

EIGHTH DAY - JANUARY 16, 2018
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 16, 2018

PRAYER

The prayer was offered by Pastor Jeff Hagaman, United Church of Christ, Crete.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Chambers, Friesen, Hansen, Murante, Stinner, Vargas, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance

Room 1507

Tuesday, January 23, 2018 1:30 p.m.

LB742
LB750
LB904

(Signed) Brett Lindstrom, Chairperson

Judiciary

Room 1113

Friday, January 26, 2018 1:30 p.m.

LB832
LB906

LB931
LB933
LB934
LB970
LB971

Wednesday, January 31, 2018 1:30 p.m.

LB792
LB883
LB913
LB923
LB955
LR269CA

Thursday, February 1, 2018 1:30 p.m.

LB816
LB842
LB852
LB853
LB868
LB932

Friday, February 2, 2018 1:30 p.m.

LB845
LB863
LB879
LB795
LB826
LB972
LB785

(Signed) Laura Ebke, Chairperson

Urban Affairs

Room 1510

Tuesday, January 23, 2018 1:30 p.m.

LB940
LB707
LB854
LB768
LB880

(Signed) Justin Wayne, Chairperson

MESSAGE FROM THE SECRETARY OF STATE

January 11, 2018

Senator John Murante
Chair, Government, Military and Veterans Affairs Committee
Room 1423
State Capitol
Lincoln, Nebraska 68509

Dear Senator Murante,

The purpose of this letter is to inform the honorable members of the Legislature that, as Secretary of State, I have appointed Tom Carlson, as a member from the First Congressional District, to the Nebraska Accountability and Disclosure Commission pursuant to law. This appointment is subject to legislative confirmation. It is my understanding that your Committee would conduct the confirmation hearing on this appointment. Mr. Carlson's mailing address is:

Tom Carlson
2412 Rokeby Road
Lincoln, Nebraska 68512

Mr. Carlson is a former state senator from District 38, who served two terms in the Legislature, completing his term on December 31, 2014. Tom was a financial advisor while living in Holdrege, Nebraska. He served on the Banking, Commerce and Insurance Committee, the Committee on Committees, and was chair of the Natural Resources Committee. He has been, and is, a registered Republican. Mr. Carlson and his wife Margo have moved from Holdrege, Nebraska, to Lincoln, Nebraska, in the First Congressional District. They are currently residents at their new home at 2412 Rokeby Road, Lincoln, Nebraska. Tom and Margo have changed their voter registration and their mailing address to their new residence.

The appointment was made by me pursuant to the provisions of sections 49-14,105, 49-14,110, 49-14,112, and 49-14,114 and is respectfully submitted for your consideration.

Sincerely,
(Signed) John A. Gale
Secretary of State

cc: Frank Daley, NADC
Patrick O'Donnell, Clerk of the Legislature

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 261, 262, 263, 264, 265, and 267 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 261, 262, 263, 264, 265, and 267.

MOTION(S) - Suspend Rules

Senator Kolterman offered his motion found on page 286, to suspend the rules, Rule 5, Section 15(a), to permit the introduction of a new bill, Req. 3736.

The Kolterman motion to suspend the rules prevailed with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 614. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 1 nay, and 13 present and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1000. Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Public Facilities Construction and Finance Act; to amend sections 13-809, 13-2531, 72-2301, and 72-2304, Reissue Revised Statutes of Nebraska; to require submission of bond measures to an election prior to issuance of bonds; to provide procedures; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1001. Introduced by Briese, 41.

A BILL FOR AN ACT relating to school finance; to require a review of the financing of schools; and to provide duties for the State Department of Education.

LEGISLATIVE BILL 1002. Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Film Office; to create a fund; and to provide duties for the state investment officer.

LEGISLATIVE BILL 1003. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Military Code; to amend section 55-160, Reissue Revised Statutes of Nebraska; to change provisions relating to military leave of absence without loss of pay; and to repeal the original section.

LEGISLATIVE BILL 1004. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Aging and Disability Resource Center Demonstration Project Act; to amend sections 68-1111, 68-1113, 68-1114, 68-1115, 68-1116, 68-1117, 68-1118, and 68-1119, Revised Statutes Cumulative Supplement, 2016; to rename the act; to provide for establishment of aging and disability resource centers; to eliminate references to aging and disability resource center demonstration projects; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1005. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 23-3527 and 79-915, Reissue Revised Statutes of Nebraska, and section 23-2306, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to employer removal or withdrawal from the Retirement System for Nebraska Counties or the School Employees Retirement System of the State of Nebraska; to change provisions relating to facility participation in a retirement system under the County Employees Retirement Act; and to repeal the original sections.

LEGISLATIVE BILL 1006. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission Act; to amend section 77-5005, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to rehearings; and to repeal the original section.

LEGISLATIVE BILL 1007. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3442, Revised Statutes Supplement, 2017; to authorize school districts to levy for facilities-related expenditures as prescribed; to authorize school districts to establish a facilities fund as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1008. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-613, Reissue Revised Statutes of Nebraska; to change amounts of certain liquidated damages; and to repeal the original section.

LEGISLATIVE BILL 1009. Introduced by Murante, 49; Friesen, 34.

A BILL FOR AN ACT relating to roads; to amend section 39-1803, Reissue Revised Statutes of Nebraska, sections 60-4,182, 60-601, and 60-605, Revised Statutes Cumulative Supplement, 2016, and sections 39-2103 and 60-6,186, Revised Statutes Supplement, 2017; to provide a super-two rural highway classification; to define a term; to change maximum highway speed limits as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1010. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to criminal procedure; to amend section 71-942, Reissue Revised Statutes of Nebraska, and section 29-1823, Revised Statutes Supplement, 2017; to change provisions relating to competency to stand trial; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1011. Introduced by Harr, 8.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Revised Statutes Cumulative Supplement, 2016; to provide a duty for drivers approaching certain stopped vehicles on any roadway as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1012. Introduced by Harr, 8.

A BILL FOR AN ACT relating to the Insurance Producers Licensing Act; to amend section 44-4053, Reissue Revised Statutes of Nebraska, and sections 44-3903, 44-3910, 44-4047, 44-4052, and 44-4054, Revised Statutes Cumulative Supplement, 2016; to provide procedures and requirements for a limited license for self-service storage facility operators to act as insurance producers as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1013. Introduced by Pansing Brooks, 28; Ebke, 32.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 29-2221, Reissue Revised Statutes of Nebraska; to change provisions relating to the habitual criminal enhancement; to define a term; and to repeal the original section.

LEGISLATIVE BILL 1014. Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to employment; to amend sections 13-1102, 20-113, 48-1221, 48-1222, 48-1223, 48-1224, 48-1225, 48-1226, and 48-1227, Reissue Revised Statutes of Nebraska, and sections 48-1220 and 48-1228, Revised Statutes Cumulative Supplement, 2016; to name the

Discriminatory Wage Practices Act; to define a term; to eliminate obsolete provisions; to change provisions relating to wage discrimination on the basis of sex; to provide for an employer pay-practices model for self-evaluation; to provide for enforcement by the Attorney General; to provide an affirmative defense for employers as prescribed; to provide protections for employees relating to wage disclosure; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1015. Introduced by Briese, 41.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to access to public records; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1016. Introduced by Briese, 41; Brewer, 43; Erdman, 47; Halloran, 33; Lowe, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2016; to adopt the Money Transmission Fee Act; to provide income tax credits as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1017. Introduced by Krist, 10.

A BILL FOR AN ACT relating to pipelines; to amend sections 57-1101, 57-1403, 57-1405, 73-307, 75-502, 76-710.04, and 81-1701, Revised Statutes Cumulative Supplement, 2016, and section 73-507, Revised Statutes Supplement, 2017; to change and eliminate provisions relating to eminent domain; to define terms; to change provisions of the Major Oil Pipeline Siting Act; to provide, change, and eliminate provisions relating to the review and evaluation of pipeline routes; to harmonize provisions; to repeal the original sections; and to outright repeal sections 57-1501, 57-1502, and 57-1503, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 1018. Introduced by Geist, 25; Clements, 2.

A BILL FOR AN ACT relating to the Legislature; to amend section 84-712.05, Revised Statutes Cumulative Supplement, 2016; to provide for inadmissibility of audio and video recordings of certain legislative proceedings as prescribed; to require a notice regarding prohibited uses of such recordings; to change provisions relating to records that may be withheld from the public; and to repeal the original section.

LEGISLATIVE BILL 1019. Introduced by Clements, 2; Blood, 3; Crawford, 45; Murante, 49; Smith, 14; Watermeier, 1.

A BILL FOR AN ACT relating to political subdivisions; to amend section

13-1901, Reissue Revised Statutes of Nebraska; to change the boundaries of the Nebraska planning and development regions; and to repeal the original section.

LEGISLATIVE BILL 1020. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to cities and villages; to amend section 18-201, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to limits on indebtedness from direct borrowing; to harmonize provisions; and to repeal the original section.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 282. Introduced by Lindstrom, 18.

WHEREAS, Josiah Howell and Simon Schreiber founded and incorporated the Pacific Mutual Life Insurance Company of California 150 years ago in Sacramento, California, on January 2, 1868, and on May 9, 1868, ceremonially issued the company's first policy to California Governor, Leland Stanford, the company's first president; and

WHEREAS, within a few decades, Pacific Mutual grew from a small west coast life insurer into a national organization based in San Francisco with multiple products and services that met the needs of customers, despite periods of widespread economic panic; and

WHEREAS, Pacific Mutual overcame the destruction of its headquarters in the 1906 San Francisco earthquake by relocating to Los Angeles, used its state-required rehabilitation plan to build a stronger organization from 1936 to the 1950s, and pursued innovative approaches for expansion after moving to Newport Beach in 1972;

WHEREAS, the company became a nationally recognized premium brand known for its customer service and financial strength as well as its whale icon;

WHEREAS, after transitioning to Pacific Life Insurance with a mutual holding company structure, the company made strategic moves to broaden its life insurance, asset management, and retirement solutions products and services, then acquired and invested in subsidiaries Pacific Life Re and Aviation Capital Group; and

WHEREAS, during the past 33 years, the Pacific Life Foundation has given more than \$100 million to nonprofits and community service efforts, reflecting the company's commitment to the communities where its employees live and work; and

WHEREAS, Pacific Life remains dedicated to fulfilling its promises and building the financial futures of hundreds of thousands of customers; and

WHEREAS, Pacific Life has been domesticated in Nebraska since 2005, opened its Omaha-based regional office the same year, and continues to be a significant investor in the Nebraska economy with more than 400 employees; and

WHEREAS, today Pacific Life celebrates its sesquicentennial anniversary and is looking forward to its next 150 years of empowering the success of communities and future generations of customers.

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

1. That the Legislature recognizes Pacific Life Insurance Company on its 150-year anniversary.
2. That a copy of this resolution be sent to the Pacific Life Insurance Company corporate headquarters.

Laid over.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 146. Placed on Select File.

(Signed) Anna Wishart, Chairperson

MOTION(S) - Print in Journal

Senator Riepe filed the following motion to LB915:

MO168

Withdraw bill.

GENERAL FILE

LEGISLATIVE BILL 96. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, and 16 present and not voting.

LEGISLATIVE BILL 193. Title read. Considered.

Committee AM221, found on page 511, First Session, 2017, was adopted with 38 ayes, 0 nays, and 11 present and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, and 9 present and not voting.

LEGISLATIVE BILL 377. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, and 8 present and not voting.

LEGISLATIVE BILL 469. Title read. Considered.

Committee AM155, found on page 521, First Session, 2017, was offered.

SENATOR LINDSTROM PRESIDING

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1021. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 2-2701, Reissue Revised Statutes of Nebraska, and sections 77-382, 77-385, 77-2701.16, 77-2704.13, and 77-2708, Revised Statutes Cumulative Supplement, 2016; to eliminate certain sales and use tax exemptions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-2704.23, 77-2704.41, 77-2704.46, and 77-2704.60, Reissue Revised Statutes of Nebraska, and sections 77-2704.36, 77-2704.64, and 77-2708.01, Revised Statutes Cumulative Supplement, 2016.

LEGISLATIVE BILL 1022. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1343 and 77-5023, Reissue Revised Statutes of Nebraska, sections 77-201, 77-1363, and 77-1371, Revised Statutes Cumulative Supplement, 2016, and section 79-1016, Revised Statutes Supplement, 2017; to adopt the Irrigation Tax Act; to change the valuation of agricultural land and horticultural land for property tax purposes; to create a fund; to disburse funds to certain school districts as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1023. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-204, Reissue Revised Statutes of Nebraska, sections 77-1116, 77-27,187.02, 77-2912, 77-5208, and 77-5806, Revised Statutes Cumulative Supplement, 2016, and sections 77-5725, 77-5905, and 77-6306, Revised Statutes Supplement, 2017; to provide and change sunset dates on certain tax incentive programs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1024. Introduced by Wayne, 13; Chambers, 11.

A BILL FOR AN ACT relating to the University of Nebraska-Lincoln; to amend sections 85-1,134 and 85-1,136, Reissue Revised Statutes of

Nebraska; to change references from the Big Twelve Conference to the Big Ten Conference in provisions requiring payment of a stipend or restricting hours of participation for persons competing in intercollegiate athletics; and to repeal the original sections.

LEGISLATIVE BILL 1025. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to building codes; to amend section 71-6401, Reissue Revised Statutes of Nebraska, section 71-6404, Revised Statutes Cumulative Supplement, 2016, and section 71-6406, Revised Statutes Supplement, 2017; to create the Building Codes Advisory Committee; to provide powers and duties; to change provisions relating to local building and construction codes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1026. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to funding for highways; to amend sections 39-2203, 39-2205, 39-2209, 39-2211, 39-2212, 39-2213, 39-2216, 39-2222, 39-2223, and 39-2704, Reissue Revised Statutes of Nebraska, and sections 39-2224 and 66-4,100, Revised Statutes Supplement, 2017; to authorize issuance of highway bonds; to create a fund; to change provisions of the Nebraska Highway Bond Act and the Build Nebraska Act; to pledge revenue for the bonds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1027. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to voting rights; to amend sections 29-112, 29-113, 29-2264, 32-313, 32-1530, and 83-1,118, Reissue Revised Statutes of Nebraska, and section 32-312, Revised Statutes Supplement, 2017; to provide for the restoration of voting rights upon completion of a felony sentence or probation for a felony; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1028. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to municipalities; to adopt the Abandoned and Dilapidated Housing Act; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 1029. Introduced by Hansen, 26.

A BILL FOR AN ACT relating to the Nebraska Uniform Power of Attorney Act; to amend section 30-4020, Reissue Revised Statutes of Nebraska; to change time for acceptance of a power of attorney; and to repeal the original section.

LEGISLATIVE BILL 1030. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-2816, Reissue Revised Statutes of Nebraska, and section 77-2703.01, Revised Statutes Cumulative Supplement, 2016; to change the sales tax sourcing rules for motor vehicles and trailers operated by public power districts; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1031. Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend sections 76-2308 and 76-2321, Reissue Revised Statutes of Nebraska, and sections 76-2301, 76-2303, 76-2303.01, 76-2322, and 76-2323, Revised Statutes Cumulative Supplement, 2016; to define and redefine terms; to change provisions relating to excavation notice and marking of underground facilities; to provide for mandatory large project planning meeting notification; to provide rulemaking duties for the State Fire Marshal; to allocate locate costs; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1032. Introduced by Murante, 49.

A BILL FOR AN ACT relating to statewide presidential primary elections; to amend sections 32-101, 32-206, 32-401, 32-613, 32-614, 32-701, 32-710, and 32-809, Reissue Revised Statutes of Nebraska; to provide for statewide presidential primary elections; to change provisions relating to primary elections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1033. Introduced by Murante, 49.

A BILL FOR AN ACT relating to learning communities; to amend sections 11-119, 13-903, 13-2202, 32-546.01, 32-567, 32-604, 32-1203, 77-1601.02, 77-1614, 77-1624, 77-1702, 77-1708, 77-1772, 77-2201, 77-2202, 79-102, 79-201, 79-2,104, 79-408, 79-413, 79-415, 79-416, 79-433, 79-452, 79-458, 79-458.01, 79-467, 79-468, 79-473, 79-4,117, 79-4,118, 79-4,120, 79-4,127, 79-527, 79-529, 79-549, 79-760.05, 79-769, 79-777, 79-850, 79-1007.05, 79-1014, 79-1074, 79-1125.01, 79-1142, 79-1210, 79-2404, and 81-1203, Reissue Revised Statutes of Nebraska, sections 13-503, 68-907, 70-651.04, 77-1704.01, 77-1736.06, 77-2704.15, 79-215, 79-233, 79-235, 79-235.01, 79-238, 79-241, 79-4,119, 79-4,121, 79-4,122, 79-4,123, 79-4,125, 79-4,126, 79-4,128, 79-528, 79-611, 79-703, 79-760.02, 79-760.03, 79-979, 79-1005, 79-1005.01, 79-1007.18, 79-1008.01, 79-1013, 79-1024, 79-1033, 79-1036, 79-1041, 79-1075, 79-1083, 79-1084, 79-1086, 79-10,143, 79-11,155, 79-1241.03, 79-1245, 79-2104, 79-2117, 79-2120, and 79-2122, Revised Statutes Cumulative Supplement, 2016, and sections 13-508, 13-511, 77-3442, 79-237, 79-407, 79-1003, 79-1007.11, 79-1009, 79-1017.01, 79-1022, and 79-10,145, Revised Statutes Supplement, 2017; to provide for termination of learning communities and the learning community coordinating council; to change authorization for early

childhood education for children in poverty, elementary learning centers, and focus schools and programs as prescribed; to provide levy authority as prescribed; to rename and change provisions of the Learning Community Reorganization Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 32-555.01, Reissue Revised Statutes of Nebraska, and sections 79-1008.02, 79-1073, and 79-10,126.01, Revised Statutes Cumulative Supplement, 2016.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 283. Introduced by Brasch, 16.

WHEREAS, Sergeant Darwin Shaw is retiring after forty years in law enforcement; and

WHEREAS, Sergeant Shaw served for twenty-one years with the Blair Police Department before moving to the Greenville County Forensics Division in Greenville, South Carolina, for the remainder of his career; and

WHEREAS, Sergeant Shaw was a loyal and dedicated investigator with a great sense of humor and optimism while on the Blair police force;

WHEREAS, when Sergeant Shaw left Blair, he hoped to retire after ten more years and play golf; and

WHEREAS, Sergeant Shaw worked as a crime scene investigator for another nineteen years; and

WHEREAS, Sergeant Shaw will leave a void that will be difficult for the Greenville County Forensics Division to fill.

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

1. That the Legislature honors Sergeant Darwin Shaw for his years of service to the citizens of Nebraska and South Carolina and congratulates him on his retirement.

2. That a copy of this resolution be sent to Sergeant Darwin Shaw.

Laid over.

LEGISLATIVE RESOLUTION 284. Introduced by Brasch, 16.

WHEREAS, Deputy Fred Carritt is retiring from the Washington County Sheriff's Office after forty-five years in law enforcement; and

WHEREAS, Deputy Carritt began his career in law enforcement as a town marshal in 1972 after learning those duties were part of the maintenance position that he had just been hired to fill by the Mead Village Board of Trustees; and

WHEREAS, former Marshal Carritt moved on to the Wahoo police force after about a year, the Blair Police Department in 1976, and then the Washington County Sheriff's Office in 1991; and

WHEREAS, while off duty in 1992, Deputy Carritt helped pull a man from a burning trailer home, saving his life; and

WHEREAS, in 1994, Deputy Carritt volunteered to be the first K-9 handler for Washington County. Local children helped raise funds for the dog and the training by going door-to-door and seeking donations; and

WHEREAS, Deputy Carritt became a school resource officer in 2001, and served as a role model for the students of Arlington and Fort Calhoun for fifteen years; and

WHEREAS, in 2016, Deputy Carritt moved into the corrections division to provide prisoner transport and jail security; and

WHEREAS, Deputy Fred Carritt will leave a void that will be difficult for the Washington County Sheriff's Office to fill.

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

1. That the Legislature honors Deputy Fred Carritt for his years of service to the citizens of Nebraska and congratulates him on his retirement.
2. That a copy of this resolution be sent to Deputy Fred Carritt.

Laid over.

LEGISLATIVE RESOLUTION 285CA. Introduced by Murante, 49.

THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2018, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VII, section 2, Article VII, section 4, and Article XIII, section 1, and repeal Article VII, section 3:

~~VII-2 The State Department of Education shall be comprised of a State Board of Education and a Commissioner of Education.~~ The State Department of Education shall have general supervision and administration of the school system of the state and of such other activities as the Legislature may direct.

~~VII-4 The Governor State Board of Education shall appoint and fix the compensation of the Commissioner of Education, who shall be the executive officer of the State Board of Education and the administrative head of the State Department of Education, and who shall have such powers and duties as the Legislature may direct. The board shall appoint all employees of the State Department of Education on the recommendation of the Commissioner of Education.~~

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid; Provided, that if the Legislature determines by a three-fifths vote of the members elected thereto that (1) the

need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and (2) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; and provided further, that the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and, at the direction of the Governor, the Commissioner of Education ~~the State Board of Education~~ may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

Article VII, section 3, of the Constitution of Nebraska is repealed.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to eliminate the State Board of Education and transfer the power to appoint the Commissioner of Education to the Governor and the power to issue revenue bonds to the Commissioner of Education at the direction of the Governor.

For

Against.

LEGISLATIVE RESOLUTION 286. Introduced by Krist, 10.

WHEREAS, Article XVI, section 2, of the Constitution of Nebraska prescribes a process for calling a convention to revise, amend, or change the Constitution of Nebraska.

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

1. That pursuant to Article XVI, section 2, of the Constitution of Nebraska, there shall be presented to the electors of the State of Nebraska the question of calling a state constitutional convention to revise, amend, or change Article VIII and any other revenue provisions of the Constitution of Nebraska. Any amendment proposed by the state constitutional convention shall be submitted separately to the electors of the State of Nebraska for approval or rejection when demanded by twenty-five percent of the duly qualified and elected delegates to the state constitutional convention.

2. That at the statewide general election to be held in November of 2018, the question of calling a convention shall be submitted to the electors of the State of Nebraska upon the official ballot in the following form:

"For the calling of a state constitutional convention to revise, amend, or change Article VIII and any other revenue provisions of the Constitution of Nebraska, with any amendment proposed by the state constitutional convention submitted separately to the electors for approval or rejection when demanded by twenty-five percent of the duly qualified and elected delegates to the state constitutional convention."

"Against the calling of a state constitutional convention to revise, amend, or change Article VIII and any other revenue provisions of the Constitution of Nebraska, with any amendment proposed by the state constitutional convention submitted separately to the electors for approval or rejection when demanded by twenty-five percent of the duly qualified and elected delegates to the state constitutional convention."

3. That if a majority of the electors voting for or against calling a state constitutional convention vote for the convention, the Legislature shall, at its next session, carry out the provisions of sections 49-212 to 49-238 for purposes of holding a constitutional convention and electing delegates to the constitutional convention.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 668. Placed on Select File.

LEGISLATIVE BILL 669. Placed on Select File.

(Signed) Anna Wishart, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems

Room 1525

Friday, January 26, 2018 12:00 p.m.

LB700

John Conley - Nebraska Investment Council

(Signed) Mark Kolterman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB310:
AM1544

- 1 1. Insert the following new section:
- 2 Sec. 3. Section 60-6,383, Revised Statutes Cumulative Supplement,
- 3 2016, is amended to read:
- 4 60-6,383 (1) An implement of husbandry being operated on any highway
- 5 of this state, except the National System of Interstate and Defense
- 6 Highways, shall be exempt from the weight and load limitations of
- 7 subsections (2), (3), and (4) of section 60-6,294 but shall be subject to
- 8 any ordinances or resolutions enacted by local authorities pursuant to
- 9 section 60-681.
- 10 (2) An implement of husbandry being operated on any highway of this
- 11 state shall not cross any ~~bridge or culvert~~ with a span of more than
- 12 sixty inches or any bridge if the vehicle axle, axle groupings, or gross
- 13 weight exceeds the limits established in subsections (2), (3), and (4) of
- 14 section 60-6,294 or weight limits established by bridge postings.
- 15 (3) For purposes of this section, an implement of husbandry includes
- 16 (a) a farm tractor with or without a towed farm implement, (b) a self-
- 17 propelled farm implement, (c) self-propelled equipment designed and used
- 18 exclusively to carry and apply fertilizer, chemicals, or related products
- 19 to agricultural soil or crops, (d) an agricultural floater-spreader
- 20 implement as defined in section 60-303, (e) a fertilizer spreader, nurse
- 21 tank, or truck permanently mounted with a spreader used for spreading or
- 22 injecting water, dust, or liquid fertilizers or agricultural chemicals,
- 23 (f) a truck mounted with a spreader used or manufactured to spread or
- 24 inject animal manure, and (g) a mixer-feed truck owned and used by a
- 25 livestock-raising operation designed for and used for the feeding of
- 26 livestock.
- 27 2. Renumber the remaining section and correct the repealer
- 1 accordingly.

Senator Chambers filed the following amendment to LB469:

FA89

Amend AM155

Page 1, strike lines 1-2.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Kolterman name added to LB747.

Senator Briese name added to LB747.

Senator Baker name added to LB912.

Senator Walz name added to LB912.

Senator Howard name added to LB912.

Senator Hansen name added to LB989.

Senator Geist name added to LB989.
Senator Brewer name added to LB993.
Senator Brewer name added to LB994.
Senator Baker name added to LB998.
Senator Groene name added to LR6.

ADJOURNMENT

At 11:51 a.m., on a motion by Senator Wishart, the Legislature adjourned until 9:00 a.m., Wednesday, January 17, 2018.

Patrick J. O'Donnell
Clerk of the Legislature