

**TWENTY-THIRD DAY - FEBRUARY 6, 2017**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION**

**TWENTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, February 6, 2017

**PRAYER**

The prayer was offered by Senator Blood.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Scheer presiding.

The roll was called and all members were present except Senator Kolterman who was excused; and Senators Albrecht, Brasch, Briese, Erdman, Larson, Smith, Vargas, and Watermeier who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-second day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 22.** Placed on Select File with amendment.

ER4

1 1. In the Standing Committee amendments, AM13:

2 a. On page 2, line 2, after "FY2016-17" insert an underscored comma;

3 and in line 6 after "Legislature" insert an underscored comma;

4 b. Renumber sections 122, 123, and 124 as 124, 122, and 123,

5 respectively;

6 c. On page 110, insert underscoring beginning with "LIMITATION" in

7 line 15 through line 30; and

8 d. On page 111, lines 1 through 27, insert underscoring.

9 2. On page 1, strike beginning with "Laws" in line 1 through "1" in

10 line 14 and insert "Laws 2015, LB259A, section 2; Laws 2015, LB265A,

11 section 1; Laws 2015, LB469A, section 1; Laws 2015, LB605A, section 8;

12 Laws 2015, LB657, sections 11, 12, 13, 14, 15, 16, 17, 19, 21, 25, 26,

13 27, 28, 29, 34, 38, 39, 44, 51, 53, 54, 55, 56, 58, 64, 67, 68, 71, 80,

14 83, 84, 85, 90, 94, 95, 97, 99, 100, 101, 107, 108, 112, 113, 114, 119,

15 126, 127, 129, 131, 133, 134, 136, 137, 138, 139, 140, 145, 150, 152,

16 153, 154, 155, 163, 166, 167, 169, 174, 175, 178, 179, 188, 191, 192,  
 17 194, 195, 202, 204, 211, 213, 216, 218, 219, 221, 223, 224, 226, 232,  
 18 233, 234, 235, 237, 238, 239, 240, 241, 242, 244, 245, 247, 249, 256, and  
 19 260; Laws 2015, LB659, sections 7, 15, and 17; Laws 2015, LB660, sections  
 20 35 and 40; Laws 2016, LB746A, section 3; Laws 2016, LB956, sections 7,  
 21 10, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 61,  
 22 62, 63, 65, and 67; and Laws 2016, LB1038A, section 1".

(Signed) Anna Wishart, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**  
 Health and Human Services

Room 1510

Wednesday, February 15, 2017 1:30 p.m.

LB88  
 LB342  
 LB402

(Signed) Merv Riepe, Chairperson

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

Senator Bostelman filed the following amendment to LB263:  
 AM156

1 1. Insert the following new sections:

2 Sec. 9. If the owner does not have a certificate of title for a  
 3 vehicle manufactured more than thirty years prior to application for a  
 4 certificate of title which has not had any major component part replaced,  
 5 the department shall search its records and any records readily  
 6 accessible to the department for evidence of issuance of a certificate of  
 7 title for such vehicle at the request of the owner. If no certificate of  
 8 title has been issued, the owner may apply for a certificate of title  
 9 indicating that the year, make, and model of the vehicle is that  
 10 originally designated by the manufacturer by presenting a notarized bill  
 11 of sale, an affidavit in support of the application for title, and a  
 12 statement that an inspection has been conducted on the vehicle.  
 13 Sec. 10. For each certificate of title issued by the department  
 14 under section 9 of this act, the fee shall be twenty-five dollars, which  
 15 shall be remitted to the State Treasurer for credit to the Department of  
 16 Motor Vehicles Cash Fund.

17 Sec. 12. Section 60-149, Revised Statutes Cumulative Supplement,  
 18 2016, is amended to read:

19 60-149 (1)(a) If a certificate of title has previously been issued  
 20 for a vehicle in this state, the application for a new certificate of  
 21 title shall be accompanied by the certificate of title duly assigned  
 22 except as otherwise provided in the Motor Vehicle Certificate of Title

23 Act.

24 (b) Except for manufactured homes or mobile homes as provided in  
25 subsection (2) of this section, if a certificate of title has not  
26 previously been issued for the vehicle in this state or if a certificate  
27 of title is unavailable pursuant to subsection (4) of section 52-1801,

1 the application shall be accompanied by:

2 (i) A manufacturer's or importer's certificate except as otherwise  
3 provided in subdivision (vii) of this subdivision;

4 (ii) A duly certified copy of the manufacturer's or importer's  
5 certificate;

6 (iii) An affidavit by the owner affirming ownership in the case of  
7 an all-terrain vehicle, a utility-type vehicle, or a minibike;

8 (iv) A certificate of title from another state;

9 (v) A court order issued by a court of record, a manufacturer's  
10 certificate of origin, or an assigned registration certificate, if the  
11 law of the state from which the vehicle was brought into this state does  
12 not have a certificate of title law;

13 (vi) Documentation prescribed in section 60-142.01, 60-142.02,  
14 60-142.04, ~~or 60-142.05~~, or section 9 of this act; or

15 (vii) A manufacturer's or importer's certificate and an affidavit by  
16 the owner affirming ownership in the case of a minitruck.

17 (c) If the application for a certificate of title in this state is  
18 accompanied by a valid certificate of title issued by another state which  
19 meets that state's requirements for transfer of ownership, then the  
20 application may be accepted by this state.

21 (d) If a certificate of title has not previously been issued for the  
22 vehicle in this state and the applicant is unable to provide such  
23 documentation, the applicant may apply for a bonded certificate of title  
24 as prescribed in section 60-167.

25 (2)(a) If the application for a certificate of title for a  
26 manufactured home or a mobile home is being made in accordance with  
27 subdivision (4)(b) of section 60-137 or if the certificate of title for a  
28 manufactured home or a mobile home is unavailable pursuant to section  
29 52-1801, the application shall be accompanied by proof of ownership in  
30 the form of:

31 (i) A duly assigned manufacturer's or importer's certificate;

1 (ii) A certificate of title from another state;

2 (iii) A court order issued by a court of record;

3 (iv) Evidence of ownership as provided for in section 30-24,125,  
4 52-601.01 to 52-605, 60-1901 to 60-1911, or 60-2401 to 60-2411; or

5 (v) Assessment records for the manufactured home or mobile home from  
6 the county assessor and an affidavit by the owner affirming ownership.

7 (b) If the applicant cannot produce proof of ownership described in  
8 subdivision (a) of this subsection, he or she may submit to the  
9 department such evidence as he or she may have, and the department may  
10 thereupon, if it finds the evidence sufficient, issue the certificate of  
11 title or authorize the county treasurer to issue a certificate of title,  
12 as the case may be.

13 (3) For purposes of this section, certificate of title includes a

14 salvage certificate, a salvage branded certificate of title, or any other  
15 document of ownership issued by another state or jurisdiction for a  
16 salvage vehicle. Only a salvage branded certificate of title shall be  
17 issued to any vehicle conveyed upon a salvage certificate, a salvage  
18 branded certificate of title, or any other document of ownership issued  
19 by another state or jurisdiction for a salvage vehicle.

20 (4) The county treasurer shall retain the evidence of title  
21 presented by the applicant and on which the certificate of title is  
22 issued.

23 2. On page 8, line 1, strike "(a)".

24 3. On page 9, after line 26, insert the following new subdivision:

25 "(e) The department shall issue certificates of title pursuant to  
26 section 9 of this act. Application for a certificate of title shall be  
27 made upon a form prescribed by the department. All applications shall be  
28 accompanied by the appropriate fee or fees.".

29 4. Renumber the remaining sections, correct internal references, and  
30 amend the repealer accordingly.

### MESSAGE(S) FROM THE GOVERNOR

February 2, 2017

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

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

Contingent upon your approval, the following individuals are being  
reappointed to the Nebraska Rural Health Advisory Commission:

Dr. Brian Buhlke, 2606 28th Street, Central City, NE 68826  
Martin Fattig, 73091 643A Avenue, Auburn, NE 68305  
Jessye Goertz, 79483 Highway 2, Berwyn, NE 68814

Contingent upon your approval, the following individuals are being  
appointed to the Nebraska Rural Health Advisory Commission:

Benjamin R. Iske, D.D.S., 7625 Road 123, Broadwater, NE 69125  
April Dexter, 84866 477 Street, Amelia, NE 68711

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

(Signed) Sincerely,  
Pete Ricketts  
Governor

Enclosures

**MOTION - Adopt Permanent Rules**

The Hilgers motion to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year, found on page 303 and considered on pages 310, 312, 314, 343, 348, 357, 410, and 412, as amended, was renewed.

The Hansen proposed rule change found on page 337 and considered on pages 358, 410, and 412, to Rule 3, Sec. 20(b), was renewed.

Senator Chambers offered the following amendment to the Hansen proposed rule change to Rule 3, Sec. 20(b):

Strike "three-fifths vote" and insert "vote of twenty-seven".

Senator Chambers withdrew his amendment.

Senator Hansen withdrew his proposed rule change to Rule 3, Sec. 20(b).

Senator Hansen withdrew his proposed rule change, found on page 337, to Rule 3, Sec. 18.

Senator Larson offered the following proposed rule change to Rule 7, Sec. 10:

**Amend Rule 7, Sec. 10**

**Sec. 10. Cloture.** At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. ~~A vote on the cloture motion shall be taken immediately. A two-thirds majority of the elected members shall be required for the cloture motion to be successful.~~ A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the presiding officer rules that cloture is invoked, a motion to continue debate may then be offered by any member, and is not debatable. Two-fifths of the elected members shall be required for the motion to continue debate to be successful. The vote on the motion to continue debate shall be taken immediately, without debate. If the motion for cloture is successful, If the vote on the motion to continue debate fails, or if no motion to continue debate is made, then a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original

undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred. If the presiding officer rejects a motion for cloture on a bill due to lack of full and fair debate, successive motions for cloture on the bill may be offered at any time.

Senator Larson asked unanimous consent to withdraw his proposed rule change, found in this day's Journal, and replace it with his substitute proposed rule change.

#### **Amend Rule 7, Sec. 10**

**Sec. 10. Cloture.** At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately, which shall require a majority of the elected members, and shall not prevail if two-fifths of the elected members are voting in the negative. ~~A two-thirds majority of the elected members shall be required for the cloture motion to be successful.~~ A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred. If the

presiding officer rejects a motion for cloture on a bill due to lack of full and fair debate, successive motions for cloture on the bill may be offered at any time.

Senator Morfeld objected.

Senator Larson moved to withdraw his proposed rule change, found in this day's Journal, and replace it with his substitute proposed rule change, found in this day's Journal.

Pending.

**NOTICE OF COMMITTEE HEARING(S)**

Education

Room 1525

Monday, February 13, 2017 1:30 p.m.

Chad W. Buckendahl - Technical Advisory Committee for Statewide Assessment  
Gwenn Aspen - Coordinating Commission for Postsecondary Education  
LB608

(Signed) Mike Groene, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, February 14, 2017 1:30 p.m.

William Ashburn - Motor Vehicle Industry Licensing Board

(Signed) Curt Friesen, Chairperson

**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 81.** Placed on General File.

**LEGISLATIVE BILL 100.** Placed on General File.

**LEGISLATIVE BILL 293.** Placed on General File.

**LEGISLATIVE BILL 321.** Placed on General File.

**LEGISLATIVE BILL 349.** Placed on General File.

**LEGISLATIVE BILL 371.** Placed on General File.

(Signed) Laura Ebke, Chairperson

## Transportation and Telecommunications

**LEGISLATIVE BILL 177.** Placed on General File.

**LEGISLATIVE BILL 271.** Placed on General File.

**LEGISLATIVE BILL 86.** Placed on General File with amendment.

AM33

1 1. Strike original section 1 and insert the following new section:

2 Section 1. Section 39-810, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 39-810 (1)(a) The county board of each county may erect and repair  
5 all bridges and approaches thereto and build all culverts and make  
6 improvements on roads, including the purchase of gravel for roads, and  
7 stockpile any materials to be used for such purposes, the cost and  
8 expense of which shall for no project exceed one hundred thousand  
9 dollars.

10 (b) All contracts for the erection or repair of bridges and  
11 approaches thereto or for the building of culverts and improvements on  
12 roads, the cost and expense of which shall exceed one hundred thousand  
13 dollars, shall be let by the county board to the lowest responsible  
14 bidder.

15 (c) All contracts for materials for repairing, erecting, and  
16 constructing bridges and approaches thereto or culverts or for the  
17 purchase of gravel for roads, the cost and expense of which exceed twenty  
18 thousand dollars, shall be let to the lowest responsible bidder, but the  
19 board may reject any and all bids submitted for such materials.

20 (d) Upon rejection of any bid or bids by the board of such a county,  
21 such board shall have power and authority to purchase materials to  
22 repair, erect, or construct the bridges of such county, approaches  
23 thereto, or culverts or to purchase gravel for roads.

24 (e) All contracts for bridge erection or repair, approaches thereto,  
25 culverts, or road improvements in excess of twenty thousand dollars shall  
26 require individual cost-accounting records on each individual project.  
27 The total costs of each such separate project shall be included in the  
1 annual reports to the Board of Public Roads Classifications and Standards  
2 as required by section 39-2120.

3 (2)(a) Except as otherwise provided in subdivision (b) of this  
4 subsection, all ~~All~~ bids for the letting of contracts shall be deposited  
5 with the county clerk of such a county, opened by him or her in the  
6 presence of the county board, and filed in such clerk's office.

7 (b) In a county with a population of more than one hundred fifty  
8 thousand inhabitants with a purchasing agent under section 23-3105, the  
9 bids shall be opened as directed pursuant to section 23-3111.

**LEGISLATIVE BILL 164.** Placed on General File with amendment.

AM4

1 1. On page 31, line 16, strike ". For", show as stricken, and insert

2 "and for"; in line 19 after "records" insert ". For bulk record requests

3 of multiple motor vehicle, trailer, motorboat, all-terrain vehicle.

4 utility-type vehicle, snowmobile, or minibike titles and registrations;  
5 and in line 21 after "records" insert an underscored comma.

(Signed) Curt Friesen, Chairperson

Judiciary

**LEGISLATIVE BILL 93.** Placed on General File with amendment.  
AM121

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

3 Section 1. Sections 1 to 9 of this act shall be known and may be  
4 cited as the Automatic License Plate Reader Privacy Act.

5 Sec. 2. For purposes of the Automatic License Plate Reader Privacy  
6 Act:

7 (1) Alert means data held by the Department of Motor Vehicles, each  
8 criminal justice information system maintained in this state, the Federal  
9 Bureau of Investigation National Crime Information Center, the Federal  
10 Bureau of Investigation Kidnappings and Missing Persons list, the Missing  
11 Persons Information Clearinghouse established under section 29-214.01,  
12 and license plate numbers that have been manually entered into the  
13 automatic license plate reader system upon a law enforcement officer's  
14 determination that the vehicles or individuals associated with the  
15 license plate numbers are relevant and material to an ongoing criminal or  
16 missing persons investigation;

17 (2) Automatic license plate reader system means one or more mobile  
18 or fixed automated high-speed cameras used in combination with computer  
19 algorithms to convert images of license plates into computer-readable  
20 data;

21 (3) Captured plate data means global positioning system coordinates,  
22 date and time information, photographs, license plate numbers, and any  
23 other data captured by or derived from any automatic license plate reader  
24 system;

25 (4) Governmental entity means a department or agency of this state,  
26 the federal government, another state, or a political subdivision or an  
27 individual acting for or as an agent of any of such entities; and

1 (5) Secured area means a place, enclosed by clear boundaries, to  
2 which access is limited and not open to the public and into which entry  
3 is only obtainable through specific access-control points.

4 Sec. 3. (1) Except as otherwise provided in this section or in  
5 section 4 of this act, the use of an automatic license plate reader  
6 system by a governmental entity is prohibited.

7 (2) An automatic license plate reader system may be used when such  
8 use is:

9 (a) By a law enforcement agency of a governmental entity for the  
10 purpose of identifying:

11 (i) Outstanding parking or traffic violations;

12 (ii) An unregistered or uninsured vehicle;

13 (iii) A vehicle in violation of the vehicle equipment requirements

14 set forth under the Nebraska Rules of the Road;  
15 (iv) A vehicle in violation of any other vehicle registration  
16 requirement;  
17 (v) A vehicle registered to an individual for whom there is an  
18 outstanding warrant;  
19 (vi) A vehicle associated with a missing person;  
20 (vii) A vehicle that has been reported as stolen; or  
21 (viii) A vehicle that is relevant and material to an ongoing  
22 criminal investigation;  
23 (b) By a parking enforcement entity for regulating the use of a  
24 parking facility;  
25 (c) For the purpose of controlling access to a secured area;  
26 (d) For the purpose of electronic toll collection; or  
27 (e) To assist weighing stations in performing their duties under  
28 section 60-1301.  
29 Sec. 4. (1) A government entity shall not retain captured plate  
30 data obtained under subsection (2) of section 3 of this act for more than  
31 sixty days unless the captured plate data is:  
1 (a) Evidence related to a purpose listed in subsection (2) of  
2 section 3 of this act;  
3 (b) Subject to a preservation request under subsection (1) of  
4 section 5 of this act; or  
5 (c) The subject of a warrant, subpoena, or court order.  
6 (2) Any governmental entity that uses automatic license plate reader  
7 systems pursuant to subsection (2) of section 3 of this act must update  
8 such systems from the data bases used by the governmental entities  
9 enumerated in such subsection at the beginning of each law enforcement  
10 agency shift if such updates are available.  
11 (3) Any governmental entity that uses automatic license plate reader  
12 systems pursuant to subsection (2) of section 3 of this act may manually  
13 query captured plate data only when a law enforcement officer determines  
14 that the vehicle or individuals associated with the license plate number  
15 are relevant and material to an ongoing criminal or missing persons  
16 investigation subject to the following limitations:  
17 (a) Any manual entry must document the reason for the entry; and  
18 (b) Manual entries must be automatically purged at the end of each  
19 law enforcement agency shift, unless the criminal investigation or  
20 missing persons investigation remains ongoing.  
21 Sec. 5. (1)(a) An operator of an automatic license plate reader  
22 system shall, upon the request of a governmental entity or a defendant in  
23 a criminal case, take all necessary steps to preserve captured plate data  
24 in its possession pending the issuance of a warrant, subpoena, or order  
25 of a court.  
26 (b) A requesting governmental entity or defendant in a criminal case  
27 must specify in a written sworn statement:  
28 (i) The particular camera or cameras for which captured plate data  
29 must be preserved or the particular license plate for which captured  
30 plate data must be preserved; and  
31 (ii) The date or dates and timeframes for which captured plate data

1 must be preserved.  
2 (2) A governmental entity or defendant in a criminal case may apply  
3 for a court order for disclosure of captured plate data, which shall be  
4 issued by the court if the governmental entity or defendant in a criminal  
5 case offers specific and articulable facts showing there are reasonable  
6 grounds to believe the captured plate data is relevant and material to  
7 the criminal or civil action. Nothing in this subsection shall prevent  
8 the governmental entity from disclosing any captured plate data: (a) To  
9 the parties to a criminal or civil action; (b) for administrative  
10 purposes; (c) to alert the public of an emergency situation; or (d)  
11 relating to a missing person.  
12 Sec. 6. Except as otherwise provided in subdivision (3)(b) of this  
13 section, any governmental entity that uses an automatic license plate  
14 reader system shall:  
15 (1) Adopt a policy governing use of the system and conspicuously  
16 post the policy on the governmental entity's Internet web site or, if no  
17 web site is available, in its main office;  
18 (2) Adopt a privacy policy to ensure that captured plate data is not  
19 shared in violation of the Automatic License Plate Reader Privacy Act or  
20 any other law and conspicuously post the privacy policy on its Internet  
21 web site or, if no web site is available, in its main governmental  
22 office; and  
23 (3)(a) Report annually to the Nebraska Commission on Law Enforcement  
24 and Criminal Justice on its automatic license plate reader practices and  
25 usage. The report shall also be conspicuously posted on the governmental  
26 entity's Internet web site or, if no web site is available, in its main  
27 office. The report shall include the following information, if captured  
28 by the automatic license plate reader system:  
29 (i) The names of each list against which captured plate data was  
30 checked, the number of confirmed matches, and the number of matches that  
31 upon further investigation did not correlate to an alert; and  
1 (ii) The number of manually-entered license plate numbers under  
2 subsection (3) of section 4 of this act, the number of confirmed matches,  
3 and the number of matches that upon further investigation did not  
4 correlate to an alert.  
5 (b) The reporting requirements of this subsection shall not apply to  
6 governmental entities using an automatic license plate reader system  
7 pursuant to subdivisions (2)(b) through (e) of section 3 of this act.  
8 Sec. 7. No captured plate data and no evidence derived therefrom  
9 may be received in evidence in any trial, hearing, or other proceeding  
10 before any court, grand jury, department, officer, agency, regulatory  
11 body, legislative committee, or other authority of this state, or a  
12 political subdivision thereof, if the disclosure of that information  
13 would be in violation of the Automatic License Plate Reader Privacy Act.  
14 Sec. 8. Any person who violates the Automatic License Plate Reader  
15 Privacy Act shall be liable for damages that proximately cause injury to  
16 the business, person, or reputation of another individual or entity.  
17 Sec. 9. (1) Captured plate data held by a governmental entity is  
18 not considered a public record for purposes of sections 84-712 to

19 84-712.09 and shall only be disclosed to the person to whom the vehicle  
 20 is registered or with the prior written consent of the person to whom the  
 21 vehicle is registered or pursuant to a disclosure order under subsection  
 22 (2) of section 5 of this act or as the result of a match pursuant to  
 23 subsection (2) of section 3 of this act.  
 24 (2) Upon the presentation to a governmental entity of a valid,  
 25 outstanding protection order pursuant to the Protection from Domestic  
 26 Abuse Act, the Uniform Interstate Enforcement of Domestic Violence  
 27 Protection Orders Act, or section 28-311.09 or 28-311.10 protecting the  
 28 driver of a vehicle jointly registered with or registered solely in the  
 29 name of the individual against whom the order was issued, captured plate  
 30 data may not be disclosed except pursuant to a disclosure order under  
 31 subsection (2) of section 5 of this act or as the result of a match  
 1 pursuant to subsection (2) of section 3 of this act.

**LEGISLATIVE BILL 158.** Placed on General File with amendment.

AM145

1 1. On page 2, line 27, after the comma insert "and the matter  
 2 leading to such filing has not already been resolved through a juvenile  
 3 pretrial diversion program established pursuant to sections 43-260.02 to  
 4 43-260.07."  
 5 2. On page 5, line 14, after the period insert "If a juvenile waives  
 6 his or her right to counsel, the juvenile court shall at each subsequent  
 7 hearing inform the juvenile of his or her right to rescind such waiver of  
 8 counsel and have counsel reappointed."

**LEGISLATIVE BILL 574.** Indefinitely postponed.

(Signed) Laura Ebke, Chairperson

#### ANNOUNCEMENT

Senator Craighead announced Committee on Committees will meet Tuesday, February 7, 2017, at 10:15 a.m. in Room 2022.

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

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

Senator Hilkemann name added to LB18.  
 Senator Halloran name added to LB121.  
 Senator Pansing Brooks name added to LB180.  
 Senator Albrecht name added to LB289.  
 Senator Brewer name added to LB342.  
 Senator Brewer name added to LB355.  
 Senator Baker name added to LB438.  
 Senator Brewer name added to LB556.  
 Senator Lindstrom name added to LB576.

Senator Erdman name added to LB576.  
Senator Hilkemann name added to LB578.  
Senator Ebke name added to LB611.  
Senator Blood name added to LB624.  
Senator Brewer name added to LB624.  
Senator Brewer name added to LB635.  
Senator Brewer name added to LB650.  
Senator Hilkemann name added to LR23.  
Senator Hilkemann name added to LR24.  
Senator Pansing Brooks name added to LR26.

**MOTION - Recess**

Senator Chambers moved to recess until 2:30 p.m.

The motion failed.

**VISITOR(S)**

Visitors to the Chamber were Wes Ropers and Mike Pittz from Lincoln; and Senator Albrecht's husband, Mike, and Leon Bruns, Darrell Olson, Donald Liedman, Roger Brandt, Tom Wittler, and Dennis Zvack.

**ADJOURNMENT**

At 12:03 p.m., on a motion by Senator Groene, the Legislature adjourned until 9:00 a.m., Tuesday, February 7, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature

