

THIRTY-SECOND DAY - FEBRUARY 23, 2018**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION****THIRTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, February 23, 2018

PRAYER

The prayer was offered by Senator Clements.

ROLL CALL

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

The roll was called and all members were present except Senator Walz who was excused; and Senators Larson, Vargas, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-first day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 439. Placed on Select File with amendment.
ER111 is available in the Bill Room.

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 1089. Placed on General File with amendment.
AM2049 is available in the Bill Room.

(Signed) Jim Smith, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 827. Placed on General File.

LEGISLATIVE BILL 859. Placed on General File.

LEGISLATIVE BILL 1119. Placed on General File.

LEGISLATIVE BILL 426. Placed on General File with amendment.
AM1957

- 1 1. Insert the following new section:
- 2 Sec. 148. This act becomes operative on January 1, 2019.
- 3 2. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 887. Placed on General File with amendment.
AM1781

- 1 1. Insert the following new section:
- 2 Sec. 2. Section 15-201.02, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 15-201.02 (1) In addition to any other powers granted to it by law,
- 5 a city of the primary class may enter into installment contracts for the
- 6 purchase of real or personal property. The aggregate principal amount of
- 7 such contracts shall be limited to twenty percent of the general
- 8 obligation bond debt approved by the voters of such city. Such contracts
- 9 need not be restricted to a single year and may provide for the purchase
- 10 of the property in installment payments to be paid over more than one
- 11 fiscal year.
- 12 (2) Nothing in this section affects any contract in effect prior to
- 13 May 31, 2018.
- 14 (3) This section shall be in addition to and notwithstanding the
- 15 provisions of a home rule charter.
- 16 2. Renumber the remaining section and correct the repealer
- 17 accordingly.

LEGISLATIVE BILL 1000. Placed on General File with amendment.
AM1717

- 1 1. Strike original sections 5 to 7 and insert the following new
- 2 section:
- 3 Sec. 5. (1) In addition to any other borrowing powers provided for
- 4 by law, a qualified public agency may issue its negotiable bonds subject
- 5 to the terms and conditions set forth in the Public Facilities
- 6 Construction and Finance Act to any joint entity as defined in section
- 7 13-803 or to any joint public agency as defined in section 13-2503 in
- 8 connection with any joint project which is to be owned, operated, or
- 9 financed by the joint entity or joint public agency for the benefit of
- 10 the qualified public agency. The bonds may be issued only if the second
- 11 largest participant in the joint project has a financial contribution in
- 12 the joint project of at least twenty-five percent of the debt service. No
- 13 bonds shall be issued on or after the effective date of this act until
- 14 the question has been submitted to the qualified electors of each
- 15 participating qualified public agency at an election called for that
- 16 purpose as provided in this section and, within each participating
- 17 qualified public agency, a majority of the qualified electors voting on
- 18 the question within the participating qualified public agency voted in
- 19 favor of issuing the same.

20 (2) Each participating qualified public agency shall give notice of
 21 the election at least fifty days prior to the election. The question of
 22 issuing bonds may be submitted at the statewide primary or general
 23 election. The election shall be conducted in accordance with the Election
 24 Act.

25 (3) The question of bond issues, when defeated, shall not be
 26 resubmitted in substance for a period of six months from and after the
 27 date of such election.

1 2. On page 3, line 1, strike "to 8" and insert "and 6".

2 3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 1003. Placed on General File with amendment.

AM1911

1 1. On page 2, line 13, strike "three hundred sixty" and insert "one
 2 hundred sixty-eight".

(Signed) John Murante, Chairperson

COMMITTEE REPORT(S)

Business and Labor

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

Johnie Jason Girmus - Boiler Safety Code Advisory Board

Aye: 6 Albrecht, Chambers, Halloran, Hansen, Howard, Lowe. Nay: 0.
 Absent: 1 Crawford. Present and not voting: 0.

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

Joel Carlson - Commission of Industrial Relations
 Patricia L. Vannoy - Commission of Industrial Relations

Aye: 6 Albrecht, Chambers, Halloran, Hansen, Howard, Lowe. Nay: 0.
 Absent: 1 Crawford. Present and not voting: 0.

(Signed) Joni Albrecht, Chairperson

Government, Military and Veterans Affairs

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

Starr Lehl - Nebraska Tourism Commission

Ashley Olson - Nebraska Tourism Commission
 Sarah Sortum - Nebraska Tourism Commission

Aye: 7 Blood, Brewer, Briese, Lowe, Murante, Thibodeau, Wayne. Nay: 0.
 Absent: 1 Hilgers. Present and not voting: 0.

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

Darrin Barner - Nebraska Tourism Commission
 John Chabo - Nebraska Tourism Commission
 Roger L. Jasnoch - Nebraska Tourism Commission
 Roger Kuhn - Nebraska Tourism Commission
 Barry McFarland - Nebraska Tourism Commission
 Debra Nelson-Loseke - Nebraska Tourism Commission

Aye: 8 Blood, Brewer, Briese, Hilgers, Lowe, Murante, Thibodeau, Wayne.
 Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Murante, Chairperson

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to LB1084:
 FA103
 Amend Committee Amendments
 Page 4, line 5: Strike "enrollment of the" and insert "enrollment of that".

Senator Briese filed the following amendment to LB1084:
 FA104
 Amend Committee Amendments
 Page 1, line 9 after "meaning as," insert "it does in".

Senator Briese filed the following amendment to LB1084:
 FA105
 Page 1, line 16 after "the" insert "Nebraska".

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 22, 2018, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
 Clerk of the Legislature

Baird Holm LLP
 People United for Privacy

Husch Blackwell LLP
 Nebraska Indoor Tanning Association
 Lautenbaugh, Scott
 Nebraska Premium Tobacco
 Stenek, Abby
 Lincoln Independent Business Association (LIBA) (Withdrawn 2/19/2018)
 Watson, James S.
 Nebraska Association of Medicaid Health Plans

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:
<http://www.nebraskalegislature.gov/agencies/view.php>

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 803. Placed on General File with amendment.

AM1719

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 79-1104, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 79-1104 (1) Any school board in its discretion may (a) establish and
 6 financially support programs providing before-and-after-school or
 7 prekindergarten services, to which attendance shall be voluntary and
 8 which the board may deem beneficial to the education of prekindergarten
 9 or school-age children and (b) provide or financially support
 10 transportation for children to, from, or to and from programs as defined
 11 in section 71-1910. The board may charge a fee, not to exceed the actual
 12 cost, for providing such programs and services but may waive such fee on
 13 the basis of need. This section does not allow any school district to
 14 fail to meet its responsibilities under the Special Education Act.
 15 (2) Prekindergarten programs established by school boards or
 16 educational service units shall be approved by the State Department of
 17 Education subject to regulations adopted and promulgated by the State
 18 Board of Education and may include such components as (a) the utilization
 19 of appropriately qualified staff, (b) an appropriate child-to-staff
 20 ratio, (c) appropriate group size, (d) compliance with minimum health and
 21 safety standards, (e) appropriate facility size and equipment, (f) a
 22 strong family development and support component, (g) developmentally and
 23 culturally appropriate curriculum, practices, and assessment, (h) well-
 24 defined language development and early literacy emphasis, and (i) a plan
 25 for ongoing professional development of staff, all in accordance with
 26 sound early childhood educational practice, research, and evaluation. All
 27 teachers and administrators in prekindergarten programs established
 1 pursuant to this section shall hold a valid certificate or permit issued
 2 pursuant to sections 79-806 to 79-815, except that the ~~The~~ State Board
 3 of Education may shall adopt and promulgate rules and regulations that
 4 exempt a prekindergarten program from the requirement for teachers and

5 administrators in prekindergarten programs to hold a valid certificate or
 6 permit if such program is in compliance with such rules and regulations
 7 for the issuance of such permits or certificates required by this
 8 section.

9 Sec. 2. Original section 79-1104, Reissue Revised Statutes of
 10 Nebraska, is repealed.

LEGISLATIVE BILL 998. Placed on General File with amendment.
 AM2044

1 1. On page 3, line 6, strike "born equally between" and insert "paid
 2 by any combination of"; in line 7 strike "the General Fund"; and strike
 3 beginning with "and" in line 17 through "unit" in line 18.
 4 2. On page 4, strike beginning with "a" in line 5 through "Council"
 5 in line 6 and insert "the Educational Service Unit Coordinating Council
 6 or an educational service unit may employ a social worker. Such social
 7 worker".

(Signed) Mike Groene, Chairperson

COMMITTEE REPORT(S)
 Education

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

John Bernthal - Coordinating Commission for Postsecondary Education
 Deborah Frison - Coordinating Commission for Postsecondary Education
 Joyce Simmons - Coordinating Commission for Postsecondary Education

Aye: 8 Ebke, Erdman, Groene, Kolowski, Linehan, Morfeld,
 Pansing Brooks, Walz. Nay: 0. Absent: 0. Present and not voting: 0.

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

Robert Kobza - Board of Educational Lands and Funds

Aye: 8 Ebke, Erdman, Groene, Kolowski, Linehan, Morfeld,
 Pansing Brooks, Walz. Nay: 0. Absent: 0. Present and not voting: 0.

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

Lisa May - Nebraska Educational Telecommunications Commission

Aye: 8 Ebke, Erdman, Groene, Kolowski, Linehan, Morfeld,
 Pansing Brooks, Walz. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Mike Groene, Chairperson

SPEAKER SCHEER PRESIDING

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 78.

A BILL FOR AN ACT relating to state highways; to amend section 39-1314, Reissue Revised Statutes of Nebraska; to change a provision relating to relinquishment or abandonment of a highway fragment, section, or route as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Albrecht	Clements	Harr	Lindstrom	Riepe
Baker	Crawford	Hilgers	Linehan	Scheer
Blood	Ebke	Hilkemann	Lowe	Schumacher
Bolz	Erdman	Howard	McCollister	Smith
Bostelman	Friesen	Hughes	McDonnell	Stinner
Brasch	Geist	Kolowski	Morfeld	Thibodeau
Brewer	Groene	Kolterman	Murante	Watermeier
Briese	Halloran	Krist	Pansing Brooks	Williams
Chambers	Hansen	Kuehn	Quick	Wishart

Voting in the negative, 0.

Excused and not voting, 4:

Larson	Vargas	Walz	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 285.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-502.03, Reissue Revised Statutes of Nebraska, and section 71-531, Revised Statutes Cumulative Supplement, 2016; to provide a duty to test pregnant women, eliminate written informed consent and exemption provisions, and change posttest counseling and treatment provisions relating to testing for human immunodeficiency virus infection; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Albrecht	Clements	Harr	Lindstrom	Riepe
Baker	Crawford	Hilgers	Linehan	Scheer
Blood	Ebke	Hilkemann	Lowe	Schumacher
Bolz	Erdman	Howard	McCollister	Smith
Bostelman	Friesen	Hughes	McDonnell	Stinner
Brasch	Geist	Kolowski	Morfeld	Thibodeau
Brewer	Groene	Kolterman	Murante	Watermeier
Briese	Halloran	Krist	Pansing Brooks	Williams
Chambers	Hansen	Kuehn	Quick	Wishart

Voting in the negative, 0.

Excused and not voting, 4:

Larson	Vargas	Walz	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 345.

A BILL FOR AN ACT relating to the Abstracters Act; to amend sections 76-542 and 76-546, Reissue Revised Statutes of Nebraska; to eliminate an experience requirement for registered abstracters and temporary certificates of registration; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Albrecht	Clements	Harr	Lowe	Schumacher
Baker	Crawford	Hilgers	McCollister	Smith
Blood	Ebke	Hilkemann	McDonnell	Stinner
Bolz	Erdman	Hughes	Morfeld	Thibodeau
Bostelman	Friesen	Kolowski	Murante	Watermeier
Brasch	Geist	Kolterman	Pansing Brooks	Williams
Brewer	Groene	Kuehn	Quick	Wishart
Briese	Halloran	Lindstrom	Riepe	
Chambers	Hansen	Linehan	Scheer	

Voting in the negative, 1:

Krist

Present and not voting, 1:

Howard

Excused and not voting, 4:

Larson Vargas Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 472.

A BILL FOR AN ACT relating to highways; to amend section 39-220, Revised Statutes Supplement, 2017; to change provisions relating to permits for advertisements along the Highway Beautification Control System; to eliminate a fee; to change provisions relating to the Department of Transportation's authority to make rules and regulations concerning signs along highways; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Albrecht	Crawford	Hilkemann	McCollister	Stinner
Baker	Ebke	Howard	McDonnell	Thibodeau
Blood	Erdman	Hughes	Morfeld	Vargas
Bolz	Friesen	Kolowski	Murante	Watermeier
Bostelman	Geist	Kolterman	Pansing Brooks	Williams
Brasch	Groene	Krist	Quick	Wishart
Brewer	Halloran	Kuehn	Riepe	
Briese	Hansen	Lindstrom	Scheer	
Chambers	Harr	Linehan	Schumacher	
Clements	Hilgers	Lowe	Smith	

Voting in the negative, 0.

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 480.

A BILL FOR AN ACT relating to insurance; to amend section 47-701, Reissue Revised Statutes of Nebraska; to provide requirements relating to health insurance policies and coverage for insureds in temporary jail custody; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Albrecht	Clements	Harr	Lindstrom	Scheer
Baker	Crawford	Hilgers	Linehan	Schumacher
Blood	Ebke	Hilkemann	Lowe	Smith
Bolz	Erdman	Howard	McCollister	Stinner
Bostelman	Friesen	Hughes	McDonnell	Thibodeau
Brasch	Geist	Kolowski	Morfeld	Vargas
Brewer	Groene	Kolterman	Murante	Watermeier
Briese	Halloran	Krist	Pansing Brooks	Williams
Chambers	Hansen	Kuehn	Quick	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Riepe

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 486.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3902 and 44-3905, Reissue Revised Statutes of Nebraska, and section 44-3904, Revised Statutes Cumulative Supplement, 2016; to define terms; to change continuing education requirements; to provide powers and duties; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Albrecht	Crawford	Hilkemann	McCollister	Stinner
Baker	Ebke	Howard	McDonnell	Thibodeau
Blood	Erdman	Hughes	Morfeld	Vargas
Bolz	Friesen	Kolowski	Murante	Watermeier
Bostelman	Geist	Kolterman	Pansing Brooks	Williams
Brasch	Groene	Krist	Quick	Wishart
Brewer	Halloran	Kuehn	Riepe	
Briese	Hansen	Lindstrom	Scheer	
Chambers	Harr	Linehan	Schumacher	
Clements	Hilgers	Lowe	Smith	

Voting in the negative, 0.

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 618.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-331, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the use of the Transportation Network Company Regulation Cash Fund; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Albrecht	Crawford	Hilkemann	McCollister	Stinner
Baker	Ebke	Howard	McDonnell	Thibodeau
Blood	Erdman	Hughes	Morfeld	Vargas
Bolz	Friesen	Kolowski	Murante	Watermeier
Bostelman	Geist	Kolterman	Pansing Brooks	Williams
Brasch	Groene	Krist	Quick	Wishart
Brewer	Halloran	Kuehn	Riepe	
Briese	Hansen	Lindstrom	Scheer	
Chambers	Harr	Linehan	Schumacher	
Clements	Hilgers	Lowe	Smith	

Voting in the negative, 0.

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 710.

A BILL FOR AN ACT relating to civil lawsuits; to amend section 25-1801, Reissue Revised Statutes of Nebraska; to change provisions relating to costs, interest, and attorney's fees; to define a term; to provide an exception; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Albrecht	Crawford	Hilkemann	McCollister	Stinner
Baker	Ebke	Howard	McDonnell	Thibodeau
Blood	Erdman	Hughes	Morfeld	Vargas
Bolz	Friesen	Kolowski	Murante	Watermeier
Bostelman	Geist	Kolterman	Pansing Brooks	Williams
Brasch	Groene	Krist	Quick	Wishart
Brewer	Halloran	Kuehn	Riepe	
Briese	Hansen	Lindstrom	Scheer	
Chambers	Harr	Linehan	Schumacher	
Clements	Hilgers	Lowe	Smith	

Voting in the negative, 0.

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB744 with 42 ayes, 2 nays, 2 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 744.

A BILL FOR AN ACT relating to the Legislature; to amend sections 32-1101, 32-1105, 32-1111, 32-1112, 32-1114, 32-1115, and 32-1116, Reissue Revised Statutes of Nebraska; to adopt the Legislative Qualifications and Election Contests Act; to change and repeal provisions relating to election contests; to provide a duty for the Revisor of Statutes; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-1106 and 32-1107, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Albrecht	Clements	Hilgers	Linehan	Scheer
Baker	Crawford	Hilkemann	Lowe	Schumacher
Blood	Ebke	Howard	McCollister	Smith
Bolz	Erdman	Hughes	McDonnell	Sinner
Bostelman	Geist	Kolowski	Morfeld	Thibodeau
Brasch	Groene	Kolterman	Murante	Vargas
Brewer	Halloran	Krist	Pansing Brooks	Watermeier
Briese	Hansen	Kuehn	Quick	Williams
Chambers	Harr	Lindstrom	Riepe	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Friesen

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 757.

A BILL FOR AN ACT relating to consumer protection; to amend sections 87-801 and 87-806, Reissue Revised Statutes of Nebraska, and sections 8-2602, 8-2603.01, 8-2608.02, 8-2609, and 8-2609.01, Revised Statutes Cumulative Supplement, 2016; to prohibit certain fees under the Credit Report Protection Act; to change provisions relating to the Financial Data Protection and Consumer Notification of Data Security Breach Act of 2006; to require additional reasonable security procedures and practices regarding personal information; to provide applicability for certain provisions; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Albrecht	Crawford	Hilkemann	McCollister	Stinner
Baker	Ebke	Howard	McDonnell	Thibodeau
Blood	Erdman	Hughes	Morfeld	Vargas
Bolz	Friesen	Kolowski	Murante	Watermeier
Bostelman	Geist	Kolterman	Pansing Brooks	Williams
Brasch	Groene	Krist	Quick	Wishart
Brewer	Halloran	Kuehn	Riepe	
Briese	Hansen	Lindstrom	Scheer	
Chambers	Harr	Linehan	Schumacher	
Clements	Hilgers	Lowe	Smith	

Voting in the negative, 0.

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Return LB275 to Select File

Senator Chambers moved to return LB275 to Select File for the following specific amendment:

FA106

Strike the enacting clause.

The Chambers motion to return failed with 0 ayes, 42 nays, 4 present and not voting, and 3 excused and not voting.

MOTION(S) - Return LB758 to Select File

Senator Chambers moved to return LB758 to Select File for the following specific amendment:

FA107

Strike the enacting clause.

Senator Chambers requested a roll call vote on the motion to return.

Voting in the affirmative, 0.

Voting in the negative, 41:

Albrecht	Crawford	Hilkemann	McDonnell	Stinner
Baker	Ebke	Howard	Morfeld	Thibodeau
Blood	Erdman	Hughes	Murante	Vargas
Bolz	Friesen	Kolterman	Pansing Brooks	Williams
Bostelman	Geist	Kuehn	Quick	Wishart
Brasch	Groene	Lindstrom	Riepe	
Brewer	Halloran	Linehan	Scheer	
Briese	Hansen	Lowe	Schumacher	
Clements	Hilgers	McCollister	Smith	

Present and not voting, 4:

Chambers	Harr	Kolowski	Krist
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Excused and not voting, 4:

Larson	Walz	Watermeier	Wayne
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The Chambers motion to return failed with 0 ayes, 41 nays, 4 present and not voting, and 4 excused and not voting.

WITHDRAW - Amendments to LB310

Senator Harr withdrew his amendments, AM1876 and AM1877, found on pages 615 and 616, to LB310.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 310.

A BILL FOR AN ACT relating to highways and bridges; to amend sections 39-1411 and 39-1412, Reissue Revised Statutes of Nebraska, and section 60-6,383, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to carrying capacity and weight limits of bridges and operation restrictions for implements of husbandry; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Albrecht	Clements	Harr	Lindstrom	Riepe
Baker	Crawford	Hilgers	Linehan	Scheer
Blood	Ebke	Hilkemann	Lowe	Schumacher
Bolz	Erdman	Howard	McCollister	Smith
Bostelman	Friesen	Hughes	McDonnell	Stinner
Brasch	Geist	Kolowski	Morfeld	Thibodeau
Brewer	Groene	Kolterman	Murante	Vargas
Briese	Halloran	Krist	Pansing Brooks	Williams
Chambers	Hansen	Kuehn	Quick	Wishart

Voting in the negative, 0.

Excused and not voting, 4:

Larson Walz Watermeier Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Reconsider Action on LB275

Senator Chambers offered the following motion to LB275:
MO228

Reconsider the vote taken on the motion to return the bill to Select File.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 275.

A BILL FOR AN ACT relating to abandoned vehicles; to amend sections 60-1906, 60-1910, and 60-1911, Reissue Revised Statutes of Nebraska, and sections 60-149 and 60-166, Revised Statutes Supplement, 2017; to define a term; to provide duties for law enforcement agencies and private towing services; to provide rights and duties for private property owners; to change liability provisions; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Albrecht	Clements	Harr	Lindstrom	Scheer
Baker	Crawford	Hilgers	Linehan	Schumacher
Blood	Ebke	Hilkemann	Lowe	Smith
Bolz	Erdman	Howard	McCollister	Sinner
Bostelman	Friesen	Hughes	McDonnell	Thibodeau
Brasch	Geist	Kolowski	Morfeld	Vargas
Brewer	Groene	Kolterman	Murante	Watermeier
Briese	Halloran	Krist	Pansing Brooks	Williams
Chambers	Hansen	Kuehn	Quick	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Riepe

Excused and not voting, 3:

Larson Walz Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 758. With Emergency Clause.

A BILL FOR AN ACT relating to water; to provide for voluntary payments in lieu of taxes relating to water augmentation projects as prescribed; to provide for notices, hearings, annual reports, and submission of leases as prescribed; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Albrecht	Crawford	Hilgers	Linehan	Scheer
Baker	Ebke	Hilkemann	Lowe	Schumacher
Blood	Erdman	Howard	McCollister	Smith
Bolz	Friesen	Hughes	McDonnell	Sinner
Bostelman	Geist	Kolowski	Morfeld	Thibodeau
Brasch	Groene	Kolterman	Murante	Vargas
Brewer	Halloran	Krist	Pansing Brooks	Watermeier
Briese	Hansen	Kuehn	Quick	Williams
Clements	Harr	Lindstrom	Riepe	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 3:

Larson Walz Wayne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION(S) - Return LB17 to Select File

Senator Erdman moved to return LB17 to Select File for his specific amendment, AM1528, found on page 517.

The Erdman motion to return prevailed with 46 ayes, 0 nays, and 3 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 17. The Erdman specific amendment, AM1528, found on page 517, was adopted with 46 ayes, 0 nays, and 3 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION(S) - Return LB350 to Select File

Senator Murante moved to return LB350 to Select File for his specific amendment, AM1697, found on page 588.

Senator Wayne requested a roll call vote, in reverse order, on the motion to return.

Voting in the affirmative, 6:

Albrecht Geist Lowe
Erdman Hilgers Murante

Voting in the negative, 21:

Baker	Ebke	Krist	Scheer	Wishart
Blood	Hansen	McDonnell	Schumacher	
Bolz	Harr	Morfeld	Vargas	
Chambers	Howard	Pansing Brooks	Watermeier	
Crawford	Kolowski	Quick	Wayne	

Present and not voting, 20:

Bostelman	Clements	Hilkemann	Lindstrom	Smith
Brasch	Friesen	Hughes	Linehan	Stinner
Brewer	Groene	Kolterman	McCollister	Thibodeau
Briese	Halloran	Kuehn	Riepe	Williams

Excused and not voting, 2:

Larson Walz

The Murante motion to return failed with 6 ayes, 21 nays, 20 present and not voting, and 2 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 320. Introduced by Baker, 30.

WHEREAS, Jetta Harvey, a member of Gage County 4-H and a sophomore at Harvey Academy for Higher Learning, has achieved national recognition for exemplary volunteer service by receiving the 2018 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Ms. Harvey earned this honor by giving generously of her time and energy by constructing Quilts of Valor to honor military veterans in the Beatrice and Gage County community. After constructing one by herself, Ms. Harvey taught fellow 4-H members and Beatrice Middle School students how to sew and worked with them to create four additional quilts. Ms. Harvey then organized a reception to honor each of the five Quilt of Valor recipients; and

WHEREAS, the success of the state, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Jetta Harvey who use their considerable talents and resources to serve others.

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

1. That the Legislature congratulates and honors Jetta Harvey for receiving the 2018 Prudential Spirit of Community Award.
2. That the Legislature recognizes Ms. Harvey's outstanding record of volunteer service, peer leadership, and community spirit and extends best wishes for her continued success and happiness.
3. That a copy of this resolution be sent to Jetta Harvey.

Laid over.

LEGISLATIVE RESOLUTION 321. Introduced by Baker, 30.

WHEREAS, William "Will" Gleason from Lincoln Southwest High School won the Number 1 singles tennis title at the 2017 Class A Boys State Tennis Championship; and

WHEREAS, Mr. Gleason has won the state's Number 1 singles crown for three consecutive years; and

WHEREAS, the win by Mr. Gleason helped the Lincoln Southwest Silver Hawks win the state team championship for the first time since 2013 with a perfect score of 60 points; and

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

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

1. That the Legislature congratulates Will Gleason on winning the Number 1 singles tennis title at the 2017 Class A Boys State Tennis Championship.

2. That a copy of this resolution be sent to Will Gleason.

Laid over.

LEGISLATIVE RESOLUTION 322. Introduced by Baker, 30.

WHEREAS, Joe Harris from Lincoln Southwest High School won the Number 2 singles tennis title at the 2017 Class A Boys State Tennis Championship; and

WHEREAS, the win by Mr. Harris helped the Lincoln Southwest Silver Hawks win the state team championship for the first time since 2013 with a perfect score of 60 points; and

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

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

1. That the Legislature congratulates Joe Harris on winning the Number 2 singles tennis title at the 2017 Class A Boys State Tennis Championship.

2. That a copy of this resolution be sent to Joe Harris.

Laid over.

LEGISLATIVE RESOLUTION 323. Introduced by Baker, 30.

WHEREAS, Duncan Works and Nick O'Shea from Lincoln Southwest High School won the Number 1 doubles tennis title at the 2017 Class A Boys State Tennis Championship; and

WHEREAS, the win by Mr. Works and Mr. O'Shea helped the Lincoln Southwest Silver Hawks win the state team championship for the first time since 2013 with a perfect score of 60 points; and

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

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

1. That the Legislature congratulates Duncan Works and Nick O'Shea on winning the Number 1 doubles tennis title at the 2017 Class A Boys State Tennis Championship.

2. That copies of this resolution be sent to Duncan Works and Nick O'Shea.

Laid over.

LEGISLATIVE RESOLUTION 324. Introduced by Baker, 30.

WHEREAS, Grady Works and Caleb Bowman from Lincoln Southwest High School won the Number 2 doubles tennis title at the 2017 Class A Boys State Tennis Championship; and

WHEREAS, the win by Mr. Works and Mr. Bowman helped the Lincoln Southwest Silver Hawks win the state team championship for the first time since 2013 with a perfect score of 60 points; and

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

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

1. That the Legislature congratulates Grady Works and Caleb Bowman on winning the Number 2 doubles tennis title at the 2017 Class A Boys State Tennis Championship.

2. That copies of this resolution be sent to Grady Works and Caleb Bowman.

Laid over.

LEGISLATIVE RESOLUTION 325. Introduced by Baker, 30.

WHEREAS, the Lincoln Southwest High School boys tennis team won the 2017 Class A Boys State Tennis Championship; and

WHEREAS, the Lincoln Southwest Silver Hawks scored a perfect 60 team points and took home the team title for the first time since 2013; and

WHEREAS, the win by the Silver Hawks marks the first time, since the Nebraska School Activities Association started taking statistics in 1977, that a team has won all four divisions of the Boys' State Tennis Championship; and

WHEREAS, Coach Dennis Hershberger provided the leadership to cap a winning season with a state championship; and

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

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

1. That the Legislature congratulates the Southwest Silver Hawks boys tennis team on winning the 2017 Class A Boys State Tennis Championship.
2. That a copy of this resolution be sent to Lincoln Southwest High school and Coach Dennis Hershberger.

Laid over.

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 993. Placed on General File with amendment. AM1908 is available in the Bill Room.

LEGISLATIVE BILL 389. Placed on General File with amendment. AM1456 is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 1019. Placed on General File.

LEGISLATIVE BILL 1098. Placed on General File.

LEGISLATIVE BILL 948. Placed on General File with amendment. AM1931

- 1 1. Insert the following new sections:
- 2 Sec. 6. Section 32-202, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 32-202 In addition to any other duties prescribed by law, the
- 5 Secretary of State shall:
- 6 (1) Supervise the conduct of primary and general elections in this
- 7 state;
- 8 (2) Provide training for election commissioners, county clerks, and
- 9 other election officials in providing for registration of voters and the
- 10 conduct of elections;
- 11 (3) Enforce the Election Act;
- 12 (4) With the assistance and advice of the Attorney General, make
- 13 uniform interpretations of the act;
- 14 (5) Provide periodic training for the agencies and their agents and
- 15 contractors in carrying out their duties under sections 32-308 to 32-310;
- 16 (6) Develop and print forms for use as required by sections 32-308,
- 17 32-310, 32-320, 32-329, 32-947, 32-956, and 32-958;
- 18 (7) Contract with the Department of Administrative Services for
- 19 storage and distribution of the forms;
- 20 (8) Require reporting to ensure compliance with sections 32-308 to
- 21 32-310;

22 (9) Prepare and transmit reports as required by the National Voter
23 Registration Act of 1993, 42 U.S.C. 1973gg et seq.;

24 (10) Develop and print a manual describing the requirements of the
25 initiative and referendum process and distribute the manual to election
26 commissioners and county clerks for distribution to the public upon
27 request;

1 (11) Develop and print pamphlets described in section 32-1405.01;

2 and

3 ~~(12) Adopt and promulgate rules and regulations for elections~~

4 ~~conducted under sections 32-952 to 32-959; and~~

5 (12) (13) Establish a free access system, such as a toll-free

6 telephone number or an Internet web site, that any voter who casts a

7 provisional ballot may access to discover whether the vote of that voter

8 was counted and, if the vote was not counted, the reason that the vote

9 was not counted. The Secretary of State shall establish and maintain

10 reasonable procedures necessary to protect the security, confidentiality,

11 and integrity of personal information collected, stored, or otherwise

12 used by the free access system. Access to information about an individual

13 provisional ballot shall be restricted to the individual who cast the

14 ballot.

15 Sec. 7. Section 32-203, Reissue Revised Statutes of Nebraska, is

16 amended to read:

17 32-203 In addition to any other powers prescribed by law, the

18 Secretary of State may:

19 (1) Inspect, with or without the filing of a complaint by any

20 person, and review the practices and procedures of election

21 commissioners, county clerks, their employees, and other election

22 officials in the conduct of primary and general elections and the

23 registration of qualified electors;

24 (2) Employ such personnel as necessary to efficiently carry out his

25 or her powers and duties as prescribed in the Election Act;

26 (3) Adopt and promulgate rules and regulations in regard to the

27 registration of voters and the conduct of elections, including, but not

28 limited to, elections under sections 32-952 to 32-959; and

29 (4) Enforce the act by injunctive action brought by the Attorney

30 General in the district court for the county in which any violation of

31 the act occurs.

1 Sec. 13. Section 46-753, Revised Statutes Cumulative Supplement,

2 2016, is amended to read:

3 46-753 (1) The Water Resources Trust Fund is created. The State

4 Treasurer shall credit to the fund such money as is specifically

5 appropriated thereto by the Legislature, transfers authorized by the

6 Legislature, and such funds, fees, donations, gifts, or bequests received

7 by the Department of Natural Resources from any federal, state, public,

8 or private source for expenditure for the purposes described in the

9 Nebraska Ground Water Management and Protection Act. Money in the fund

10 shall not be subject to any fiscal-year limitation or lapse provision of

11 unexpended balance at the end of any fiscal year or biennium. Any money

12 in the fund available for investment shall be invested by the state

13 investment officer pursuant to the Nebraska Capital Expansion Act and the
14 Nebraska State Funds Investment Act.

15 (2) The fund shall be administered by the department. The department
16 ~~may shall~~ adopt and promulgate rules and regulations regarding the
17 allocation and expenditure of money from the fund.

18 (3) Money in the fund may be expended by the department for costs
19 incurred by the department, by natural resources districts, or by other
20 political subdivisions in (a) determining whether river basins,
21 subbasins, or reaches are fully appropriated in accordance with section
22 46-713, (b) developing or implementing integrated management plans for
23 such fully appropriated river basins, subbasins, or reaches or for river
24 basins, subbasins, or reaches designated as overappropriated in
25 accordance with section 46-713, (c) developing or implementing integrated
26 management plans in river basins, subbasins, or reaches which have not
27 yet become either fully appropriated or overappropriated, or (d)
28 attaining state compliance with an interstate water compact or decree or
29 other formal state contract or agreement.

30 (4) Except for funds paid to a political subdivision for forgoing or
31 reducing its own water use or for implementing projects or programs
1 intended to aid the state in complying with an interstate water compact
2 or decree or other formal state contract or agreement, a political
3 subdivision that receives funds from the fund shall provide, or cause to
4 be provided, matching funds in an amount at least equal to twenty percent
5 of the amount received from the fund by that natural resources district
6 or political subdivision. The department shall monitor programs and
7 activities funded by the fund to ensure that the required match is being
8 provided.

9 Sec. 18. Section 60-482, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 60-482 The director ~~may shall~~ adopt and promulgate such rules and
12 regulations as may be necessary to carry out the Motor Vehicle Operator's
13 License Act.

14 Sec. 20. Section 60-4,118, Revised Statutes Supplement, 2017, is
15 amended to read:

16 60-4,118 (1) No operator's license shall be granted to any applicant
17 until such applicant satisfies the examiner that he or she possesses
18 sufficient powers of eyesight to enable him or her to obtain a Class O
19 license and to operate a motor vehicle on the highways of this state with
20 a reasonable degree of safety. The Department of Motor Vehicles ~~may shall~~
21 adopt and promulgate rules and regulations:

22 (a) Requiring a minimum acuity level of vision. Such level may be
23 obtained through the use of standard eyeglasses, contact lenses, or
24 bioptic or telescopic lenses which are specially constructed vision
25 correction devices which include a lens system attached to or used in
26 conjunction with a carrier lens; and

27 (b) Requiring a minimum field of vision. Such field of vision may be
28 obtained through standard eyeglasses, contact lenses, or the carrier lens
29 of the bioptic or telescopic lenses.

30 (2) If a vision aid is used by the applicant to meet the vision

31 requirements of this section, the operator's license of the applicant
1 shall be restricted to the use of such vision aid when operating the
2 motor vehicle. If the applicant fails to meet the vision requirements,
3 the examiner shall require the applicant to present an optometrist's or
4 ophthalmologist's statement certifying the vision reading obtained when
5 testing the applicant within ninety days of the applicant's license
6 examination. If the vision reading meets the vision requirements
7 prescribed by the department, the vision requirements of this section
8 shall have been met. If the vision reading demonstrates that the
9 applicant is required to use bioptic or telescopic lenses to operate a
10 motor vehicle, the statement from the optometrist or ophthalmologist
11 shall also indicate when the applicant needs to be reexamined for
12 purposes of meeting the vision requirements for an operator's license as
13 prescribed by the department. If such time period is two years or more
14 after the date of the application, the license shall be valid for two
15 years. If such time period is less than two years, the license shall be
16 valid for such time period.

17 (3) If the applicant for an operator's license discloses that he or
18 she has any other physical impairment which may affect the safety of
19 operation by such applicant of a motor vehicle, the examiner shall
20 require the applicant to show cause why such license should be granted
21 and, through such personal examination and demonstration as may be
22 prescribed by the director, to show the necessary ability to safely
23 operate a motor vehicle on the highways. If the examiner is then
24 satisfied that such applicant has the ability to safely operate a motor
25 vehicle, an operator's license may be issued to the applicant subject, at
26 the discretion of the director, to a limitation to operate only such
27 motor vehicles at such time, for such purpose, and within such area as
28 the license shall designate.

29 (4)(a) The director may, when requested by a law enforcement
30 officer, when the director has reason to believe that a person may be
31 physically or mentally incompetent to operate a motor vehicle, or when a
1 person's driving record appears to the department to justify an
2 examination, give notice to the person to appear before an examiner or a
3 designee of the director for examination concerning the person's ability
4 to operate a motor vehicle safely. Any such request by a law enforcement
5 officer shall be accompanied by written justification for such request
6 and shall be approved by a supervisory law enforcement officer, police
7 chief, or county sheriff.

8 (b) A refusal to appear before an examiner or a designee of the
9 director for an examination after notice to do so shall be unlawful and
10 shall result in the immediate cancellation of the person's operator's
11 license by the director.

12 (c) If the person cannot qualify at the examination by an examiner,
13 his or her operator's license shall be immediately surrendered to the
14 examiner and forwarded to the director who shall cancel the person's
15 operator's license.

16 (d) If the director determines that the person lacks the physical or
17 mental ability to operate a motor vehicle, the director shall notify the

18 person in writing of the decision. Upon receipt of the notice, the person
 19 shall immediately surrender his or her operator's license to the director
 20 who shall cancel the person's operator's license.

21 (e) Refusal to surrender an operator's license on demand shall be
 22 unlawful, and any person failing to surrender his or her operator's
 23 license as required by this subsection shall be guilty of a Class III
 24 misdemeanor.

25 2. Renumber the remaining sections and correct the repealer
 26 accordingly.

LEGISLATIVE BILL 1130. Placed on General File with amendment.
 AM1844

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

2 Sec. 2. Section 49-1496, Reissue Revised Statutes of Nebraska, is
 3 amended to read:

4 49-1496 (1) The statement of financial interests filed pursuant to
 5 sections 49-1493 to 49-14,104 shall be on a form prescribed by the
 6 commission.

7 (2) Individuals required to file under sections 49-1493 to 49-1495
 8 shall file the following information for themselves:

9 (a) The name and address of and the nature of association with any
 10 business with which the individual was associated;

11 (b) The name and address of any entity in which a position of
 12 trustee was held;

13 (c)(i) (e) The name, address, and nature of business of a person or
 14 government body from whom any income in the value of one thousand dollars
 15 or more was received and the nature of the services rendered, except that
 16 the identification of patrons, customers, patients, or clients of such
 17 person from which employment income was received is not required; and

18 (ii) A designation of whether any income described in subdivision
 19 (i) of this subdivision was from a tax-exempt organization described in
 20 section 501(c)(3) or 501(c)(4) of the Internal Revenue Code as defined in
 21 section 49-801.01;

22 (d) A description, but not the value, of the following, if the fair
 23 market value thereof exceeded one thousand dollars:

24 (i) The nature and location of all real property in the state,
 25 except the residence of the individual;

26 (ii) The depository of checking and savings accounts;

27 (iii) The issuer of stocks, bonds, and government securities; and

1 (iv) A description of all other property owned or held for the
 2 production of income, except property owned or used by a business with
 3 which the individual was associated;

4 (e) The name and address of each creditor to whom the value of one
 5 thousand dollars or more was owed or guaranteed by the individual or a
 6 member of the individual's immediate family, except for the following:

7 (i) Accounts payable;

8 (ii) Debts arising out of retail installment transactions;

9 (iii) Loans made by financial institutions in the ordinary course of
 10 business;

11 (iv) Loans from a relative; and
 12 (v) Land contracts that have been properly recorded with the county
 13 clerk or the register of deeds;
 14 (f) The name, address, and occupation or nature of business of any
 15 person from whom a gift in the value of more than one hundred dollars was
 16 received, a description of the gift and the circumstances of the gift,
 17 and the monetary value category of the gift, based on a good faith
 18 estimate by the individual, reported in the following categories:
 19 (i) \$100.01 - \$200;
 20 (ii) \$200.01 - \$500;
 21 (iii) \$500.01 - \$1,000; and
 22 (iv) \$1,000.01 or more; and
 23 (g) Such other information as the individual or the commission deems
 24 necessary, after notice and hearing, to carry out the purposes of the
 25 Nebraska Political Accountability and Disclosure Act.
 26 Sec. 3. (1) Any tax-exempt organization described in section 501(c)
 27 (3) or 501(c)(4) of the Internal Revenue Code as defined in section
 28 49-801.01 from which any income required to be reported under section
 29 49-1496 was received by the Governor, the Lieutenant Governor, the
 30 Secretary of State, the Auditor of Public Accounts, the State Treasurer,
 31 the Attorney General, a member of the State Board of Education, a member
 1 of the Board of Regents of the University of Nebraska with the exception
 2 of student members, a member of the Public Service Commission, or a
 3 member of the Legislature shall file with the Nebraska Accountability and
 4 Disclosure Commission a copy of its most recent Schedule of Contributors,
 5 Schedule B, filed with the Internal Revenue Service on Form 990, 990-EZ,
 6 or 990-PF or any successor forms. No information other than social
 7 security numbers of contributors shall be redacted from such copy.
 8 (2) The filing required by subsection (1) of this section shall be
 9 filed no later than ten days after notification is received from the
 10 commission that the commission has identified such organization to be
 11 subject to this section.
 12 2. Renumber the remaining section and correct the repealer and
 13 internal references accordingly.

(Signed) John Murante, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB389:
 AM2094

(Amendments to Standing Committee amendments, AM1456)

- 1 1. On page 4, line 13, strike "federal interstate highway" and
 2 insert "freeway as defined in section 39-1302 or the National System of
 3 Interstate and Defense Highways".
- 4 2. On page 7, line 11, strike "subsection (4)" and insert
 5 "subsections (4) and (5)".
- 6 3. On page 11, line 25, after the semicolon insert "and"; in line 30
 7 strike "; and" and insert an underscored period; and strike line 31 and

8 insert the following new subsection:

9 "(5)(a) Notwithstanding any other provision of the Small Wireless
10 Facilities Deployment Act, for any construction, operation, collocation,
11 maintenance, relocation, or placement of wireless facilities, utility
12 poles, or wireless support structures that occurs upon, above, across, or
13 under a state or federal highway or upon a state-owned utility pole or
14 wireless support structure, the application process, location, and
15 installation of such facilities, poles, or structures, as such pertain to
16 the present and future use of the right-of-way or state-owned poles or
17 wireless support structures for highway purposes, shall be subject to the
18 rules and regulations, guidance documents, and usual and customary
19 permitting requirements of the State of Nebraska and the Department of
20 Transportation, including, but not limited to, requirements for location
21 and design review, liability and automobile insurance, indemnification of
22 the department from liability, protection of public safety and property
23 interests, and compliance with federal transportation funding
24 requirements.
25 (b) Traffic signal utility poles and traffic control devices owned
26 by the Department of Transportation shall not be used for the collocation
1 of small wireless facilities under the Small Wireless Facilities
2 Deployment Act. State highway lighting utility poles may be used for
3 collocation of small wireless facilities only if: (i) There are
4 insufficient reasonable alternative collocation options at or near the
5 requested location; (ii) the small wireless facilities can be safely
6 installed, operated, and maintained; and (iii) the collocation of the
7 small wireless facilities will not violate reasonable wind, ice, weight,
8 and seismic loading requirements on state highway lighting utility poles.
9 (c) Applicants that collocate small wireless facilities on state
10 highway lighting utility poles assume the risk of loss or damage to, or
11 loss of use of, such facilities when such poles are damaged, destroyed,
12 or taken out of service on state property, except to the extent that such
13 loss or damage is due to or caused by the negligence or willful
14 misconduct of the Department of Transportation or its employees,
15 contractors, or agents. This subdivision does not preclude claims against
16 entities other than the Department of Transportation.
17 (d) The construction, operation, maintenance, collocation, or
18 placement of wireless facilities, utility poles, or wireless support
19 structures shall occur at no cost to the Department of Transportation
20 unless otherwise agreed in advance between an applicant and the
21 department.
22 (e) The Department of Transportation may set and collect a
23 reasonable application fee to cover its costs in administering the
24 activities described in this subsection, as well as a uniform and
25 nondiscriminatory system of annual occupancy rates for the use and
26 occupancy of state-owned property.
27 (f) If the future maintenance or construction of a state or federal
28 highway by the Department of Transportation requires the moving or
29 relocating of wireless facilities, utility poles, or wireless support
30 structures, such facilities, poles, or structures shall be removed or

31 relocated by the owner at the owner's expense and as directed by the
1 department."
2 4. On page 12, strike lines 1 through 26; and in line 27 strike
3 "(5)" and insert "(6)".
4 5. On page 13, line 4, strike "and (4)" and insert "through (5)";
5 and in line 5 strike "(6)" and insert "(7)".

Senator Friesen filed the following amendment to LB389:
AM2032

(Amendments to Standing Committee amendments, AM1456)

1 1. On page 13, lines 9 and 11, strike "ninety" and insert "sixty".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Riepe name added to LB1040.

MOTION(S) - Print in Journal

Senator Murante filed the following motion to LB350:
MO230

Recommit to the Government, Military and Veterans Affairs Committee.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 78, 285, 345, 472, 480, 486, 618, 710, 744, 757, 310, 275, and 758.

VISITORS

Visitors to the Chamber were 20 members of the National Utility Contractors Association of Nebraska; 20 high school students from Scottsbluff; 18 members of the Nebraska Civic Leadership Program from Omaha Public High Schools; 54 fourth-grade students from David City; 25 members of the Nebraska State Bar Association Leadership Academy; and 60 students from Ashland Greenwood Elementary.

The Doctor of the Day was Dr. Josephine Kerk from Omaha.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator McDonnell, the Legislature adjourned until 9:00 a.m., Monday, February 26, 2018.

Patrick J. O'Donnell
Clerk of the Legislature

