

**NINTH DAY - JANUARY 20, 2015**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FOURTH LEGISLATURE**  
**FIRST SESSION**

**NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
 Tuesday, January 20, 2015

**PRAYER**

The prayer was offered by Senator Campbell.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 11:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator McCoy who was excused.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the eighth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB376	Executive Board
LB377	Agriculture
LB378	Urban Affairs
LB379	Education
LB380	Education
LB381	Appropriations
LB382	Education
LB383	Government, Military and Veterans Affairs
LB384	Revenue
LB385	Judiciary
LB386	Revenue
LB387	Appropriations
LB388	Business and Labor
LB389	Agriculture
LB390	Judiciary
LB391	Revenue

LB392 Education  
LB393 Agriculture  
LB394 Natural Resources  
LB395 Banking, Commerce and Insurance  
LB396 Revenue  
LB397 Appropriations  
LB398 Revenue  
LB399 Transportation and Telecommunications  
LB400 Government, Military and Veterans Affairs  
LB401 Education  
LB402 Education  
LB403 Government, Military and Veterans Affairs  
LB404 Natural Resources  
LB405 Health and Human Services  
LB406 Judiciary  
LB407 Natural Resources  
LB408 Revenue  
LB409 Judiciary  
LB410 Education  
LB411 Health and Human Services  
LB412 Natural Resources  
LB413 Natural Resources  
LB414 Revenue  
LB415 Judiciary  
LB416 Judiciary  
LB417 Appropriations  
LB418 Appropriations  
LB419 Revenue  
LB420 Urban Affairs  
LB421 Education  
LB422 Judiciary  
LB423 Revenue  
LB424 Revenue  
LB425 Judiciary  
LB426 Judiciary  
LB427 Government, Military and Veterans Affairs  
LB428 Revenue  
LB429 Business and Labor  
LB430 Appropriations

(Signed) Bob Krist, Chairperson  
Executive Board

**NOTICE OF COMMITTEE HEARING(S)**

Agriculture

Room 2102

Tuesday, January 27, 2015 1:30 p.m.

William Marshall III - Nebraska State Fair Board

(Signed) Jerry Johnson, Chairperson

Judiciary

Room 1113

Wednesday, January 28, 2015 1:30 p.m.

LB38

LB120

LB215

LB167

LB189

(Signed) Les Seiler, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, January 27, 2015 1:30 p.m.

LB122

LB275

LB94

(Signed) Jim Smith, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 431.** Introduced by Baker, 30.

A BILL FOR AN ACT relating to public lettings; to amend section 73-106, Reissue Revised Statutes of Nebraska; to change provisions relating to public school district construction; and to repeal the original section.

**LEGISLATIVE BILL 432.** Introduced by Baker, 30.

A BILL FOR AN ACT relating to public records; to amend section 84-712, Reissue Revised Statutes of Nebraska; to change provisions relating to access to and copying of public records; and to repeal the original section.

**LEGISLATIVE BILL 433.** Introduced by Baker, 30.

A BILL FOR AN ACT relating to motor vehicles; to amend section 28-101, Revised Statutes Cumulative Supplement, 2014; to establish the offense of false presentation of proof of liability insurance; to provide penalties; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 434.** Introduced by Cook, 13.

A BILL FOR AN ACT relating to personal property; to amend sections 69-401, 69-407, 69-408, and 69-409, Revised Statutes Cumulative Supplement, 2014; to require law enforcement agencies to use theft notification web sites as prescribed; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 435.** Introduced by Cook, 13.

A BILL FOR AN ACT relating to education; to adopt the Time to Teach and Time to Learn Act; and to provide operative dates.

**LEGISLATIVE BILL 436.** Introduced by Cook, 13.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate funds for pediatric oral health services.

**LEGISLATIVE BILL 437.** Introduced by Ebke, 32.

A BILL FOR AN ACT relating to the Parenting Act; to amend section 43-2921, Reissue Revised Statutes of Nebraska, and sections 43-2923 and 43-2929, Revised Statutes Cumulative Supplement, 2014; to provide for legislative findings; to codify provisions relating to best interests of the child; to change provisions relating to parenting plans created by the court; and to repeal the original sections.

**LEGISLATIVE BILL 438.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Revised Statutes Cumulative Supplement, 2014; to change the distribution of sales and use tax revenue; to create a fund; to provide funding for schools; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 439.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-181, Reissue Revised Statutes of Nebraska, and section 53-180.05, Revised Statutes Cumulative Supplement, 2014; to change penalty provisions for certain violations relating to or committed by minors or persons who are mentally incompetent; and to repeal the original sections.

**LEGISLATIVE BILL 440.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2014; to provide for a study of rates for care provided by an Alzheimer's special care unit as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 441.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to state wards; to amend sections 43-284.02, 43-285, 43-905, 43-1312.01, 43-4501, 43-4503, 43-4504, 43-4505, 43-4506, 43-4508, 43-4511, 43-4512, 43-4513, 43-4514, and 71-824, Revised Statutes Cumulative Supplement, 2014; to require juvenile court to hold an independence hearing; to provide for health care and medical assistance as prescribed; to redefine bridge to independence program; to provide for kinship guardian assistance agreements and extended adoption assistance agreements as prescribed; to provide duties for the Department of Health and Human Services; to require certain documents and proceedings to be confidential; to provide duties for the Nebraska Children's Commission; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 442.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate additional funds to the Property Tax Credit Cash Fund.

**LEGISLATIVE BILL 443.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Special Education Act; to amend section 79-1125.01, Reissue Revised Statutes of Nebraska; to redefine the term support services; and to repeal the original section.

**LEGISLATIVE BILL 444.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003, 79-1005.01, 79-1008.01, and 79-1017.01, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to a minimum levy adjustment; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-1008.02, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 445.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2117.01, Reissue Revised Statutes of Nebraska; to authorize the Department of Revenue to audit redevelopment plans involving tax-increment financing; to change provisions relating to reporting; and to repeal the original section.

**LEGISLATIVE BILL 446.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to school employees retirement; to amend sections 79-902, 79-934, 79-978, and 79-9,100, Reissue Revised Statutes of Nebraska; to redefine compensation; to change provisions relating to calculation of final compensation for purposes of formula annuities; and to repeal the original sections.

**LEGISLATIVE BILL 447.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Act; to amend sections 79-978, 79-980, 79-981, 79-982, 79-983, 79-984, 79-985, 79-986, 79-987, 79-989, 79-990, 79-991, 79-992, 79-996, 79-998, 79-9,102, 79-9,103, 79-9,105, 79-9,107, 79-9,108, 79-9,109, 79-9,111, 79-9,113, 79-9,115, and 79-9,117, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change membership of the board of trustees; to change provisions relating to administration of the retirement system and the services and benefits provided by the system; to provide a penalty; to provide immunity from liability; to harmonize provisions; and to repeal the original sections.

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

A BILL FOR AN ACT relating to school employees retirement; to amend sections 79-901, 79-902, 79-910, 79-916, 79-918, 79-942, 79-978, 79-979, and 79-988, Reissue Revised Statutes of Nebraska; to make Class V school employees members of the School Employees Retirement Act; to end current and new employee participation in the Class V retirement system; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 449.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend sections 81-12,162 and 81-12,163, Reissue Revised Statutes of Nebraska; to change provisions relating to microloans and funding; to harmonize provisions; to repeal the original sections; to provide an operative date; and to declare an emergency.

**LEGISLATIVE BILL 450.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to tourism; to amend sections 81-3701, 81-3711, and 81-3714, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Tourism Commission; to authorize grants; to change provisions relating to use of funds; to create a fund; to state intent; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 451.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to insurance; to amend sections 44-6410 and 44-6411, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to stacking of coverage; and to repeal the original sections.

**LEGISLATIVE BILL 452.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-124, Reissue Revised Statutes of Nebraska, and section 38-178, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to advertisement by credential holders; to provide for disciplinary action; and to repeal the original sections.

**LEGISLATIVE BILL 453.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-395, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to motor vehicle fees and taxes; and to repeal the original section.

**LEGISLATIVE BILL 454.** Introduced by Garrett, 3; Craighead, 6; Schnoor, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the taxation of military retirement benefits; and to repeal the original section.

**LEGISLATIVE BILL 455.** Introduced by Gloor, 35; Crawford, 45.

A BILL FOR AN ACT relating to cities of the first class; to amend section

16-222.02, Reissue Revised Statutes of Nebraska; to change provisions relating to employment of a full-time fire chief; and to repeal the original section.

**LEGISLATIVE BILL 456.** Introduced by Gloor, 35; Groene, 42; Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Exchange Transparency Act; to amend section 44-8704, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to meetings of a commission; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 457.** Introduced by Gloor, 35; Scheer, 19.

A BILL FOR AN ACT relating to economic development; to amend sections 81-1213, 81-12,146, and 81-12,147, Reissue Revised Statutes of Nebraska, and section 58-708, Revised Statutes Cumulative Supplement, 2014; to terminate a fund; to change the Site and Building Development Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 458.** Introduced by Kolterman, 24; Howard, 9.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3903, 44-3910, 44-4047, and 44-4052, Reissue Revised Statutes of Nebraska; to authorize limited lines travel insurance producer licenses; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 459.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1917, Revised Statutes Cumulative Supplement, 2014; to provide for depositions of a child victim or child witness; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 460.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-117.07, 53-125, and 53-130, Reissue Revised Statutes of Nebraska, and sections 53-101, 53-103, 53-117, 53-123, 53-124, and 53-124.01, Revised Statutes Cumulative Supplement, 2014; to provide for licensure for charter bus services, limousine services, and pedal-pub vehicles; to define a term; to provide for procedures and fees; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 461.** Introduced by Pansing Brooks, 28; Davis, 43.

A BILL FOR AN ACT relating to the Nebraska Tree Recovery Program; to amend section 72-1902, Reissue Revised Statutes of Nebraska; to change legislative intent relating to appropriations; and to repeal the original



section.

**LEGISLATIVE BILL 462.** Introduced by Seiler, 33; Kuehn, 38.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-14,101.02, 49-14,101.03, and 49-14,114, Reissue Revised Statutes of Nebraska; to define a term; to change restrictions on campaigning by certain public officials and public employees; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 463.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to fiduciaries; to adopt the Technology Information Management Act; and to provide severability.

**LEGISLATIVE BILL 464.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to liens; to amend sections 52-1307, 52-1312, and 52-1317, Reissue Revised Statutes of Nebraska; to change provisions relating to information provided on effective financing statements as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 465.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to notaries public; to adopt the Electronic Notary Public Act.

**LEGISLATIVE BILL 466.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,144, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to deductions of municipal sales and use tax refunds; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 467.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend sections 81-2014.01, 81-2017, 81-2026, 81-2027.08, and 81-2041, Reissue Revised Statutes of Nebraska; to redefine a term; to change benefit calculation and adjustment; to eliminate certain state contributions as prescribed; to change DROP requirements; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 468.** Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend sections 24-701, 24-701.01, 24-703, and 24-710.13, Revised Statutes Cumulative Supplement, 2014; to redefine a term; to change cost-of-living adjustments for judges as prescribed; to change provisions relating to

contributions by judges; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 469.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to the environment; to define terms; and to provide powers and duties to the Department of Environmental Quality relating to the development of a state plan for regulating carbon dioxide emissions.

**LEGISLATIVE BILL 470.** Introduced by Hansen, 26.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to provide an income tax credit for caregivers as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 471.** Introduced by Howard, 9; Lindstrom, 18; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to health and human services; to amend sections 71-2454, 71-2455, and 71-2456, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to prescription drug monitoring; to state intent relating to appropriations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 472.** Introduced by Campbell, 25; Crawford, 45; Howard, 9; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to medical assistance; to amend sections 44-4225, 68-901, 68-906, 68-908, and 68-909, Revised Statutes Cumulative Supplement, 2014; to adopt the Medicaid Redesign Act; to change provisions relating to the Comprehensive Health Insurance Pool Distributive Fund; to create a fund; to adopt by reference changes to federal law; to eliminate the Medicaid Reform Council and obsolete provisions; to harmonize provisions; to provide severability; to repeal the original sections; to outright repeal sections 68-948 and 68-949, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 473.** Introduced by Chambers, 11.

A BILL FOR AN ACT relating to eminent domain; to amend sections 57-1101 and 57-1408, Revised Statutes Cumulative Supplement, 2014; to eliminate the power of eminent domain for certain pipelines; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 474.** Introduced by Chambers, 11.

A BILL FOR AN ACT relating to motor vehicles; to amend sections

37-201, 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2014; to provide for Mountain Lion Protection Plates; to create the Game and Parks Commission Educational Fund and provide for its use; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 475.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1012, Reissue Revised Statutes of Nebraska; to change a provision relating to the construction or acquisition of certain electric generation facilities; and to repeal the original section.

**LEGISLATIVE BILL 476.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to provide duties for county assessors and the Property Tax Administrator relating to tax-exempt real property.

**LEGISLATIVE BILL 477.** Introduced by Davis, 43.

A BILL FOR AN ACT relating to schools; to amend section 79-499, Reissue Revised Statutes of Nebraska; to change provisions relating to a district maintaining the only public high school in a county as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 478.** Introduced by Baker, 30.

A BILL FOR AN ACT relating to educational service units; to amend section 79-1223, Reissue Revised Statutes of Nebraska; to provide for bonding; and to repeal the original section.

**LEGISLATIVE BILL 479.** Introduced by Bloomfield, 17; Brasch, 16; Coash, 27; Crawford, 45; Davis, 43; Garrett, 3; Groene, 42; Kintner, 2; Krist, 10; Morfeld, 46; Schnoor, 15.

A BILL FOR AN ACT relating to veterans; to amend section 80-201, Reissue Revised Statutes of Nebraska; to change provisions relating to memorials of veterans; and to repeal the original section.

**LEGISLATIVE BILL 480.** Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-119, Reissue Revised Statutes of Nebraska; to change provisions relating to computing compensation; and to repeal the original section.

**LEGISLATIVE BILL 481.** Introduced by Kintner, 2; Craighead, 6; Ebke, 32; Garrett, 3; Lindstrom, 18; Murante, 49; Scheer, 19; Schnoor, 15.

A BILL FOR AN ACT relating to learning communities; to amend section 79-2102, Reissue Revised Statutes of Nebraska, and section 32-546.01, Revised Statutes Cumulative Supplement, 2014; to permit school districts to opt out of a learning community as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 482.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to juveniles; to amend section 43-252, Reissue Revised Statutes of Nebraska, and sections 43-251.01, 43-276, and 43-2,129, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to placements, commitments, fingerprints, and petitions; to provide for assistance for certain juveniles; to prohibit the use of instruments of restraint as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 483.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 83-1,105.01, Reissue Revised Statutes of Nebraska, and section 29-2204, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to indeterminate sentencing; and to repeal the original sections.

**LEGISLATIVE BILL 484.** Introduced by Nordquist, 7; Garrett, 3; Smith, 14.

A BILL FOR AN ACT relating to county employees retirement; to amend section 23-2308, Reissue Revised Statutes of Nebraska, and section 23-2307, Revised Statutes Cumulative Supplement, 2014; to change employee and county contribution rates as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 485.** Introduced by Stinner, 48; Bolz, 29; Davis, 43; Harr, B., 8; Hilkemann, 4; Howard, 9; Nordquist, 7.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Department of Health and Human Services for child welfare; and to declare an emergency.

**LEGISLATIVE BILL 486.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-123.14, Revised Statutes Cumulative Supplement, 2014; to provide for a limited bottling endorsement; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 487.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Reissue Revised Statutes of Nebraska; to change the duties of the Auditor of Public Accounts as prescribed; to define a term; and to repeal the original section.

**LEGISLATIVE BILL 488.** Introduced by Scheer, 19.

A BILL FOR AN ACT relating to insurance; to adopt the Transportation Network Insurance Act.

**LEGISLATIVE BILL 489.** Introduced by Sullivan, 41; Brasch, 16; Campbell, 25; Cook, 13; Johnson, 23; Kolowski, 31; Pansing Brooks, 28; Scheer, 19; Stinner, 48.

A BILL FOR AN ACT relating to early childhood education; to amend section 79-1104.02, Reissue Revised Statutes of Nebraska; to provide requirements for grant recipients as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 490.** Introduced by Watermeier, 1; Craighead, 6.

A BILL FOR AN ACT relating to medical care; to adopt the Provider Orders for Life-Sustaining Treatment Act.

**LEGISLATIVE BILL 491.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to elections; to amend sections 32-107, 32-108, 32-114, 32-115, 32-221, 32-302, 32-306, 32-307, 32-311.01, 32-314, 32-807, 32-813, 32-901, 32-904, 32-906, 32-907, 32-910, 32-912, 32-913, 32-914, 32-916, 32-917, 32-918, 32-919, 32-920, 32-921, 32-922, 32-923, 32-925, 32-927, 32-929, 32-938, 32-940, 32-945, 32-952, 32-1001, 32-1041, 32-1302, 32-1307, 32-1403, 32-1502, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519, 32-1528, 32-1530, 32-1531, and 32-1532, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-308, 32-310, 32-311, 32-321, 32-325, 32-816, 32-902, 32-915, 32-933, 32-941, and 32-1002, Revised Statutes Cumulative Supplement, 2014; to provide for an election day voter registration pilot project as prescribed; to create a task force; to change provisions relating to registration, voting, and penalty provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 492.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to register of deeds document recording fees; to amend sections 25-2154, 33-109, 52-1004, and 77-3903, Revised Statutes Cumulative Supplement, 2014; to allow additional uses of fees charged by the register of deeds office for preservation and maintenance of records; to harmonize provisions; to change fees; and to repeal the original

sections.

**LEGISLATIVE BILL 493.** Introduced by Nordquist, 7; Crawford, 45; Haar, K., 21; Hansen, 26; Howard, 9; Kolowski, 31; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to labor; to adopt the Healthy and Safe Families and Workplaces Act; and to provide severability.

**LEGISLATIVE BILL 494.** Introduced by Nordquist, 7; Crawford, 45; Haar, K., 21; Hansen, 26; Howard, 9; Kolowski, 31; Mello, 5; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to labor; to amend section 48-1205, Reissue Revised Statutes of Nebraska, and section 48-1203, Reissue Revised Statutes of Nebraska, as amended by section 1, Initiative Law 2014, No. 425; to change the minimum wage for persons compensated by way of gratuities; to provide duties for the Commissioner of Labor; and to repeal the original sections.

**LEGISLATIVE BILL 495.** Introduced by Pansing Brooks, 28; Campbell, 25; Crawford, 45; Davis, 43; Hansen, 26; Howard, 9; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2014; to increase the earned income tax credit; and to repeal the original section.

**LEGISLATIVE BILL 496.** Introduced by Kuehn, 38; Watermeier, 1; Williams, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Board of Regents for the Yeutter Institute for International Trade and Finance.

#### **MOTION - Print in Journal**

Senator Davis filed the following motion to LB201:

MO3

Withdraw bill.

**NOTICE OF COMMITTEE HEARING(S)**

Education

Room 1525

Tuesday, January 27, 2015 1:30 p.m.

John Bernthal - Coordinating Commission for Postsecondary Education

LB303

LB371

LB49

(Signed) Kate Sullivan, Chairperson

**EXECUTIVE BOARD REPORT**

Senator Krist, Chairperson of the Executive Board, reported the appointments of the following members of the Legislature to the following special committees:

Building Maintenance

Senator Hughes (Chairperson)

Senator Craighead

Senator Kolterman

Senator Mello

Senator Stinner

Senator Watermeier

Education Commission of the States

Senator Baker

Senator Scheer

Senator Sullivan

Homeland Security Policy Group

Senator Craighead

Senator Kuehn

Interstate Compact for Adult Offender Supervision

Senator Bolz

Legislative Performance Audit

Speaker Hadley

Senator Krist

Senator Kuehn

Senator Larson

Senator Mello

Senator Scheer

Senator Watermeier

Legislature's Planning

Senator Campbell  
Senator Gloor  
Speaker Hadley  
Senator Howard  
Senator Krist  
Senator Mello  
Senator Riepe  
Senator Schilz  
Senator Schumacher

Midwest Interstate Passenger Rail Compact

Senator Harr, B.  
Senator Lindstrom

Midwestern Higher Education Compact Commission (Midwest Compact)

Senator Crawford  
Senator Sullivan

Nebraska Information Technology Commission

Senator Friesen

State Council for Interstate Juvenile Supervision

Senator Coash

State-Tribal Relations

Senator Lindstrom (Chairperson)  
Senator Brasch (Vice Chairperson)  
Senator Bloomfield  
Senator Crawford  
Senator Coash  
Senator Davis  
Senator Scheer

Streamlined Sales and Use Tax System

Senator Gloor  
Senator Harr, B.

(Signed) Bob Krist, Chairperson  
Legislative Council, Executive Board

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 28.** Introduced by Friesen, 34.

WHEREAS, Nicholas Weber, a member of Troop 28 from Aurora, 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. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Nicholas 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, Nicholas removed the existing landscape and installed new landscaping around the Farr Building at the Hamilton County Fairgrounds in Aurora; and

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

WHEREAS, Nicholas, 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 Nicholas Weber on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Nicholas Weber.

Laid over.

**LEGISLATIVE RESOLUTION 29.** Introduced by Friesen, 34.

WHEREAS, Trevor Alber, a member of Troop 28 from Aurora, 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. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Trevor 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, Trevor built new support structures for the rabbit and poultry cages for the Hamilton County Fairgrounds in Aurora; and

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

WHEREAS, Trevor, 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 Trevor Alber on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Trevor Alber.

Laid over.

**LEGISLATIVE RESOLUTION 30.** Introduced by Friesen, 34.

WHEREAS, Blake Vaught, a member of Troop 28 from Aurora, 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. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Blake 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, Blake built five new planters with benches for the Hamilton County Fairgrounds in Aurora; and

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

WHEREAS, Blake, 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 Blake Vaught on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Blake Vaught.

Laid over.

**LEGISLATIVE RESOLUTION 31CA.** Introduced by Bloomfield, 17; Brasch, 16; Coash, 27; Groene, 42; Kintner, 2; Krist, 10; Morfeld, 46.

THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2016, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 12:

III-12 (4) No person shall be eligible to serve as a member of the Legislature for four years next after the expiration of two consecutive full terms regardless of the district represented.

~~(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.~~

~~(3) For the purpose of this section, service in office for more than one half of a term shall be deemed service for a term.~~

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the limit on terms of members of the Legislature to two consecutive full terms.

For

Against.

**LEGISLATIVE RESOLUTION 32.** Introduced by Krist, 10.

WHEREAS, the One Hundredth Legislature, Second Session, 2008, adopted Legislative Resolution 283 to establish the Developmental Disabilities Special Investigative Committee of the Legislature. The committee was then reauthorized by the One Hundred First Legislature, First Session, 2009, in Legislative Resolution 11, by the One Hundred Second Legislature, First Session, 2011, in Legislative Resolution 47, by the One Hundred Second Legislature, Second Session, 2012, in Legislative Resolution 365, and by the One Hundred Third Legislature, First Session, 2013, in Legislative Resolution 20. The committee was authorized to study the quality of care and related staffing issues at the Beatrice State Developmental Center, investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, and determine how and why such services to the developmentally disabled were permitted to decline to the level documented in the United States Department of Justice report.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the Developmental Disabilities Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the executive board. The executive board shall appoint the chairperson and vice-chairperson of the committee. The executive board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board is also

authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.

2. The Developmental Disabilities Special Investigative Committee of the Legislature shall provide oversight to ensure that the terms of the United States Department of Justice Consent Decree and the recommendations from the Report of the Developmental Disabilities Special Investigative Committee dated December 15, 2008, are implemented in a timely fashion.

3. The Developmental Disabilities Special Investigative Committee of the Legislature is hereby authorized to continue to study the quality of care and related staffing issues at the Beatrice State Developmental Center. The committee shall also continue to investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, including the determination of whether adequate funding and capacity exists for persons to be served in the community, options for service provisions for current residents of the Beatrice State Developmental Center at other twenty-four-hour care facilities in the state, and the staffing practices at twenty-four-hour care facilities and the relationship of those practices to the quality of care provided to the developmentally disabled. The committee shall also review the processes of how the Division of Developmental Disabilities of the Department of Health and Human Services determines eligibility for services for individuals who are in need of services, as well as the processes utilized by the division to determine when individuals who have received services by the division are no longer eligible for such services.

4. The Developmental Disabilities Special Investigative Committee of the Legislature shall issue a report with its findings as the circumstances warrant.

5. The Developmental Disabilities Special Investigative Committee of the Legislature is hereby authorized to continue its work until the beginning of the One Hundred Fifth Legislature, First Session.

Laid over.

**LEGISLATIVE RESOLUTION 33.** Introduced by Krist, 10.

WHEREAS, in 2008, the Department of Health and Human Services (DHHS) began to develop the ACCESSNebraska system. ACCESSNebraska is a system that is intended to efficiently determine public assistance eligibility and provide service delivery. Since the implementation of this system, the Legislature has conducted several hearings on bills and resolutions related to ACCESSNebraska. In these hearings, the realities and problems faced by clients navigating the ACCESSNebraska system were revealed, including long call wait times, lost documentation, erroneous public assistance decisions, and a general difficulty for clients to get the assistance they needed in a timely manner; and

WHEREAS, the One Hundred Third Legislature, Second Session, adopted Legislative Resolution 400, which created the ACCESSNebraska Special

Investigative Committee of the Legislature to study the ACCESSNebraska system; and

WHEREAS, on December 15, 2014, the committee issued a report and recommendations related to ACCESSNebraska. The committee found the ACCESSNebraska system has been and continues to be plagued with problems. The committee also found ACCESSNebraska front-line workers have not been given the proper tools to complete daunting work loads; and

WHEREAS, the committee recommended among other things that the ACCESSNebraska Special Investigative Committee be continued to provide ongoing oversight for the ACCESSNebraska system.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the ACCESSNebraska Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the Executive Board. The committee shall elect a chairperson and vice-chairperson from the membership of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.

2. The ACCESSNebraska Special Investigative Committee of the Legislature is hereby authorized to study the adequacy of staffing and training of DHHS employees working within the ACCESSNebraska system, including the number of employees for local offices, the number of employees for call centers and document imaging centers, the type and amount of training received, the education levels and years of experience of employees, client access to employees, and the need for and availability of dedicated caseworkers for clients. The scope of the committee's investigation shall include, but not be limited to, the adequacy of technology used within the ACCESSNebraska system, including telephone systems, computer software, case management, information technology, and use of and access to databases to allow for data matching. The committee shall also investigate the effectiveness of processes and structures used by the ACCESSNebraska system, including system design, management structure, and system goals. The committee shall also investigate the need for new or additional data collection to determine system effectiveness. The committee shall analyze the experiences of clients and their family members and examine customer service experience, access to benefits, and responses to changing family needs. The committee shall utilize existing studies and reports and legislation developed to address the current conditions. The committee shall not be limited to such studies, reports, or legislation. The committee shall issue a report with its findings and recommendations to the

Legislature no later than December 15, 2015. The report to the Legislature shall be submitted electronically.

Laid over.

**LEGISLATIVE RESOLUTION 34.** Introduced by Krist, 10.

WHEREAS, the Department of Correctional Services Special Investigative Committee of the Legislature was created in LR424, One Hundred Third Legislature, Second Session; and

WHEREAS, the committee, having completed its work and issued its report on December 15, 2014, discovered additional problems within the Department of Correctional Services during the course of its LR424 study; and

WHEREAS, the Legislature believes that further study and oversight of the department is necessary in order to prevent additional mistakes and to correct inadequate department procedures and policies.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and reappoint the Department of Correctional Services Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the Executive Board. The committee shall elect a chairperson and vice-chairperson from the membership of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The Executive Board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as deemed necessary by the committee.

2. That the Department of Correctional Services Special Investigative Committee of the Legislature is hereby authorized to study the following with respect to the Department of Correctional Services:

- (a) The adequacy of programs designed to rehabilitate inmates;
- (b) The funding history of programs designed to rehabilitate inmates;
- (c) The availability of mental health care and the policies and procedures in place to ensure that inmates receive appropriate mental health care or confinement through the civil commitment process;
- (d) The policies relating to the solitary confinement, segregation, or other isolation of inmates;
- (e) The transition of inmates from incarceration to the community at large;
- (f) The administration of good time laws;
- (g) Any evaluation or study made of the department's policies and practices, whether or not any recommendations were adopted as a result of the evaluation or study, and the reasons if any recommendations were not adopted; and

(h) Whether or not an office of Inspector General of the Nebraska Correctional System should be created for oversight of the department.

3. That the committee shall issue a report with its findings and recommendations to the Legislature no later than December 15, 2015.

Laid over.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Garrett - LB222, LB278, and LR23

Pansing Brooks - LB423, LB424, and LB407

**VISITOR**

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

**ADJOURNMENT**

At 12:08 p.m., on a motion by Senator Schilz, the Legislature adjourned until 10:00 a.m., Wednesday, January 21, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature

