

FIFTY-THIRD DAY - APRIL 3, 2018**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION****FIFTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 3, 2018

PRAYER

The prayer was offered by Pastor Johnny Walker, West First Chapel, McCook.

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 Senators Blood and Crawford who were excused; and Senators Hansen, Murante, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1307, line 10, strike "page 1116" and insert "pages 1116 and 1117".
The Journal for the fifty-first day was approved as corrected.

The Journal for the fifty-second day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 731. Placed on Select File with amendment.

ER166

1 1. On page 1, strike beginning with "controlled" in line 1 through
2 line 8 and insert "public health; to amend sections 38-131, 38-145,
3 38-1001, 38-1004, 38-1005, 38-1017, 38-1018, 38-1028, 38-1036, 38-1038,
4 38-1043, 38-1058, 38-1061, 38-1062, 38-1063, 38-1065, 38-1069, 38-1073,
5 38-1074, 38-1075, 38-1086, 38-1097, 38-1099, 38-10,100, 38-10,102,
6 38-10,103, 38-10,104, 38-10,105, 38-10,107, 38-10,108, 38-10,112,
7 38-10,120, 38-10,128, 38-10,129, 38-10,131, 38-10,133, 38-10,135,
8 38-10,142, 38-10,147, 38-10,150, 38-10,152, 38-10,153, 38-10,154,
9 38-10,156, 38-10,171, 38-2833, 38-2847, 38-2891, 38-28,106, 38-3208,
10 71-203, 71-204, 71-208.08, 71-224, and 71-425, Reissue Revised Statutes
11 of Nebraska, sections 71-202.01, 71-208, 71-403, 71-2448, and 71-2483,

12 Revised Statutes Cumulative Supplement, 2016, and sections 38-1066,
 13 38-1070, 38-10132, 38-2801, 38-2802, 38-2870, 38-2892, and 71-401,
 14 Revised Statutes Supplement, 2017; to require criminal background checks
 15 for physical therapists and physical therapy assistants; to require
 16 continuing education regarding the prescribing of opiates; to define,
 17 redefine, change, and eliminate definitions and provide for licensure of
 18 mobile cosmetology salons and mobile nail technology salons under the
 19 Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
 20 Practice Act; to eliminate certain provisions relating to cosmeticians,
 21 cosmetic establishments, electrology establishments, guest artists, guest
 22 body artists, students, and schools; to change licensure requirements for
 23 cosmetologists, nail technicians, instructors, and barbers; to change and
 24 eliminate requirements for salons, colleges, and schools; to eliminate
 25 liability of managers as prescribed; to authorize practice for purposes
 26 of the Respiratory Care Practice Act; to provide for licensing of mobile
 27 barber shops under the Barber Act; to change provisions relating to
 1 dispensing of controlled substances; to provide for licensure of remote
 2 dispensing pharmacies under the Pharmacy Practice Act and the Health Care
 3 Facility Licensure Act; to adopt the Physical Therapy Licensure Compact;
 4 to harmonize provisions; to provide operative dates; to provide
 5 severability; to repeal the original sections; and to outright repeal
 6 sections 38-1013, 38-1014, 38-1022, 38-1029, 38-1030, 38-1071, 38-1072,
 7 38-1091, 38-1092, 38-1093, 38-1094, 38-1095, 38-1096, 38-10106, and
 8 38-10155, Reissue Revised Statutes of Nebraska.".

LEGISLATIVE BILL 731A. Placed on Select File.

LEGISLATIVE BILL 1070. Placed on Select File with amendment.

ER160

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 79-499, Revised Statutes Cumulative Supplement,
 4 2016, is amended to read:
 5 79-499 (1) Commencing with the 1992-93 school year, if the fall
 6 school district membership or the average daily membership of an existing
 7 Class II or III school district shows ~~fewer~~ less than thirty-five
 8 students in grades nine through twelve, the district shall submit a plan
 9 for developing cooperative programs with other high schools, including
 10 the sharing of curriculum and certificated and noncertificated staff, to
 11 the State Committee for the Reorganization of School Districts. The
 12 cooperative program plan shall be submitted by the school district by
 13 September 1 of the year following such fall school district membership or
 14 average daily membership report. A cooperative program plan shall not be
 15 required if there is no high school within fifteen miles from such
 16 district on a reasonably improved highway. The state committee shall
 17 review the plan and provide advice and communication to such school
 18 district and other high schools.
 19 (2) If for two consecutive years the fall school district
 20 membership, or for two consecutive years the average daily membership, of

21 an existing Class II or III school district is ~~fewer less~~ than twenty-
 22 five pupils in grades nine through twelve or if for one year an existing
 23 Class II or III school district contracts with a neighboring school
 24 district or districts to provide educational services for all of its
 25 pupils in grades nine through twelve, such school district shall, except
 26 as provided in subsection (3) or (4) of this section, become a Class I
 27 school district through the order of the state committee if the high
 1 school is within fifteen miles on a reasonably improved highway of
 2 another high school.

3 This subsection does not apply to any school district located on an
 4 Indian reservation and substantially or totally financed by the federal
 5 government.

6 (3) Any Class II or III school district maintaining a four-year high
 7 school which has a fall school district membership or an average daily
 8 membership of ~~fewer less~~ than twenty-five students in grades nine through
 9 twelve may contract with another school district to provide educational
 10 services for its pupils in grades nine through twelve. Such contract may
 11 continue for a period not to exceed one year. At the end of such one-year
 12 period, the school district may resume educational services for grades
 13 nine through twelve if the average daily membership in grades nine
 14 through twelve for such school district has reached at least fifty
 15 students. If the school district has not achieved such fall school
 16 district membership or average daily membership, it shall become a Class
 17 I school district by order of the state committee entered after thirty
 18 days' notice to the district but without a hearing, notwithstanding the
 19 distance on a reasonably improved highway to the nearest school district
 20 conducting a high school.

21 (4)(a) Any Class II or III school district maintaining the only
 22 public high school in the county ~~may continue to operate the high school~~
 23 with a fall school district membership or an average daily membership of
 24 ~~fewer less~~ than twenty-five students in grades nine through twelve shall
 25 be subject to this subsection until such school district reaches a fall
 26 school district membership or average daily membership of at least
 27 thirty-five students or fewer than fifteen students in grades nine
 28 through twelve or dissolves. Such school district may continue to operate
 29 the high school if:

30 (i) The plan submitted pursuant to subsection (1) of this section
 31 provides a broad-based curriculum as determined by the state committee;
 1 and

2 (ii) At a districtwide election held the second Tuesday of November
 3 by whatever means the county conducts balloting, in the second
 4 consecutive school year that the fall school district membership for
 5 grades nine through twelve is ~~fewer less~~ than twenty-five students ~~and~~
 6 ~~for each succeeding school year unless such membership is at least~~
 7 ~~thirty-five students for such school year~~, a majority of voters approve a
 8 ballot issue to continue to operate the high school for the immediately
 9 following school year. If such ballot issue succeeds in the initial
 10 election, the school board shall annually determine if such a
 11 districtwide election is necessary for each subsequent year that the

12 school district is subject to this subsection, except that such school
 13 board shall hold such districtwide election if four years have passed
 14 since the last election pursuant to this section and the school district
 15 has remained subject to this subsection.

16 (b) If such ballot issue fails, the state committee shall dissolve
 17 the school district and attach the territory to other school districts
 18 based on the preferences of each landowner if such preference is provided
 19 in the time and manner required by the state committee and would transfer
 20 such parcels to a school district with a boundary contiguous to the
 21 school district being dissolved. Landowners submitting such preferences
 22 shall sign a statement that the district of preference is the district
 23 which children who might reside on the property, at the time of the
 24 dissolution or in the future, would be expected to attend. For property
 25 for which a preference is not provided in the time and manner required by
 26 the state committee, the state committee shall transfer such property to
 27 one or more of the school districts with boundaries contiguous to the
 28 district being dissolved in a manner that will best serve children who
 29 might reside on such property, at the time of the dissolution or in the
 30 future, and that will, to the extent possible, create compact and
 31 contiguous districts.

1 (c) This subsection shall not apply to any school district if the
 2 fall school district membership or an average daily membership falls to
 3 fewer less than fifteen students in grades nine through twelve.

4 (5) For purposes of this section, when calculating fall school
 5 district membership or average daily membership, a resident school
 6 district as defined in section 79-233 shall not count students attending
 7 an option district as defined in such section and a Class II or III
 8 school district shall not count foreign exchange students and nonresident
 9 students who are wards of the court or state.

10 Sec. 2. Original section 79-499, Revised Statutes Cumulative
 11 Supplement, 2016, is repealed.

12 2. On page 1, strike beginning with "an" in line 2 through
 13 "requirement" in line 3 and insert "provisions relating to elections to
 14 continue the operation of certain high schools".

LEGISLATIVE BILL 889. Placed on Select File with amendment.
 ER162

1 1. On page 3, line 31, strike "81-541" and insert "81-538".

LEGISLATIVE BILL 766. Placed on Select File.

LEGISLATIVE BILL 717. Placed on Select File.

LEGISLATIVE BILL 859. Placed on Select File.

LEGISLATIVE BILL 1000. Placed on Select File with amendment.
 ER161

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

2 insert the following new sections:

3 Section 1. Section 13-809, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 13-809 Any joint entity may from time to time issue its bonds in
6 such principal amounts as its governing body shall deem necessary to
7 provide sufficient funds to carry out any of the joint entity's purposes
8 and powers, including the establishment or increase of reserves, the
9 payment of interest accrued during construction of a project and for such
10 period thereafter as the governing body may determine, and the payment of
11 all other costs or expenses of the joint entity incident to and necessary
12 or convenient to carry out its purposes and powers. Bonds issued on or
13 after the effective date of this act for purposes of the Public
14 Facilities Construction and Finance Act shall be subject to a vote prior
15 to issuance as provided in the act.

16 Sec. 2. Section 13-2531, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 13-2531 Any joint public agency may from time to time issue its
19 bonds in such principal amounts as its board determines is necessary to
20 provide sufficient funds to carry out any of the joint public agency's
21 purposes and powers, including the establishment or increase of reserves,
22 the payment of interest accrued during construction of a project and for
23 such period thereafter as the board may determine, and the payment of all
24 other costs or expenses of the joint public agency incident to and
25 necessary or convenient to carry out its purposes and powers. Except as
26 provided in section 72-2304, bonds issued prior to the effective date of
27 this act for purposes of the Public Facilities Construction and Finance
1 Act may be issued with no requirement for a vote. Bonds issued on or
2 after the effective date of this act for purposes of the Public
3 Facilities Construction and Finance Act shall be subject to a vote prior
4 to issuance as provided in the act.

5 Sec. 3. Section 72-2301, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 72-2301 Sections 72-2301 to 72-2308 and sections 5 and 6 of this act
8 shall be known and may be cited as the Public Facilities Construction and
9 Finance Act.

10 Sec. 4. Section 72-2304, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 72-2304 (1)(a) This section applies to bonds issued prior to the
13 effective date of this act.

14 (b) (~~1~~) In addition to any other borrowing powers provided for by
15 law, a qualified public agency shall have the power to issue its
16 negotiable bonds to any joint entity as defined in section 13-803 or to
17 any joint public agency as defined in section 13-2503 in connection with
18 any joint project which is to be owned, operated, or financed by the
19 joint entity or joint public agency for the benefit of the qualified
20 public agency. The bonds may be issued only if the second largest
21 participant in the joint project has a financial contribution in the
22 joint project of at least twenty-five percent of the debt service. Such
23 bonds may be issued after the qualified public agency has conducted a
24 public hearing on the issuance of bonds. Notice of such public hearing
25 shall be given by publication in a newspaper of general circulation
26 within the territory of the qualified public agency by at least one

27 publication occurring not less than ten days prior to the time of
28 hearing. After the public hearing, the governing body of the qualified
29 public agency may proceed to adopt a bond measure authorizing bonds.

30 (2) Notice of any such bond measure shall be given by publication of
31 notice of intention to issue bonds in a newspaper of general circulation
1 within the territory of the qualified public agency at least twice after
2 the adoption of the bond measure. Such publications shall be at least
3 three weeks apart. The notice shall state:

4 (a) The name of the qualified public agency;

5 (b) The purpose of the issue;

6 (c) The principal amount of the issue;

7 (d) The amount of annual debt service payment anticipated for the
8 bonds, which may be stated as an approximation or estimate, and the
9 anticipated duration for such debt service payments; and

10 (e) The time and place where a copy of the form of the bond measure
11 may be examined for a period of at least thirty days.

12 (3) For bonds issued prior to the effective date of this act, no ~~No~~
13 election shall be required prior to the issuance of bonds under the
14 Public Facilities Construction and Finance Act unless, within sixty days
15 after the first publication of the notice of intention to issue bonds, a
16 remonstrance petition against the issuance of bonds is filed with the
17 clerk or secretary of the qualified public agency. Such remonstrance
18 petition shall be signed by registered voters of the qualified public
19 agency equal in number to at least five percent of the number of
20 registered voters of the qualified public agency at the time the
21 remonstrance petition is filed or at least the number of signatures
22 listed in subsection (5) of this section for the applicable qualified
23 public agency, whichever is less. If a remonstrance petition with the
24 necessary number of qualified signatures is timely filed, the question
25 shall be submitted to the voters of the qualified public agency at a
26 general election or a special election called for the purpose of
27 approving the bonds proposed to be issued. Any joint project for which
28 bonds are issued in accordance with the procedures of the act shall not
29 require any other approval or proceeding by the governing body or the
30 voters of the qualified public agency.

31 (4) For bonds issued prior to the effective date of this act, no ~~No~~
1 election shall be required for any qualified public agency not issuing
2 bonds to participate in such joint project unless, within sixty days
3 after the governing body of the qualified public agency adopts the
4 measure approving the interlocal or cooperative agreement related to the
5 joint project, a remonstrance petition is filed with the clerk or
6 secretary of the qualified public agency. Such remonstrance petition
7 shall be signed by registered voters of the qualified public agency equal
8 in number to at least five percent of the number of registered voters of
9 the qualified public agency at the time the remonstrance petition is
10 filed or at least the number of signatures listed in subsection (5) of
11 this section for the applicable qualified public agency, whichever is
12 less. If a remonstrance petition with the necessary number of qualified
13 signatures is timely filed, the question shall be submitted to the voters

14 of the qualified public agency at a general election or a special
 15 election called for the purpose of approving the interlocal or
 16 cooperative agreement related to the joint project.
 17 (5) The chart in this subsection provides the alternative number of
 18 signatures of registered voters of a qualified public agency which may be
 19 used to submit a remonstrance petition under subsection (3) or (4) of
 20 this section. The classification of counties in section 23-1114.01
 21 applies for purposes of this section.

| 22 Qualified Public Agency | Number of Signatures 23 of Registered Voters |
|--------------------------------------|---|
| 24 City of the Metropolitan Class | 1500 |
| 25 City of the Primary Class | 1000 |
| 26 City of the First Class | 750 |
| 27 City of the Second Class | 250 |
| 28 Villages | 50 |
| 29 Municipal County | 1500 |
| 30 Class 7 County | 1500 |
| 1 Class 6 County | 1000 |
| 2 Class 5 County | 750 |
| 3 Class 4 County | 500 |
| 4 Class 3 County | 250 |
| 5 Class 2 County | 100 |
| 6 Class 1 County | 50 |
| 7 Class VI School District | 250 |
| 8 Class V School District | 1500 |
| 9 Class IV School District | 1000 |
| 10 Class III School District | 500 |
| 11 Class II School District | 250 |
| 12 Class I School District | 250 |
| 13 Educational Service Unit | 250 |
| 14 Community College Area | 1500 |
| 15 Fire Protection District | 500 |
| 16 Hospital District | 500 |
| 17 Sanitary and Improvement District | 500 |

18 Sec. 5. (1) In addition to any other borrowing powers provided for
 19 by law, a qualified public agency may issue its negotiable bonds subject
 20 to the terms and conditions set forth in the Public Facilities
 21 Construction and Finance Act to any joint entity as defined in section
 22 13-803 or to any joint public agency as defined in section 13-2503 in
 23 connection with any joint project which is to be owned, operated, or
 24 financed by the joint entity or joint public agency for the benefit of
 25 the qualified public agency. The bonds may be issued only if the second
 26 largest participant in the joint project has a financial contribution in
 27 the joint project of at least twenty-five percent of the debt service. No
 28 bonds shall be issued on or after the effective date of this act until
 29 the question has been submitted to the qualified electors of each
 30 participating qualified public agency at an election called for that
 1 purpose as provided in this section and, within each participating
 2 qualified public agency, a majority of the qualified electors voting on

3 the question within the participating qualified public agency voted in
 4 favor of issuing the same.
 5 (2) Each participating qualified public agency shall give notice of
 6 the election at least fifty days prior to the election. The question of
 7 issuing bonds may be submitted at the statewide primary or general
 8 election. The election shall be conducted in accordance with the Election
 9 Act.
 10 (3) The question of bond issues, when defeated, shall not be
 11 resubmitted in substance for a period of six months from and after the
 12 date of such election.
 13 Sec. 6. Before the issuance of bonds pursuant to the Public
 14 Facilities Construction and Finance Act, the qualified public agencies
 15 participating in the bond measure shall make a written statement of all
 16 proceedings relative to the vote upon the issuance of such bonds and the
 17 notice of the election, the manner and time of giving notice, the
 18 question submitted, and the result of the canvass of the vote on the
 19 proposition pursuant to which it is proposed to issue such bonds,
 20 together with a full statement of the taxable valuation and the total
 21 bonded indebtedness of the qualified public agencies participating in the
 22 bond measure. Such statement shall be certified to under oath.
 23 Sec. 7. Original sections 13-809, 13-2531, 72-2301, and 72-2304,
 24 Reissue Revised Statutes of Nebraska, are repealed.
 25 Sec. 8. Since an emergency exists, this act takes effect when
 26 passed and approved according to law.
 27 2. On page 1, line 5, strike "procedures" and insert "a duty for
 28 certain qualified public agencies".

LEGISLATIVE BILL 1003. Placed on Select File.

LEGISLATIVE BILL 983. Placed on Select File.

LEGISLATIVE BILL 982. Placed on Select File.

LEGISLATIVE BILL 1036. Placed on Select File.

LEGISLATIVE BILL 1038. Placed on Select File.

LEGISLATIVE BILL 682. Placed on Select File with amendment.

ER163

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

2 sections:

3 Section 1. For purposes of sections 1 to 4 of this act:

4 (1) Military service means:

5 (a) In the case of a servicemember who is a member or reserve member

6 of the Army, Navy, Air Force, Marine Corps, or Coast Guard, full-time

7 duty in the active military service of the United States, including:

8 (i) Full-time training duty;

9 (ii) Annual training duty; and

10 (iii) Attendance while at a school designated as a service school by

11 federal law or by the secretary of the military department concerned;

12 (b) In the case of a member or reserve member of the Nebraska

13 National Guard, service under a call to active service or duty authorized

14 by:

15 (i) The President of the United States or the Secretary of Defense
16 for a period of more than thirty days in response to a national emergency
17 declared by the President of the United States; or
18 (ii) The Governor for a period of more than thirty consecutive days;
19 (c) In the case of a servicemember who is a commissioned officer of
20 the United States Public Health Service or the National Oceanic and
21 Atmospheric Administration, active service; or
22 (d) Any period during which a servicemember is absent from duty on
23 account of sickness, wounds, leave, or other lawful cause; and
24 (2) Servicemember means an individual engaged in military service.
25 Sec. 2. (1) In addition to the rights and protections regarding
26 consumer transactions, contracts, and service providers included under
27 the federal Servicemembers Civil Relief Act, a servicemember may
1 terminate a contract described in subsection (2) of this section at any
2 time after the date the servicemember receives military orders to
3 relocate for a period of service of at least ninety days to a location
4 that is not included in or covered under the contract.
5 (2) This section applies to any contract to provide:
6 (a) Telecommunications services;
7 (b) Internet services;
8 (c) Television services;
9 (d) Athletic club or gym memberships;
10 (e) Satellite radio services; or
11 (f) A lease of residential rental property, notwithstanding any
12 provision to the contrary in the Uniform Residential Landlord and Tenant
13 Act or any other provision of law, if the servicemember is required to
14 move into government-owned or leased housing. This subdivision does not
15 apply to a lease of residential rental property in which a spouse of a
16 servicemember is a tenant in such residential rental property and
17 government-owned or leased housing is not available to such spouse.
18 (3) Termination of a contract must be made by delivery of a written
19 or electronic notice of the termination and a copy of the servicemember's
20 military orders to the service provider or lessor.
21 (4) For any contract terminated under this section, the service
22 provider or lessor under the contract shall not impose an early
23 termination charge.
24 (5) Any tax or any other obligation or liability of the
25 servicemember that, in accordance with the terms of the contract, is due
26 and unpaid at the time of termination of the contract shall be paid by
27 the servicemember.
28 (6) If after termination provided under this section the
29 servicemember resubscribes to a service provided under a contract
30 described in subdivisions (2)(a) through (e) of this section or reenters
31 into a lease under a contract described in subdivision (2)(f) of this
1 section during the ninety-day period immediately following the
2 servicemember's return from service, the service provider or lessor may
3 not impose any service fees or charges other than the usual and customary
4 fees and charges imposed on any other subscriber for the installation or
5 acquisition of customer equipment or imposed on any other lessee for the

6 rental of residential real property. A servicemember may not be charged a
 7 penalty, fee, loss of deposit, or any other additional cost because of
 8 such termination, resubscription, or rental.

9 (7) Not later than sixty days after the effective date of the
 10 termination of a contract described in subsection (2) of this section,
 11 the service provider or lessor under the contract shall refund to the
 12 servicemember all fees or charges paid for services or rental that extend
 13 past the termination date of the contract.

14 (8) In the case of a lease described in subdivision (2)(f) of this
 15 section that provides for monthly payment of rent, termination of the
 16 lease is effective thirty days after the first date on which the next
 17 rental payment is due and payable after the date on which the notice of
 18 termination under subsection (3) of this section is delivered. In the
 19 case of any other lease described in subdivision (2)(f) of this section,
 20 termination of the lease is effective on the last day of the month
 21 following the month in which the notice of termination is delivered.

22 Sec. 3. (1) A civil action may be brought in any court with
 23 jurisdiction by the Attorney General against any person that knowingly or
 24 intentionally violates any provision of section 2 of this act. The court
 25 may:

26 (a) Issue an injunction;

27 (b) Order the person to make a payment of money unlawfully received
 28 from, or required to be refunded to, one or more servicemembers;

29 (c) Order the person to pay to the state the reasonable costs of the
 30 Attorney General's investigation and prosecution related to the action;
 31 and

1 (d) Order the person to pay a civil penalty not greater than five
 2 thousand dollars per violation.

3 (2) Relief may not be granted under subsection (1) of this section
 4 if relief for the violation has already been granted under the federal
 5 Servicemembers Civil Relief Act.

6 Sec. 4. The Nebraska National Guard shall provide to its members a
 7 list of their rights under sections 2 and 3 of this act and under the
 8 federal Servicemembers Civil Relief Act.

LEGISLATIVE BILL 749. Placed on Select File.

LEGISLATIVE BILL 786. Placed on Select File.

LEGISLATIVE BILL 1030. Placed on Select File.

LEGISLATIVE BILL 1052. Placed on Select File.

LEGISLATIVE BILL 1110. Placed on Select File with amendment.

ER165

1 1. On page 1, strike beginning with "to" in line 3 through the first
 2 semicolon in line 4.

(Signed) Anna Wishart, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 366, 367, and 380 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 366, 367, and 380.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 946. With Emergency Clause.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 2017; to provide, change, and eliminate transfer provisions; to repeal the original section; 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, 40:

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

Voting in the negative, 5:

| | | | | |
|-----------|--------|-------|--------|-------|
| Bostelman | Erdman | Kuehn | Larson | Wayne |
|-----------|--------|-------|--------|-------|

Excused and not voting, 4:

| | | | |
|-------|----------|--------|------------|
| Blood | Crawford | Hansen | Schumacher |
|-------|----------|--------|------------|

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB945 with 41 ayes, 3 nays, 1 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 945. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend section 81-1121, Reissue Revised Statutes of Nebraska, sections 9-1,101, 49-14,140, 61-224, 81-2,162.27, 81-1201.21, 81-1211, and 84-1227, Revised Statutes Cumulative Supplement, 2016, sections 37-327.02, 48-1,116, 58-703, 59-1608.04, 61-218, 71-7611, 81-3701, and 81-3714, Revised Statutes Supplement, 2017, and Laws 2017, LB331, sections 3, 4, and 11; to authorize, provide, change, and eliminate fund transfer provisions; to create funds; to state intent; to change provisions relating to the source and use of funds and interest on funds; to eliminate a termination date; to change refund provisions; to harmonize provisions; to repeal the original sections; 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, 41:

| | | | | |
|-----------|-----------|-------------|----------------|------------|
| Albrecht | Ebke | Kolowski | Murante | Walz |
| Baker | Friesen | Kolterman | Pansing Brooks | Watermeier |
| Bolz | Geist | Krist | Quick | Wayne |
| Bostelman | Groene | Lindstrom | Riepe | Williams |
| Brasch | Harr | Linehan | Scheer | Wishart |
| Brewer | Hilgers | Lowe | Smith | |
| Briese | Hilkemann | McCollister | Stinner | |
| Chambers | Howard | McDonnell | Thibodeau | |
| Clements | Hughes | Morfeld | Vargas | |

Voting in the negative, 4:

| | | | |
|--------|----------|-------|--------|
| Erdman | Halloran | Kuehn | Larson |
|--------|----------|-------|--------|

Excused and not voting, 4:

| | | | |
|-------|----------|--------|------------|
| Blood | Crawford | Hansen | Schumacher |
|-------|----------|--------|------------|

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) - Recommit LB944 to Committee

Senator Morfeld offered the following motion to LB944:
MO309
Recommit to the Appropriations Committee.

Senator Morfeld withdrew his motion to recommit to committee.

MOTION(S) - Bracket LB944

Senator Chambers offered his motion, MO306, found on page 1324, to bracket LB944 until April 18, 2018.

Senator Chambers withdrew his motion to bracket.

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 LB944 with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 944. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2017, LB268A, section 3; Laws 2017, LB327, sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 37, 39, 40, 45, 49, 50, 51, 52, 54, 55, 57, 59, 62, 68, 69, 70, 71, 73, 82, 85, 86, 87, 92, 95, 96, 97, 98, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 115, 116, 125, 126, 128, 130, 132, 134, 136, 137, 138, 139, 150, 153, 154, 155, 160, 162, 163, 165, 166, 168, 169, 170, 172, 173, 176, 177, 182, 186, 189, 190, 192, 195, 196, 199, 201, 204, 208, 210, 211, 213, 215, 216, 218, 221, 222, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 239, 240, 241, 242, 243, 244, 247, 249, 250, 251, 255, 260, 263, 265, and 272; Laws 2017, LB329, sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18; Laws 2017, LB330, sections 25, 38, and 42; and Laws 2017, LB512A, section 2; to define and redefine terms; to provide, change, and eliminate appropriations for operation of state government, state aid, postsecondary education, and capital construction; to provide for transfers of funds; to require reports; to provide severability; to repeal the original sections; and to declare an emergency.

Senator Stinner requested a roll call vote.

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, 38:

| | | | | |
|-----------|-----------|-------------|------------|------------|
| Albrecht | Ebke | Hughes | McDonnell | Thibodeau |
| Baker | Friesen | Kolterman | Murante | Vargas |
| Bolz | Geist | Krist | Quick | Walz |
| Bostelman | Groene | Kuehn | Riepe | Watermeier |
| Brasch | Halloran | Lindstrom | Scheer | Williams |
| Brewer | Harr | Linehan | Schumacher | Wishart |
| Briese | Hilgers | Lowe | Smith | |
| Clements | Hilkemann | McCollister | Stinner | |

Voting in the negative, 6:

| | | |
|----------|---------|----------------|
| Chambers | Hansen | Pansing Brooks |
| Erdman | Morfeld | Wayne |

Present and not voting, 3:

| | | |
|--------|----------|--------|
| Howard | Kolowski | Larson |
|--------|----------|--------|

Excused and not voting, 2:

| | |
|-------|----------|
| Blood | Crawford |
|-------|----------|

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

The following bill was read and put upon final passage:

LEGISLATIVE BILL 950. With Emergency Clause.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Blood Crawford

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 946, 945, 944, and 950.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 596. Placed on Final Reading.

ST55

The following changes, required to be reported for publication in the Journal, have been made:

1. The E & R amendments, ER136, have been struck.
2. On page 1, lines 3 and 4, ", cat, and dog" has been inserted after "equine"; and in line 4 each occurrence of "therapy" has been struck and "practice" inserted.

LEGISLATIVE BILL 714. Placed on Final Reading.

ST56

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Howard amendment, AM2715, on page 2, line 28, "3" has been struck and "3" inserted.
2. In the Standing Committee amendments, AM1754:
 - a. On page 1, line 3; and page 3, line 31, "10" has been struck and "12" inserted;
 - b. On page 2, line 26, "4" has been struck and "6" inserted; and
 - c. On page 4, line 4, "8" has been struck and "9" inserted.
3. On page 1, line 1, "to amend section 25-307, Reissue Revised Statutes of Nebraska;" has been inserted after the semicolon; and in line 2 "; and to repeal the original section" has been inserted after "minor".

LEGISLATIVE BILL 741. Placed on Final Reading.

LEGISLATIVE BILL 745. Placed on Final Reading.

LEGISLATIVE BILL 760. Placed on Final Reading.

LEGISLATIVE BILL 803. Placed on Final Reading.

LEGISLATIVE BILL 827. Placed on Final Reading.

LEGISLATIVE BILL 865. Placed on Final Reading.

LEGISLATIVE BILL 901. Placed on Final Reading.

LEGISLATIVE BILL 903. Placed on Final Reading.

LEGISLATIVE BILL 906. Placed on Final Reading.

LEGISLATIVE BILL 909. Placed on Final Reading.

ST54

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Harr amendment, AM2687:
 - a. Sections 83 and 99 have been renumbered as sections 93 and 98, respectively; and
 - b. On page 1, line 4, "99" has been struck and "98" inserted; in line 16 "(1)" has been struck and "(a)" inserted; and in line 20 "(2)" has been struck and "(b)" inserted.
2. In the Friesen amendment, AM2647:
 - a. On page 5, lines 12 and 30; page 7, lines 17 and 28; page 8, line 21; page 24, line 17; page 25, lines 3 and 23; page 28, line 9; page 34, line 23; page 37, line 10; and page 43, lines 2 and 30, "116" has been struck and "118" inserted;
 - b. On page 17, line 7, "sections" has been struck and "section" inserted and after the last comma "sections" has been inserted; and in line 8 "sections" has been inserted after the first comma and after "or";
 - c. On page 56, line 23, the comma has been struck;
 - d. On page 57, line 15, an underscored comma has been inserted after "vehicles"; in line 16 the comma has been struck; and in line 18 an underscored comma has been inserted after the second "vehicles";
 - e. On page 62, line 25, "an autocycle" has been struck and "autocycles" inserted;
 - f. On page 118, line 4, "112 and 113" has been struck and "114 and 115" inserted; and in line 17 "112" has been struck and "114" inserted;
 - g. On page 133, line 22, "116" has been struck and "118" inserted; and
 - h. On page 134, line 3, "60-601," has been inserted after "60-4,182,".
3. On page 1, the matter beginning with "motor" in line 1 through line 13 and all amendments thereto have been struck and "transportation; to amend sections 28-1204.04, 37-1280, 37-1285, 37-1293, 60-104, 60-119, 60-129, 60-133, 60-142.04, 60-142.05, 60-142.06, 60-174, 60-191, 60-309, 60-335, 60-348, 60-354, 60-378, 60-389, 60-3,185, 60-4,128, 60-4,130.04, 60-6,244, 60-6,254, 60-6,255, 60-6,263, 60-6,279, 60-6,306, 60-6,307, 60-6,308, 60-6,313, and 69-2441, Reissue Revised Statutes of Nebraska, sections 60-104.01, 60-124, 60-146, 60-148, 60-168.01, 60-169, 60-171, 60-173, 60-175, 60-309.01, 60-316, 60-340, 60-3,100, 60-3,113.02, 60-3,113.03, 60-3,143, 60-3,147, 60-3,148, 60-3,187, 60-3,190, 60-3,221, 60-3,228, 60-462, 60-463.02, 60-480, 60-484, 60-4,122, 60-4,123, 60-4,123.01, 60-4,124, 60-4,127, 60-4,131, 60-4,131.01, 60-4,132, 60-4,182, 60-601, 60-610.01, 60-639, 60-640, 60-6,226, 60-1401, 60-1401.02, 60-1401.28, and 60-1401.42, Revised Statutes Cumulative Supplement, 2016, sections 37-1285.01, 60-101, 60-102, 60-119.01, 60-149, 60-164, 60-164.01, 60-192, 60-301, 60-302, 60-336.01, 60-363, 60-386, 60-395, 60-3,104, 60-3,113.04, 60-3,193.01, 60-3,229, 60-462.01, 60-479.01, 60-4,147.02, 60-501, 60-628.01, 60-6,267, 60-6,294, 60-6,298, 60-1507, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Supplement, 2017, section 37-1283, Revised Statutes Supplement, 2017, as amended by section 75, Legislative Bill 193, One Hundred Fifth Legislature, Second Session, 2018, and section 60-166, Revised Statutes Supplement, 2017, as amended by section 87, Legislative Bill 193, One Hundred Fifth Legislature, Second

Session, 2018, and section 2, Legislative Bill 275, One Hundred Fifth Legislature, Second Session, 2018; to change provisions relating to the Motor Vehicle Certificate of Title Act, the Motor Vehicle Industry Regulation Act, the Motor Vehicle Operator's License Act, the Motor Vehicle Registration Act, the Motor Vehicle Safety Responsibility Act, the Nebraska Rules of the Road, the State Boat Act, motor carriers, and hazardous materials regulations; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 923. Placed on Final Reading.
LEGISLATIVE BILL 940. Placed on Final Reading.
LEGISLATIVE BILL 940A. Placed on Final Reading.
LEGISLATIVE BILL 990. Placed on Final Reading.
LEGISLATIVE BILL 990A. Placed on Final Reading.

LEGISLATIVE BILL 1005. Placed on Final Reading.

ST51

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E & R amendments, ER137:
 - a. On page 1, line 17, "79-1003, 79-1028.01," has been inserted before "81-2014"; and
 - b. On page 2, line 3, "to redefine a term and change an exclusion to levy limitations and budget limitations under the Tax Equity and Educational Opportunities Support Act;" has been inserted after the semicolon.

LEGISLATIVE BILL 1008. Placed on Final Reading.
LEGISLATIVE BILL 1009. Placed on Final Reading.
LEGISLATIVE BILL 1091. Placed on Final Reading.
LEGISLATIVE BILL 1098. Placed on Final Reading.

LEGISLATIVE BILL 1119. Placed on Final Reading.

ST52

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "state" in line 1 through line 2 has been struck and "insurance; to amend sections 44-361 and 84-1613, Reissue Revised Statutes of Nebraska; to adopt the Direct Primary Care Pilot Program Act; to adopt the Nebraska Right to Shop Act; to harmonize provisions; and to repeal the original sections." inserted.
2. On page 3, line 16, the semicolon has been struck and a period inserted.

LEGISLATIVE BILL 1132. Placed on Final Reading.

ST57

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Pansing Brooks amendment, AM2707:
 - a. On page 4, line 29; page 5, line 3; page 6, line 15; and page 8, line 7, "an" has been inserted after "or"; and

b. On page 8, line 31, the comma has been struck and the stricken "or" has been reinstated.

(Signed) Anna Wishart, Chairperson

GENERAL FILE

LEGISLATIVE BILL 947. Title read. Considered.

Committee AM2542, found on page 1066, was offered.

Senator Chambers offered the following motion:

MO312

Bracket until April 18, 2018.

Senator Chambers withdrew his motion to bracket.

Senator Erdman offered the following motion:

MO313

Bracket until April 18, 2018.

SPEAKER SCHEER PRESIDING

PRESIDENT FOLEY PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Walz filed the following amendment to LB998:

AM2713

- 1 1. On page 3, line 13, strike "districts" and insert "systems".
- 2 2. On page 4, lines 30 and 31, strike "public and private schools" and insert "school systems within the educational service unit".
- 3 3. On page 5, strike beginning with the period in line 16 through
- 4 5 "fund" in line 17; and in line 18 after the period insert "For budgetary
- 5 6 purposes, the fund shall be administered through the State Department of
- 6 7 Education".
- 7 4. In the Linehan amendment, AM2572, on page 1, line 9, strike
- 8 9 "district" and insert "system"; and in line 11 strike "in the school
- 9 10 district" and insert "system in the educational service unit".

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 729. Placed on Select File with amendment.

ER168

- 1 1. On page 1, strike beginning with "tort" in line 1 through line 5
- 2 and insert "the State Tort Claims Act; to amend section 81-8,219, Revised

3 Statutes Supplement, 2017; to allow certain tort claims for
 4 misrepresentation or deceit by the Department of Health and Human
 5 Services; to harmonize provisions; and to repeal the original section."

LEGISLATIVE BILL 1040. Placed on Select File with amendment.
 ER167

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

3 Section 1. Section 71-601, Reissue Revised Statutes of Nebraska, is
 4 amended to read:

5 71-601 Sections 71-601 to 71-649 and section 3 of this act shall be
 6 known and may be cited as the Vital Statistics Act.

7 Sec. 2. Section 71-601.01, Reissue Revised Statutes of Nebraska, is
 8 amended to read:

9 71-601.01 For purposes of the Vital Statistics Act:

10 (1) Abstract of marriage means a certified document that summarizes
 11 the facts of marriage, including, but not limited to, the name of the
 12 bride and groom, the date of the marriage, the place of the marriage, and
 13 the name of the office filing the original marriage license. An abstract
 14 of marriage does not include signatures;

15 (2) Certificate means the record of a vital event. Certificate does
 16 not include a commemorative certificate;

17 (3) Certification means the process of recording, filing, amending,
 18 or preserving a certificate, which process may be by any means,
 19 including, but not limited to, microfilm, electronic, imaging,
 20 photographic, typewritten, or other means designated by the department;
 21 ~~and~~

22 (4) Commemorative certificate means a document commemorating a
 23 nonviable birth;

24 (5) ~~(4)~~ Department means the Department of Health and Human
 25 Services; and -

26 (6) Nonviable birth means an unintentional, spontaneous fetal demise
 27 occurring prior to the twentieth week of gestation during a pregnancy
 1 that has been verified by a health care practitioner.

2 Sec. 3. (1)(a) A health care practitioner licensed pursuant to the
 3 Uniform Credentialing Act who attends or diagnoses a nonviable birth or a
 4 health care facility licensed pursuant to the Health Care Facility
 5 Licensure Act at which a nonviable birth occurs shall advise a patient
 6 who experiences a nonviable birth that the patient may request a
 7 commemorative certificate as provided in this section and, upon request
 8 by the patient, shall provide a letter verifying the nonviable birth to
 9 the patient. The health care practitioner may delegate this duty to his
 10 or her designee. In lieu of a letter, the health care practitioner or his
 11 or her designee may provide the patient with a form provided by the
 12 department pursuant to subdivision (b) of this subsection and executed by
 13 the health care practitioner or his or her designee.

14 (b) The department shall provide on its web site a form to be
 15 executed by a health care practitioner or his or her designee affirming
 16 that a patient experienced a nonviable birth that the health care

17 practitioner attended or diagnosed.
 18 (2) Upon the request of the patient and submission of the letter or
 19 executed form, the department shall issue a commemorative certificate
 20 within sixty days after receipt of such request. The department shall
 21 charge a fee not to exceed its actual cost for issuing the commemorative
 22 certificate.
 23 (3)(a) The commemorative certificate shall contain the name of the
 24 fetus and the gender, if known. If the name is not furnished by the
 25 patient, the department shall fill in the commemorative certificate with
 26 the name Baby Boy or Baby Girl and the last name of the patient, and if
 27 the gender of the child is also unknown, the department shall fill in the
 28 commemorative certificate with the name Baby and the last name of the
 29 patient.
 30 (b) The following statement shall appear on the front of the
 31 commemorative certificate: This commemorative certificate is not proof of
 1 a live birth.
 2 (4) The department shall not register the birth associated with a
 3 commemorative certificate issued under this section or use it to
 4 calculate live birth statistics. The commemorative certificate is
 5 commemorative in nature and has no legal effect.
 6 (5) A commemorative certificate issued under this section shall not
 7 be used to establish, bring, or support a civil cause of action seeking
 8 damages against any person or entity for bodily injury, personal injury,
 9 or wrongful death for a nonviable birth.
 10 Sec. 4. Original sections 71-601 and 71-601.01, Reissue Revised
 11 Statutes of Nebraska, are repealed.
 12 2. On page 1, line 3, after "for" insert "commemorative".

(Signed) Anna Wishart, Chairperson

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 3, 2018, at 11:18 a.m. were the following: LBs 946e, 945e, 944e, and 950e.

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

VISITORS

Visitors to the Chamber were Bev, Karl, and Charlie Henkel from Norfolk; Senator Smith's daughter, Regan, from Papillion; members of AmeriCorps VISTA from Grand Island; 38 fourth-grade students from St. Michael's Elementary, Hastings; and 96 fourth-grade students from Fontenelle Elementary, Omaha.

RECESS

At 12:00 p.m., on a motion by Senator Murante, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Blood and Crawford who were excused; and Senators Howard, Kuehn, Larson, Morfeld, Watermeier, and Wishart who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 947. The Erdman motion, MO313, found in this day's Journal, to bracket until April 18, 2018, was renewed.

Senator Linehan moved the previous question. The question is, "Shall the debate now close?"

Senator Smith moved for a call of the house. The motion prevailed with 30 ayes, 2 nays, and 17 not voting.

Senator Erdman requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 25:

| | | | | |
|----------|-----------|-----------|-----------|------------|
| Albrecht | Clements | Kolowski | McDonnell | Thibodeau |
| Baker | Geist | Kolterman | Murante | Watermeier |
| Bolz | Groene | Lindstrom | Riepe | Wayne |
| Brasch | Hilgers | Linehan | Scheer | Williams |
| Brewer | Hilkemann | Lowe | Smith | Wishart |

Voting in the negative, 7:

| | | | |
|-----------|---------|----------|-------------|
| Bostelman | Erdman | Halloran | McCollister |
| Briese | Friesen | Hansen | |

Present and not voting, 13:

| | | | | |
|--------|--------|----------------|------------|------|
| Ebke | Hughes | Morfeld | Schumacher | Walz |
| Harr | Krist | Pansing Brooks | Stinner | |
| Howard | Kuehn | Quick | Vargas | |

Excused and not voting, 4:

Blood Chambers Crawford Larson

The motion to cease debate prevailed with 25 ayes, 7 nays, 13 present and not voting, and 4 excused and not voting.

Senator Erdman requested a roll call vote, in reverse order, on the motion to bracket.

Voting in the affirmative, 9:

| | | | | |
|----------|---------|------------|-------|---------|
| Briese | Hansen | Schumacher | Walz | Wishart |
| Chambers | Morfeld | Vargas | Wayne | |

Voting in the negative, 25:

| | | | | |
|-----------|-----------|-----------|-----------|------------|
| Albrecht | Ebke | Hughes | Lowe | Smith |
| Bostelman | Geist | Kolterman | McDonnell | Stinner |
| Brasch | Groene | Kuehn | Murante | Thibodeau |
| Brewer | Hilgers | Lindstrom | Riepe | Watermeier |
| Clements | Hilkemann | Linehan | Scheer | Williams |

Present and not voting, 12:

| | | | |
|--------|----------|----------|----------------|
| Baker | Friesen | Howard | McCollister |
| Bolz | Halloran | Kolowski | Pansing Brooks |
| Erdman | Harr | Krist | Quick |

Excused and not voting, 3:

Blood Crawford Larson

The Erdman motion to bracket failed with 9 ayes, 25 nays, 12 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Erdman offered the following motion:

MO315

Reconsider the vote taken to bracket.

Pending.

AMENDMENT(S) - Print in Journal

Senator Harr filed the following amendment to LB947:

AM2709

(Amendments to Standing Committee amendments, AM2542)

1 1. On page 8, line 28, strike "7.62" and insert "7.32"; in line 29
2 after the semicolon insert "and"; and in line 31 strike "and before

3 January 1, 2021."

4 2. On page 9, line 2, strike "7.43" and insert "6.84"; in line 3

5 strike the semicolon and insert an underscored period; and strike lines 4
6 through 17.

7 3. On page 15, strike beginning with "thirty-four" in line 2 through

8 "fifty" in line 3 and insert "thirty-five million six hundred ninety".

MOTION(S) - Print in Journal

Senator Krist filed the following motion to LB947:

MO314

Recommit to the Revenue Committee.

AMENDMENT(S) - Print in Journal

Senator Smith filed the following amendment to LB1089:

AM2779

(Amendments to Standing Committee amendments, AM2049)

1 1. Strike section 21 and insert the following new sections:

2 Section 1. Section 77-118, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 77-118 (1) Nebraska adjusted basis shall mean the adjusted basis of
5 property as determined under the Internal Revenue Code increased by the
6 total amount allowed under the code for depreciation or amortization or
7 pursuant to an election to expense depreciable property under section 179
8 of the code.

9 (2) For purchases of depreciable personal property occurring on or
10 after January 1, 2018, and before January 1, 2019, if there is an
11 election to expense the depreciable property under section 179 of the
12 code and similar personal property is traded in as part of the payment
13 for the newly acquired property, the Nebraska adjusted basis shall be the
14 remaining net book value of the property traded in, plus the additional
15 amount that was paid by the taxpayer for the newly acquired property.

16 Sec. 22. Sections 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18,
17 19, 20, 24, and 25 of this act become operative on January 1, 2019. The
18 other sections of this act become operative on their effective date.

19 2. On page 19, line 31, after "Original" insert "section 77-118,
20 Reissue Revised Statutes of Nebraska,".

21 3. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 902. Senator Chambers withdrew his motion,
MO308, found on page 1329, to bracket until April 18, 2018.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present
and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 807. Title read. Considered.

Committee AM2392, found on page 970, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senator Brewer withdrew his amendment, AM1863, found on page 650.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1015. Title read. Considered.

Committee AM1927, found on page 794, was offered.

Senator Harr offered his amendment, AM2590, found on page 1115, to the committee amendment.

SPEAKER SCHEER PRESIDING

Senator Chambers offered the following motion:

MO316

Bracket until April 18, 2018.

The Chambers motion to bracket failed with 12 ayes, 15 nays, 19 present and not voting, and 3 excused and not voting.

Pending.

LEGISLATIVE BILL 670. Title read. Considered.

Committee AM2093, found on page 813, was offered.

Senator Vargas offered his amendment, AM2714, found on page 1318, to the committee amendment.

The Vargas amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1120. Title read. Considered.

Committee AM2545, found on page 1104, was offered.

Senator Thibodeau offered the following amendment to the committee amendment:

AM2784 is available in the Bill Room.

The Thibodeau amendment was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 873. Senator Geist renewed her amendment, FA122, found on page 1037.

SENATOR LINDSTROM PRESIDING

The Geist amendment lost with 17 ayes, 20 nays, 9 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 4 nays, 16 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1034. Title read. Considered.

Committee AM2322, found on page 1008, was offered.

Senator Riepe offered his amendment, AM2573, found on page 1183, to the committee amendment.

The Riepe amendment was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Senator Kolterman offered his amendment, AM2676, found on page 1324.

The Kolterman amendment 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 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1034A. Title read. Considered.

Senator Riepe offered the following amendment:

AM2793

1 1. Insert the following new section:

2 Sec. 2. There is hereby appropriated (1) \$2,000 from the Nebraska

3 Emergency Medical System Operations Fund for FY2018-19 and (2) \$2,000
4 from the Nebraska Emergency Medical System Operations Fund for FY2019-20
5 to the Department of Health and Human Services, for Program 178, to aid
6 in carrying out the provisions of Legislative Bill 1034, One Hundred
7 Fifth Legislature, Second Session, 2018.
8 No expenditures for permanent and temporary salaries and per diems
9 for state employees shall be made from funds appropriated in this
10 section.

The Riepe amendment was adopted with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB729:
AM2778

(Amendments to Standing Committee amendments, AM2160)

1 1. On page 1, line 22, after "that" insert "in cases of adoption
2 or placement"; and strike beginning with "in" in line 26 through
3 "placement" in line 27.

VISITORS

Visitors to the Chamber were 36 twelfth-grade students from Wilber-Clatonia Public Schools.

ADJOURNMENT

At 6:01 p.m., on a motion by Senator Linehan, the Legislature adjourned until 9:00 a.m., Wednesday, April 4, 2018.

Patrick J. O'Donnell
Clerk of the Legislature