

**FORTY-FOURTH DAY - MARCH 15, 2018**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION**

**FORTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, March 15, 2018

**PRAYER**

The prayer was offered by Pastor Joe Laughlin, Victory Church, Omaha.

**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 Hilgers who was excused; and Senators Bolz, Linehan, Murante, Stinner, Thibodeau, and Vargas who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-third day was approved.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 741.** Placed on Select File.

(Signed) Anna Wishart, Chairperson

**COMMITTEE REPORT(S)**  
Health and Human Services

**LEGISLATIVE BILL 705.** Placed on General File.

**LEGISLATIVE BILL 1057.** Placed on General File.

**LEGISLATIVE BILL 686.** Placed on General File with amendment.  
AM2208 is available in the Bill Room.

**LEGISLATIVE BILL 894.** Placed on General File with amendment.  
AM2058 is available in the Bill Room.

(Signed) Merv Riepe, Chairperson

**COMMITTEE REPORT(S)**

Health and Human Services

The Health and Human Services 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.

Matthew A. Van Patton, Director - Division of Medicaid and Long Term Care-Department of Health and Human Services

Aye: 5 Erdman, Kolterman, Linehan, Riepe, Williams. Nay: 0. Absent: 0. Present and not voting: 2 Crawford, Howard.

The Health and Human Services 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.

Jeremy Fitzpatrick - Commission for the Deaf and Hard of Hearing  
 Stacie L. Ray - Commission for the Deaf and Hard of Hearing  
 Diane Schutt - Commission for the Deaf and Hard of Hearing  
 Norman B. Weverka - Commission for the Deaf and Hard of Hearing

Aye: 7 Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Merv Riepe, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 351.** Introduced by Thibodeau, 6; Harr, 8; Hilgers, 21; Krist, 10; McCollister, 20.

WHEREAS, the Omaha Creighton Prep High School swimming and diving team won the 2018 Boys' State Swimming and Diving Championship; and

WHEREAS, the Creighton Prep Junior Jays scored 409 points to win the school's twelfth consecutive state swimming and diving championship; and

WHEREAS, this victory is a testament to the hard work and dedication of:  
 Seniors Ray Cronin, Stanley Drvol, Conner Funke, Jeff Garvey, Matthew Heaney, Joe Hennessey, Colin LaFave, Baily McFadden, Jalen Nichols, Noah Schalley, Nick Soltys, and Mark Thayer;

Juniors Tristan Currin, Charlie Ehlers, Andrew Forbes, Ben Goeman, Blaine Kaup, Jason Kwong, Kayden McCullough, Ross Pantano, and Noah Peake;

Sophomores Matthew Ahlgren, Rush Clark, Hayden Hadford, Nick Mowat, Timothy Nichols, Danny Perry, Jimmy Rosenthal, Ethan Schmaderer, and Greg Thayer; and

Freshmen Sal Goaley, Andrew Hood, Drew Kaelin, Ben Ravnsborg, Leonardo Ruiz-Juvera, Andrew Sutej, and Cian Weekly; and

WHEREAS, Coach Tom Beck and assistant coaches Becki Carter, Harlan Groff, and Dr. Larry Raynor, did a tremendous job of guiding the team; 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 Omaha Creighton Prep swimming and diving team on winning the 2018 Boys' State Swimming and Diving Championship.
2. That a copy of this resolution be sent to each member of the swimming and diving team, their coach, Tom Beck, and each of the assistant coaches.

Laid over.

#### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 14, 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  
TSYS

#### **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>

#### **RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 340, 341, and 342 were adopted.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 340, 341, and 342.

#### **BILLS ON FINAL READING**

##### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB17 with 38 ayes, 2 nays, 4 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 17.**

A BILL FOR AN ACT relating to real property; to amend sections 76-2228.02, 76-3201, 76-3202, 76-3203, 76-3204, 76-3205, 76-3206, 76-3207, 76-3208, 76-3210, 76-3212, 76-3213, 76-3214, 76-3215, 76-3216, and 76-3217, Revised Statutes Cumulative Supplement, 2016; to change and eliminate provisions relating to the Real Property Appraiser Act and the Nebraska Appraisal Management Company Registration Act; 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	Howard	McCollister	Vargas
Baker	Ebke	Hughes	McDonnell	Walz
Blood	Erdman	Kolowski	Morfeld	Watermeier
Bolz	Friesen	Kolterman	Pansing Brooks	Wayne
Bostelman	Geist	Krist	Quick	Williams
Brasch	Groene	Kuehn	Riepe	Wishart
Brewer	Halloran	Larson	Scheer	
Briese	Hansen	Lindstrom	Schumacher	
Chambers	Harr	Linehan	Smith	
Clements	Hilkemann	Lowe	Thibodeau	

Voting in the negative, 0.

Excused and not voting, 3:

Hilgers            Murante            Stinner

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 256.**

A BILL FOR AN ACT relating to cities and villages; to adopt the Vacant Property Registration Act; and to provide a duty for the Revisor of Statutes.

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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Hilgers           Stinner

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

**LEGISLATIVE BILL 321.**

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1204.04, Reissue Revised Statutes of Nebraska; to change provisions relating to unlawful possession of a firearm at a school; 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	Howard	McCollister	Vargas
Baker	Ebke	Hughes	McDonnell	Walz
Blood	Erdman	Kolowski	Morfeld	Watermeier
Bolz	Friesen	Kolterman	Murante	Wayne
Bostelman	Geist	Krist	Quick	Williams
Brasch	Groene	Kuehn	Riepe	Wishart
Brewer	Halloran	Larson	Scheer	
Briese	Hansen	Lindstrom	Schumacher	
Chambers	Harr	Linehan	Smith	
Clements	Hilkemann	Lowe	Thibodeau	

Voting in the negative, 0.

Present and not voting, 1:

Pansing Brooks

Excused and not voting, 2:

Hilgers           Stinner

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 LB743 with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 743.**

A BILL FOR AN ACT relating to insurance; to amend sections 44-2607, 44-2614, 44-3905, 44-3908, 44-4053, 44-4056, and 44-4521, Reissue Revised Statutes of Nebraska, and sections 44-4068, 44-8105, 44-8108, 44-8601, and 44-8602, Revised Statutes Cumulative Supplement, 2016; to adopt the Public Adjusters Licensing Act; to change the certification of continuing education activities as prescribed; to redefine terms relating to insurance consultants; to redefine a term and change requirements relating to insurance producers under the Nebraska Protection in Annuity Transactions Act; to redefine a term, to provide contract requirements for assignment of rights and benefits, to require notice as prescribed, and to declare certain contracts void under the Insured Homeowners Protection Act; to eliminate a requirement for rules and regulations; to eliminate prelicensing education requirements; to harmonize provisions; to repeal the original sections; and to outright repeal sections 44-3911, 44-3912, and 44-3913, Reissue Revised Statutes of Nebraska, and sections 44-3909 and 44-3910, Revised Statutes Cumulative Supplement, 2016.

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, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hilgers

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 LB750 with 41 ayes, 4 nays, 3 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 750.**

A BILL FOR AN ACT relating to real property; to amend sections 76-252, 76-1014.01, and 76-2803, Reissue Revised Statutes of Nebraska, and sections 45-737 and 76-238, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to the recording of instruments and the rights and duties of secured creditors with respect to the Residential Mortgage Licensing Act, real estate conveyances, mortgages, trust deeds, and the Nebraska Security Instrument Satisfaction Act; 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, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

Groene

Excused and not voting, 1:

Hilgers

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 LB874 with 38 ayes, 2 nays, 8 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 874.**

A BILL FOR AN ACT relating to community development; to amend sections 15-1301, 18-2101.01, 18-2104, 18-2107, 18-2109, 18-2113, 18-2116, 18-2117.01, 18-2122, 18-2125, 18-2127, 18-2129, 18-2133, 18-2134, 18-2137, 18-2138, 18-2140, 18-2141, 18-2142.01, 18-2143, 18-2144, 18-2145, and 18-2153, Reissue Revised Statutes of Nebraska, sections 13-2610, 18-2101, 18-2103, 18-2115, 18-2119, 18-2147, and 77-1704.01, Revised Statutes Cumulative Supplement, 2016, and sections 17-405.01 and 18-2102.01, Revised Statutes Supplement, 2017; to change the Community Development Law; to provide for audits by the Auditor of Public Accounts; to redefine terms; to change powers and duties of authorities; to change provisions relating to public hearings and notices; to require certain findings to be documented in writing; to require studies or analyses as prescribed; to change provisions relating to a cost-benefit analysis and a report to the Property Tax Administrator; to require an annual report on tax-increment financing; to restrict the reimbursement of costs for redevelopment projects using tax-increment financing as prescribed; to require retention of certain documents; to change provisions relating to certain redevelopment contracts, tax-increment financing, and certain property tax notices and receipts; 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, 47:



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

Voting in the negative, 0.

Present and not voting, 1:

Riepe

Excused and not voting, 1:

Hilgers

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 936.**

A BILL FOR AN ACT relating to the Legislative Performance Audit Act; to amend section 50-1209, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to tax incentive performance audits; to define terms; 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, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hilgers

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

**MOTION(S) - Recommit LB350 to Committee**

Senator Murante offered his motion, MO230, found on page 755, to recommit LB350 to the Government, Military and Veterans Affairs Committee.

Senator Murante withdrew his motion to recommit to committee.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 350.**

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2264, Reissue Revised Statutes of Nebraska; to provide a procedure for setting aside convictions for misdemeanors and felonies as prescribed; to harmonize provisions; 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, 30:

Baker	Friesen	Howard	Morfeld	Stinner
Blood	Groene	Kolowski	Pansing Brooks	Vargas
Bolz	Halloran	Krist	Quick	Walz
Chambers	Hansen	Lindstrom	Scheer	Wayne
Crawford	Harr	McCollister	Schumacher	Williams
Ebke	Hilkemann	McDonnell	Smith	Wishart

Voting in the negative, 11:

Albrecht	Erdman	Larson	Riepe
Bostelman	Geist	Lowe	Thibodeau
Clements	Kuehn	Murante	

Present and not voting, 6:

Brewer	Hughes	Linehan
Briese	Kolterman	Watermeier

Excused and not voting, 2:

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

**MOTION(S) - Return LB775 to Select File**

Senator Chambers moved to return LB775 to Select File for the following specific amendment:

FA118

Strike the enacting clause.

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

Voting in the affirmative, 1:

Lowe

Voting in the negative, 44:

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

Present and not voting, 3:

Chambers	Erdman	Krist
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Excused and not voting, 1:

Hilgers

The Chambers motion to return failed with 1 aye, 44 nays, 3 present and not voting, and 1 excused and not voting.

Senator Chambers offered the following motion:

MO268

Reconsider the vote taken to return to Select File.

**SPEAKER SCHEER PRESIDING**

The Chambers motion to reconsider failed with 2 ayes, 34 nays, 11 present and not voting, and 2 excused and not voting.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB775 with 33 ayes, 1 nay, 14 present and not voting, and 1 excused and not voting.

**MOTION(S) - Return LB775 to Select File**

Senator Chambers moved to return LB775 to Select File for the following specific amendment:

FA119

Page 14, strike and show as stricken lines 6-12.

**PRESIDENT FOLEY PRESIDING**

Senator Stinner offered the following motion:

MO269

Invoke cloture pursuant to Rule 7, Sec. 10 .

The Stinner motion to invoke cloture prevailed with 46 ayes, 1 nay, and 2 excused and not voting.

The Chambers motion to return to Select File failed with 1 aye, 46 nays, and 2 excused and not voting.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 775.**

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-201, Reissue Revised Statutes of Nebraska, and sections 73-101, 73-307, and 81-1701, Revised Statutes Cumulative Supplement, 2016; to adopt the State Park System Construction Alternatives Act; 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	Ebke	Kolowski	Morfeld	Vargas
Baker	Erdman	Kolterman	Murante	Walz
Blood	Friesen	Krist	Pansing Brooks	Watermeier
Bolz	Geist	Kuehn	Quick	Wayne
Bostelman	Halloran	Larson	Riepe	Williams
Brasch	Hansen	Lindstrom	Scheer	Wishart
Brewer	Harr	Linehan	Schumacher	
Briese	Hilkemann	Lowe	Smith	
Clements	Howard	McCollister	Stinner	
Crawford	Hughes	McDonnell	Thibodeau	

Voting in the negative, 1:

Chambers

Excused and not voting, 2:

Groene Hilgers

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

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 923.** Placed on Select File with amendment.

ER132

- 1 1. On page 1, line 4, strike "agency" and after "employees" insert
- 2 "administering naloxone"; in line 5 after "violations" insert "regarding
- 3 alcoholic liquor"; and in line 6 strike "or persons who are mentally
- 4 incompetent".
- 5 2. On page 5, lines 12 and 14, strike "(4)(b) of this section" and
- 6 insert "(b) of this subsection"; and in line 21 strike "subdivisions" and
- 7 reinstate the stricken "subdivision".
- 8 3. On page 8, line 21, strike "subsections" and reinstate the
- 9 stricken "subsection".

**LEGISLATIVE BILL 760.** Placed on Select File with amendment.

ER130

- 1 1. On page 1, line 4, after "for" insert "retroactive".

**LEGISLATIVE BILL 803.** Placed on Select File with amendment.

ER131

- 1 1. On page 1, strike beginning with "children" in line 1 through
- 2 line 11 and insert "early childhood education; to amend section 79-1104,
- 3 Reissue Revised Statutes of Nebraska; to change State Board of Education
- 4 rulemaking authority as prescribed; to provide authority to exempt a
- 5 prekindergarten program from teacher and administrator certificate or
- 6 permit requirements; and to repeal the original section."

(Signed) Anna Wishart, Chairperson

**COMMITTEE REPORT(S)**  
Health and Human Services

**LEGISLATIVE BILL 344.** Placed on General File with amendment.  
AM1453

- 1 1. Strike original sections 11 to 15 and insert the following new
- 2 section:
- 3 Sec. 11. Section 44-772, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:
- 5 44-772 Substance abuse treatment center shall mean an institution
- 6 licensed as a substance abuse treatment center by the Department of
- 7 Health and Human Services ~~and defined in section 71-430~~, which provides a
- 8 program for the inpatient or outpatient treatment of alcoholism pursuant
- 9 to a written treatment plan approved and monitored by a physician and
- 10 which is affiliated with a hospital under a contractual agreement with an
- 11 established system for patient referral.
- 12 2. On page 11, line 5, after "jurisdiction" insert an underscored
- 13 comma.
- 14 3. On page 14, strike beginning with "The" in line 20 through line
- 15 23.
- 16 4. On page 23, lines 9 through 15 strike the new matter and insert
- 17 "Substance use disorder means a medical illness caused by repeat misuse
- 18 of a substance or substances, characterized by clinically significant
- 19 impairments in health, social function, and impaired control over
- 20 substance use and diagnosed through assessing cognitive, behavioral, and
- 21 psychological symptoms. Substance use disorders range from mild to severe
- 22 and from temporary to chronic.".
- 23 5. On page 24, lines 2 and 3, strike "only"; in lines 5 and 7 strike
- 24 the first occurrence of the word "only"; in lines 5 and 7 strike "admit
- 25 only persons with" and insert "treat persons whose primary need is
- 26 treatment for"; and in line 9 strike "admit" and insert "treat".
- 27 6. Renumber the remaining sections and correct internal references
- 1 and the repealer accordingly.

**LEGISLATIVE BILL 1034.** Placed on General File with amendment.  
AM2322 is available in the Bill Room.

(Signed) Merv Riepe, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 352.** Introduced by Lindstrom, 18.

PURPOSE: The purpose of this resolution is to study whether the Real Property Appraiser Act should be updated. In order to carry out the purpose of this resolution, the study committee should seek the assistance of the Real

Property Appraiser Board and should consider the input of interested persons as the study committee deems necessary and appropriate.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 17, 256, 321, 743, 750, 874, 936, 350, and 775.

#### **WITHDRAW - Amendment(s) to LB44**

Senator Smith withdrew his amendments, AM2246, AM2253, and AM2261, found on pages 843, 852, and 877, to LB44.

#### **MOTION(S) - Return LB44 to Select File**

Senator Watermeier moved to return LB44 to Select File for the following Watermeier-Smith specific amendment:

AM2433

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 77-2701.13, Reissue Revised Statutes of Nebraska,
- 4 is amended to read:
- 5 77-2701.13 (1) Engaged in business in this state means conducting
- 6 operations in this state that meet or exceed the level of activity
- 7 required under the commerce clause and due process clause of the United
- 8 States Constitution for a state to enforce collection responsibility on a
- 9 retailer and includes, but is not limited to, any of the following:
- 10 (a) (1) Maintaining, occupying, or using, permanently or
- 11 temporarily, directly or indirectly, or through a subsidiary or agent, by
- 12 whatever name called, an office, place of distribution, sales or sample
- 13 room or place, warehouse, storage place, or other place of business in
- 14 this state;
- 15 (b) (2) Having any representative, agent, salesperson, canvasser, or
- 16 solicitor operating in this state under the authority of the retailer or
- 17 its subsidiary for the purpose of selling, delivering, or taking orders
- 18 for any property;

19 ~~(c) (3)~~ Deriving rentals from a lease of property in this state by  
 20 any retailer;

21 ~~(d) (4)~~ Soliciting retail sales of property from residents of this  
 22 state on a continuous, regular, or systematic basis by means of  
 23 advertising which is broadcast from or relayed from a transmitter within  
 24 this state or distributed from a location within this state;

25 ~~(e) (5)~~ Soliciting or facilitating orders from or sales to residents  
 26 of this state for property by mail, if the activities solicitations are  
 1 continuous, regular, seasonal, or systematic or and if the retailer  
 2 benefits from any banking, financing, debt collection, or marketing  
 3 activities occurring in this state or benefits from the location in this  
 4 state of authorized installation, servicing, or repair facilities;

5 ~~(f) (6)~~ Being owned or controlled by the same interests which own or  
 6 control any retailer engaged in business in the same or similar line of  
 7 business in this state; or

8 ~~(g) (7)~~ Maintaining or having a franchisee or licensee operating  
 9 under the retailer's trade name in this state if the franchisee or  
 10 licensee is required to collect the tax under the Nebraska Revenue Act of  
 11 1967.

12 (2) A person who lacks a physical presence in this state and who  
 13 makes, solicits, or facilitates orders from this state of property  
 14 subject to state and local sales or use taxes in this state or who makes,  
 15 solicits, or facilitates retail sales of property subject to state and  
 16 local sales or use taxes in this state shall be deemed to be engaged in  
 17 business in this state if:

18 (a) Such person's total retail sales of property subject to state  
 19 and local sales or use taxes in this state exceeded one hundred thousand  
 20 dollars in the previous or current calendar year; or

21 (b) Such person made, solicited, or facilitated retail sales subject  
 22 to state and local sales or use taxes in this state in two hundred or  
 23 more separate transactions in the previous or current calendar year.

24 (3) The changes made in this section by this legislative bill become  
 25 operative on the first day of the first calendar quarter after a  
 26 controlling United States Supreme Court decision or federal legislation  
 27 abrogates the physical presence requirement of Quill Corp. v. North  
 28 Dakota, 504 U.S. 298 (1992), or otherwise allows a state to impose sales  
 29 and use tax collection requirements upon a person who lacks a physical  
 30 presence in such state in circumstances similar to those specified in  
 31 subsection (2) of this section.

1 Sec. 2. Section 77-2701.32, Reissue Revised Statutes of Nebraska, is  
 2 amended to read:  
 3 77-2701.32 (1) Retailer means any seller.  
 4 (2) To facilitate the proper administration of the Nebraska Revenue  
 5 Act of 1967, the following persons have the duties and responsibilities  
 6 of sellers for the purposes of sales and use taxes:  
 7 (a) Any person in the business of making sales subject to tax under  
 8 section 77-2703 at auction of property owned by the person or others;  
 9 (b) Any person collecting the proceeds of the auction, other than  
 10 the owner of the property, together with his or her principal, if any,



11 when the person collecting the proceeds of the auction is not the  
 12 auctioneer or an agent or employee of the auctioneer. The seller does not  
 13 include the auctioneer in such case;

14 (c) Every person who has elected to be considered a retailer  
 15 pursuant to subdivision (1) of section 77-2701.10;

16 (d) Every person operating, organizing, or promoting a flea market,  
 17 craft show, fair, or similar event; ~~and~~

18 (e) Every person engaged in the business of providing any service  
 19 defined in subsection (4) of section 77-2701.16; ~~and~~ -

20 (f) Every person making or facilitating sales in or into this state.

21 (3) For the proper administration of the Nebraska Revenue Act of  
 22 1967, the following persons do not have the duties and responsibilities  
 23 of a seller for purposes of sales and use taxes:

24 (a) Any person who leases or rents films when an admission tax is  
 25 charged under the Nebraska Revenue Act of 1967;

26 (b) Any person who leases or rents railroad rolling stock  
 27 interchanged pursuant to the provisions of the federal Interstate  
 28 Commerce Act;

29 (c) Any person engaged in the business of furnishing rooms in a  
 30 facility licensed under the Health Care Facility Licensure Act in which  
 31 rooms, lodgings, or accommodations are regularly furnished for a  
 1 consideration or a facility operated by an educational institution  
 2 established under Chapter 79 or Chapter 85 in which rooms are regularly  
 3 used to house students for a consideration for periods in excess of  
 4 thirty days; or

5 (d) Any person making sales at a flea market, craft show, fair, or  
 6 similar event when such person does not have a sales tax permit and has  
 7 arranged to pay sales taxes collected to the person operating,  
 8 organizing, or promoting such event.

9 (4) The changes made in this section by this legislative bill become  
 10 operative on the first day of the first calendar quarter after a  
 11 controlling United States Supreme Court decision or federal legislation  
 12 abrogates the physical presence requirement of Quill Corp. v. North  
 13 Dakota, 504 U.S. 298 (1992), or otherwise allows a state to impose sales  
 14 and use tax collection requirements upon a person who lacks a physical  
 15 presence in such state in circumstances similar to those specified in  
 16 subsection (2) of section 77-2701.13.

17 Sec. 3. Original sections 77-2701.13 and 77-2701.32, Reissue  
 18 Revised Statutes of Nebraska, are repealed.

19 Sec. 4. Since an emergency exists, this act takes effect when  
 20 passed and approved according to law.

21 2. On page 1, strike lines 3 through 10 and insert "redefine the  
 22 term engaged in business in this state for purposes of sales and use  
 23 taxes; to change the persons who have certain duties and responsibilities  
 24 relating to sales and use taxes; to provide operative dates for statutory  
 25 changes as prescribed; to repeal the original sections; and to declare an  
 26 emergency."

Pending.

**MOTION(S) - Recommit LB44 to Committee**

Senator Chambers offered the following motion to LB44:

MO270

Recommit to the Revenue Committee.

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

Voting in the affirmative, 13:

Baker	Clements	Kuehn	Murante	Thibodeau
Brasch	Geist	Larson	Riepe	
Brewer	Krist	Low	Schumacher	

Voting in the negative, 30:

Albrecht	Ebke	Hilkemann	Linehan	Stinner
Blood	Erdman	Howard	McCollister	Vargas
Bolz	Friesen	Hughes	McDonnell	Walz
Bostelman	Groene	Kolowski	Morfeld	Watermeier
Briese	Hansen	Kolterman	Quick	Williams
Crawford	Harr	Lindstrom	Scheer	Wishart

Present and not voting, 3:

Chambers Pansing Brooks Smith

Excused and not voting, 3:

Halloran Hilgers Wayne

The Chambers motion to recommit to committee failed with 13 ayes, 30 nays, 3 present and not voting, and 3 excused and not voting.

Senator Chambers offered the following motion:

MO271

Reconsider the motion to recommit to committee.

Senator Watermeier offered the following motion:

MO272

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Watermeier requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 31:

Baker	Ebke	Howard	Morfeld	Watermeier
Blood	Erdman	Hughes	Pansing Brooks	Williams
Bolz	Friesen	Kolowski	Quick	Wishart
Bostelman	Groene	Kolterman	Scheer	
Brewer	Halloran	Linehan	Stinner	
Briese	Hansen	McCollister	Vargas	
Crawford	Harr	McDonnell	Walz	

Voting in the negative, 13:

Albrecht	Clements	Kuehn	Murante	Thibodeau
Brasch	Geist	Larson	Riepe	
Chambers	Krist	Lowe	Schumacher	

Present and not voting, 3:

Hilkemann	Lindstrom	Smith
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Excused and not voting, 2:

Hilgers	Wayne
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The Watermeier motion to invoke cloture failed with 31 ayes, 13 nays, 3 present and not voting, and 2 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 685.** ER114, found on page 835, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 913.** ER116, found on page 835, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 104.** ER118, found on page 836, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 379.** ER119, found on page 876, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 697.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 724.** ER120, found on page 895, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 42.** ER124, found on page 907, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 931.** ER112, found on page 809, was adopted.

Senator Howard offered her amendment, AM2228, found on page 905.

The Howard amendment was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1078.** Senator Crawford offered her amendment, AM2318, found on page 909.

The Crawford amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Bolz offered the following amendment:

AM2434

1 1. Insert the following new sections:

2 Section 1. Section 43-285, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 43-285 (1) When the court awards a juvenile to the care of the  
5 Department of Health and Human Services, an association, or an individual  
6 in accordance with the Nebraska Juvenile Code, the juvenile shall, unless  
7 otherwise ordered, become a ward and be subject to the legal custody and  
8 care of the department, association, or individual to whose care he or  
9 she is committed. Any such association and the department shall have  
10 authority, by and with the assent of the court, to determine the care,  
11 placement, medical services, psychiatric services, training, and  
12 expenditures on behalf of each juvenile committed to it. Any such  
13 association and the department shall be responsible for applying for any  
14 health insurance available to the juvenile, including, but not limited  
15 to, medical assistance under the Medical Assistance Act. Such custody and  
16 care shall not include the guardianship of any estate of the juvenile.

17 (2)(a) Following an adjudication hearing at which a juvenile is  
18 adjudged to be under subdivision (3)(a) or (c) of section 43-247, the  
19 court may order the department to prepare and file with the court a  
20 proposed plan for the care, placement, services, and permanency which are  
21 to be provided to such juvenile and his or her family. The health and  
22 safety of the juvenile shall be the paramount concern in the proposed  
23 plan.

24 (b) The department shall provide opportunities for the child, in an

25 age or developmentally appropriate manner, to be consulted in the  
26 development of his or her plan as provided in the Nebraska Strengthening  
27 Families Act.

1 (c) The department shall include in the plan for a child who is  
2 fourteen years of age or older and subject to the legal care and custody  
3 of the department a written independent living transition proposal which  
4 meets the requirements of section 43-1311.03 and, for eligible children,  
5 the Young Adult Bridge to Independence Act. The juvenile court shall  
6 provide a copy of the plan to all interested parties before the hearing.  
7 The court may approve the plan, modify the plan, order that an  
8 alternative plan be developed, or implement another plan that is in the  
9 child's best interests. In its order the court shall include a finding  
10 regarding the appropriateness of the programs and services described in  
11 the proposal designed to help the child prepare for the transition from  
12 foster care to a successful adulthood. The court shall also ask the  
13 child, in an age or developmentally appropriate manner, if he or she  
14 participated in the development of his or her plan and make a finding  
15 regarding the child's participation in the development of his or her plan  
16 as provided in the Nebraska Strengthening Families Act. Rules of evidence  
17 shall not apply at the dispositional hearing when the court considers the  
18 plan that has been presented.

19 (d) The last court hearing before jurisdiction pursuant to  
20 subdivision (3)(a) of section 43-247 is terminated for a child who is  
21 sixteen years of age or older shall be called the independence hearing.  
22 In addition to other matters and requirements to be addressed at this  
23 hearing, the independence hearing shall address the child's future goals  
24 and plans and access to services and support for the transition from  
25 foster care to adulthood consistent with section 43-1311.03 and the Young  
26 Adult Bridge to Independence Act. The child shall not be required to  
27 attend the independence hearing, but efforts shall be made to encourage  
28 and enable the child's attendance if the child wishes to attend,  
29 including scheduling the hearing at a time that permits the child's  
30 attendance. An independence coordinator as provided in section 43-4506  
31 shall attend the hearing if reasonably practicable, but the department is  
1 not required to have legal counsel present. At the independence hearing,  
2 the court shall advise the child about the bridge to independence  
3 program, including, if applicable, the right of young adults in the  
4 bridge to independence program to request a court-appointed, client-  
5 directed attorney under subsection (1) of section 43-4510 and the  
6 benefits and role of such attorney and to request additional permanency  
7 review hearings in the bridge to independence program under subsection  
8 (5) of section 43-4508 and how to request such a hearing. The court shall  
9 also advise the child, if applicable, of the rights he or she is giving  
10 up if he or she chooses not to participate in the bridge to independence  
11 program and the option to enter such program at any time between nineteen  
12 and twenty-one years of age if the child meets the eligibility  
13 requirements of section 43-4504. The department shall present information  
14 to the court regarding other community resources that may benefit the  
15 child, specifically information regarding state programs established

16 pursuant to 42 U.S.C. 677. The court shall also make a finding as to  
17 whether the child has received the documents as required by subsection  
18 (9) of section 43-1311.03.

19 ~~(3)(a)~~ ~~(3)~~ Within thirty days after an order awarding a juvenile to  
20 the care of the department, an association, or an individual and until  
21 the juvenile reaches the age of majority, the department, association, or  
22 individual shall file with the court a report stating the location of the  
23 juvenile's placement and the needs of the juvenile in order to effectuate  
24 the purposes of subdivision (1) of section 43-246. The department,  
25 association, or individual shall file a report with the court once every  
26 six months or at shorter intervals if ordered by the court or deemed  
27 appropriate by the department, association, or individual. Every six  
28 months, the report shall provide an updated statement regarding the  
29 eligibility of the juvenile for health insurance, including, but not  
30 limited to, medical assistance under the Medical Assistance Act. The  
31 department shall also concurrently file a written sibling placement  
1 report as described in subsection (3) of section 43-1311.02 at these  
2 times.

3 (b) The department, association, or individual shall file a report  
4 and notice of placement change with the court and shall send copies of  
5 the notice to all interested parties, including all of the child's  
6 siblings that are known to the department, at least seven days before the  
7 placement of the juvenile is changed from what the court originally  
8 considered to be a suitable family home or institution to some other  
9 custodial situation in order to effectuate the purposes of subdivision  
10 (1) of section 43-246. The department, association, or individual shall  
11 afford a parent or an adult sibling the option of refusing to receive  
12 such notifications. The court, on its own motion or upon the filing of an  
13 objection to the change by an interested party, may order a hearing to  
14 review such a change in placement and may order that the change be stayed  
15 until the completion of the hearing. Nothing in this section shall  
16 prevent the court on an ex parte basis from approving an immediate change  
17 in placement upon good cause shown. The department may make an immediate  
18 change in placement without court approval only if the juvenile is in a  
19 harmful or dangerous situation or when the foster parents request that  
20 the juvenile be removed from their home. Approval of the court shall be  
21 sought within twenty-four hours after making the change in placement or  
22 as soon thereafter as possible.

23 (c) The department shall provide the juvenile's guardian ad litem  
24 with a copy of any report filed with the court by the department pursuant  
25 to this subsection.

26 (4) The court shall also hold a permanency hearing if required under  
27 section 43-1312.

28 (5) When the court awards a juvenile to the care of the department,  
29 an association, or an individual, then the department, association, or  
30 individual shall have standing as a party to file any pleading or motion,  
31 to be heard by the court with regard to such filings, and to be granted  
1 any review or relief requested in such filings consistent with the  
2 Nebraska Juvenile Code.

3 (6) Whenever a juvenile is in a foster care placement as defined in  
4 section 43-1301, the Foster Care Review Office or the designated local  
5 foster care review board may participate in proceedings concerning the  
6 juvenile as provided in section 43-1313 and notice shall be given as  
7 provided in section 43-1314.

8 (7) Any written findings or recommendations of the Foster Care  
9 Review Office or the designated local foster care review board with  
10 regard to a juvenile in a foster care placement submitted to a court  
11 having jurisdiction over such juvenile shall be admissible in any  
12 proceeding concerning such juvenile if such findings or recommendations  
13 have been provided to all other parties of record.

14 (8) The executive director and any agent or employee of the Foster  
15 Care Review Office or any member of any local foster care review board  
16 participating in an investigation or making any report pursuant to the  
17 Foster Care Review Act or participating in a judicial proceeding pursuant  
18 to this section shall be immune from any civil liability that would  
19 otherwise be incurred except for false statements negligently made.  
20 Sec. 2. Section 43-1311.02, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 43-1311.02 (1)(a) Reasonable efforts shall be made to place a child  
23 and the child's siblings in the same foster care placement or adoptive  
24 placement, unless such placement is contrary to the safety or well-being  
25 of any of the siblings. This requirement applies even if the custody  
26 orders of the siblings are made at separate times and even if the  
27 children have no preexisting relationship.

28 (b) If the siblings are not placed together in a joint-sibling  
29 placement, the Department of Health and Human Services shall provide the  
30 siblings and the court with the reasons why a joint-sibling placement  
31 would be contrary to the safety or well-being of any of the siblings.

1 (2) When siblings are not placed together in a joint-sibling  
2 placement, the department shall make a reasonable effort to provide for  
3 frequent sibling visitation or ongoing interaction between the child and  
4 the child's siblings unless the department provides the siblings and the  
5 court with reasons why such sibling visitation or ongoing interaction  
6 would be contrary to the safety or well-being of any of the siblings. The  
7 court shall determine the type and frequency of sibling visitation or  
8 ongoing interaction to be implemented by the department. The court shall  
9 make a determination as to whether reasonable efforts have been made by  
10 the department to facilitate sibling placement and sibling visitation or  
11 other ongoing interaction and whether such placement and visitation or  
12 other ongoing interaction is contrary to safety or well-being of any of  
13 the siblings.

14 (3) The department shall file a written sibling placement report as  
15 required by subsection (3) of section 43-285. Such a report shall include  
16 the reasonable efforts of the department to locate the child's siblings  
17 and, if a joint-sibling placement is made, whether such placement  
18 continues to be consistent with the safety and well-being of the  
19 children. If joint-sibling placement is not possible, the report shall  
20 include the reasons why a joint-sibling placement is and continues to be

21 contrary to the safety or well-being of any of the siblings, the  
22 department's continuing reasonable efforts to place a child with a  
23 sibling in the same foster care or adoptive placement, and the  
24 department's continuing reasonable efforts to facilitate sibling  
25 visitation.

26 (4) Parties to the case, including a child's sibling, may file a  
27 motion for joint-sibling placement, sibling visitation, or ongoing  
28 interaction between siblings.

29 (5) (4) The court shall periodically review and evaluate the  
30 effectiveness and appropriateness of the joint-sibling placement, sibling  
31 visitation, or ongoing interaction between siblings.

1 (6) (5) If an order is entered for termination of parental rights of  
2 siblings who are subject to this section, unless the court has suspended  
3 or terminated joint-sibling placement, sibling visitation, or ongoing  
4 interaction between siblings, the department shall make reasonable  
5 efforts to make a joint-sibling placement or do all of the following to  
6 facilitate frequent sibling visitation or ongoing interaction between the  
7 child and the child's siblings when the child is adopted or enters a  
8 permanent placement: (a) Include in the training provided to prospective  
9 adoptive parents information regarding the importance of sibling  
10 relationships to an adopted child and counseling methods for maintaining  
11 sibling relationships; (b) provide prospective adoptive parents with  
12 information regarding the child's siblings; and (c) encourage prospective  
13 adoptive parents to plan for facilitating post-adoption contact between  
14 the child and the child's siblings.

15 (7) (6) Any information regarding court-ordered or authorized joint-  
16 sibling placement, sibling visitation, or ongoing interaction between  
17 siblings shall be provided by the department to the parent or parents if  
18 parental rights have not been terminated unless the court determines that  
19 doing so would be contrary to the safety or well-being of the child and  
20 to the foster parent, relative caretaker, guardian, prospective adoptive  
21 parent, and child as soon as reasonably possible following the entry of  
22 the court order or authorization as necessary to facilitate the sibling  
23 time.

24 (8) (7) For purposes relative to the administration of the federal  
25 foster care program and the state plans pursuant to Title IV-B and Title  
26 IV-E of the federal Social Security Act, as such act existed on January  
27 1, 2015, the term sibling means an individual considered to be a sibling  
28 under Nebraska law or an individual who would have been considered a  
29 sibling but for a termination of parental rights or other disruption of  
30 parental rights such as death of a parent.

31 (9) A sibling of a child under the jurisdiction of the court shall  
1 have the right to intervene at any point in the proceedings for the  
2 limited purpose of seeking joint-sibling placement, sibling visitation,  
3 or ongoing interaction with their sibling.

4 (10) This section shall not be construed to subordinate the rights  
5 of foster or adoptive parents of a child to the rights of the parents of  
6 a sibling of that child or to subordinate the rights of an adoptive,  
7 foster, or biological parent to the rights of a child seeking sibling



8 placement or visitation.

9 2. Renumber the remaining sections and amend the repealer  
10 accordingly.

The Bolz amendment was adopted with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 773.** ER113, found on page 835, was adopted.

Senator Lindstrom offered his amendment, AM2367, found on page 973.

The Lindstrom amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 702.** ER123, found on page 896, was adopted.

Senator Chambers offered his amendment, AM2244, found on page 952.

The Chambers amendment was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1090.** ER125, found on page 915, was adopted.

Senator Smith withdrew his amendment, AM1703, found on page 671.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 993.** ER126, found on page 926, was adopted.

Senator Friesen offered his amendment, AM2385, found on page 944.

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

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 157.** Senator Friesen withdrew his amendment, AM1906, found on page 702.

Advanced to Enrollment and Review for Engrossment.

**GENERAL FILE**

**LEGISLATIVE BILL 903.** Title read. Considered.

Committee AM2215, found on page 852, was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 745.** Title read. Considered.

Committee AM1910, found on page 642, was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1098.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 901.** Title read. Considered.

Committee AM1726, found on page 672, was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on March 15, 2018, at 11:34 a.m. were the following: LBs 17, 256, 321, 743, 750, 874, 936, 350, and 775.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

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

Senator Harr filed the following amendment to LB861:  
AM2436

(Amendments to AM2285)

- 1 1. Strike section 6 and insert the following new section:
- 2 Sec. 6. Due to the absence, sickness, disability, or conflict of
- 3 interest of the Attorney General and his or her assistants, or upon
- 4 request of the Attorney General for good cause, the Supreme Court, the
- 5 Court of Appeals, or any district court, separate juvenile court, or

6 county court before which the cause may be heard may appoint an attorney  
7 to act as Attorney General or as an assistant Attorney General in any  
8 investigation, appearance, or trial by an order entered upon the minutes  
9 of the court. Such attorney shall be allowed compensation for such  
10 services as the court determines, to be paid by the Department of  
11 Administrative Services upon presenting to the department the certificate  
12 of the judge before whom the cause was tried certifying to services  
13 rendered by such attorney and the amount of compensation.

### VISITORS

Visitors to the Chamber were former Mayor and Senator from Ireland, Timmy Conway; 30 members of Perspectives in Psychology class from UNL; members of the Nebraska Association of Behavioral Health Organizations from across the state; 17 fourth-grade students from Immanuel Lutheran School, Columbus; 44 fourth-grade students from Montclair Elementary, Millard; 20 members of Leadership Tomorrow from Hall County; 48 fourth-grade students and teacher from Washington Elementary, Norfolk; and Senator Wishart's intern, Rian Kirby, from Gretna.

The Doctor of the Day was Dr. Carol LaCroix from Omaha.

### ADJOURNMENT

At 1:43 p.m., on a motion by Senator Krist, the Legislature adjourned until 9:00 a.m., Tuesday, March 20, 2018.

Patrick J. O'Donnell  
Clerk of the Legislature

