

FORTY-SIXTH DAY - MARCH 17, 2015

LEGISLATIVE JOURNAL

**ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION**

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 17, 2015

PRAYER

The prayer was offered by Pastor Jackie Perry, First Congressional United Church of Christ, Norfolk.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Hadley presiding.

The roll was called and all members were present except Senators Coash and Mello who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fifth day was approved.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 128. Placed on Final Reading.

LEGISLATIVE BILL 245. Placed on Final Reading.
ST15

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

1. In the E and R amendments, ER46, on page 1, line 2, "29-2103" has been struck and "29-2102, 29-2103," inserted.

2. Section 2 and all amendments thereto have been struck and the following new section inserted:

Sec. 4. Original sections 29-2102, 29-2103, and 29-4120, Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE BILL 304. Placed on Final Reading.

LEGISLATIVE BILL 366. Placed on Final Reading.

LEGISLATIVE BILL 366A. Placed on Final Reading.

LEGISLATIVE BILL 431. Placed on Final Reading.

LEGISLATIVE BILL 439. Placed on Final Reading Second.

LEGISLATIVE BILL 504. Placed on Final Reading.
LEGISLATIVE BILL 504A. Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

MESSAGE(S) FROM THE GOVERNOR

March 12, 2015

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

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

Contingent upon your approval, the following individual is being appointed to the State Emergency Response Commission:

Sharon Medcalf, 8046 Swallowtail Street, Papillion, NE 68046

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosure

March 13, 2015

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

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

Contingent upon your approval, the following individual is being appointed to the Nebraska Oil and Gas Conservation Commission:

John Arley Rundel, 416 East C Street, Trenton, NE 69044

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,

(Signed) Pete Ricketts
Governor

Enclosure

SELECT FILE

LEGISLATIVE BILL 10. Senator Chambers renewed his amendment, FA31, found on page 865.

Senator Chambers moved for a call of the house. The motion prevailed with 18 ayes, 0 nays, and 31 not voting.

The Chambers amendment lost with 13 ayes, 21 nays, 12 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S) Agriculture

LEGISLATIVE BILL 618. Placed on General File with amendment.
AM792

1 1. Strike original sections 3, 12, and 17 and insert the following
2 new sections:
3 Sec. 3. (1) On or before December 1, 2015, on or before August 1,
4 2020, and on or before August 1 of every fifth year thereafter, the board
5 shall prepare a report that provides (a) a five-year history of planted
6 and harvested wheat acres and the number of bushels of wheat harvested
7 within each district established under section 2-2304 or subsection (2)
8 of this section and (b) appropriate graphic, narrative, or other
9 description and analysis of trends in the (i) geographic distribution of
10 wheat production within the state and (ii) marketing destination and end-
11 use markets, including any geographic distinctions or distinctions due to
12 wheat variety or attributes for Nebraska-grown wheat. The board shall
13 notify the Director of Agriculture and the chairperson of the Agriculture
14 Committee of the Legislature of the completion and availability of the
15 reports prepared pursuant to this subsection.
16 (2)(a) The composition of the board as defined by section 2-2304
17 shall continue until such time as a plan is implemented pursuant to this
18 subsection based on a determination by the board that the districts and
19 at-large membership as defined by section 2-2304 are incompatible with an
20 equitable representation of producers of wheat due to changing geographic
21 distribution of wheat production in the state, changing marketing
22 patterns, or availability of qualified individuals to serve as board
23 members. In order to maintain equitable representation of wheat
24 producers, the board may, from time-to-time as necessary and appropriate,
25 prepare a plan to revise the composition of the board by redefining the

26 boundaries of the districts, by increasing or decreasing the number of
27 members selected by the districts, by increasing or decreasing the number
1 of members selected from the state at-large, or by any combination of
2 such methods. Any plan to revise the composition of the board may
3 reassign members of the board at the time such plan takes effect to
4 assume membership as the representative of a redesignated district within
5 which such member resides or reassign such member as an at-large member.
6 Any plan to revise the composition of the board shall not eliminate the
7 membership of any member of the board at the time such plan takes effect
8 prior to the expiration of the term of such member. Any plan to revise
9 the composition of the board shall not affect any qualification to serve
10 as a member of the board or the procedure for nomination and appointment
11 to the board.

12 (b) Whenever the board proposes a plan to revise the composition of
13 the board as provided in this subsection, the board shall provide notice
14 of the plan along with any graphic or narrative description of such plan
15 and a written explanation of the need to revise the composition of the
16 board to the Director of Agriculture and chairperson of the Agriculture
17 Committee of the Legislature on or before November 1 of the year prior to
18 when such plan would be implemented, and any such plan shall not be
19 implemented until ninety days after adjournment of the next regular
20 session of the Legislature.

21 Sec. 12. (1) On or before December 1, 2015, on or before August 1,
22 2020, and on or before August 1 of every fifth year thereafter, the board
23 shall prepare a report that provides (a) a five-year history of planted
24 and harvested corn acres and the number of bushels of corn harvested
25 within each district established under section 2-3615 or subsection (2)
26 of this section and (b) appropriate graphic, narrative, or other
27 description and analysis of trends in the (i) geographic distribution of
28 corn production within the state and (ii) marketing destination and end-
29 use markets, including any geographic distinctions or distinctions due to
30 corn variety or attributes for Nebraska-grown corn. The board shall
31 notify the Director of Agriculture and the chairperson of the Agriculture
1 Committee of the Legislature of the completion and availability of the
2 reports prepared pursuant to this subsection.

3 (2)(a) The composition of the board as defined by section 2-3615
4 shall continue until such time as a plan is implemented pursuant to this
5 subsection based on a determination by the board that the districts and
6 at-large membership as defined by section 2-3615 are incompatible with an
7 equitable representation of producers of corn due to changing geographic
8 distribution of corn production in the state, changing marketing
9 patterns, or availability of qualified individuals to serve as board
10 members. In order to maintain equitable representation of corn producers,
11 the board may, from time-to-time as necessary and appropriate, prepare a
12 plan to revise the composition of the board by redefining the boundaries
13 of the districts, by increasing or decreasing the number of members
14 selected by the districts, by increasing or decreasing the number of
15 members selected from the state at-large, or by any combination of such
16 methods. Any plan to revise the composition of the board may reassign

17 members of the board at the time such plan takes effect to assume
18 membership as the representative of a redesignated district within which
19 such member resides or reassign such member as an at-large member. Any
20 plan to revise the composition of the board shall not eliminate the
21 membership of any member of the board at the time such plan takes effect
22 prior to the expiration of the term of such member. Any plan to revise
23 the composition of the board shall not affect any qualification to serve
24 as a member of the board or the procedure for nomination and appointment
25 to the board.

26 (b) Whenever the board proposes a plan to revise the composition of
27 the board as provided in this subsection, the board shall provide notice
28 of the plan along with any graphic or narrative description of such plan
29 and a written explanation of the need to revise the composition of the
30 board to the Director of Agriculture and chairperson of the Agriculture
31 Committee of the Legislature on or before November 1 of the year prior to
1 when such plan would be implemented, and any such plan shall not be
2 implemented until ninety days after adjournment of the next regular
3 session of the Legislature.

4 Sec. 17. (1) On or before December 1, 2015, on or before August 1,
5 2020, and on or before August 1 of every fifth year thereafter, the
6 commission shall prepare a report that provides (a) a five-year history
7 of planted and harvested dry bean acres and the number of bushels of dry
8 beans harvested within each district established under section 2-3746 or
9 subsection (2) of this section and (b) appropriate graphic, narrative, or
10 other description and analysis of trends in the (i) geographic
11 distribution of dry bean production within the state and (ii) marketing
12 destination and end-use markets, including any geographic distinctions or
13 distinctions due to dry bean variety or attributes for Nebraska-grown dry
14 beans. The commission shall notify the Director of Agriculture and the
15 chairperson of the Agriculture Committee of the Legislature of the
16 completion and availability of the reports prepared pursuant to this
17 subsection.

18 (2)(a) The composition of the commission as defined by section
19 2-3746 shall continue until such time as a plan is implemented pursuant
20 to this subsection based on a determination by the commission that the
21 districts and at-large membership as defined by section 2-3746 are
22 incompatible with an equitable representation of producers of dry beans
23 due to changing geographic distribution of dry bean production in the
24 state, changing marketing patterns, or availability of qualified
25 individuals to serve as commission members. In order to maintain
26 equitable representation of dry bean producers, the commission may, from
27 time-to-time as necessary and appropriate, prepare a plan to revise the
28 composition of the commission by redefining the boundaries of the
29 districts, by increasing or decreasing the number of members selected by
30 the districts, by increasing or decreasing the number of members selected
31 from the state at-large, or by any combination of such methods. Any plan
1 to revise the composition of the commission may reassign members of the
2 commission at the time such plan takes effect to assume membership as the
3 representative of a redesignated district within which such member

4 resides or reassign such member as an at-large member. Any plan to revise
5 the composition of the commission shall not eliminate the membership of
6 any member of the commission at the time such plan takes effect prior to
7 the expiration of the term of such member. Any plan to revise the
8 composition of the commission shall not affect any qualification to serve
9 as a member of the commission or the procedure for nomination and
10 appointment to the commission.

11 (b) Whenever the commission proposes a plan to revise the
12 composition of the commission as provided in this subsection, the
13 commission shall provide notice of the plan along with any graphic or
14 narrative description of such plan and a written explanation of the need
15 to revise the composition of the commission to the Director of
16 Agriculture and chairperson of the Agriculture Committee of the
17 Legislature on or before November 1 of the year prior to when such plan
18 would be implemented, and any such plan shall not be implemented until
19 ninety days after adjournment of the next regular session of the
20 Legislature.

21 Sec. 18. Section 2-4006, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 2-4006 This section applies until a plan is implemented pursuant to
24 section 2-4007. The member serving district 1 as it existed prior to May
25 18, 2011, shall assume the role of serving district 1 as defined by
26 section 2-4004, and his or her term shall expire on July 1, 2014. The
27 member serving district 3 as it existed prior to May 18, 2011, shall
28 assume the role of serving new district 2 as defined by section 2-4004,
29 and his or her term shall expire on July 1, 2013. The member serving as
30 the at-large member prior to May 18, 2011, shall assume the role of
31 serving district 3 as defined by section 2-4004, and his or her term
1 shall expire on July 1, 2013. The Governor shall appoint a member to
2 serve district 4 as defined by section 2-4004, and the term of such
3 member shall expire on July 1, 2012. The member serving district 2 as it
4 existed prior to May 18, 2011, shall assume the role of serving as the
5 at-large member appointed by the board as defined by section 2-4004, and
6 his or her term shall expire on July 1, 2012. The member serving district
7 4 as it existed prior to May 18, 2011, shall assume the role of serving
8 as an at-large member appointed by the Governor as defined by section
9 2-4004, and the term of such member shall expire on July 1, 2013. The
10 member serving district 5 as it existed prior to May 18, 2011, shall
11 assume the role of serving as an at-large member appointed by the
12 Governor as defined by section 2-4004, and the term of such member shall
13 expire on July 1, 2014.

14 Sec. 19. Section 2-4007, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 2-4007 (1) On or before December 1, 2015, on or before August 1,
17 2020, and on or before August 1 of every fifth year thereafter, the board
18 shall prepare a report that provides (a) a five-year history of planted
19 and harvested grain sorghum acres and the number of bushels of grain
20 sorghum harvested within each district established under section 2-4004,
21 this section as it existed prior to the effective date of this act, or

22 subsection (2) of this section and (b) appropriate graphic, narrative, or
23 other description and analysis of trends in the (i) geographic
24 distribution of grain sorghum production within the state and (ii)
25 marketing destination and end-use markets, including any geographic
26 distinctions or distinctions due to grain sorghum variety or attributes
27 for Nebraska-grown grain sorghum. The board shall notify the Director of
28 Agriculture and the chairperson of the Agriculture Committee of the
29 Legislature of the completion and availability of the reports prepared
30 pursuant to this subsection.

31 (2)(a) The composition of the board as defined by section 2-4004 or
1 as provided by this section prior to the effective date of this act shall
2 continue until such time as a plan is implemented pursuant to this
3 subsection based on a determination by the board that the districts and
4 at-large membership as defined by section 2-4004 or as provided by this
5 section prior to the effective date of this act are incompatible with an
6 equitable representation of producers of grain sorghum due to changing
7 geographic distribution of grain sorghum production in the state,
8 changing marketing patterns, or availability of qualified individuals to
9 serve as board members. In order to maintain equitable representation of
10 grain sorghum producers, the board may, from time-to-time as necessary
11 and appropriate, prepare a plan to revise the composition of the board by
12 redefining the boundaries of the districts, by increasing or decreasing
13 the number of members selected by the districts, by increasing or
14 decreasing the number of members selected from the state at-large, or by
15 any combination of such methods. Any plan to revise the composition of
16 the board may reassign members of the board at the time such plan takes
17 effect to assume membership as the representative of a redesignated
18 district within which such member resides or reassign such member as an
19 at-large member. Any plan to revise the composition of the board shall
20 not eliminate the membership of any member of the board at the time such
21 plan takes effect prior to the expiration of the term of such member. Any
22 plan to revise the composition of the board shall not affect any
23 qualification to serve as a member of the board or the procedure for
24 nomination and appointment to the board.

25 (b) Whenever the board proposes a plan to revise the composition of
26 the board as provided in this subsection, the board shall provide notice
27 of the plan along with any graphic or narrative description of such plan
28 and a written explanation of the need to revise the composition of the
29 board to the Director of Agriculture and chairperson of the Agriculture
30 Committee of the Legislature on or before November 1 of the year prior to
31 when such plan would be implemented, and any such plan shall not be
1 implemented until ninety days after adjournment of the next regular
2 session of the Legislature.

3 The board shall be responsible for the administration of all
4 subsequent appointments and may adopt rules and regulations to carry out
5 such responsibility. The composition of the board as defined by section
6 2-4004 shall continue until such time as the board determines that the
7 districts and at large membership as defined by such section are
8 incompatible with an equitable representation of producers of grain

9 ~~sorghum due to changing geographic distribution of grain sorghum~~
 10 ~~production in the state, changing marketing patterns, or availability of~~
 11 ~~qualified individuals to serve as board members. The board may, from time~~
 12 ~~to time as appropriate, by rule and regulation, redesignate districts and~~
 13 ~~the number of at large members to provide for an equitable representation~~
 14 ~~of producers of grain sorghum, except that the number of appointed~~
 15 ~~members of the board shall be either seven or five and the number of~~
 16 ~~districts shall be no greater than six nor fewer than three.~~
 17 2. Renumber the remaining section and correct the repealer
 18 accordingly.

(Signed) Jerry Johnson, Chairperson

Judiciary

LEGISLATIVE BILL 268. Placed on General File with amendment.
 AM754 is available in the Bill Room.

LEGISLATIVE BILL 459. Placed on General File with amendment.
 AM364

1 1. On page 2, line 25, strike "or police department".

(Signed) Colby Coash, Vice Chairperson

Natural Resources

LEGISLATIVE BILL 469. Placed on General File with amendment.
 AM833

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) Covered electric generating unit means a fossil fuel-fired

5 electric generating unit existing within the state prior to the effective

6 date of this act that is subject to regulation under the federal emission

7 guidelines;

8 (2) Federal emission guidelines means any final rules, regulations,

9 guidelines, or other requirements that the United States Environmental

10 Protection Agency may adopt for regulating carbon dioxide emissions from

11 covered electric generating units under section 111(d) of the federal

12 Clean Air Act, 42 U.S.C. 7411(d);

13 (3) State means the State of Nebraska; and

14 (4) State plan means any plan to establish and enforce carbon

15 dioxide emission control measures that the Department of Environmental

16 Quality may adopt to implement the obligations of the state under the

17 federal emission guidelines.

18 Sec. 2. The Department of Environmental Quality shall not submit a

19 state plan for regulating carbon dioxide emissions from covered electric

20 generating units to the United States Environmental Protection Agency

21 until the department has provided a copy of the state plan to the State

22 Energy Office. The department shall provide such copy to the State Energy
23 Office prior to the submission deadline for the state plan set by the
24 United States Environmental Protection Agency. If the United States
25 Environmental Protection Agency extends the submission deadline, the
26 department shall provide such copy to the State Energy Office at least
27 one hundred twenty days prior to the extended submission deadline.
1 Nothing in this section shall prevent the department from complying with
2 federally prescribed deadlines.

3 Sec. 3. (1) After receiving the copy of the state plan under
4 section 2 of this act, the State Energy Office shall prepare a report
5 that assesses the effects of the state plan on:
6 (a) The electric power sector, including:
7 (i) The type and amount of electric generating capacity within the
8 state that is likely to retire or switch to another fuel;
9 (ii) The stranded investment in electric generating capacity and
10 other infrastructure;
11 (iii) The amount of investment necessary to offset retirements of
12 electric generating capacity and maintain generation reserve margins;
13 (iv) Potential risks to electric reliability, including resource
14 adequacy risks and transmission constraints; and
15 (v) The amount by which retail electricity prices within the state
16 are forecast to increase or decrease; and
17 (b) Employment within the state, including direct and indirect
18 employment effects and jobs lost within affected sectors of the state's
19 economy.

20 (2) The State Energy Office shall complete the report required under
21 this section within thirty days after receiving the copy of the state
22 plan under section 2 of this act and shall electronically submit to the
23 Legislature a copy of such report.

24 (3) If the Legislature is in session when it receives the report,
25 the Legislature may vote on a nonbinding legislative resolution endorsing
26 or disapproving the state plan based on the findings of the report.

27 Sec. 4. Upon submitting a state plan to the United States
28 Environmental Protection Agency, the Department of Environmental Quality
29 shall electronically submit to the Legislature a copy of the state plan.

30 Sec. 5. Section 81-1601, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 81-1601 (1) There is hereby created an agency of state government to
2 be known as the State Energy Office. The office may be a separate
3 division within an existing executive department.

4 (2) The chief executive officer shall be known as the Director of
5 the State Energy Office and shall be appointed by the Governor with the
6 advice and consent of the Legislature. The director shall administer the
7 affairs of the office and shall serve at the pleasure of the Governor.
8 The director may employ such assistants, professional staff, and other
9 employees as may be deemed necessary to effectively carry out the
10 provisions of sections 81-1601 to 81-1605 and section 8 of this act
11 within such appropriations as the Legislature may provide. The salary of
12 the director shall be fixed by the Governor unless otherwise expressly

13 provided for by law.

14 Sec. 6. Section 81-1602, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 81-1602 The State Energy Office shall have the following duties:

17 (1) To serve as or assist in developing and coordinating a central
18 repository within state government for the collection of data on energy;

19 (2) To undertake a continuing assessment of the trends in the
20 availability, consumption, and development of all forms of energy;

21 (3) To collect and analyze data relating to present and future
22 demands and resources for all sources of energy and to specify energy
23 needs for the state;

24 (4) To recommend to the Governor and the Legislature energy policies
25 and conservation measures for the state and to carry out such measures as
26 are adopted;

27 (5) To provide for public dissemination of appropriate information
28 on energy, energy sources, and energy conservation;

29 (6) To accept, expend, or disburse funds, public or private, made
30 available to it for research studies, demonstration projects, or other
31 activities which are related either to energy conservation and efficiency
1 or development;

2 (7) To study the impact and relationship of state energy policies to
3 national and regional energy policies and engage in such activities as
4 will reasonably insure that the State of Nebraska and its citizens
5 receive an equitable share of energy supplies, including the
6 administration of any federally mandated or state-mandated energy
7 allocation programs;

8 (8) To actively seek the advice of the citizens of Nebraska
9 regarding energy policies and programs;

10 (9) To prepare emergency allocation plans suggesting to the Governor
11 actions to be taken in the event of serious shortages of energy;

12 (10) To design a state program for conservation of energy and energy
13 efficiency;

14 (11) To provide technical assistance to local subdivisions of
15 government; ~~and~~

16 (12) To provide technical assistance to private persons desiring
17 information on energy conservation and efficiency techniques and the use
18 of renewable energy technologies; -

19 (13) To develop a strategic state energy plan pursuant to section 8
20 of this act;

21 (14) To develop and disseminate transparent and objective energy
22 information and analysis while utilizing existing energy planning
23 resources of relevant stakeholder entities;

24 (15) To actively seek to maximize federal and other nonstate funding
25 and support to the state for energy planning; and

26 (16) To monitor energy transmission capacity planning and policy
27 affecting the state and the regulatory approval process for the
28 development of energy infrastructure and make recommendations to the
29 Governor and electronically to the Legislature as necessary to facilitate
30 energy infrastructure planning and development.

31 Sec. 7. Section 81-1603, Reissue Revised Statutes of Nebraska, is
1 amended to read:

2 81-1603 The office shall have the power to do such things as are
3 necessary to carry out sections 81-1601 to 81-1605 and section 8 of this
4 act, including but not limited to the following:

5 (1) To adopt rules and regulations, pursuant to the Administrative
6 Procedure Act, to carry out the purposes of sections 81-1601 to 81-1605
7 and section 8 of this act;

8 (2) To make all contracts pursuant to sections 81-1601 to 81-1605
9 and section 8 of this act and do all things to cooperate with the federal
10 government, and to qualify for, accept, expend, and dispense public or
11 private funds intended for the implementation of sections 81-1601 to
12 81-1605 and section 8 of this act;

13 (3) To contract for services, if such work or services cannot be
14 satisfactorily performed by employees of the agency or by any other part
15 of state government;

16 (4) To enter into such agreements as are necessary to carry out
17 energy research and development with other states;

18 (5) To carry out the duties and responsibilities relating to energy
19 as may be requested or required of the state by the federal government;

20 (6) To cooperate and participate with the approval of the Governor
21 in the activities of organizations of states relating to the
22 availability, conservation, development, and distribution of energy;

23 (7) To engage in such activities as will seek to insure that the
24 State of Nebraska and its citizens receive an equitable share of energy
25 supplies at a fair price; and

26 (8) To form advisory committees of citizens of Nebraska to advise
27 the director of the energy office on programs and policies relating to
28 energy and to assist in implementing such programs. Such committees shall
29 be of a temporary nature and no member shall receive any compensation for
30 serving on any such committee but, with the approval of the Governor,
31 members shall receive reimbursement for actual and necessary expenses as
1 provided in sections 81-1174 to 81-1177 ~~for state employees~~. The minutes
2 of meetings of and actions taken by each committee shall be kept and a
3 record shall be maintained of the name, address, and occupation or
4 vocation of every individual serving on any committee. Such minutes and
5 records shall be maintained in the State Energy Office and shall be
6 available for public inspection during regular office hours.

7 Sec. 8. (1) The Legislature finds that:

8 (a) Comprehensive planning enables the state to address its energy
9 needs, challenges, and opportunities and enhances the state's ability to
10 prioritize energy-related policies, activities, and programs; and

11 (b) Meeting the state's need for clean, affordable, and reliable
12 energy in the future will require a diverse energy portfolio and a
13 strategic approach, requiring engagement of all energy stakeholders in a
14 comprehensive planning process.

15 (2) The State Energy Office shall develop an integrated and
16 comprehensive strategic state energy plan and review such plan
17 periodically as the office deems necessary. The office may organize

18 technical committees of individuals with expertise in energy development
19 for purposes of developing the plan. If the office forms an advisory
20 committee pursuant to subdivision (8) of section 81-1603 for purposes of
21 such plan, the chairperson of the Appropriations Committee of the
22 Legislature, the chairperson of the Natural Resources Committee of the
23 Legislature, and three members of the Legislature selected by the
24 Executive Board of the Legislative Council shall be nonvoting, ex officio
25 members of such advisory committee.

26 (3) The strategic state energy plan shall include short-term and
27 long-term objectives that will ensure a secure, reliable, and resilient
28 energy system for the state's residents and businesses; a cost-
29 competitive energy supply and access to affordable energy; the promotion
30 of sustainable economic growth, job creation, and economic development;
31 and a means for the state's energy policy to adopt to changing
1 circumstances.

2 (4) The strategic state energy plan shall include, but not be
3 limited to:

4 (a) A comprehensive analysis of the state's energy profile,
5 including all energy resources, end-use sectors, and supply and demand
6 projections;

7 (b) An analysis of other state energy plans and regional energy
8 activities which identifies opportunities for streamlining and
9 partnerships;

10 (c) An identification of goals and recommendations related to:

11 (i) The diversification of the state's energy portfolio in a way
12 that balances the lowest practicable environmental cost with maximum
13 economic benefits;

14 (ii) The encouragement of state and local government coordination
15 and public-private partnerships for future economic and investment
16 decisions;

17 (iii) The incorporation of new technologies and opportunities for
18 energy diversification that will maximize Nebraska resources and support
19 local economic development;

20 (iv) The interstate and intrastate promotion and marketing of the
21 state's renewable energy resources;

22 (v) A consistent method of working with and marketing to energy-
23 related businesses and developers;

24 (vi) The advancement of transportation technologies, alternative
25 fuels, and infrastructure;

26 (vii) The development and enhancement of oil, natural gas, and
27 electricity production and distribution;

28 (viii) The development of a communications process between energy
29 utilities and the State Energy Office for responding to and preparing for
30 regulations having a statewide impact; and

31 (ix) The development of a mechanism to measure the plan's progress.

1 Sec. 9. Section 81-1605, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-1605 Notwithstanding any provisions of sections 81-1601 to

4 81-1605 and section 8 of this act, the State Energy Office shall not

5 perform any duties or exercise any powers which are delegated to other
6 agencies or subdivisions of state government.

7 Sec. 10. Section 81-1606, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-1606 The Director of the State Energy Office shall develop and
10 maintain a program of collection, compilation, and analysis of energy
11 statistics and information. Existing information reporting requests,
12 maintained at the state and federal levels, shall be utilized whenever
13 possible in any data collection required under the provisions of sections
14 81-1601 to 81-1607 and section 8 of this act. A central state repository
15 of energy data shall be developed and coordinated with other governmental
16 data-collection and record-keeping programs. The director shall, on at
17 least an annual basis, with monthly compilations, submit to the Governor
18 and the Clerk of the Legislature a report identifying state energy
19 consumption by fuel type and by use to the extent that such information
20 is available. The report submitted to the Clerk of the Legislature shall
21 be submitted electronically. Nothing in this section shall be construed
22 as permitting or authorizing the revealing of confidential information.
23 For purposes of this section confidential information shall mean any
24 process, formula, pattern, decision, or compilation of information which
25 is used, directly or indirectly, in the business of the producer,
26 refiner, distributor, transporter, or vendor, and which gives such
27 producer, refiner, distributor, transporter, or vendor an advantage or an
28 opportunity to obtain an advantage over competitors who do not know or
29 use it.

30 Sec. 11. Section 81-1607.01, Reissue Revised Statutes of Nebraska,
31 is amended to read:

1 81-1607.01 The State Energy Office Cash Fund is hereby created. The
2 fund shall consist of funds received pursuant to section 57-705. The fund
3 shall be used for the administration of sections 81-1601 to 81-1607 and
4 section 8 of this act, for energy conservation activities, and for
5 providing technical assistance to communities in the area of natural gas
6 other than assistance regarding ownership of regulated utilities, except
7 that transfers may be made from the fund to the General Fund at the
8 direction of the Legislature. Any money in the State Energy Office Cash
9 Fund available for investment shall be invested by the state investment
10 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
11 State Funds Investment Act.

12 Sec. 12. Original sections 81-1601, 81-1602, 81-1603, 81-1605,
13 81-1606, and 81-1607.01, Reissue Revised Statutes of Nebraska, are
14 repealed.

(Signed) Ken Schilz, Chairperson

Business and Labor

LEGISLATIVE BILL 494. Placed on General File with amendment.

AM647

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

2 sections:

3 Section 1. Section 48-1203, Reissue Revised Statutes of Nebraska, as
4 amended by section 1, Initiative Law 2014, No. 425, is amended to read:

5 48-1203 (1) Except as otherwise provided in this section and section
6 48-1203.01, every employer shall pay to each of his or her employees a
7 minimum wage of:

8 (a) Seven dollars and twenty-five cents per hour through December
9 31, 2014;

10 (b) Eight dollars per hour on and after January 1, 2015, through
11 December 31, 2015; and

12 (c) Nine dollars per hour on and after January 1, 2016.

13 (2)(a) For persons compensated by way of gratuities such as
14 waitresses, waiters, hotel bellhops, porters, and shoeshine persons, the
15 employer shall pay cash wages at the minimum rate provided in subdivision
16 (2)(b) of this section of two dollars and thirteen cents per hour, plus
17 all gratuities given to them for services rendered.

18 (b) The minimum cash wage per hour shall be:

19 (i) Two dollars and thirteen cents per hour through July 31, 2015;

20 (ii) Two dollars and thirty-five cents per hour on and after August
21 1, 2015, through December 31, 2015; and

22 (iii) Two dollars and sixty-four cents per hour on and after January
23 1, 2016.

24 (c) The sum of cash wages and gratuities received by each person
25 compensated by way of gratuities shall equal or exceed the minimum wage
26 rate provided in subsection (1) of this section. In determining whether
27 or not the individual is compensated by way of gratuities, the burden of
1 proof shall be upon the employer.

2 (3) Any employer employing student-learners as part of a bona fide
3 vocational training program shall pay such student-learners' wages at a
4 rate of at least seventy-five percent of the minimum wage rate which
5 would otherwise be applicable.

6 Sec. 2. Section 48-1205, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 48-1205 Every employer subject to the Wage and Hour Act provisions
9 of sections 48-1201 to 48-1209 shall keep a summary of the act sections
10 48-1201 to 48-1209, furnished by the Commissioner of Labor without
11 charge, posted in a conspicuous place on or about the premises wherein
12 any person subject to the act provisions of sections 48-1201 to 48-1209
13 is employed. Minimum wage amounts in effect shall also be posted by such
14 employers and shall be furnished by the commissioner without charge.

15 Sec. 3. Original section 48-1205, Reissue Revised Statutes of
16 Nebraska, and section 48-1203, Reissue Revised Statutes of Nebraska, as
17 amended by section 1, Initiative Law 2014, No. 425, are repealed.

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

(Signed) Burke Harr, Chairperson

Health and Human Services

LEGISLATIVE BILL 235. Placed on General File with amendment.
AM751

- 1 1. On page 2, strike lines 24 and 25 and insert:
- 2 "(8) Provider means, a physician, an osteopathic physician, or a
- 3 physician assistant licensed under the Medicine and Surgery Practice Act
- 4 or an optometrist licensed under the Optometry Practice Act;".
- 5 2. On page 3, line 7, after "than" insert "two years for spectacles
- 6 or"; and in line 8 after "year" insert "for contact lenses".
- 7 3. On page 4, line 18, after the period insert "Review of complaints
- 8 and investigations under this section shall be in accordance with the
- 9 Uniform Credentialing Act.".

(Signed) Kathy Campbell, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 116. Introduced by Harr, B., 8; Krist, 10.

WHEREAS, the Omaha Creighton Prep swimming team won the 2015 Boys' State Swimming Championship; and

WHEREAS, the win gives the Omaha Creighton Prep swimming team its ninth consecutive state championship; and

WHEREAS, the Omaha Creighton Prep swimming team scored a state record 475 points; and

WHEREAS, Head Coach Tom Beck, and assistant coaches Harlan Groff, Dr. Larry Raynor, Becki Carter, and Matt Franco did a tremendous job of guiding the team during the season; and

WHEREAS, the Omaha Creighton Prep swimming team includes the following members: Brandon Abboud, Tyler Bowen, Carter Brouillette, Sam Buechler, Clark Carter, Ray Cronin, Irving Delgado, Jon Doyle, Patrick Forbes, Michael Franco, Leo Garofalo, Matt Ginger, Jon Gouger, Jake Hangren, Matthew Heaney, Jake Hedrick, Joe Hennessey, Ben Kellen, Jeff Kilborn, Colin LaFave, Brian Magee, Charles Magee, Baily McFadden, Jalen Nichols, Caleb Piti, Collin Piti, Nick Shotkoski, Michael Simmons, Nate Singh, Nick Soltys, Jacob Sutej, Ryan Tate, Sean Tate, Mark Thayer, Will Tjaden, and James Warren; and

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

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

1. That the Legislature congratulates the Omaha Creighton Prep swimming team on winning the 2015 Boys' State Swimming Championship.

2. That a copy of this resolution be sent to the Omaha Creighton Prep swimming team and their head coach Tom Beck.

Laid over.

LEGISLATIVE RESOLUTION 117. Introduced by Johnson, 23; Baker, 30; Bloomfield, 17; Bolz, 29; Brasch, 16; Campbell, 25; Coash, 27; Cook, 13; Craighead, 6; Crawford, 45; Davis, 43; Ebke, 32; Friesen, 34; Garrett, 3; Gloor, 35; Groene, 42; Haar, K., 21; Hadley, 37; Hansen, 26; Harr, B., 8; Hilkemann, 4; Howard, 9; Hughes, 44; Kintner, 2; Kolowski, 31; Kolterman, 24; Krist, 10; Kuehn, 38; Larson, 40; Lindstrom, 18; McCollister, 20; McCoy, 39; Mello, 5; Morfeld, 46; Murante, 49; Nordquist, 7; Pansing Brooks, 28; Riepe, 12; Scheer, 19; Schilz, 47; Schnoor, 15; Schumacher, 22; Seiler, 33; Smith, 14; Stinner, 48; Sullivan, 41; Watermeier, 1; Williams, 36.

WHEREAS, Don McCabe, editor of the Nebraska Farmer, is retiring after 37 years with the magazine; and

WHEREAS, Don starting working at the Nebraska Farmer in 1977 as a field editor; and

WHEREAS, through his work at the Nebraska Farmer, Don has traveled to every county and most of the small towns in Nebraska; and

WHEREAS, Don served as the 15th editor of the Nebraska Farmer which began publication in 1859.

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

1. That the Legislature congratulates Don McCabe on his retirement and recognizes his many years of dedicated service covering agriculture and farming at the Nebraska Farmer magazine.

2. That a copy of this resolution be sent to Don McCabe.

Laid over.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Medcalf, Sharon - State Emergency Response Commission - Government, Military and Veterans Affairs

Rundel, John Arley - Nebraska Oil and Gas Conservation Commission - Natural Resources

(Signed) Bob Krist, Chairperson
Executive Board

SELECT FILE

LEGISLATIVE BILL 10. Senator Chambers offered the following motion:

MO52

Reconsider the vote taken on FA31.

Senator Chambers moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

The Chambers motion to reconsider failed with 18 ayes, 26 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers renewed his amendment, AM528, found on page 639 and considered on pages 762 and 864.

Senator McCoy offered the following motion:

MO51

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator McCoy moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

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

Voting in the affirmative, 31:

Baker	Garrett	Kintner	Murante	Stinner
Bloomfield	Gloor	Kolterman	Riepe	Watermeier
Brasch	Groene	Krist	Scheer	Williams
Coash	Hadley	Kuehn	Schilz	
Craighead	Hilkemann	Larson	Schnoor	
Davis	Hughes	Lindstrom	Seiler	
Friesen	Johnson	McCoy	Smith	

Voting in the negative, 18:

Bolz	Crawford	Harr, B.	Mello	Schumacher
Campbell	Ebke	Howard	Morfeld	Sullivan
Chambers	Haar, K.	Kolowski	Nordquist	
Cook	Hansen	McCollister	Pansing Brooks	

Not voting, 0.

The McCoy motion to invoke cloture failed with 31 ayes, 18 nays, and 0 not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 118. Introduced by Brasch, 16.

WHEREAS, Cole Jacobsen, a seventh-grader at Wisner-Pilger Public Schools, has achieved national recognition for exemplary volunteer service by receiving a 2015 Prudential Spirit of Community Award; and

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

WHEREAS, Mr. Jacobsen earned this honor by constructing more than 180 wooden card holders to make it easier for residents of a dozen nursing homes in three counties to play cards with friends and family; and

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

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

1. That the Legislature congratulates Cole Jacobsen for receiving a 2015 Prudential Spirit of Community Award.
2. That a copy of this resolution be sent to Cole Jacobsen.

Laid over.

PRESIDENT FOLEY PRESIDING**GENERAL FILE**

LEGISLATIVE BILL 15. Title read. Considered.

Committee AM514, found on page 703, was adopted with 36 ayes, 0 nays, and 13 present and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, and 14 present and not voting.

LEGISLATIVE BILL 139. Title read. Considered.

Committee AM119, found on page 511, was offered.

Senator Schumacher offered the following amendment to the committee amendment:

AM893

(Amendments to Standing Committee amendments, AM119)

- 1 1. On page 1, line 2, strike "section" and insert "sections".
- 2 2. On page 3, after line 9, insert the following new section:

3 Sec. 70. Beginning on the effective date of this act, there shall
4 be a one-year moratorium on enforcement action by the Real Estate
5 Appraisal Board involving mass appraisals conducted under the authority
6 of any county assessor by employees or independent contractors.

The Schumacher amendment was adopted with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 139A. Title read. Considered.

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

LEGISLATIVE BILL 33. Title read. Considered.

Committee AM525, found on page 748, was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 324. Title read. Considered.

Committee AM662, found on page 746, was offered.

Pending.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR109 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR109.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 627. Placed on Select File with amendment.

ER50

1 1. On page 1, line 5, strike beginning with "and" through

2 "pregnancy" and insert "for an unlawful employment practice related to

3 individuals affected by pregnancy, childbirth, or related medical
4 conditions; to change provisions related to lawful employment practices;
5 to provide requirements for reports by the Equal Opportunity Commission".

(Signed) Matt Hansen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 119. Introduced by Hilkemann, 4;
McCoy, 39.

WHEREAS, the Elkhorn South High School boys' basketball team won
the 2015 Class B Boys' State Basketball Championship by defeating Sidney
High School by a score of 60-51; and

WHEREAS, this was the Elkhorn South Storms first state title in boys'
basketball; and

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

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

1. That the Legislature congratulates the Elkhorn South High School
boys' basketball team on winning the 2015 Class B Boys' State Basketball
Championship.

2. That a copy of this resolution be sent to the Elkhorn South High School
boys' basketball team.

Laid over.

AMENDMENT(S) - Print in Journal

Senator B. Harr filed the following amendment to LB356:
AM867

(Amendments to Standing Committee amendments, AM803)

1 1. On page 3, line 5; and page 4, lines 17 and 23, strike "income
2 and expense" and insert "actual income and actual expense".

Senator Stinner filed the following amendment to LB633:
AM880

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

3 Section 1. (1) The Legislature shall annually appropriate twenty
4 million dollars of General Funds for aid to incorporated municipalities
5 to be used for public infrastructure.

6 (2) The appropriation for aid to incorporated municipalities shall
7 be allocated by the Tax Commissioner to the various incorporated
8 municipalities. The Tax Commissioner shall determine the amount to be
9 distributed to the incorporated municipalities and certify such amounts
10 by voucher to the Director of Administrative Services. Each amount shall

11 be distributed in seven as nearly as possible equal monthly payments on
12 the last business day of each month beginning in December. The State
13 Treasurer shall, on the business day preceding the last business day of
14 each month, notify the Director of Administrative Services of the amount
15 of funds available in the General Fund for payment purposes. The Director
16 of Administrative Services shall, on the last business day of each month,
17 draw warrants against funds appropriated. The Tax Commissioner shall
18 compute the amount due the incorporated municipalities on the ratio of
19 the population of the particular incorporated municipality to the total
20 population of all incorporated municipalities in the state as determined
21 by the most recent federal census figures certified by the Tax
22 Commissioner as provided in section 77-3,119, which amounts shall be
23 placed in the general fund of such municipalities.
24 (3) For purposes of this section, public infrastructure for
25 municipalities means and includes, but is not limited to, any of the
26 following, or any combination thereof:
27 (a) Public highways and bridges and municipal roads, streets,
1 bridges, and sidewalks;
2 (b) Solid waste management facilities;
3 (c) Wastewater, storm water, and water treatment works and systems,
4 water distribution facilities, and water resources projects, including,
5 but not limited to, pumping stations, transmission lines, and mains and
6 their appurtenances;
7 (d) Hazardous waste disposal systems;
8 (e) Resource recovery systems;
9 (f) Airports;
10 (g) Port facilities;
11 (h) Buildings and capital equipment used in the operation of
12 municipal government;
13 (i) Convention and tourism facilities;
14 (j) Redevelopment projects as defined in section 18-2103;
15 (k) Mass transit and other transportation systems, including parking
16 facilities; and
17 (l) Equipment necessary for the provision of municipal services.
18 Sec. 2. (1) The Legislature shall appropriate twenty million
19 dollars of General Funds as aid to counties to be used for public
20 infrastructure.
21 (2)(a) Of the appropriation, each county shall receive an amount
22 determined on the basis of the ratio of the lineal feet of bridges in the
23 county to the total lineal feet of bridges in the state. The
24 determination shall be based upon data provided to the Tax Commissioner
25 by the Department of Roads. Each county's distribution under this section
26 shall be proportionately reduced in order to provide funds for
27 distribution under subdivision (2)(b) of this section.
28 (b) Any county which has no bridges shall receive a distribution
29 equal to eighty-five percent of the smallest county aid distribution
30 under this section.
31 (3) The Tax Commissioner shall determine the amount to be
1 distributed to the various counties under this section and certify such

2 amounts to the Director of Administrative Services on or before July 1 of
3 each year. Each amount shall be distributed in nine as nearly as possible
4 equal monthly payments on the last business day of each month beginning
5 in September.

6 (4) For purposes of this section, public infrastructure for counties
7 means and includes, but is not limited to, any of the following, or any
8 combination thereof:

9 (a) Public roads, highways, and bridges;

10 (b) Jails and correction facilities;

11 (c) Buildings and capital equipment used in the operation of county
12 government; and

13 (d) Equipment necessary for the provision of county services.

14 Sec. 3. Section 13-518, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 13-518 For purposes of sections 13-518 to 13-522:

17 (1) Allowable growth means (a) for governmental units other than
18 community colleges, the percentage increase in taxable valuation in
19 excess of the base limitation established under section 77-3446, if any,
20 due to improvements to real property as a result of new construction,
21 additions to existing buildings, any improvements to real property which
22 increase the value of such property, and any increase in valuation due to
23 annexation and any personal property valuation over the prior year and
24 (b) for community colleges, the percentage increase in excess of the base
25 limitation, if any, in full-time equivalent students from the second year
26 to the first year preceding the year for which the budget is being
27 determined;

28 (2) Capital improvements means (a) acquisition of real property or

29 (b) acquisition, construction, or extension of any improvements on real
30 property;

31 (3) Governing body has the same meaning as in section 13-503;

1 (4) Governmental unit means every political subdivision which has
2 authority to levy a property tax or authority to request levy authority
3 under section 77-3443 except sanitary and improvement districts which
4 have been in existence for five years or less and school districts;

5 (5) Qualified sinking fund means a fund or funds maintained
6 separately from the general fund to pay for acquisition or replacement of
7 tangible personal property with a useful life of five years or more which
8 is to be undertaken in the future but is to be paid for in part or in
9 total in advance using periodic payments into the fund. The term includes
10 sinking funds under subdivision (13) of section 35-508 for firefighting
11 and rescue equipment or apparatus;

12 (6) Restricted funds means (a) property tax, excluding any amounts
13 refunded to taxpayers, (b) payments in lieu of property taxes, (c) local
14 option sales taxes, (d) motor vehicle taxes, (e) state aid, (f) transfers
15 of surpluses from any user fee, permit fee, or regulatory fee if the fee
16 surplus is transferred to fund a service or function not directly related
17 to the fee and the costs of the activity funded from the fee, (g) any
18 funds excluded from restricted funds for the prior year because they were
19 budgeted for capital improvements but which were not spent and are not

20 expected to be spent for capital improvements, (h) the tax provided in
21 sections 77-27,223 to 77-27,227 beginning in the second fiscal year in
22 which the county will receive a full year of receipts, and (i) any excess
23 tax collections returned to the county under section 77-1776. Funds
24 received pursuant to the nameplate capacity tax levied under section
25 77-6203 for the first five years after a wind energy generation facility
26 has been commissioned are nonrestricted funds; and
27 (7) State aid means:
28 (a) For all governmental units, state aid paid pursuant to sections
29 60-3,202 and 77-3523;
30 (b) For municipalities, state aid to municipalities paid pursuant to
31 sections 18-2605, 39-2501 to 39-2520, 60-3,190, and 77-27,139.04 and
1 section 1 of this act and insurance premium tax paid to municipalities;
2 (c) For counties, state aid to counties paid pursuant to sections
3 39-2501 to 39-2520 and 60-3,184 to 60-3,190 and section 2 of this act,
4 insurance premium tax paid to counties, and reimbursements to counties
5 from funds appropriated pursuant to section 29-3933;
6 (d) For community colleges, (i) for fiscal years 2010-11, 2011-12,
7 and 2012-13, state aid to community colleges paid pursuant to section
8 90-517 and (ii) for fiscal year 2013-14 and each fiscal year thereafter,
9 state aid to community colleges paid pursuant to the Community College
10 Aid Act;
11 (e) For educational service units, state aid appropriated under
12 sections 79-1241.01 and 79-1241.03; and
13 (f) For local public health departments as defined in section
14 71-1626, state aid as distributed under section 71-1628.08.
15 Sec. 4. Section 77-3,119, Revised Statutes Cumulative Supplement,
16 2014, is amended to read:
17 77-3,119 (1) The Tax Commissioner shall certify the population of
18 cities and villages to be used for purposes of calculations made pursuant
19 to subdivision (4) of section 18-2603, subdivisions (3)(a) and (b) of
20 section 35-1205, subdivision (1) of section 39-2517, and sections 39-2513
21 and 77-27,139.02 and section 1 of this act. The Tax Commissioner shall
22 transmit copies of such certification to all interested parties upon
23 request.
24 (2) The Tax Commissioner shall certify the population of each city
25 and village based upon the most recent federal census. The Tax
26 Commissioner shall determine the most recent federal census for each city
27 and village by using the most recent federal census figures available
28 from (a) the most recent federal decennial census, (b) the most recent
29 federal census update or recount certified by the United States Bureau of
30 the Census, or (c) the most recent federal census figure of the city or
31 village plus the population of territory annexed as calculated in
1 sections 18-1753 and 18-1754.
2 (3) The Tax Commissioner may adopt and promulgate rules and
3 regulations to carry out this section.
4 Sec. 5. This act becomes operative on July 1, 2015.
5 Sec. 6. Original section 13-518, Reissue Revised Statutes of
6 Nebraska, and section 77-3,119, Revised Statutes Cumulative Supplement,

7 2014, are repealed.

8 Sec. 7. Since an emergency exists, this act takes effect when

9 passed and approved according to law.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Larson - LB591

Friesen, Kuehn, Larson, Scheer, Schilz, Seiler - LB323

VISITORS

Visitors to the Chamber were 22 twelfth-grade students and sponsor from Wilcox-Hildreth; 29 eighth- through twelfth-grade students of the Buffalo County Youth Advisory; 20 fourth-grade students from Immanuel Lutheran School, Columbus; Elsie Holland from Kansas and Eunice Stuart from Fairbury; and 10 fourth-grade students and teachers from St. Paul Lutheran School, Beatrice.

The Doctor of the Day was Dr. Aaron Lanik from Geneva.

ADJOURNMENT

At 12:03 p.m., on a motion by Senator Hansen, the Legislature adjourned until 9:00 a.m., Wednesday, March 18, 2015.

Patrick J. O'Donnell
Clerk of the Legislature