

TENTH DAY - JANUARY 20, 2016
LEGISLATIVE JOURNAL
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

TENTH DAY

Legislative Chamber, Lincoln, Nebraska
 Wednesday, January 20, 2016

PRAYER

The prayer was offered by Senator Watermeier.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator McCoy who was excused; and Senators Hansen, Mello, Morfeld, Schilz, and Schumacher who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 676. Placed on General File.
LEGISLATIVE BILL 759. Placed on General File.
LEGISLATIVE BILL 760. Placed on General File.
LEGISLATIVE BILL 761. Placed on General File.
LEGISLATIVE BILL 771. Placed on General File.

(Signed) Jim Scheer, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB913	Revenue (rereferred)
LB945	Agriculture (rereferred)
LB990	Judiciary
LB991	Judiciary

LB992 Government, Military and Veterans Affairs
 LB993 Government, Military and Veterans Affairs
 LB994 Transportation and Telecommunications
 LB995 Revenue
 LB996 Transportation and Telecommunications
 LB997 Government, Military and Veterans Affairs
 LB998 Health and Human Services
 LB999 Government, Military and Veterans Affairs
 LB1000 Judiciary
 LB1001 Business and Labor
 LB1002 Education
 LB1003 Transportation and Telecommunications
 LB1004 Education
 LB1005 Business and Labor
 LB1006 Appropriations
 LB1007 Judiciary
 LB1008 Judiciary
 LB1009 Judiciary
 LB1010 Judiciary
 LB1012 Urban Affairs
 LB1013 Revenue
 LR413 Executive Board

(Signed) Bob Krist, Chairperson
Executive Board

ANNOUNCEMENT(S)

Senator Brasch designates LB960 as her priority bill.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 416. Introduced by Coash, 27.

WHEREAS, Milan "Babe" Knezovich passed away on January 9, 2016;
and

WHEREAS, Babe was born in Hibbing, Minnesota, on April 17, 1934. He served in the United States Navy and graduated from the University of Minnesota Duluth in 1952; and

WHEREAS, Babe met his wife, Doni, in Arizona and they were married in June of 1957. The couple then moved to Omaha where Babe started K & Z Distributing; and

WHEREAS, Babe was involved in many civic organizations including Shriners International, the Benevolent and Protective Order of Elks, the American Legion, the Freemasons, and several churches; and

WHEREAS, Babe was a proud and devoted parent and grandparent. He, along with his wife Doni, instilled family devotion, a love of church, and a strong work ethic.

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

1. That the Legislature extends its deep sympathy to the family of Milan "Babe" Knezovich.
2. That a copy of this resolution be sent to the family of Milan "Babe" Knezovich.

Laid over.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR404 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR404.

SELECT FILE

LEGISLATIVE BILL 18. Senator Groene renewed his amendment, AM143, found on page 477 and considered on page 510, First Session, 2015, and on page 333.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1039. Introduced by Coash, 27.

A BILL FOR AN ACT relating to developmental disabilities; to amend sections 83-381, 83-1201, and 83-1205, Reissue Revised Statutes of Nebraska, and section 71-1108.01, Revised Statutes Cumulative Supplement, 2014; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1040. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to travel agencies and agents; to adopt the Travel Agency Registration Act.

LEGISLATIVE BILL 1041. Introduced by Cook, 13.

A BILL FOR AN ACT relating to the Property and Casualty Insurance Rate and Form Act; to amend section 44-7508, Reissue Revised Statutes of Nebraska; to provide for disapproval of certain rate filings if they use price

optimization; and to repeal the original section.

LEGISLATIVE BILL 1042. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to tax-increment financing; to amend sections 18-2116 and 79-1016, Reissue Revised Statutes of Nebraska; to change Community Development Law provisions relating to approval of redevelopment plans involving tax-increment financing; to change provisions under the Tax Equity and Educational Opportunities Support Act relating to the taxable value certified by county assessors; and to repeal the original sections.

LEGISLATIVE BILL 1043. Introduced by Howard, 9.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-401 and 71-403, Revised Statutes Supplement, 2015; to create a program and an advisory council regarding palliative care; to provide powers and duties; to provide assistance regarding palliative care for health care facilities and services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1044. Introduced by Ebke, 32; Groene, 42.

A BILL FOR AN ACT relating to the Commission of Industrial Relations; to amend section 48-803, Reissue Revised Statutes of Nebraska; to terminate the commission; and to repeal the original section.

LEGISLATIVE BILL 1045. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to contractors; to define terms; to provide for treatment of certain contractors as independent contractors; and to provide severability.

LEGISLATIVE BILL 1046. Introduced by Ebke, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-103.18, 53-125, and 53-131.01, Reissue Revised Statutes of Nebraska; to change a requirement for eligibility to obtain a license; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1047. Introduced by Harr, B., 8; Johnson, 23; Watermeier, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.13, Revised Statutes Cumulative Supplement, 2014; to change sales tax exemption provisions relating to certain purchases of energy and fuels; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1048. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2014, and section 77-2715.07, Revised Statutes Supplement, 2015; to adopt the Nebraska Agriculture and Manufacturing Jobs Act; to provide tax credits as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1049. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1003, Revised Statutes Supplement, 2015; to provide for aid to virtual schools; to define and redefine terms; and to repeal the original section.

LEGISLATIVE BILL 1050. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to partnerships; to amend section 67-401, Reissue Revised Statutes of Nebraska; to authorize the conversion of domestic partnerships and domestic limited liability partnerships into domestic limited liability companies or foreign limited liability companies as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1051. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend section 77-5715, Revised Statutes Cumulative Supplement, 2014; to redefine qualified business; and to repeal the original section.

LEGISLATIVE BILL 1052. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to children; to amend sections 79-1007.13 and 79-1119, Reissue Revised Statutes of Nebraska, sections 43-2511 and 43-2515, Revised Statutes Cumulative Supplement, 2014, and section 79-1018.01, Revised Statutes Supplement, 2015; to state intent relating to grants for the Nebraska Whole Child Project; to change provisions relating to medicaid in public schools and local system formula resources; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1053. Introduced by Harr, 8.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Department of Education.

LEGISLATIVE BILL 1054. Introduced by Hilkemann, 4; Krist, 10.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-4109, Reissue Revised Statutes of Nebraska, and sections 29-4103 and

29-4106, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the DNA Identification Information Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1055. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to grand juries; to amend sections 29-1404, 29-1406, 29-1407.01, 29-1411, and 29-1420, Reissue Revised Statutes of Nebraska, and section 29-1401, Revised Statutes Cumulative Supplement, 2014; to open grand jury proceedings to the public and change other grand jury procedures as prescribed; to repeal the original sections; and to outright repeal section 29-1415, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1056. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Patient Choice at End of Life Act; to provide penalties; and to provide severability.

LEGISLATIVE BILL 1057. Introduced by Murante, 49.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1446.01, Reissue Revised Statutes of Nebraska, and sections 49-1459 and 49-14,126, Revised Statutes Cumulative Supplement, 2014; to prohibit candidate committees from making loans of money; to change provisions relating to campaign statements; to change the amount authorized for civil penalties; to authorize an order of restitution; and to repeal the original sections.

LEGISLATIVE BILL 1058. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1419 and 28-1427, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to enforcement of certain tobacco restriction provisions; and to repeal the original sections.

LEGISLATIVE BILL 1059. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to municipalities; to amend sections 18-2119 and 18-2701, Reissue Revised Statutes of Nebraska; to require certain disclosures under the Community Development Law and the Local Option Municipal Economic Development Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1060. Introduced by Fox, 7; Brasch, 16; Campbell, 25; Davis, 43; Groene, 42; Kintner, 2; Kolterman, 24.

A BILL FOR AN ACT relating to pharmacy; to adopt the Pharmacy Benefit Fairness and Transparency Act.

LEGISLATIVE BILL 1061. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to surgical technologists; to amend section 38-2025, Reissue Revised Statutes of Nebraska; to adopt the Surgical Technologist Registry Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1062. Introduced by Krist, 10.

A BILL FOR AN ACT relating to schools; to amend section 79-801, Reissue Revised Statutes of Nebraska; to change provisions relating to certificates to administer; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1063. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to state aid to schools; to amend sections 79-1005.01, 79-1007.18, 79-1008.02, 79-1009, and 79-1022, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 79-1003, Revised Statutes Supplement, 2015; to provide duties for the Property Tax Administrator; to provide for student support aid and a student support aid reduction to a maximum levy; to redefine a term; to change provisions relating to allocated income tax funds, an averaging adjustment, a minimum levy adjustment, net option funding, and certification of state aid; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1064. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend sections 79-238, 79-2,125, 79-2,126, 79-2,127, 79-2,127.01, and 79-2,134, Reissue Revised Statutes of Nebraska; to provide and change provisions relating to student transportation costs, the option enrollment program, and student fee authorization; to provide for loss of accreditation as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1065. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to schools; to amend sections 79-1003, 79-10,143, 79-2110, and 79-2120, Revised Statutes Supplement, 2015; to change provisions relating to the community eligibility provision; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1066. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend sections 79-234, 79-237, 79-238, 79-576, 79-607, 79-734, 79-760.03, 79-772, 79-773, 79-774, 79-775, 79-1005.01, 79-1031, and 79-1065.01, Reissue Revised Statutes of Nebraska, section 71-1958, Revised Statutes Cumulative

Supplement, 2014, and sections 79-8,137.01, 79-8,137.03, 79-8,137.04, 79-1003, and 79-1028.01, Revised Statutes Supplement, 2015; to change provisions relating to the enrollment option program, the textbook loan program, state assessments, student loan repayment assistance, and the Tax Equity and Educational Opportunities Support Act; to rename an act; to eliminate support grants for consolidation, a fund, and obsolete provisions relating to the American Recovery and Reinvestment Act percentage; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-1011, 79-1012, 79-1028.02, and 79-1028.04, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1067. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to learning communities; to amend sections 79-233, 79-234, 79-235, 79-237, 79-238, 79-241, 79-245, 79-4,119, 79-4,121, 79-4,122, 79-4,123, 79-4,124, 79-4,125, 79-4,126, 79-4,128, 79-528, 79-611, 79-1007.13, 79-1007.18, 79-1008.02, 79-1009, 79-1022, 79-1024, 79-1033, 79-1036, 79-1041, 79-1073, 79-1075, 79-1083, 79-1084, 79-1086, 79-10,120, 79-10,126, 79-10,126.01, 79-1140, 79-11,155, 79-1241.03, 79-1245, 79-2104, 79-2104.01, 79-2104.02, 79-2104.03, 79-2111, and 79-2117, Reissue Revised Statutes of Nebraska, sections 13-508, 32-546.01, 32-604, 43-2515, 70-651.04, 77-1704.01, and 77-1736.06, Revised Statutes Cumulative Supplement, 2014, and sections 13-511, 77-3442, 79-215, 79-1001, 79-1003, 79-1007.11, 79-1017.01, 79-1018.01, and 79-2110, Revised Statutes Supplement, 2015; to adopt, change, and eliminate provisions relating to the enrollment option program, open enrollment, tax levies, state aid, learning community coordinating councils, the student achievement coordinator, community achievement plans, advisory committees, and powers and duties; to change provisions relating to educational service units; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-1007.22, 79-1073.01, and 79-2107, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1068. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-118, Revised Statutes Cumulative Supplement, 2014, and section 75-109.01, Revised Statutes Supplement, 2015; to adopt the Electric Customer Protection Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1069. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to state funds; to amend section 72-1260, Reissue Revised Statutes of Nebraska; to declare findings; to define terms; to provide duties and responsibilities relating to investment in energy-related companies or funds; to require a report; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1070. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to the Nebraska Oil and Gas Conservation Commission; to amend sections 57-905 and 57-906, Reissue Revised Statutes of Nebraska; to change powers and duties; to require liability insurance for certain permit applicants and restrict permit issuance as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 1071. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to energy development; to amend section 81-1607, Reissue Revised Statutes of Nebraska, and sections 81-1601, 81-1602, 81-1603, 81-1605, and 81-1607.01, Revised Statutes Supplement, 2015; to adopt the Solar Energy Economic Development Act; to provide duties and powers for the State Energy Office; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1072. Introduced by Haar, K., 21.

A BILL FOR AN ACT relating to trade practices; to adopt the Fair Repair Act.

COMMITTEE REPORT(S)

Urban Affairs

LEGISLATIVE BILL 704. Placed on General File.

LEGISLATIVE BILL 699. Placed on General File with amendment.

AM1861

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

2 sections:

3 Section 1. Section 19-5205, Revised Statutes Cumulative Supplement,

4 2014, is amended to read:

5 19-5205 (1) If a land bank is created by a single municipality, the

6 board of such land bank shall meet the following requirements:

7 (a) The board shall consist of:

8 (i) Seven voting members appointed by the mayor of the municipality

9 that created the land bank and confirmed by a two-thirds vote of the

10 governing body of such municipality;

11 (ii) The planning director of the municipality that created the land

12 bank or his or her designee, as a nonvoting, ex officio member; ~~and~~

13 (iii) One member of the governing body of the municipality that

14 created the land bank, appointed by such governing body, as a nonvoting,

15 ex officio member; and

16 (iv) ~~iii~~ Such other nonvoting members as are appointed by the mayor

17 of the municipality that created the land bank;

18 (b) The seven voting members of the board shall be residents of the

19 municipality that created the land bank;

20 (c) If the governing body of the municipality creating the land bank

21 has any of its members elected by district or ward, then at least one
 22 voting member of the board shall be appointed from each such district or
 23 ward. Such voting members shall represent, to the greatest extent
 24 possible, the racial and ethnic diversity of the municipality creating
 25 the land bank;

26 (d) The seven voting members of the board shall have, collectively,
 27 verifiable skills, expertise, and knowledge in market-rate and affordable
 1 residential, commercial, industrial, and mixed-use real estate
 2 development, financing, law, purchasing and sales, asset management,
 3 economic and community development, and the acquisition of tax sale
 4 certificates; ~~and~~

5 (e) The seven voting members of the board shall include:

6 (i) At least one member representing a chamber of commerce ~~realtors~~;

7 (ii) At least one member with experience in ~~representing the~~ banking
 8 ~~industry~~;

9 (iii) At least one member with experience in ~~representing~~ real
 10 estate development ~~developers~~;

11 (iv) At least one member with experience as a realtor ~~representing a~~
 12 ~~chamber of commerce~~;

13 (v) At least one member with experience in ~~representing a~~ nonprofit
 14 ~~or corporation involved in~~ affordable housing; and

15 (vi) At least one member with experience in large-scale ~~representing~~
 16 ~~owners of multiple~~ residential or commercial property rental; and
 17 ~~properties~~;

18 (f) A single voting member may satisfy more than one of the
 19 requirements provided in subdivision (1)(e) of this section if he or she
 20 has the required qualifications. It is not necessary that there be a
 21 different member to fulfill each such requirement.

22 (2) If a land bank is created by more than one municipality pursuant
 23 to an agreement under the Interlocal Cooperation Act, the board of such
 24 land bank shall meet the following requirements:

25 (a) The board shall consist of:

26 (i) An odd number of voting members, totaling at least seven,
 27 appointed by the mayors of the municipalities that created the land bank,
 28 as mutually agreed to by such mayors, and confirmed by a two-thirds vote
 29 of the governing body of each municipality that created the land bank;

30 (ii) The planning director of each municipality that created the
 31 land bank or his or her designee, as nonvoting, ex officio members; ~~and~~

1 (iii) One member of the governing body of each municipality that
 2 created the land bank, appointed by the governing body on which such
 3 member serves, as nonvoting, ex officio members; and

4 (iv) ~~iii~~) Such other nonvoting members as are appointed by the mayors
 5 of the municipalities that created the land bank, as mutually agreed to
 6 by such mayors;

7 (b) Each voting member of the board shall be a resident of one of
 8 the municipalities that created the land bank, with at least one voting
 9 member appointed from each such municipality;

10 (c) If the governing body of the largest municipality creating the
 11 land bank has any of its members elected by district or ward, then at

12 least one voting member of the board shall be appointed from each such
 13 district or ward. Such voting members shall represent, to the greatest
 14 extent possible, the racial and ethnic diversity of the largest
 15 municipality creating the land bank;

16 (d) The voting members of the board shall have, collectively,
 17 verifiable skills, expertise, and knowledge in market-rate and affordable
 18 residential, commercial, industrial, and mixed-use real estate
 19 development, financing, law, purchasing and sales, asset management,
 20 economic and community development, and the acquisition of tax sale
 21 certificates; ~~and~~

22 (e) The voting members of the board shall include:

23 (i) At least one member representing a chamber of commerce ~~realtors~~;

24 (ii) At least one member with experience in ~~representing the~~ banking
 25 ~~industry~~;

26 (iii) At least one member with experience in ~~representing~~ real
 27 estate development ~~developers~~;

28 (iv) At least one member with experience as a realtor ~~representing a~~
 29 ~~chamber of commerce~~;

30 (v) At least one member with experience in ~~representing a~~ nonprofit
 31 ~~or corporation involved in~~ affordable housing; and

1 (vi) At least one member with experience in large-scale ~~representing~~
 2 ~~owners of multiple~~ residential or commercial property rental; and
 3 ~~properties~~.

4 (f) A single voting member may satisfy more than one of the
 5 requirements provided in subdivision (2)(e) of this section if he or she
 6 has the required qualifications. It is not necessary that there be a
 7 different member to fulfill each such requirement.

8 (3) The members of the board shall select annually from among
 9 themselves a chairperson, a vice-chairperson, a treasurer, and such other
 10 officers as the board may determine.

11 (4) A public official or public employee shall be eligible to be a
 12 member of the board.

13 (5) A vacancy on the board among the appointed board members shall
 14 be filled in the same manner as the original appointment.

15 (6) Board members shall serve without compensation.

16 (7) The board shall meet in regular session according to a schedule
 17 adopted by the board and shall also meet in special session as convened
 18 by the chairperson or upon written notice signed by a majority of the
 19 voting members. The presence of a majority of the voting members of the
 20 board shall constitute a quorum.

21 (8) Except as otherwise provided in subsections (9) and (11) of this
 22 section and in sections 19-5210 and 19-5214, all actions of the board
 23 shall be approved by the affirmative vote of a majority of the voting
 24 members present and voting.

25 (9) Any action of the board on the following matters shall be
 26 approved by a majority of the voting members:

27 (a) Adoption of bylaws and other rules and regulations for conduct
 28 of the land bank's business;

29 (b) Hiring or firing of any employee or contractor of the land bank.

30 This function may, by majority vote of the voting members, be delegated
31 by the board to a specified officer or committee of the land bank, under
1 such terms and conditions, and to the extent, that the board may specify;

2 (c) The incurring of debt;

3 (d) Adoption or amendment of the annual budget; and

4 (e) Sale, lease, encumbrance, or alienation of real property,
5 improvements, or personal property with a value of more than fifty
6 thousand dollars.

7 (10) Members of a board shall not be liable personally on the bonds
8 or other obligations of the land bank, and the rights of creditors shall
9 be solely against such land bank.

10 (11) The board shall adopt policies and procedures to specify the
11 conditions that must be met in order for the land bank to give an
12 automatically accepted bid as authorized in sections 19-5217 and 19-5218.

13 The adoption of such policies and procedures shall require the approval
14 of two-thirds of the voting members of the board. At a minimum, such
15 policies and procedures shall ensure that the automatically accepted bid
16 shall only be given for one of the following reasons:

17 (a) The real property substantially meets more than one of the
18 following criteria as determined by two-thirds of the voting members of
19 the board:

20 (i) The property is not occupied by the owner or any lessee or
21 licensee of the owner;

22 (ii) There are no utilities currently being provided to the
23 property;

24 (iii) Any buildings on the property have been deemed unfit for human
25 habitation, occupancy, or use by local housing officials;

26 (iv) Any buildings on the property are exposed to the elements such
27 that deterioration of the building is occurring;

28 (v) Any buildings on the property are boarded up;

29 (vi) There have been previous efforts to rehabilitate any buildings
30 on the property;

31 (vii) There is a presence of vermin, uncut vegetation, or debris
1 accumulation on the property;

2 (viii) There have been past actions by the municipality to maintain
3 the grounds or any building on the property; or

4 (ix) The property has been out of compliance with orders of local
5 housing officials;

6 (b) The real property is contiguous to a parcel that meets more than
7 one of the criteria in subdivision (11)(a) of this section or that is
8 already owned by the land bank; or

9 (c) Acquisition of the real property by the land bank would serve
10 the best interests of the community as determined by two-thirds of the
11 voting members of the board. In determining whether the acquisition would
12 serve the best interests of the community, the board shall take into
13 consideration the hierarchical ranking of priorities for the use of real
14 property conveyed by a land bank established pursuant to subsection (5)
15 of section 19-5210, if any such hierarchical ranking is established.

16 Sec. 2. Section 19-5210, Revised Statutes Cumulative Supplement,

17 2014, is amended to read:

18 19-5210 (1) A land bank shall hold in its own name all real property
19 acquired by the land bank irrespective of the identity of the transferor
20 of such property.

21 (2) A land bank shall maintain and make available for public review
22 and inspection an inventory of all real property held by the land bank.

23 (3) A land bank shall determine and set forth in policies and
24 procedures of the board the general terms and conditions for
25 consideration to be received by the land bank for the transfer of real
26 property and interests in real property, which consideration may take the
27 form of monetary payments and secured financial obligations, covenants
28 and conditions related to the present and future use of the property,
29 contractual commitments of the transferee, and such other forms of
30 consideration as determined by the board to be in the best interest of
31 the land bank.

1 (4) A land bank may convey, exchange, sell, transfer, grant, release
2 and demise, pledge, and hypothecate any and all interests in, upon, or to
3 real property of the land bank. A land bank may lease as lessor real
4 property of the land bank for a period not to exceed twelve months,
5 except that such twelve-month limitation shall not apply if the real
6 property of the land bank is subject to a lease with a remaining term of
7 more than twelve months at the time such real property is acquired by the
8 land bank.

9 (5) The municipality or municipalities that created the land bank
10 may establish by resolution or ordinance a hierarchical ranking of
11 priorities for the use of real property conveyed by a land bank. Such
12 ranking shall take into consideration the highest and best use that, when
13 possible, will bring the greatest benefit to the community. The
14 priorities may include, but are not limited to, (a) use for purely public
15 spaces and places, (b) use for affordable housing, (c) use for retail,
16 commercial, and industrial activities, (d) use for urban agricultural
17 activities including the establishment of community gardens as defined in
18 section 2-303, and (e) such other uses and in such hierarchical order
19 as determined by the municipality or municipalities.

20 (6) The municipality or municipalities that created the land bank
21 may require by resolution or ordinance that any particular form of
22 disposition of real property, or any disposition of real property located
23 within specified jurisdictions, be subject to specified voting and
24 approval requirements of the board. Except and unless restricted or
25 constrained in this manner, the board may delegate to officers and
26 employees the authority to enter into and execute agreements, instruments
27 of conveyance, and all other related documents pertaining to the
28 conveyance of real property by the land bank.

29 Sec. 3. Section 19-5213, Revised Statutes Cumulative Supplement,
30 2014, is amended to read:

31 19-5213 (1) The board shall cause minutes and a record to be kept of
1 all its proceedings. Meetings of the board shall be subject to the Open
2 Meetings Act.

3 (2) All of a land bank's records and documents shall be considered

4 public records for purposes of sections 84-712 to 84-712.09.
 5 (3) The board shall provide monthly reports to the municipality or
 6 municipalities that created the land bank on the board's activities
 7 pursuant to the Nebraska Municipal Land Bank Act. The board shall also
 8 provide an annual report to the municipality or municipalities that
 9 created the land bank, ~~and to the Revenue Committee of the Legislature,~~
 10 ~~and the Urban Affairs Committee of the Legislature by March 1, December 31~~
 11 of each year summarizing the board's activities for the prior calendar
 12 year. The ~~reports report~~ submitted to the legislative committees Revenue
 13 ~~Committee~~ shall be submitted electronically.
 14 Sec. 4. Original sections 19-5205, 19-5210, and 19-5213, Revised
 15 Statutes Cumulative Supplement, 2014, are repealed.

(Signed) Sue Crawford, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 751. Placed on General File with amendment.
 AM1852

1 1. On page 17, line 17, strike "(a)" and show as stricken; and
 2 strike beginning with "and" in line 19 through "determine" in line 22 and
 3 show as stricken.
 4 2. On page 18, strike beginning with "The" in line 4 through "(5)"
 5 in line 12 and show as stricken; and in line 12 strike "and mailing" and
 6 show as stricken.

(Signed) Jim Scheer, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Wednesday, January 27, 2016 1:30 p.m.

LB941
 LB685
 LB870
 LB888

Thursday, January 28, 2016 1:30 p.m.

Steven Keetle - Tax Equalization and Review Commission
 Robert W. Hotz - Tax Equalization and Review Commission
 LB683
 LB727
 LB762

(Signed) Mike Gloor, Chairperson

Natural Resources

Room 1525

Wednesday, January 27, 2016 1:30 p.m.

LB824

(Signed) Ken Schilz, Chairperson

Judiciary

Room 1113

Wednesday, January 27, 2016 1:30 p.m.

LB943
LB944
LB937
LR389CA

Thursday, January 28, 2016 1:30 p.m.

LB835
LB932
LB854
LB1009
LB693

(Signed) Les Seiler, Chairperson

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR415 was referred to the Reference Committee.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1073. Introduced by Kolowski, 31; Bloomfield, 17; Garrett, 3; Krist, 10.

A BILL FOR AN ACT relating to flags; to authorize the display of the Honor and Remember flag as prescribed.

LEGISLATIVE BILL 1074. Introduced by Kolowski, 31.

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

the State Department of Education.

LEGISLATIVE BILL 1075. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Disposition of Personal Property Landlord and Tenant Act; to amend sections 69-2304 and 69-2308, Revised Statutes Cumulative Supplement, 2014; to change a provision relating to the disposition of personal property; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1076. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Game and Parks Commission for purposes of law enforcement at Lake McConaughy State Recreation Area.

LEGISLATIVE BILL 1077. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,109, Reissue Revised Statutes of Nebraska, and section 60-4,108, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to operator's license revocation; and to repeal the original sections.

LEGISLATIVE BILL 1078. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1499.03, Reissue Revised Statutes of Nebraska; to change provisions relating to conflict of interest statements; and to repeal the original section.

LEGISLATIVE BILL 1079. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to law enforcement; to amend sections 28-359 and 81-1401, Reissue Revised Statutes of Nebraska, and section 29-215, Revised Statutes Cumulative Supplement, 2014; to redefine law enforcement agency as prescribed; to change provisions relating to law enforcement officer jurisdiction; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1080. Introduced by Seiler, 33.

A BILL FOR AN ACT relating to the Department of Correctional Services; to amend sections 81-161.03 and 83-150, Reissue Revised Statutes of Nebraska, and section 81-1185, Revised Statutes Supplement, 2015; to increase the dollar amount authorized for direct purchases for correctional industries; to change provisions relating to recyclable material used by the correctional industries program; and to repeal the original sections.

LEGISLATIVE BILL 1081. Introduced by Campbell, 25; Mello, 5.

A BILL FOR AN ACT relating to public assistance; to amend sections 43-512, 68-1201, 68-1713, and 68-1726, Revised Statutes Supplement, 2015; to change provisions relating to eligibility for public assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1082. Introduced by Schilz, 47; Haar, K., 21; Hadley, 37; Mello, 5; Stinner, 48.

A BILL FOR AN ACT relating to oil and gas; to amend sections 57-901, 57-903, 57-905, 57-911, 57-913, 57-914, 57-915, 57-916, 57-916.01, 57-917, 57-918, 57-919, 57-920, 57-921, 57-922, and 81-1531.01, Reissue Revised Statutes of Nebraska; to change and restate intent; to change powers and duties of the Nebraska Oil and Gas Conservation Commission as prescribed; to provide for a periodic injection well fluid analysis and report by certain operators; to provide bond notification requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1083. Introduced by Williams, 36; Mello, 5.

A BILL FOR AN ACT relating to economic development; to adopt the Next Generation Business Growth Act; to amend section 13-208, Revised Statutes Cumulative Supplement, 2014; to state intent regarding funding; to change funding for tax credits under the Community Development Assistance Act; and to provide a termination date.

LEGISLATIVE BILL 1084. Introduced by Stinner, 48; Mello, 5.

A BILL FOR AN ACT relating to state agency contracts; to amend section 81-1118, Reissue Revised Statutes of Nebraska, and section 73-506, Revised Statutes Cumulative Supplement, 2014; to change duration requirements for contracts for services; to provide a duration requirement for contracts for purchase or lease of personal property; and to repeal the original sections.

LEGISLATIVE BILL 1085. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2717 and 77-2734.03, Revised Statutes Cumulative Supplement, 2014, and sections 77-2715.07 and 77-27,235, Revised Statutes Supplement, 2015; to change a renewable energy tax credit; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1086. Introduced by Davis, 43.

A BILL FOR AN ACT relating to schools; to amend section 79-224, Reissue Revised Statutes of Nebraska; to change provisions relating to student self-management of asthma or anaphylaxis as prescribed; and to

repeal the original section.

LEGISLATIVE BILL 1087. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.13, Reissue Revised Statutes of Nebraska, and sections 77-2701 and 77-2701.04, Revised Statutes Supplement, 2015; to change sales tax provisions relating to the definition of engaged in business in this state; to provide a penalty; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 1088. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Revised Statutes Cumulative Supplement, 2014; to provide a sales and use tax exemption for purchases by nonprofit centers for independent living; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1089. Introduced by Hansen, 26; Bolz, 29; Cook, 13; Crawford, 45; Haar, K., 21; Harr, B., 8; 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, Revised Statutes Supplement, 2015; to change the minimum wage for persons compensated by way of gratuities; to change provisions relating to the posting of information; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1090. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to firearms; to amend sections 69-2421, 69-2422, 69-2424, and 69-2425, Reissue Revised Statutes of Nebraska, and sections 69-2402 and 69-2409.01, Revised Statutes Cumulative Supplement, 2014; to require notification of law enforcement by the Nebraska State Patrol of denials of certificates to purchase, lease, rent, or receive transfer of handguns as prescribed; to require reports; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1091. Introduced by Hilkemann, 4; Mello, 5.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations for purposes of the Site and Building Development Fund.

LEGISLATIVE BILL 1092. Introduced by Mello, 5; Campbell, 25.

A BILL FOR AN ACT relating to state budgeting; to amend sections 2-15,106, 81-132, 81-8,239.03, 81-1113, 81-1113.01, 81-2227, 81-3133.01, 81-3133.02, 81-3133.03, and 85-1416, Reissue Revised Statutes of

Nebraska, and sections 81-3133 and 83-918, Revised Statutes Supplement, 2015; to change budget request reporting requirements; to change powers and duties of the Department of Administrative Services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1093. Introduced by Mello, 5.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-5714 and 71-8805, Revised Statutes Cumulative Supplement, 2014; to create programs; to eliminate funds; to provide for and eliminate provisions relating to transfers and investment of funds; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1094. Introduced by Judiciary Committee: Seiler, 33, Chairperson; Chambers, 11; Coash, 27; Ebke, 32; Krist, 10; Morfeld, 46; Pansing Brooks, 28; Williams, 36; Campbell, 25; Hadley, 37; Mello, 5.

A BILL FOR AN ACT relating to criminal law; to amend sections 27-1101, 28-605, 28-626, 29-2256, 29-2267, 47-401, 47-502, and 83-187, Reissue Revised Statutes of Nebraska, sections 28-115, 28-1354, 29-2258, and 29-2269, Revised Statutes Cumulative Supplement, 2014, sections 28-116, 28-204, 28-394, 28-514, 29-2204.02, 29-2252, 29-2252.01, 29-2260, 29-2262, 29-2263, 29-2266, 29-2268, 29-2308, 60-6,197.03, 71-2482, 83-1,100.02, 83-1,119, 83-1,122, and 83-1,135.02, Revised Statutes Supplement, 2015, and section 28-105, Revised Statutes Cumulative Supplement, 2014, as amended by Laws 2015, LB605, section 6; to change provisions relating to evidence, sentencing, certain criminal penalties, criminal mischief, assault, theft, forgery, and probation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1095. Introduced by Kintner, 2; Scheer, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2753, Reissue Revised Statutes of Nebraska; to require employer identification numbers and use of the federal immigration verification system as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1096. Introduced by Harr, B., 8.

A BILL FOR AN ACT relating to the Nebraska Condominium Act; to amend section 76-854, Reissue Revised Statutes of Nebraska; to change provisions relating to amendments to declarations regarding unit boundaries; and to repeal the original section.

LEGISLATIVE BILL 1097. Introduced by Morfeld, 46; Campbell, 25; Coash, 27; Ebke, 32; Hilkemann, 4; Krist, 10; Mello, 5; Pansing Brooks, 28; Seiler, 33; Williams, 36.

A BILL FOR AN ACT relating to forensic testing; to amend section 81-2010.03, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to payment for sexual assault forensic examinations; to create a fund; to create a program and an administrator; to provide powers and duties for the Attorney General; to provide an operative date; to repeal the original section; and to outright repeal sections 13-607 and 13-608, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1098. Introduced by Morfeld, 46; Ebke, 32; Krist, 10; Pansing Brooks, 28; Williams, 36.

A BILL FOR AN ACT relating to fees; to amend section 33-107.01, Reissue Revised Statutes of Nebraska; to increase legal services fees as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1099. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 81-1174, 81-1175, 81-1176, and 81-1180, Reissue Revised Statutes of Nebraska; to change provisions relating to expense reimbursement; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1100. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to petroleum marketing; to adopt the Petroleum Education and Marketing Act; and to provide severability.

LEGISLATIVE BILL 1101. Introduced by Mello, 5; Haar, K., 21; Kolowski, 31; Schilz, 47.

A BILL FOR AN ACT relating to the Department of Environmental Quality; to amend sections 81-15,158.01 and 81-15,160, Reissue Revised Statutes of Nebraska; to require a study to examine the status of solid waste management programs; to create an advisory committee; to require reports; to provide for costs; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

SELECT FILE

LEGISLATIVE BILL 18. Senator Groene renewed his amendment, AM143, found on page 477 and considered on page 510, First Session, 2015, on page 333, and in this day's Journal.

SENATOR COASH PRESIDING

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

Senator Groene requested a roll call vote on his amendment.

Voting in the affirmative, 13:

Bloomfield	Ebke	Hughes	Lindstrom	Watermeier
Brasch	Garrett	Johnson	Riepe	
Craighead	Hilkemann	Kintner	Schnoor	

Voting in the negative, 24:

Bolz	Crawford	Hansen	Kuehn	Schumacher
Campbell	Davis	Harr, B.	McCollister	Seiler
Chambers	Gloor	Howard	Mello	Sullivan
Coash	Haar, K.	Kolowski	Morfeld	Williams
Cook	Hadley	Krist	Pansing Brooks	

Present and not voting, 7:

Baker	Friesen	Schilz	Stinner
Fox	Groene	Smith	

Excused and not voting, 5:

Kolterman	Larson	McCoy	Murante	Scheer
-----------	--------	-------	---------	--------

The Groene amendment lost with 13 ayes, 24 nays, 7 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Groene offered the following motion:

MO163

Reconsider the vote taken on AM143.

Senator Krist offered the following motion:

MO162

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Krist moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

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

Voting in the affirmative, 29:

Baker	Crawford	Harr, B.	Larson	Schumacher
Bolz	Davis	Hilkemann	McCollister	Seiler
Campbell	Gloor	Howard	Mello	Smith
Chambers	Haar, K.	Kolowski	Morfeld	Sullivan
Coash	Hadley	Krist	Pansing Brooks	Williams
Cook	Hansen	Kuehn	Schilz	

Voting in the negative, 14:

Bloomfield	Ebke	Groene	Kintner	Schnoor
Brasch	Friesen	Hughes	Lindstrom	Watermeier
Craighead	Garrett	Johnson	Riepe	

Present and not voting, 2:

Fox	Stinner
-----	---------

Excused and not voting, 4:

Kolterman	McCoy	Murante	Scheer
-----------	-------	---------	--------

The Krist motion to invoke cloture failed with 29 ayes, 14 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1102. Introduced by Davis, 43; Krist, 10.

A BILL FOR AN ACT relating to the Legislative Performance Audit Act; to amend section 50-1202, Revised Statutes Cumulative Supplement, 2014, and section 50-1203, Revised Statutes Supplement, 2015; to redefine a term in order to authorize performance audits of tax-increment financing projects; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1103. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to medicaid; to amend section 30-2483, Reissue Revised Statutes of Nebraska, section 33-109, Revised Statutes Cumulative Supplement, 2014, and sections 68-901, 68-919, and 77-2018.02, Revised Statutes Supplement, 2015; to change notice provisions relating to decedents' estates and the inheritance tax; to change and provide an exemption from recording fees for registers of deeds and county clerks; to change the Medical Assistance Act; to change provisions

relating to death certificates; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 1104. Introduced by Larson, 40.

A BILL FOR AN ACT relating to Native Americans; to amend sections 58-201 and 85-1517, Reissue Revised Statutes of Nebraska; to define terms; to provide for certain tax incentives, intent provisions, and revenue-sharing agreements relating to Native Americans; to change the Nebraska Investment Finance Authority Act; to change provisions relating to the distribution of property taxes for certain community colleges; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1105. Introduced by Larson, 40; Coash, 27.

A BILL FOR AN ACT relating to beverage regulation; to amend sections 53-103.09, 53-103.20, 53-103.41, 53-123.01, 53-124.11, 53-129, 53-168.06, 53-169, 53-171, 53-175, 53-178, 53-187, and 53-1,100, Reissue Revised Statutes of Nebraska, sections 53-123.14, 53-123.17, and 53-124.12, Revised Statutes Cumulative Supplement, 2014, and sections 53-103.44, 53-123.15, 53-124, 53-124.01, and 53-135, Revised Statutes Supplement, 2015; to create and provide powers and duties for the Nebraska Craft Brewery Board; to create the Nebraska Beer Industry Promotional Fund; to impose and provide for fees; to require reports; to redefine terms; to provide for and change licensure provisions for certain manufacturers and retailers; to change disposition of manufacturers' license fees as prescribed; to eliminate provisions regarding licensure in annexed areas; to change prohibitions related to selling and serving alcoholic liquor; to eliminate provisions relating to purchases by retailers as prescribed; to place restrictions on manufacturing and sales at wholesale; to change penalty provisions related to nonbeverage users and manufacturing spirits without a license; to eliminate the prohibition and penalty on the sale of carbonated soft drink or beer cans with removable, disposable tabs or grips as prescribed; to harmonize provisions; to provide severability; to repeal the original sections; to outright repeal section 28-1479, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1106. Introduced by Garrett, 3; Coash, 27; Ebke, 32; Kintner, 2; Pansing Brooks, 28.

A BILL FOR AN ACT relating to civil procedure; to amend sections 28-1111 and 28-1463.01, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-109, 28-416, and 28-813.01, Revised Statutes Supplement, 2015; to change civil forfeiture provisions as prescribed; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 1107. Introduced by Garrett, 3; Bloomfield, 17.

A BILL FOR AN ACT relating to elections; to state intent; to create the Nebraska Election System Initiative; to require a report; to provide a termination date; and to provide an operative date.

LEGISLATIVE BILL 1108. Introduced by Garrett, 3; Cook, 13; Ebke, 32; Lindstrom, 18; Morfeld, 46; Pansing Brooks, 28.

A BILL FOR AN ACT relating to civil forfeiture; to amend section 28-431, Reissue Revised Statutes of Nebraska, and section 25-21,302, Revised Statutes Supplement, 2015; to require reporting to the Auditor of Public Accounts and the Legislature as prescribed; to prescribe powers and duties for the Auditor of Public Accounts; and to repeal the original sections.

LEGISLATIVE BILL 1109. Introduced by Murante, 49; Craighead, 6; Garrett, 3; Hadley, 37; Harr, B., 8; Hilkemann, 4; Krist, 10; Morfeld, 46; Schumacher, 22; Smith, 14; Stinner, 48; Williams, 36.

A BILL FOR AN ACT relating to state government; to amend sections 84-712.05 and 85-106.06, Reissue Revised Statutes of Nebraska; to change provisions relating to documents which may be withheld from the public; to require notice and a public forum regarding priority candidates for certain positions at the University of Nebraska; and to repeal the original sections.

LEGISLATIVE BILL 1110. Introduced by Mello, 5.

A BILL FOR AN ACT relating to labor; to adopt the Nebraska Workforce Innovation and Opportunity Act.

AMENDMENT(S) - Print in Journal

Senator Davis filed the following amendment to LB176:
AM1848

(Amendments to E and R amendments, ER143)

- 1 1. Insert the following new sections:
- 2 Section 1. Section 54-2601, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 54-2601 Sections 54-2601 to 54-2631 and section 4 of this act shall
- 5 be known and may be cited as the Competitive Livestock Markets Act.
- 6 Sec. 4. (1) For purposes of this section:
- 7 (a) Association means an organization, corporate or otherwise, with
- 8 or without capital stock, formed for a common purpose;
- 9 (b) Contract grower means a person or entity to the extent that
- 10 person or entity enters into a contract grower agreement;
- 11 (c) Contract grower agreement means an agreement between a packer
- 12 and a contract grower for purposes of establishing a contract swine
- 13 operation;
- 14 (d) Contract input means a commodity, an organic or synthetic

15 substance, a compound, or a service that is used by a contract grower to
16 produce swine under a contract grower agreement; and
17 (e) Prospective contract grower means a person or entity in active
18 contact with a packer with respect to the establishment of a contract
19 grower agreement.

20 (2) Contract growers and prospective contract growers have the
21 following rights:

22 (a) The right to join or to refrain from joining or belonging to an
23 association of contract growers;

24 (b) The right to lawfully provide statements or information,
25 including to the United States Secretary of Agriculture or to a law
26 enforcement agency, regarding alleged improper actions or violations of
1 law by a packer. This right does not include the right to make statements
2 or provide information if such statements or information are determined
3 to be libelous or slanderous; and

4 (c) The right to file, continue, terminate, or enforce a lien under
5 Nebraska law.

6 (3) Packers shall not engage in the following in connection with
7 contract growers or prospective contract growers:

8 (a) Impose less favorable terms and conditions in contract grower
9 agreements on the basis of a contract grower's or prospective contract
10 grower's membership in a contract grower association or activities in
11 such association;

12 (b) Take action to coerce, retaliate, or discriminate against any
13 contract grower or prospective contract grower because that contract
14 grower or prospective contract grower exercises, or attempts to exercise,
15 any right provided in subsection (2) of this section, including:

16 (i) Any such coercive, retaliatory, or discriminatory action in
17 connection with the execution, termination, extension, or renewal of an
18 agricultural contract between the packer and a contract grower;

19 (ii) Any such coercive, retaliatory, or discriminatory action in
20 connection with the execution, termination, extension, or renewal of a
21 contract grower agreement;

22 (iii) Any such coercive, retaliatory, or discriminatory action in
23 connection with the imposition of discriminatory or preferential terms in
24 a contract grower agreement or the interpretation of the terms of a
25 contract grower agreement in a discriminatory or preferential manner;

26 (iv) Any such coercive, retaliatory, or discriminatory action in
27 connection with the imposition of a penalty, including the unreasonable
28 denial of a reward;

29 (v) Any such coercive, retaliatory, or discriminatory action in
30 connection with the altering of the quality, quantity, or delivery times
31 of contract inputs provided to the contract grower by the packer as
1 required in the contract grower agreement, except that delivery times may
2 be changed by mutual agreement due to weather and market conditions; and

3 (vi) Any such coercive, retaliatory, or discriminatory action in
4 connection with the use of the performance of any other contract grower
5 as a basis for the termination, cancellation, or renewal of a contract
6 grower agreement or to negatively affect the contract grower's

7 compensation, except that nothing in this subdivision shall prohibit a
8 packer from using a program which rewards contract growers with monetary
9 bonuses based on superior performance; and
10 (c) Provide false material factual information to contract growers
11 or prospective contract growers regarding the following:
12 (i) Other contract growers with whom the contract grower or
13 prospective contract grower associates;
14 (ii) An association of contract growers;
15 (iii) An agricultural organization with which the contract grower or
16 prospective contract grower is affiliated; or
17 (iv) The contract grower rights provided in subsection (2) of this
18 section.
19 (4) To the extent applicable to the contract grower agreement, a
20 packer shall provide to the contract grower, upon request, the
21 statistical information and data used to determine payment to the
22 contract grower under the contract grower agreement.
23 (5) To the extent applicable to the contract grower agreement, a
24 packer shall allow a contract grower or a contract grower's designated
25 representative, if within the packer's authority, reasonable access to
26 observe, by actual observation at the time of weighing, the weights and
27 measures used to determine the contract grower's compensation under a
28 contract grower agreement.
29 (6) A packer shall not require a contract grower to make capital
30 investments associated with an existing contract grower agreement that
31 are in addition to the investment requirements of the contract grower
1 agreement unless fair and equitable compensation is paid to the contract
2 grower by the packer in a manner the contract grower agrees to in
3 writing, except that the packer can require a contract grower to make
4 necessary capital improvements at the contract grower's expense to meet
5 statutory or regulatory standards and requirements as a condition to
6 continuing the contractual relationship. If the contract grower cannot
7 reasonably pay for or secure third-party financing for such improvements
8 and modifications, the packer shall attempt to negotiate mutually
9 agreeable financing, terms, and conditions for financing by the packer,
10 enhanced compensation to the contract grower by the packer, or other
11 contract modifications with the contract grower for such mandated
12 improvements or modifications. If the contract grower cannot reasonably
13 pay or secure third-party financing for such improvements or
14 modifications and no mutual agreement is reached with the packer
15 regarding financing, compensation, or other contract modifications,
16 either party may declare a force majeure event under the contract grower
17 agreement. Nothing in this subsection shall affect a contract grower's
18 obligation to reasonably maintain its existing facilities or the
19 facilities as they are improved and modified as referenced in this
20 subsection.
21 (7) Contract growers or prospective contract growers may form and
22 operate an association of agricultural product producers pursuant to the
23 Capper-Volstead Act, 7 U.S.C. 291 and 292, and such an association may
24 negotiate with a packer with respect to the terms of contract grower

25 agreements, including, but not limited to, negotiations related to the
 26 compensation to be paid pursuant to contract grower agreements. To the
 27 extent that contract growers or prospective contract growers organize
 28 such an association:
 29 (a) A packer shall not retaliate or discriminate against such
 30 contract growers or prospective contract growers because they have
 31 organized such an association; and
 1 (b) A packer shall negotiate in good faith with any such
 2 association.
 3 (8)(a) A contract grower who suffers damages as a result of a
 4 packer's violation of this section or a contract grower agreement may
 5 obtain appropriate legal and equitable relief in a suit against the
 6 packer.
 7 (b) A prospective contract grower who suffers damages as a result of
 8 a packer's violation of this section may obtain appropriate legal and
 9 equitable relief in a suit against the packer.
 10 (c) The laws of the State of Nebraska shall be applicable to any
 11 contract grower agreement between a packer and a contract grower located
 12 in the State of Nebraska.
 13 (d) A packer shall not use binding alternative dispute resolution as
 14 a mechanism to resolve any dispute related to, or arising from, this
 15 section or a contract grower agreement.
 16 (e) If the contract grower or prospective contract grower prevails
 17 in such an action against a packer, the contract grower or prospective
 18 contract grower shall be entitled to court costs, reasonable attorney's
 19 fees, and reasonable litigation expenses.
 20 (f) If injunctive relief is sought in such an action, a contract
 21 grower or prospective contract grower shall not be required to post a
 22 bond.
 23 (g) A packer shall not contract to limit the measure of damages
 24 available to a contract grower under Nebraska law.
 25 (h) Except as otherwise provided in this section, a contract grower
 26 or prospective contract grower shall be entitled to damages as provided
 27 by Nebraska law and a packer shall be entitled to defenses as provided by
 28 Nebraska law.
 29 (9) The Attorney General may enforce this section and any of the
 30 rights of contract growers and prospective contract growers identified in
 31 this section against a packer. The Attorney General shall also be
 1 entitled to injunctive relief, if appropriate, in order to redress
 2 violations of this section.
 3 2. On page 2, line 16, after the period insert "Agreements for such
 4 contract swine operations shall be subject to section 4 of this act.".
 5 3. Renumber the remaining sections and correct the repealer
 6 accordingly.

Senator Watermeier filed the following amendment to LB47:
 AM1871

(Amendments to E & R amendments, ER145)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 60-484, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:

5 60-484 (1) Except as otherwise provided in the Motor Vehicle
6 Operator's License Act, no resident of the State of Nebraska shall
7 operate a motor vehicle upon the alleys or highways of this state until
8 the person has obtained an operator's license for that purpose.

9 (2) Application for an operator's license or a state identification
10 card shall be made in a manner prescribed by the department. Such
11 application may be made to department personnel in any county. Department
12 personnel shall conduct the examination of the applicant and deliver to
13 each successful applicant an issuance certificate containing the
14 statements made pursuant to subsection (3) of this section.

15 (3) The applicant shall provide his or her full legal name, date of
16 birth, mailing address, gender, race or ethnicity, and social security
17 number, two forms of proof of address of his or her principal residence
18 unless the applicant is a program participant under the Address
19 Confidentiality Act, evidence of identity as required by subsection (6)
20 of this section, and a brief physical description of himself or herself.

21 The applicant (a) may also complete the voter registration portion
22 pursuant to section 32-308, (b) shall be provided the advisement language
23 required by subsection (5) of section 60-6,197, (c) shall answer the
24 following:

25 (i) Have you within the last three months (e.g. due to diabetes,
26 epilepsy, mental illness, head injury, stroke, heart condition,
1 neurological disease, etc.):

2 (A) lost voluntary control or consciousness ... yes ... no

3 (B) experienced vertigo or multiple episodes of dizziness or
4 fainting ... yes ... no

5 (C) experienced disorientation ... yes ... no

6 (D) experienced seizures ... yes ... no

7 (E) experienced impairment of memory, memory loss ... yes ... no

8 Please explain:

9 (ii) Do you experience any condition which affects your ability to
10 operate a motor vehicle? (e.g. due to loss of, or impairment of, foot,
11 leg, hand, arm; neurological or neuromuscular disease, etc.) ... yes ...
12 no

13 Please explain:

14 (iii) Since the issuance of your last driver's license/permit, has
15 your health or medical condition changed or worsened? ... yes ... no

16 Please explain, including how the above affects your ability to
17 drive:, and (d) may answer the following:

18 (i) Do you wish to register to vote as part of this application
19 process?

20 (ii) Do you wish to have the word "veteran" displayed on the front
21 of your operator's license or state identification card to show that you
22 served in the armed forces of the United States? (To be eligible you must
23 register with the Nebraska Department of Veterans' Affairs registry.)

24 ~~OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING~~

25 QUESTIONS:-

- 26 (iii) Do you wish to include your name in the Donor Registry of
 27 Nebraska and donate your organs and tissues at the time of your death ~~Do~~
 28 ~~you wish to be an organ and tissue donor?~~
- 29 (iv) Do you wish to receive any additional specific information
 30 regarding organ and tissue donation and the Donor Registry of Nebraska?
- 31 (v) Do you wish to donate \$1 to promote the Organ and Tissue Donor
 1 Awareness and Education Fund?
- 2 (4) Application for an operator's license or state identification
 3 card shall include a signed oath, affirmation, or declaration of the
 4 applicant that the information provided on the application for the
 5 license or card is true and correct.
- 6 (5) The social security number shall not be printed on the
 7 operator's license or state identification card and shall be used only
 8 (a) to furnish information to the United States Selective Service System
 9 under section 60-483, (b) with the permission of the director in
 10 connection with the verification of the status of an individual's driving
 11 record in this state or any other state, (c) for purposes of child
 12 support enforcement pursuant to section 42-358.08 or 43-512.06, (d) to
 13 furnish information regarding an applicant for or holder of a commercial
 14 driver's license with a hazardous materials endorsement to the
 15 Transportation Security Administration of the United States Department of
 16 Homeland Security or its agent, (e) to furnish information to the
 17 Department of Revenue under section 77-362.02, or (f) to furnish
 18 information to the Secretary of State for purposes of the Election Act.
- 19 (6)(a) Each individual applying for an operator's license or a state
 20 identification card shall furnish proof of date of birth and identity
 21 with documents containing a photograph or with nonphoto identity
 22 documents which include his or her full legal name and date of birth.
 23 Such documents shall be those provided in subsection (1) of section
 24 60-484.04.
- 25 (b) Any individual under the age of eighteen years applying for an
 26 operator's license or a state identification card shall provide a
 27 certified copy of his or her birth certificate or, if such individual is
 28 unable to provide a certified copy of his or her birth certificate, other
 29 reliable proof of his or her identity and age, as required in subdivision
 30 (6)(a) of this section, accompanied by a certification signed by a parent
 31 or guardian explaining the inability to produce a copy of such birth
 1 certificate. The applicant also may be required to furnish proof to
 2 department personnel that the parent or guardian signing the
 3 certification is in fact the parent or guardian of such applicant.
- 4 (c) An applicant may present other documents as proof of
 5 identification and age designated by the director. Any documents accepted
 6 shall be recorded according to a written exceptions process established
 7 by the director.
- 8 (7) Any individual applying for an operator's license or a state
 9 identification card who indicated his or her wish to have the word
 10 "veteran" displayed on the front of such license or card shall comply
 11 with section 60-4,189.

12 (8) No person shall be a holder of an operator's license and a state
13 identification card at the same time.

14 Sec. 2. Section 60-494, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 60-494 (1) Each operator's license and state identification card
17 shall include a special notation on the front of the license or card if
18 the licensee or cardholder is at least sixteen years of age and indicates
19 on the application or issuance ~~examiner's~~ certificate under section
20 60-484, or 60-4,144, or 60-4,181 his or her wish to be an organ and
21 ~~donor, a tissue donor, or both.~~

22 (2) The status as an organ and ~~donor, a tissue donor, or both~~ shall
23 continue until amended or revoked by the licensee or cardholder as
24 provided in subsection (4) of this section or section 71-4829 ~~be renewed~~
25 ~~upon renewal of each license or card if the licensee or cardholder, at~~
26 ~~the time of renewal, indicates the desire to renew the status and the~~
27 ~~notation authorized in subsection (1) of this section has been marked.~~

28 The status as an organ and ~~donor, a tissue donor, or both~~ is not changed
29 by the expiration, suspension, cancellation, revocation, or impoundment
30 of the license or card.

31 (3) Any person whose operator's license or state identification card
1 indicates his or her status as an organ and ~~donor, a tissue donor, or~~
2 ~~both~~ may obtain a replacement license or card without a notation of such
3 status. The fee for such replacement license or card shall be the fee
4 provided in section 60-4,115.

5 (4) A licensee or cardholder may ~~also~~ change his or her status as a
6 donor by indicating the desire that his or her name not be included in
7 the Donor Registry of Nebraska on an application for an operator's
8 license, a state identification card, or a replacement license or card
9 under subsection (3) of this section. A licensee or cardholder may also
10 change or limit the extent of his or her status as a donor by (a)
11 Internet access to the Donor Registry of Nebraska, (b) telephone request
12 to the registry, or (c) other methods approved by the federally
13 designated organ procurement organization for Nebraska.

14 (5) The ~~department~~ Department of Motor Vehicles shall electronically
15 transfer to the federally designated organ procurement organization for
16 Nebraska all information which appears on the face of an original or
17 replacement operator's license or state identification card except the
18 image and signature of each person whose license or card includes the
19 notation described in subsection (1) of this section.

20 Sec. 3. Section 60-4,144, Revised Statutes Supplement, 2015, is
21 amended to read:

22 60-4,144 (1) An applicant for issuance of any original or renewal
23 commercial driver's license or an applicant for a change of class of
24 commercial motor vehicle, endorsement, or restriction shall demonstrate
25 his or her knowledge and skills for operating a commercial motor vehicle
26 as prescribed in the Motor Vehicle Operator's License Act. An applicant
27 for a commercial driver's license shall provide the information and
28 documentation required by this section and section 60-4,144.01. Such
29 information and documentation shall include any additional information

30 required by 49 C.F.R. parts 383 and 391 and also include:

31 (a) Certification that the commercial motor vehicle in which the
1 applicant takes any driving skills examination is representative of the
2 class of commercial motor vehicle that the applicant operates or expects
3 to operate; and

4 (b) The names of all states where the applicant has been licensed to
5 operate any type of motor vehicle in the ten years prior to the date of
6 application.

7 (2)(a) Before being issued a CLP-commercial learner's permit or
8 commercial driver's license, the applicant shall provide (i) his or her
9 full legal name, date of birth, mailing address, gender, race or
10 ethnicity, and social security number, (ii) two forms of proof of address
11 of his or her principal residence unless the applicant is a program
12 participant under the Address Confidentiality Act, except that a
13 nondomiciled applicant for a CLP-commercial learner's permit or
14 nondomiciled commercial driver's license holder does not have to provide
15 proof of residence in Nebraska, (iii) evidence of identity as required by
16 this section, and (iv) a brief physical description of himself or
17 herself.

18 (b) The applicant's social security number shall not be printed on
19 the CLP-commercial learner's permit or commercial driver's license and
20 shall be used only (i) to furnish information to the United States
21 Selective Service System under section 60-483, (ii) with the permission
22 of the director in connection with the certification of the status of an
23 individual's driving record in this state or any other state, (iii) for
24 purposes of child support enforcement pursuant to section 42-358.08 or
25 43-512.06, (iv) to furnish information regarding an applicant for or
26 holder of a commercial driver's license with a hazardous materials
27 endorsement to the Transportation Security Administration of the United
28 States Department of Homeland Security or its agent, (v) to furnish
29 information to the Department of Revenue under section 77-362.02, or (vi)
30 to furnish information to the Secretary of State for purposes of the
31 Election Act.

1 (c) No person shall be a holder of a CLP-commercial learner's permit
2 or commercial driver's license and a state identification card at the
3 same time.

4 (3) Before being issued a CLP-commercial learner's permit or
5 commercial driver's license, an applicant, except a nondomiciled
6 applicant, shall provide proof that this state is his or her state of
7 residence. Acceptable proof of residence is a document with the person's
8 name and residential address within this state.

9 (4)(a) Before being issued a CLP-commercial learner's permit or
10 commercial driver's license, an applicant shall provide proof of
11 identity.

12 (b) The following are acceptable as proof of identity:

13 (i) A valid, unexpired United States passport;

14 (ii) A certified copy of a birth certificate filed with a state
15 office of vital statistics or equivalent agency in the individual's state
16 of birth;

- 17 (iii) A Consular Report of Birth Abroad issued by the United States
18 Department of State;
- 19 (iv) A valid, unexpired permanent resident card issued by the United
20 States Department of Homeland Security or United States Citizenship and
21 Immigration Services;
- 22 (v) An unexpired employment authorization document issued by the
23 United States Department of Homeland Security;
- 24 (vi) An unexpired foreign passport with a valid, unexpired United
25 States visa affixed accompanied by the approved form documenting the
26 applicant's most recent admittance into the United States;
- 27 (vii) A Certificate of Naturalization issued by the United States
28 Department of Homeland Security;
- 29 (viii) A Certificate of Citizenship issued by the United States
30 Department of Homeland Security;
- 31 (ix) A driver's license or identification card issued in compliance
1 with the standards established by the REAL ID Act of 2005, Public Law
2 109-13, division B, section 1, 119 Stat. 302; or
- 3 (x) Such other documents as the director may approve.
- 4 (c) If an applicant presents one of the documents listed under
5 subdivision (b)(i), (ii), (iii), (iv), (vii), or (viii) of this
6 subsection, the verification of the applicant's identity will also
7 provide satisfactory evidence of lawful status.
- 8 (d) If the applicant presents one of the identity documents listed
9 under subdivision (b)(v), (vi), or (ix) of this subsection, the
10 verification of the identity documents does not provide satisfactory
11 evidence of lawful status. The applicant must also present a second
12 document from subdivision (4)(b) of this section, a document from
13 subsection (5) of this section, or documentation issued by the United
14 States Department of Homeland Security or other federal agencies
15 demonstrating lawful status as determined by the United States
16 Citizenship and Immigration Services.
- 17 (e) An applicant may present other documents as designated by the
18 director as proof of identity. Any documents accepted shall be recorded
19 according to a written exceptions process established by the director.
- 20 (5)(a) Whenever a person is renewing, replacing, upgrading,
21 transferring, or applying as a nondomiciled individual to this state for
22 a CLP-commercial learner's permit or commercial driver's license, the
23 Department of Motor Vehicles shall verify the citizenship in the United
24 States of the person or the lawful status in the United States of the
25 person.
- 26 (b) The following are acceptable as proof of citizenship or lawful
27 status:
- 28 (i) A valid, unexpired United States passport;
- 29 (ii) A certified copy of a birth certificate filed with a state
30 office of vital statistics or equivalent agency in the individual's state
31 of birth, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the
1 Commonwealth of the Northern Mariana Islands;
- 2 (iii) A Consular Report of Birth Abroad issued by the United States
3 Department of State;

4 (iv) A Certificate of Naturalization issued by the United States
5 Department of Homeland Security;
6 (v) A Certificate of Citizenship issued by the United States
7 Department of Homeland Security; or
8 (vi) A valid, unexpired Permanent Resident Card issued by the United
9 States Department of Homeland Security or United States Citizenship and
10 Immigration Services.
11 (6) An applicant may present other documents as designated by the
12 director as proof of lawful status. Any documents accepted shall be
13 recorded according to a written exceptions process established by the
14 director.
15 (7)(a) An applicant shall obtain a nondomiciled CLP-commercial
16 driver's license or nondomiciled CLP-commercial learner's permit:
17 (i) If the applicant is domiciled in a foreign jurisdiction and the
18 Federal Motor Carrier Safety Administrator has not determined that the
19 commercial motor vehicle operator testing and licensing standards of that
20 jurisdiction meet the standards contained in subparts G and H of 49
21 C.F.R. part 383; or
22 (ii) If the applicant is domiciled in a state that is prohibited
23 from issuing commercial learners' permits and commercial drivers'
24 licenses in accordance with 49 C.F.R. 384.405. Such person is eligible to
25 obtain a nondomiciled CLP-commercial learner's permit or nondomiciled
26 commercial driver's license from Nebraska that complies with the testing
27 and licensing standards contained in subparts F, G, and H of 49 C.F.R.
28 part 383.
29 (b) An applicant for a nondomiciled CLP-commercial learner's permit
30 and nondomiciled commercial driver's license must do the following:
31 (i) Complete the requirements to obtain a CLP-commercial learner's
1 permit or a commercial driver's license under the Motor Vehicle
2 Operator's License Act, except that an applicant domiciled in a foreign
3 jurisdiction must provide an unexpired employment authorization document
4 issued by the United States Citizenship and Immigration Services or an
5 unexpired foreign passport accompanied by an approved I-94 form
6 documenting the applicant's most recent admittance into the United
7 States. No proof of domicile is required;
8 (ii) After receipt of the nondomiciled CLP-commercial learner's
9 permit or nondomiciled commercial driver's license and, for as long as
10 the permit or license is valid, notify the Department of Motor Vehicles
11 of any adverse action taken by any jurisdiction or governmental agency,
12 foreign or domestic, against his or her driving privileges. Such adverse
13 actions include, but are not limited to, license disqualification or
14 disqualification from operating a commercial motor vehicle for the
15 convictions described in 49 C.F.R. 383.51. Notifications must be made
16 within the time periods specified in 49 C.F.R. 383.33; and
17 (iii) Provide a mailing address to the Department of Motor Vehicles.
18 If the applicant is applying for a foreign nondomiciled CLP-commercial
19 learner's permit or foreign nondomiciled commercial driver's license, he
20 or she must provide a Nebraska mailing address and his or her employer's
21 mailing address to the Department of Motor Vehicles.

22 (c) An applicant for a nondomiciled CLP-commercial learner's permit
 23 or nondomiciled commercial driver's license is not required to surrender
 24 his or her foreign license.

25 (8) Any person applying for a CLP-commercial learner's permit or
 26 commercial driver's license may answer the following:

27 (a) Do you wish to register to vote as part of this application
 28 process?

29 (b) Do you wish to have the word "veteran" displayed on the front of
 30 your operator's license to show that you served in the armed forces of
 31 the United States? (To be eligible you must register with the Nebraska
 1 Department of Veterans' Affairs registry.)

2 ~~OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING~~
 3 ~~QUESTIONS:~~

4 (c) Do you wish to include your name in the Donor Registry of
 5 Nebraska and donate your organs and tissues at the time of your death ~~Do~~
 6 ~~you wish to be an organ and tissue donor?~~

7 (d) Do you wish to receive any additional specific information
 8 regarding organ and tissue donation and the Donor Registry of Nebraska?

9 (e) Do you wish to donate \$1 to promote the Organ and Tissue Donor
 10 Awareness and Education Fund?

11 (9) Any person applying for a CLP-commercial learner's permit or
 12 commercial driver's license must make one of the certifications in
 13 section 60-4,144.01 and any certification required under section 60-4,146
 14 and must provide such certifications to the Department of Motor Vehicles
 15 in order to be issued a CLP-commercial learner's permit or a commercial
 16 driver's license.

17 (10) Every person who holds any commercial driver's license must
 18 provide to the department medical certification as required by section
 19 60-4,144.01. The department may provide notice and prescribe medical
 20 certification compliance requirements for all holders of commercial
 21 drivers' licenses. Holders of commercial drivers' licenses who fail to
 22 meet the prescribed medical certification compliance requirements may be
 23 subject to downgrade.

24 Sec. 4. This act becomes operative on July 1, 2017.

25 Sec. 5. Original section 60-494, Reissue Revised Statutes of
 26 Nebraska, section 60-484, Revised Statutes Cumulative Supplement, 2014,
 27 and section 60-4,144, Revised Statutes Supplement, 2015, are repealed.

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs

Room 1507

Wednesday, January 27, 2016 1:30 p.m.

LB827

LB784

LB997

LB807

Thursday, January 28, 2016 1:30 p.m.

LB787
LB874
LB879

(Signed) John Murante, Chairperson

Health and Human Services

Room 1510

Wednesday, January 27, 2016 1:30 p.m.

LB680
LB813
LB859
LB901

Thursday, January 28, 2016 1:00 p.m.

Shelly K. McQuillan - Nebraska Child Abuse Prevention Fund Board
Douglas J. Weinberg - Department of Health and Human Services
Briefing on Division of Children and Family Services
LB708
LB701

(Signed) Kathy Campbell, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 417. Introduced by Kolterman, 24.

WHEREAS, Colton James Hood, a member of Troop 180 from Utica, of the Prairie Winds District of the Cornhusker Council, 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, Colton 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, 13 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, Colton installed two park benches in the Staplehurst city park; and

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

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

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

1. That the Legislature congratulates Colton James Hood on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Colton James Hood.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Pansing Brooks - LB824 and LB1027
Bloomfield, Craighead, Stinner, Watermeier, Williams - LR378CA

ADJOURNMENT

At 11:56 a.m., on a motion by Senator Riepe, the Legislature adjourned until 9:00 a.m., Thursday, January 21, 2016.

Patrick J. O'Donnell
Clerk of the Legislature