was offered by Senator Kolowski.

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 Craighead, Hansen, Lindstrom, Morfeld, Pansing Brooks, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighty-second day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 346. Introduced by Williams, 36.

WHEREAS, Gothenburg has hosted the Nebraska Championship Meet since 2010; and

WHEREAS, this event provides an opportunity for 7th and 8th grade student-athletes to compete at a high level, statewide, all-class track and field meet run by officials adhering to standards set for championship competition; and

WHEREAS, student-athletes from 135 schools across Nebraska competed at the 2015 Nebraska Championship Meet; and

WHEREAS, the Nebraska Championship Meet could not happen without the work of more than 200 dedicated meet staff and officials.

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

1. That the Legislature congratulates the student-athletes, volunteers, and officials for their outstanding accomplishments in the 2015 Nebraska Championship Meet.

2. That a copy of this resolution be sent to the director of the Nebraska Championship Meet, Jim Clark.

Laid over.

SELECT FILE

LEGISLATIVE BILL 598A. Senator Bolz offered her amendment, AM1676, found on page 1693.

The Bolz amendment was adopted with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 605A. Senator Mello offered his amendment, AM1675, found on page 1685.

The Mello amendment was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

MOTION - Return LB243 to Select File

Senator Bolz moved to return LB243 to Select File for her specific amendment, AM1622, found on page 1599.

The Bolz motion to return prevailed with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 243. The Bolz specific amendment, AM1622, found on page 1599, was offered.

Senator Baker moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

The Bolz specific amendment was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Senator Bloomfield requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:

Baker	Gloor	Kolowski	Morfeld	Seiler
Bolz	Haar, K.	Kolterman	Nordquist	Stinner
Brasch	Hadley	Krist	Pansing Brooks	Sullivan
Campbell	Hansen	Kuehn	Riepe	Williams
Cook	Hilkemann	McCollister	Scheer	
Crawford	Howard	McCoy	Schnoor	
Davis	Johnson	Mello	Schumacher	

Voting in the negative, 2:

Groene	Kintner
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Present and not voting, 10:

Bloomfield	Coash	Friesen	Harr, B.	Lindstrom
Chambers	Ebke	Garrett	Hughes	Smith

Excused and not voting, 5:

Craighead	Larson	Murante	Schilz	Watermeier
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Advanced to Enrollment and Review for Reengrossment with 32 ayes, 2 nays, 10 present and not voting, and 5 excused and not voting.

SENATOR COASH PRESIDING

MOTION - Return LB243A to Select File

Senator Bolz moved to return LB243A to Select File for her specific amendment, AM1657, found on page 1692.

The Bolz motion to return prevailed with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 243A. The Bolz specific amendment, AM1657, found on page 1692, was adopted with 37 ayes, 2 nays, 5 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION - Return LB265 to Select File

Senator Krist moved to return LB265 to Select File for his specific amendment, AM1629, found on page 1667.

The Krist motion to return prevailed with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 265. The Krist specific amendment, AM1629, found on page 1667, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION - Return LB265A to Select File

Senator Campbell moved to return LB265A to Select File for her specific amendment, AM1678, found on page 1693.

The Campbell motion to return prevailed with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 265A. The Campbell specific amendment, AM1678, found on page 1693, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION - Return LB320A to Select File

Senator Bolz moved to return LB320A to Select File for her specific amendment, AM1683, found on page 1692.

The Bolz motion to return prevailed with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 320A. The Bolz specific amendment, AM1683, found on page 1692, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

WITHDRAW - Amendment to LB500

Senator Howard withdrew her amendment, AM1668, found on page 1680, to LB500.

MOTION - Return LB500 to Select File

Senator Howard moved to return LB500 to Select File for her specific amendment, AM1694, found on page 1708.

The Howard motion to return prevailed with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 500. The Howard specific amendment, AM1694, found on page 1708, was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION - Return LB500A to Select File

Senator Howard moved to return LB500A to Select File for her specific amendment, AM1696, found on page 1711.

The Howard motion to return prevailed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 500A. The Howard specific amendment, AM1696, found on page 1711, was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 347. Introduced by Schumacher, 22; Bloomfield, 17; Brasch, 16.

WHEREAS, Pilger, a small town of 350 people located in Stanton County, is celebrating the progress made to rebuild one year after rare twin tornadoes directly hit and devastated the town on June 16, 2014; and

WHEREAS, two lives were lost and several people were injured, three-fourths of the homes were destroyed or damaged leaving more than half of the residents displaced, and the business district, a church, and the school were leveled in the storm; and

WHEREAS, although overwhelmed yet undeterred by the extent of the damage, the people of Pilger immediately launched plans to rebuild their town and began the massive task of cleaning up tons of debris with the help of scores of volunteers from throughout Nebraska and the United States who arrived over the ensuing months to lend a hand; and

WHEREAS, just ten months into the recovery effort, local officials reported that 931 truckloads of debris had been removed, infrastructure repairs were under way, 38 zoning permits were issued with 17 of those for residences, the library was repaired, the co-op rebuilt an office and constructed 7 grain bins, a new restaurant and community center are under construction, groundbreaking is pending for a new church, and blueprints are being drawn to replace the branch bank; and

WHEREAS, Pilger will hold "Pilger RE: A Celebration of REbuilding, REsilience, and REcovery" on June 12 through June 14, 2015, for everyone who supported Pilger over the past year and on June 14, 2015, a ceremony will be held in the town square to dedicate the community flagpole made available through a statewide drive conducted by the American Legion.

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

1. That the Legislature commends Pilger for its resiliency and strength after the devastating tornadoes on June 16, 2014.
2. That a copy of this resolution be sent to the Village of Pilger.

Laid over.

SELECT FILE

LEGISLATIVE BILL 591. ER128, found on page 1614, was adopted.

Senator Schumacher withdrew his amendment, AM1624, found on page 1620.

Senator Schumacher offered his amendment, AM1682, found on page 1698.

The Schumacher amendment was adopted with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 591A. Senator Bolz offered her amendment, AM1663, found on page 1678.

The Bolz amendment was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 361. ER137, found on page 1673, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 539. ER136, found on page 1674, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 200. ER134, found on page 1674, was adopted.

SPEAKER HADLEY PRESIDING

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 200A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 231. ER135, found on page 1674, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 448. ER139, found on page 1707, was adopted.

Senator Nordquist offered the following amendment:

AM1698

(Amendments to Standing Committee amendments, AM1555)

1 1. Insert the following new sections:

2 Sec. 32. Section 79-9,105, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 79-9,105 (1) Any member with five or more years of creditable

5 service, excluding years of prior service acquired pursuant to section

6 79-990, 79-991, 79-994, 79-995, or 79-997, who becomes totally disabled

7 for further performance of duty on or after March 22, 2000, may be

8 approved for deferred disability retirement by the board of trustees. In

9 the case of such deferred disability retirement, the member, during the

10 period specified in subsection (3) of this section, shall be credited

11 with creditable service for each year or portion thereof, to be

12 determined in accordance with ~~board~~ policies of the board of trustees

13 governing creditable service, that the member defers retirement, up to a

14 maximum of thirty-five years of total creditable service, including

15 creditable service accrued before the member became totally disabled. The

16 member approved for deferred disability retirement may at any time of the

17 member's choosing request the deferral to end and retirement annuity

18 payments to begin. The retirement annuity of such member shall be based

19 on the total number of years of the member's creditable service,

20 including the years credited to the member during his or her total

21 disability under this section, and the member's final average salary as

22 of the date that the member became totally disabled and as adjusted from

23 such date by a percentage equal to the cumulative percentage cost-of-
24 living adjustments that were made or declared for annuities in pay status
25 pursuant to section 79-9,103 after the date of the board's approval of
26 the board of trustees for deferred disability retirement and before the
1 cessation of the accrual of additional creditable service pursuant to
2 subsection (3) of this section. Except as provided in subsection (4) of
3 this section, the retirement annuity so determined for the member shall
4 be payable to the member without reduction due to any early commencement
5 of benefits, except that the retirement annuity shall be reduced by the
6 amount of any periodic payments to such employee as workers' compensation
7 benefits. Additional creditable service acquired through deferred
8 disability retirement shall apply to the service requirements specified
9 in section 79-9,106. The board of trustees shall consider a member to be
10 totally disabled when it has received an application by the member and a
11 statement by at least two licensed and practicing physicians designated
12 by the board of trustees certifying that the member is totally and
13 presumably permanently disabled and unable to perform his or her duties
14 as a consequence thereof.

15 (2) Notwithstanding the provisions of subsection (1) of this
16 section, the payment of the retirement annuity of a member may not be
17 deferred later than the member's required beginning date as defined in
18 section 401(a)(9) of the Internal Revenue Code, as defined in section
19 49-801.01. If the payment of a disabled member's retirement annuity is
20 required to commence before the member has elected to end his or her
21 deferred disability retirement, the amount of benefit that would have
22 accrued pursuant to subsection (1) of this section in the fiscal year of
23 the member's required beginning date, and in each subsequent fiscal year
24 through the year of the member's election to end the deferred disability
25 retirement period, shall be reduced, but not below zero, by the actuarial
26 equivalent of the payments which were paid to the member during each such
27 fiscal year and after the member's required beginning date. The
28 retirement annuity of any member that commences before the end of the
29 member's deferred disability retirement shall be adjusted as of each
30 September 1 pursuant to the requirements of this subsection.

31 (3) The accrual of creditable service and any adjustment of final
1 average salary provided in subsection (1) of this section shall begin
2 from the first day of the month following the date of the first of the
3 two examinations by which the member is determined by the board of
4 trustees to be totally disabled, shall continue only so long as the
5 member does not receive any wages or compensation for services, and shall
6 end at the earlier of (a) the time total disability ceases as determined
7 by the board of trustees or (b) the date the member elects to end the
8 deferred disability retirement and begin to receive his or her retirement
9 annuity. The board of trustees may require periodic proof of disability
10 but not more frequently than semiannually.

11 (4) The payment of any retirement annuity to a disabled member,
12 which begins to be paid under this section (a) before the member's sixty-
13 second birthday or (b) at a time before the sum of the member's attained
14 age and creditable service is eighty-five or more, shall be suspended if

15 the board of trustees determines at any time before the member's sixty-
 16 second birthday that the member's total disability has ceased. Payment of
 17 the retirement annuity of such member as determined under this section
 18 shall recommence at the member's early retirement date or normal
 19 retirement date but shall be subject to reduction at such time as
 20 specified in section 79-9,100.

21 Sec. 42. Sections 12 and 45 of this act become operative on July 1,
 22 2015. Sections 25 and 46 of this act become operative on September 1,
 23 2015. The other sections of this act become operative on their effective
 24 date.

25 Sec. 45. Original section 79-980, Reissue Revised Statutes of
 26 Nebraska, is repealed.

27 Sec. 46. Original section 79-996, Reissue Revised Statutes of
 28 Nebraska, is repealed.

29 2. On page 4, lines 12 and 13 and 18 and 19; page 5, lines 30 and
 30 31; page 6, lines 10 and 11 and 15; page 7, lines 17 and 18; page 26,
 31 line 2; page 62, lines 21 and 22; and page 69, lines 17 and 18, strike
 1 "the Class V School Employees Retirement System" and insert "a retirement
 2 system provided for under the Class V School Employees Retirement Act".

3 3. On page 13, line 8, after "(c)" insert "(i)"; in line 11 after
 4 "year" insert "and (ii) prior to September 1, 2015,"; reinstate the
 5 stricken matter in lines 11 through 15; in line 28 after "means" insert
 6 ", for members hired prior to July 1, 2015, who have attained age fifty-
 7 five,"; and strike beginning with "and" in line 30 through line 31 and
 8 all amendments thereto, show the old matter as stricken, and insert "
 9 Early retirement date means, for members hired on or after July 1, 2015,
 10 that month and year selected by a member".

11 4. On page 14, line 1, strike "hired on or after July 1, 2015,"; and
 12 in line 2 after "and" insert "who has".

13 5. On page 28, line 15, strike "Class V School Employees Retirement
 14 System administrator" and insert "administrator of a retirement system
 15 provided for under the Class V School Employees Retirement Act".

16 6. On page 44, line 18, strike "prior to".

17 7. On page 51, line 7, strike "or", show as stricken, and insert "of
 18 education or board of".

19 8. On page 51, line 10; and page 55, line 12, after "board" insert
 20 "of trustees".

21 9. On page 59, line 8, after "board" insert "of education".

22 10. On page 64, lines 4 and 5, strike "Class V School Employees
 23 Retirement System assets" and insert "assets of a retirement system
 24 provided for under the Class V School Employees Retirement Act"; and in
 25 line 9 strike "account or funds" and insert "fund".

26 11. On page 69, line 26, strike "79-980,"; and in line 28 strike
 27 "79-996," and after "79-9,104," insert "79-9,105,".

28 12. Renumber the remaining sections and correct internal references
 29 accordingly.

Senator Nordquist moved for a call of the house. The motion prevailed with
 26 ayes, 0 nays, and 23 not voting.

The Nordquist amendment was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

EASE

The Legislature was at ease from 12:04 p.m. until 12:26 p.m.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 330. Placed on Final Reading.

ST48

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

1. In the E and R amendments, ER92:
 - a. On page 1, lines 5 and 6, "4 to 7, 13, 14, and 21" has been struck and "5 to 8, 14, 15, and 22" inserted; and in line 11 "4 to 6" has been struck and "5 to 7" inserted; and
 - b. On page 28, line 5, "29-431," has been inserted after "sections"; in line 8 "penalties; to provide" has been inserted after "provide"; and in line 15 "to provide operative dates; to provide severability;" has been inserted after the first semicolon.

LEGISLATIVE BILL 330A. Placed on Final Reading.

LEGISLATIVE BILL 468. Placed on Final Reading.

ST47

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

1. In the E and R amendments, ER119, on page 1, line 12, "29-3602, 29-3606," has been struck; and the matter beginning with "to" in line 17 through the first semicolon in line 18 has been struck.

LEGISLATIVE BILL 468A. Placed on Final Reading.

LEGISLATIVE BILL 480. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

SELECT FILE

LEGISLATIVE BILL 448. Senator Nordquist offered the following amendment:

AM1704

(Amendments to Standing Committee amendments, AM1555)

- 1 1. On page 10, line 10, strike "state shall transfer" and insert
- 2 "Appropriations Committee of the Legislature shall hold a hearing to
- 3 consider transferring".

SENATOR SCHEER PRESIDING

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

Senator McCollister moved for a call of the house. The motion prevailed with 23 ayes, 0 nays, and 26 not voting.

The motion to cease debate prevailed with 25 ayes, 10 nays, 12 present and not voting, and 2 excused and not voting.

The Nordquist amendment was adopted with 27 ayes, 10 nays, 10 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Kolterman offered the following amendment:
AM1705 is available in the Bill Room.

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

Senator McCollister moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

The motion to cease debate prevailed with 25 ayes, 2 nays, 20 present and not voting, and 2 excused and not voting.

Senator Nordquist requested a record vote on the amendment

Voting in the affirmative, 17:

Bloomfield	Hilkemann	Larson	Scheer	Williams
Brasch	Hughes	McCollister	Schilz	
Ebke	Johnson	McCoy	Stinner	
Friesen	Kolterman	Murante	Watermeier	

Voting in the negative, 18:

Baker	Cook	Hadley	Krist	Pansing Brooks
Bolz	Crawford	Hansen	Mello	Sullivan
Campbell	Davis	Harr, B.	Morfeld	
Chambers	Haar, K.	Kolowski	Nordquist	

Present and not voting, 12:

Garrett	Howard	Lindstrom	Schumacher
Gloor	Kintner	Riepe	Seiler
Groene	Kuehn	Schnoor	Smith

Excused and not voting, 2:

Coash Craighead

The Kolterman amendment lost with 17 ayes, 18 nays, 12 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Nordquist offered the following amendment:

FA71

Amend AM1698

Strike beginning on page 1, line 1 through page 3, line 20.

Senator Larson offered the following motion:

MO125

Unanimous consent to bracket until April 15, 2016.

No objections. So ordered.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 348. Introduced by Ebke, 32.

WHEREAS, St. Paul's Lutheran Church in Gilead will be celebrating its 125th anniversary on August 16, 2015; and

WHEREAS, the day of celebration will start with a worship service followed by a catered meal and an afternoon program at the church; and

WHEREAS, St. Paul's Lutheran Church is a member of the Evangelical Lutheran Church in America and was founded southwest of Gilead on August 15, 1890.

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

1. That the Legislature congratulates St. Paul's Lutheran Church in Gilead on celebrating its 125th anniversary.
2. That a copy of this resolution be sent to St. Paul's Lutheran Church.

Laid over.

SELECT FILE

LEGISLATIVE BILL 390. ER138, found on page 1707, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 390A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 623. ER130, found on page 1663, was adopted.

Senator Kintner offered his amendment, FA64, found on page 1567.

SENATOR KRIST PRESIDING

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

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

The motion to cease debate prevailed with 25 ayes, 5 nays, 16 present and not voting, and 3 excused and not voting.

The Kintner amendment lost with 7 ayes, 32 nays, 7 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

NOTICE OF COMMITTEE HEARING(S)
Transportation and Telecommunications

Room 1113

Wednesday, May 27, 2015 8:00 a.m.

LR338

(Signed) Jim Smith, Chairperson

UNANIMOUS CONSENT - Time Change

Senator Smith asked unanimous consent that the Transportation and Telecommunications Committee conduct its hearing on Thursday, May 21, 2015, at 8:00 a.m. instead of 10:00 a.m. No objections. So ordered.

MESSAGE(S) FROM THE GOVERNOR

May 19, 2015

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 294e, 360, 360A, and 575e were received in my office on May 14, 2015.

These bills were signed and delivered to the Secretary of State on May 19, 2015.

Sincerely,
(Signed) Pete Ricketts
Governor

PR/lhk

SELECT FILE

LEGISLATIVE BILL 623. Senator Groene withdrew his amendment, AM1647, found on page 1676.

Senator Groene offered the following amendment:
AM1706 is available in the Bill Room.

SENATOR SCHEER PRESIDING

Senator Kintner offered the following amendment to the Groene amendment:

FA72

Amend AM1706

On page 12, line 26, strike "October 1, 2015" insert "January 1, 2017".

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 175. Placed on Final Reading.

ST50

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

1. In the Harr amendment, AM1513:
 - a. Sections 8 to 14 and 16 have been renumbered as sections 9 to 15 and 17 respectively; and

- b. On page 7, line 7, "10 to 14" has been struck and "11 to 15" inserted.
2. In the E and R amendments, ER122, on page 12, line 7, "and" has been struck; and in line 8 "81-2,147.01, and 81-2,147.05," has been inserted before "Reissue".
3. On page 1, the matter beginning with "agriculture" in line 1 through line 7 and all amendments thereto have been struck and "law; to amend sections 54-2801, 54-2802, 77-27,187.01, 77-27,188, 81-2,147.01, and 81-2,147.05, Reissue Revised Statutes of Nebraska, and section 77-27,187.02, Revised Statutes Cumulative Supplement, 2014; to name and adopt the Livestock Growth Act; to restate findings; to provide for grants; to create a fund; to change application procedures and credits allowed under the Nebraska Advantage Rural Development Act; to exempt seed libraries from certain provisions of the Nebraska Seed Law; to define and redefine terms; to adopt the Community Gardens Act; to harmonize provisions; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 243. Placed on Final Reading Second.
LEGISLATIVE BILL 243A. Placed on Final Reading Second.
LEGISLATIVE BILL 329. Placed on Final Reading.

LEGISLATIVE BILL 525. Placed on Final Reading.
ST49

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

1. In the E and R amendments, ER120:
 - a. Section 27 has been struck;
 - b. On page 30, line 21, "2" has been struck and "3" inserted;
 - c. On page 49, lines 4 and 6, the stricken matter has been reinstated; and in lines 6 and 7 the new matter has been struck;
 - d. On page 66, lines 12 and 19, "79-1007.13," has been struck;
 - e. On page 67, the matter beginning with the first "to" in line 3 through the second semicolon in line 4 has been struck; and
 - f. Sections 28 to 42 have been renumbered as sections 21 to 35, respectively.

LEGISLATIVE BILL 598A. Placed on Final Reading.
ST51

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

1. On page 1, line 1, "to amend sections 162, 164, and 266, Legislative Bill 657, One Hundred Fourth Legislature, First Session, 2015;" has been inserted after the semicolon; and the matter beginning with "and" in line 3 through line 4 has been struck and "to provide and change appropriations; to change provisions relating to funds; to state intent; and to repeal the original sections." inserted.

LEGISLATIVE BILL 605A. Placed on Final Reading.

ST52

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

1. On page 1, line 1, "to amend section 162, Legislative Bill 657, One Hundred Fourth Legislature, First Session, 2015;" has been inserted after the semicolon; and "; to change appropriations; and to repeal the original section" has been inserted after "2015".

(Signed) Matt Hansen, Chairperson

SELECT FILE

LEGISLATIVE BILL 623. The Kintner amendment, FA72, found in this day's Journal, to the Groene amendment, was renewed.

SPEAKER HADLEY PRESIDING**SENATOR SCHEER PRESIDING****SPEAKER HADLEY PRESIDING**

Senator Nordquist offered the following motion:

MO126

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Nordquist moved for a call of the house. The motion prevailed with 38 ayes, 0 nays, and 11 not voting.

Senator Nordquist requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 39:

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

Voting in the negative, 8:

Bloomfield	Groene	McCoy	Riepe
Brasch	Kintner	Murante	Schnoor

Excused and not voting, 2:

Larson Lindstrom

The Nordquist motion to invoke cloture prevailed with 39 ayes, 8 nays, and 2 excused and not voting.

The Kintner amendment, FA72, lost with 2 ayes, 36 nays, 9 present and not voting, and 2 excused and not voting.

The Groene amendment, AM1706, lost with 11 ayes, 31 nays, 5 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment with 37 ayes, 9 nays, 1 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 226. ER133, found on page 1665, was adopted.

Advanced to Enrollment and Review for Engrossment.

MOTION - Return LB591A to Select File

Senator Bolz moved to return LB591A to Select File for the following specific amendment:

AM1709

1 1. Insert the following new sections:

2 Section 1. Section 69, Legislative Bill 657, One Hundred Fourth

3 Legislature, 2015, is amended to read:

4 Sec. 69. AGENCY NO. 16 — DEPARTMENT OF REVENUE

5 Program No. 108 - Homestead Exemption

6		FY2015-16	FY2016-17
7	GENERAL FUND	71,000,000	73,000,000
8	PROGRAM TOTAL	71,000,000	73,000,000
9	GENERAL FUND	71,000,000	71,315,000
10	PROGRAM TOTAL	71,000,000	71,315,000

11 There is included in the appropriation to this program for FY2015-16

12 \$71,000,000 General Funds for state aid, which shall only be used for

13 such purpose. There is included in the appropriation to this program for

14 FY2016-17 ~~\$73,000,000~~ \$71,315,000 General Funds for state aid, which

15 shall only be used for such purpose.

16 Sec. 4. Original section 69, Legislative Bill 657, One Hundred

17 Fourth Legislature, 2015, is repealed.

18 2. On page 2, line 9, strike "\$17,024" and insert "\$47,708".

19 3. Renumber the remaining sections accordingly.

The Bolz motion to return prevailed with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 591A. The Bolz specific amendment, AM1709, found in this day's Journal, was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 643. ER124, found on page 1555, was adopted.

Senator Garrett offered the following amendment:
AM1702 is available in the Bill Room.

Senator McCoy offered the following amendment to the Garrett amendment:
AM1711

(Amendments to Garrett amendments, AM1702)

1 1. On page 4, line 28, strike "requires" and insert "allows".

SENATOR KRIST PRESIDING

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 265. Placed on Final Reading Second.

ST53

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

1. In the Final Reading Copy, on page 1, lines 10 and 11, "to extend juvenile court jurisdiction to young adults as prescribed;" has been struck.

LEGISLATIVE BILL 265A. Placed on Final Reading Second.

LEGISLATIVE BILL 320A. Placed on Final Reading Third.

LEGISLATIVE BILL 500. Placed on Final Reading Second.

LEGISLATIVE BILL 500A. Placed on Final Reading Second.

(Signed) Matt Hansen, Chairperson

MOTION - Print in Journal

Senator McCoy filed the following motion to LB268:

MO127

Bracket until April 16, 2016.

AMENDMENT(S) - Print in Journal

Senator Nordquist filed the following amendment to LB623:

FA73

On page 1, strike beginning with "The" in line 7 through "215." in line 10.

Senator Nordquist filed the following amendment to LB623:

FA74

On page 1, strike the word "section" in line 3 through "of" in line 4.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 349. Introduced by Howard, 9; Krist, 10; Williams, 36.

WHEREAS, Duchesne Academy of the Sacred Heart in Omaha won the 2015 National High School Mock Trial Championship in Raleigh, North Carolina; and

WHEREAS, the goal of the National High School Mock Trial Championship is to promote an understanding and appreciation of the American judicial system through academic competitions; and

WHEREAS, forty-six teams were entered in the National High School Mock Trial Championship; and

WHEREAS, members of the Duchesne Academy mock trial team are Taylor Anderson, Claire Benedix, Ariana Haddad, Collette Hanusek, Molly Laughlin, Elizabeth Matthews, Divya Nimmagadda, Natalie Taylor, and the team's teacher coach, Adam Klepper.

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

1. That the Legislature congratulates Duchesne Academy of the Sacred Heart on winning the 2015 National High School Mock Trial Championship.

2. That a copy of this resolution be sent to Duchesne Academy of the Sacred Heart.

Laid over.

SELECT FILE

LEGISLATIVE BILL 643. The McCoy amendment, AM1711, found in this day's Journal, to the Garrett amendment, was renewed.

Senator Garrett moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Bloomfield moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 8 nays, and 12 not voting.

The McCoy amendment lost with 22 ayes, 9 nays, 14 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Garrett asked unanimous consent to withdraw his amendment, AM1702, found in this day's Journal, and replace it with the B. Harr substitute amendment, AM1722. No objections. So ordered. AM1722 is available in the Bill Room.

Senator McCoy offered the following amendment to the B. Harr amendment:

FA75

Amend AM1722

Page 23, line 28 Strike "gifts".

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 200. Placed on Final Reading.
LEGISLATIVE BILL 200A. Placed on Final Reading.
LEGISLATIVE BILL 226. Placed on Final Reading.
LEGISLATIVE BILL 231. Placed on Final Reading.
LEGISLATIVE BILL 361. Placed on Final Reading.
LEGISLATIVE BILL 390. Placed on Final Reading.
LEGISLATIVE BILL 390A. Placed on Final Reading.
LEGISLATIVE BILL 539. Placed on Final Reading.

LEGISLATIVE BILL 591. Placed on Final Reading.

ST45

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

1. On page 1, the matter beginning with "individuals" in line 1 through line 7 and all amendments thereto have been struck and "revenue and taxation; to amend sections 72-1239.01, 77-3504, and 84-618, Reissue Revised Statutes of Nebraska, and sections 68-1201, 77-2715.07, and 77-2716, Revised Statutes Cumulative Supplement, 2014; to define terms; to create the achieving a better life experience program; to provide powers and duties; to change provisions relating to federal tax credits; to provide for adjustments to taxable income; to redefine household income for purposes of the homestead exemption; to provide startup funding; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 591A. Placed on Final Reading.

ST54

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

1. In the Bolz amendment, AM1709, on page 1, lines 3 and 17, "First Session," has been inserted after the first comma.

2. On page 1, the matter beginning with "appropriate" in line 1 through line 3 has been struck and "amend section 69, Legislative Bill 657, One Hundred Fourth Legislature, First Session, 2015; to appropriate funds to aid in carrying out the provisions of Legislative Bill 591, One Hundred Fourth Legislature, First Session, 2015; to change an appropriation; to repeal the original section; and to declare an emergency." inserted.

LEGISLATIVE BILL 623. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

AMENDMENT(S) - Print in JournalSenator Larson filed the following amendment to LB619:

AM1654

(Amendments to Standing Committee amendments, AM115)

1 1. On page 3, line 15, strike "draw or"; and strike beginning with2 "a" in line 18 through "and" in line 20.3 2. On page 4, lines 4 and 5 and 12, strike "draw and".Senator Bloomfield filed the following amendment to LB176:

AM1636

1 1. On page 2, lines 6 and 9, strike "livestock" and insert "swine".Senator McCoy filed the following amendment to LB643:

AM1726

(Amendments to AM1722)

1 1. On page 25, line 20, after the period insert "No board member2 shall have a financial interest in a manufacturer or a compassion3 center".**RESOLUTION(S)**

LEGISLATIVE RESOLUTION 350. Introduced by Coash, 27; Baker, 30; Bloomfield, 17; Bolz, 29; Brasch, 16; Campbell, 25; Chambers, 11; Cook, 13; Craighead, 6; Crawford, 45; Davis, 43; Ebke, 32; Friesen, 34; Garrett, 3; Gloor, 35; Groene, 42; Haar, K., 21; Hadley, 37; Hansen, 26; Harr, B., 8; Hilkemann, 4; Howard, 9; Hughes, 44; Johnson, 23; Kintner, 2; Kolowski, 31; Kolterman, 24; Krist, 10; Kuehn, 38; Larson, 40; Lindstrom, 18; McCollister, 20; McCoy, 39; Mello, 5; Morfeld, 46; Murante, 49; Nordquist, 7; Pansing Brooks, 28; Riepe, 12; Scheer, 19; Schilz, 47; Schnoor, 15; Schumacher, 22; Seiler, 33; Smith, 14; Stinner, 48; Sullivan, 41; Watermeier, 1; Williams, 36.

WHEREAS, the staff of the Department of Correctional Services are committed and dedicated state employees who command respect and

admiration for their exemplary contribution and service on behalf of others; and

WHEREAS, correctional facility staff put their lives on the line to keep Nebraskans safe; and

WHEREAS, correctional facility staff perform a variety of duties to maintain public safety; and

WHEREAS, it is the sense of the Legislature that correctional facility staff should be recognized for their selfless acts of bravery and for putting themselves in harm's way every day; and

WHEREAS, it is the sense of the Legislature that these committed public servants who unselfishly dedicate their lives to working in a correctional facility are worthy of and due full praise for their commitment to making Nebraska safer.

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

1. The Legislature recognizes and honors correctional facility staff in Nebraska who demonstrate great courage and diligence in their work.

2. The Legislature recognizes correctional facility staff for their efforts to create a safer community and expresses its strong support for the state's correctional facility staff.

3. That a copy of this resolution be sent to Scott Frakes, director of the Department of Correctional Services.

Laid over.

VISITORS

Visitors to the Chamber were 13 members of the Dawson Area Development Association; 15 seventh- and eighth-grade students and teachers from St. Paul's Lutheran School, Norfolk; Former House Representative and State Senator, Doug Bereuter, from Cedar Bluffs; 80 fourth-grade students from York; 56 fourth-grade students and teachers from J. Sterling Morton Elementary, Omaha; 60 fourth-grade students and teachers from Calvert Elementary, Auburn; Senator K. Haar's brother and nephew, Dave and Tim Haar, from Omaha; Senator Hilkemann's wife, brother, and sister-in-law, Julie, Ron, and Donna Hilkeman, from Norfolk, Don Liedmann from Carroll, and Joyce Eucker from Norfolk; 12 fifth- and sixth-grade students and sponsors from Thedford; and 85 fourth-grade students and teachers from Jefferson Elementary, Omaha.

The Doctor of the Day was Dr. Aaron Lanik from Geneva.

ADJOURNMENT

At 8:58 p.m., on a motion by Senator Coash, the Legislature adjourned until 9:00 a.m., Wednesday, May 20, 2015.

Patrick J. O'Donnell
Clerk of the Legislature