

**FIFTY-SIXTH DAY - APRIL 4, 2012****LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE  
SECOND SESSION****FIFTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 4, 2012

**PRAYER**

The prayer was offered by Bishop John Ford, Second Advent Church of God in Christ, Omaha.

**ROLL CALL**

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

The roll was called and all members were present except Senators Conrad, Janssen, and Karpisek who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-fifth day was approved.

**RESOLUTIONS**

Pursuant to Rule 4, Sec. 5(b), LRs 522, 523, 524, 526, 527, 530, 531, 554, 599, 603, 604, 605, 606, 607, 609, and 610 were adopted.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 522, 523, 524, 526, 527, 530, 531, 554, 599, 603, 604, 605, 606, 607, 609, and 610.

**RESOLUTIONS ON FINAL READING**

The following resolutions were read and put upon final passage:

**LEGISLATIVE RESOLUTION 358CA.**

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

Section 1. At the general election in November 2012 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 III, section 12:

III-12 (1) No person shall be eligible to serve as a member of the Legislature for four years next after the expiration of ~~two~~ three consecutive terms regardless of the district represented.

~~(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.~~

~~(3)~~ (2) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

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 change the limit on legislative terms to three consecutive terms.

For

Against.

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

Voting in the affirmative, 31:

Adams	Coash	Harms	Louden	Smith
Ashford	Cook	Harr, B.	McGill	Wallman
Avery	Cornett	Heidemann	Nelson	Wightman
Brasch	Dubas	Howard	Price	
Campbell	Fulton	Krist	Schilz	
Carlson	Gloor	Langemeier	Schumacher	
Christensen	Haar, K.	Lathrop	Seiler	

Voting in the negative, 14:

Bloomfield	Flood	Lambert	Mello	Pirsch
Council	Hadley	Larson	Nordquist	Sullivan
Fischer	Hansen	McCoy	Pahls	

Excused and not voting, 4:

Conrad	Janssen	Karpisek	Lautenbaugh
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A constitutional three-fifths majority having voted in the affirmative, the resolution was declared passed for the general election.

**LEGISLATIVE RESOLUTION 373CA.**

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

Section 1. At the general election in November 2012 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 III, section 7:

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. ~~Each~~ Until January 9, 2013, each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. Beginning January 9, 2013, each member of the Legislature shall receive an annual salary during his or her term of office equal to twenty-two thousand five hundred dollars. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

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 change the salary of members of the Legislature to twenty-two thousand five hundred dollars.

For

Against.

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

Voting in the affirmative, 31:

Adams	Coash	Gloor	Langemeier	Schumacher
Ashford	Cook	Haar, K.	Larson	Seiler
Avery	Cornett	Hansen	Lautenbaugh	Wightman
Brasch	Council	Harms	Louden	
Campbell	Dubas	Heidemann	McGill	
Carlson	Flood	Karpisek	Nelson	
Christensen	Fulton	Krist	Schilz	

Voting in the negative, 15:

Bloomfield	Howard	McCoy	Pahls	Smith
Fischer	Lambert	Mello	Pirsch	Sullivan
Hadley	Lathrop	Nordquist	Price	Wallman

Present and not voting, 1:

Harr, B.

Excused and not voting, 2:

Conrad            Janssen

A constitutional three-fifths majority having voted in the affirmative, the resolution was declared passed for the general election.

## **BILLS ON FINAL READING**

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB670 with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 670.** With Emergency Clause.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-405, Revised Statutes Supplement, 2011; to include additional substances in the schedule of controlled substances under the Uniform Controlled Substances Act; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 47:

Adams	Cornett	Harms	Lautenbaugh	Schilz
Ashford	Council	Harr, B.	Louden	Schumacher
Avery	Dubas	Heidemann	McCoy	Seiler
Bloomfield	Fischer	Howard	McGill	Smith
Brasch	Flood	Karpisek	Mello	Sullivan
Campbell	Fulton	Krist	Nelson	Wallman
Carlson	Gloor	Lambert	Nordquist	Wightman
Christensen	Haar, K.	Langemeier	Pahls	
Coash	Hadley	Larson	Pirsch	
Cook	Hansen	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 2:

Conrad            Janssen

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 715.**

A BILL FOR AN ACT relating to telecommunications regulation; to amend sections 86-103, 86-135, 86-136, 86-137, and 86-138, Reissue Revised Statutes of Nebraska, and section 86-101, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to regulation of boundaries of local exchange areas for advanced telecommunications capability service; to define a term; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 47:

Adams	Cook	Hansen	Lathrop	Price
Ashford	Cornett	Harms	Lautenbaugh	Schilz
Avery	Council	Harr, B.	Louden	Seiler
Bloomfield	Dubas	Heidemann	McCoy	Smith
Brasch	Fischer	Howard	McGill	Sullivan
Campbell	Flood	Karpisek	Mello	Wallman
Carlson	Fulton	Krist	Nelson	Wightman
Christensen	Gloor	Lambert	Nordquist	
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 1:

Schumacher

Excused and not voting, 1:

Janssen

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

### **LEGISLATIVE BILL 750.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1359 and 77-1371, Reissue Revised Statutes of Nebraska; to redefine terms related to assessment of agricultural land and horticultural land; to change provisions relating to comparable sales for assessment of real property; and to repeal the original sections.

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

Voting in the affirmative, 48:

Adams	Cook	Hansen	Lathrop	Price
Ashford	Cornett	Harms	Lautenbaugh	Schilz
Avery	Council	Harr, B.	Louden	Schumacher
Bloomfield	Dubas	Heidemann	McCoy	Seiler
Brasch	Fischer	Howard	McGill	Smith
Campbell	Flood	Karpisek	Mello	Sullivan
Carlson	Fulton	Krist	Nelson	Wallman
Christensen	Gloor	Lambert	Nordquist	Wightman
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Pirsch	

Voting in the negative, 0.

Excused and not voting, 1:

Janssen

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

### **LEGISLATIVE BILL 905.**

A BILL FOR AN ACT relating to agriculture; to amend sections 2-2301, 2-2302, 2-2303, 2-2306, 2-2310, 2-2311, 2-2313, 2-2317, 2-2318, and 2-2319, Reissue Revised Statutes of Nebraska; to define and redefine terms;

to change provisions relating to an excise tax and a fund under the Nebraska Wheat Resources Act; to change powers and duties of the Nebraska Wheat Development, Utilization, and Marketing Board; to eliminate obsolete language; to harmonize provisions; to provide operative dates; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Conrad	Haar, K.	Lambert	Price
Ashford	Cook	Hadley	Langemeier	Schilz
Avery	Cornett	Hansen	Lautenbaugh	Schumacher
Bloomfield	Council	Harms	Louden	Seiler
Brasch	Dubas	Harr, B.	McCoy	Smith
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Nelson	Wallman
Christensen	Fulton	Karpisek	Pahls	Wightman
Coash	Gloor	Krist	Pirsch	

Voting in the negative, 0.

Present and not voting, 4:

Larson	Lathrop	Mello	Nordquist
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Excused and not voting, 1:

Janssen

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

**LEGISLATIVE BILL 905A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 905, One Hundred Second Legislature, Second Session, 2012.

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

Voting in the affirmative, 44:

Adams	Conrad	Haar, K.	Lambert	Price
Ashford	Cook	Hadley	Langemeier	Schilz
Avery	Cornett	Hansen	Lautenbaugh	Schumacher
Bloomfield	Council	Harms	Louden	Seiler
Brasch	Dubas	Harr, B.	McCoy	Smith
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Nelson	Wallman
Christensen	Fulton	Karpisek	Pahls	Wightman
Coash	Gloor	Krist	Pirsch	

Voting in the negative, 0.

Present and not voting, 4:

Larson	Lathrop	Mello	Nordquist
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Excused and not voting, 1:

Janssen

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

### **LEGISLATIVE BILL 959.**

A BILL FOR AN ACT relating to labor; to provide immunity to employers for job references.

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

Voting in the affirmative, 45:

Adams	Conrad	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Dubas	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Fischer	Heidemann	Louden	Schumacher
Brasch	Flood	Howard	McCoy	Seiler
Campbell	Fulton	Karpisek	Mello	Smith
Carlson	Gloor	Krist	Nelson	Sullivan
Christensen	Haar, K.	Lambert	Nordquist	Wallman
Coash	Hadley	Langemeier	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 3:

Cook	Council	McGill
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Excused and not voting, 1:

Janssen

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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of 972 with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 972.**

A BILL FOR AN ACT relating to the youth rehabilitation and treatment centers; to amend sections 43-251.01, 43-401, and 43-405, Reissue Revised Statutes of Nebraska, section 43-276, Revised Statutes Cumulative Supplement, 2010, and section 43-286, Revised Statutes Supplement, 2011; to change the age for placement or commitment of juveniles to the youth rehabilitation and treatment centers; to provide for consideration of such commitments by county attorneys making determinations; to change reporting requirements for the Office of Juvenile Services; to provide for documentation of certain assaults, escapes, and attempts to escape; to require collaboration on training, safety, and security; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1001.**

A BILL FOR AN ACT relating to the Building Construction Act; to amend section 71-6405, Revised Statutes Supplement, 2011; to eliminate provisions relating to amendments to the state building code by state agencies; and to repeal the original section.

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

Voting in the affirmative, 48:

Adams	Cornett	Harms	Lathrop	Price
Ashford	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	
Cook	Hansen	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 1:

Avery

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

**LEGISLATIVE BILL 1057.**

A BILL FOR AN ACT relating to agriculture; to amend sections 2-3602, 2-3623, 2-3632, and 2-3633, Reissue Revised Statutes of Nebraska; to restate intent; to change a fee, reporting requirements, and the source and use of a fund under the Nebraska Corn Resources Act; to provide operative dates; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Conrad	Haar, K.	Lambert	Price
Ashford	Cook	Hadley	Langemeier	Schilz
Avery	Cornett	Hansen	Lautenbaugh	Schumacher
Bloomfield	Council	Harms	Louden	Seiler
Brasch	Dubas	Harr, B.	McCoy	Smith
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Nelson	Wallman
Christensen	Fulton	Karpisek	Pahls	Wightman
Coash	Gloor	Krist	Pirsch	

Voting in the negative, 0.

Present and not voting, 5:

Janssen	Larson	Lathrop	Mello	Nordquist
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 1057A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1057, One Hundred Second Legislature, Second Session, 2012.

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

Voting in the affirmative, 44:

Adams	Conrad	Haar, K.	Lambert	Pirsch
Ashford	Cook	Hadley	Langemeier	Price
Avery	Cornett	Hansen	Lautenbaugh	Schilz
Bloomfield	Council	Harms	Louden	Schumacher
Brasch	Dubas	Harr, B.	McCoy	Smith
Campbell	Fischer	Heidemann	Mello	Sullivan
Carlson	Flood	Howard	Nelson	Wallman
Christensen	Fulton	Karpisek	Nordquist	Wightman
Coash	Gloor	Krist	Pahls	

Voting in the negative, 0.

Present and not voting, 5:

Janssen	Larson	Lathrop	McGill	Seiler
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A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1058 with 42 ayes, 0 nays, and 7 present and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1058.**

A BILL FOR AN ACT relating to labor; to amend sections 48-630, 48-632, 48-634, 48-636, 48-637, 48-644, 48-652, 48-655, 48-663.01, 48-665, 48-665.01, and 48-2302, Reissue Revised Statutes of Nebraska; to change provisions of the Employment Security Law and the New Hire Reporting Act to conform to federal law; to change and eliminate provisions relating to appeal tribunals; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 48-633, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 1114.** With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend section

77-27,139.03, Revised Statutes Supplement, 2011; to change state aid distribution from the Municipal Equalization Fund; to provide an operative date; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1115 with 47 ayes, 0 nays, and 2 present and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 1115.**

A BILL FOR AN ACT relating to jurisdictional utilities; to amend sections 18-2705, 66-1801, 66-1808, and 66-1831, Reissue Revised Statutes of Nebraska; to authorize construction and operation of natural gas pipeline facilities as prescribed; to define and redefine terms; to authorize certain tariffs, surcharges, and cost adjustments; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 358CA and 373CA and LBs 670, 715, 750, 905, 905A, 959, 972, 1001, 1057, 1057A, 1058, 1114, and 1115.

### **EASE**

The Legislature was at ease from 9:51 a.m. until 9:56 a.m.

### **BILLS ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 398.**

A BILL FOR AN ACT relating to attestations; to amend sections 23-1307, 64-101, 64-104, 64-105.01, and 64-107, Reissue Revised Statutes of Nebraska, and section 64-113, Revised Statutes Supplement, 2011; to provide powers for election commissioners; to change provisions relating to eligibility for appointment, renewal of a commission, and powers and duties of a notary public; to change removal provisions for a commission issued to a notary public; to provide for rules and regulations; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB719 with 46 ayes, 0 nays, and 3 present and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 719.**

A BILL FOR AN ACT relating to government; to amend sections 44-113, 50-114.03, 52-1313.01, 60-3,161, 77-2705.04, 84-712, 84-1201, 84-1202, 84-1204, 84-1205, 84-1205.01, 84-1205.02, 84-1205.03, 84-1205.05, 84-1206, 84-1207, 84-1209, 84-1212, 84-1213, 84-1214, 84-1214.01, 84-1215, 84-1216, 84-1217, 84-1218, 84-1219, 84-1222, 84-1224, and 84-1225, Reissue Revised Statutes of Nebraska, section 84-1227, Revised Statutes Cumulative Supplement, 2010, and section 9-523, Uniform Commercial Code, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions of the Records Management Act; to restate intent; to change powers and duties of the State Records Board and the network manager; to change provisions relating to the technical advisory committee, fees, agency procedures, reports, and a fund; to provide requirements for certain electronic information and services; to eliminate provisions relating to public bidding, certain public records requests, and obsolete provisions regarding equipment; to harmonize provisions; to repeal the original sections; and to outright repeal sections 84-1205.04, 84-1205.06, and 84-1223, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

The following bills were read and put upon final passage:

### **LEGISLATIVE BILL 721.**

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-906, Reissue Revised Statutes of Nebraska, and section 28-1008, Revised Statutes Cumulative Supplement, 2010; to redefine the term police animal; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 722.**

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2206, Reissue Revised Statutes of Nebraska; to authorize fines or costs to be deducted from an offender's bond as prescribed; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB729 with 41 ayes, 0 nays, and 8 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 729.**

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2103, 18-2107, and 18-2124, Reissue Revised Statutes of Nebraska; to redefine a term; to provide powers for an authority; to change provisions relating to the issuance of bonds; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

The following bills were read and put upon final passage:

### **LEGISLATIVE BILL 734.**

A BILL FOR AN ACT relating to replevin; to amend section 25-1096, Reissue Revised Statutes of Nebraska; to change provisions relating to return date of an order of delivery; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 737.**

A BILL FOR AN ACT relating to adoption; to amend section 43-107, Revised Statutes Supplement, 2011; to provide procedures for submitting national criminal history record information checks with respect to home studies; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 738.**

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-122, Reissue Revised Statutes of Nebraska; to change burial expense benefits; to harmonize provisions; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

#### **LEGISLATIVE BILL 740.**

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,290, Reissue Revised Statutes of Nebraska; to provide a length exception for semitrailers transporting baled livestock forage; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 742.**

A BILL FOR AN ACT relating to electric power generation; to amend sections 70-1014 and 70-1014.01, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to applications for approval of transmission lines and related facilities and development of renewable energy sources; and to repeal the original sections.

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

Voting in the affirmative, 47:

Ashford	Cornett	Harms	Lautenbaugh	Schilz
Avery	Council	Harr, B.	Louden	Schumacher
Bloomfield	Dubas	Heidemann	McCoy	Seiler
Brasch	Fischer	Howard	McGill	Smith
Campbell	Flood	Karpisek	Mello	Sullivan
Carlson	Fulton	Krist	Nelson	Wallman
Christensen	Gloor	Lambert	Nordquist	Wightman
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Pirsch	
Cook	Hansen	Lathrop	Price	

Voting in the negative, 0.

Present and not voting, 2:

Adams            Janssen

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

**LEGISLATIVE BILL 743.**

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-707, Reissue Revised Statutes of Nebraska; to provide for a fee; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 761.** With Emergency Clause.

A BILL FOR AN ACT relating to state government; to amend sections 81-176 and 81-1108.33, Revised Statutes Supplement, 2011; to change provisions relating to the requirements for certain acquisitions of real property, structures, or improvements; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 766.**

A BILL FOR AN ACT relating to emergency management; to amend section 81-829.42, Reissue Revised Statutes of Nebraska; to authorize the Adjutant General to make certain emergency expenditures; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 768.**

A BILL FOR AN ACT relating to adoption; to amend sections 43-107, 43-109, and 43-146.01, Revised Statutes Supplement, 2011; to change provisions relating to access to the case file; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

#### **LEGISLATIVE BILL 772.**

A BILL FOR AN ACT relating to counties; to amend section 23-1114.07, Reissue Revised Statutes of Nebraska; to change provisions relating to the payment of salaries; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB779 with 46 ayes, 0 nays, and 3 present and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 779.**

A BILL FOR AN ACT relating to government agencies; to amend sections 81-1008, 81-1008.01, 81-1010, 81-1011, 81-1015, 81-1016, 81-1018, 81-1019, 81-1020, 81-1021, 81-1023, and 81-1025, Reissue Revised Statutes of Nebraska, and sections 81-1017 and 81-1108.17, Revised Statutes Cumulative Supplement, 2010; to define terms; to change provisions relating to state-owned vehicles; to provide for renting vehicles for state use; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

The following bills were read and put upon final passage:

#### **LEGISLATIVE BILL 788.**

A BILL FOR AN ACT relating to the Respiratory Care Practice Act; to amend sections 38-3214 and 38-3215, Reissue Revised Statutes of Nebraska; to change requirements for the practice of respiratory care; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

### **LEGISLATIVE BILL 795.**

A BILL FOR AN ACT relating to veterans; to amend section 80-317, Reissue Revised Statutes of Nebraska; to change provisions relating to applying for membership in veterans homes; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 805.**

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 28-1239.01 and 28-1246, Revised Statutes Cumulative Supplement, 2010; to remove the social security number requirement from certain fireworks permit and license applications; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 819.**

A BILL FOR AN ACT relating to the Uniform Disposition of Unclaimed Property Act; to amend sections 69-1301 and 69-1329, Reissue Revised Statutes of Nebraska; to define a term; to provide for the treatment of military medals; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 47:

Adams	Cook	Harms	Lathrop	Schilz
Ashford	Cornett	Harr, B.	Lautenbaugh	Schumacher
Avery	Dubas	Heidemann	Louden	Seiler
Bloomfield	Fischer	Howard	McCoy	Smith
Brasch	Flood	Janssen	McGill	Sullivan
Campbell	Fulton	Karpisek	Mello	Wallman
Carlson	Gloor	Krist	Nordquist	Wightman
Christensen	Haar, K.	Lambert	Pahls	
Coash	Hadley	Langemeier	Pirsch	
Conrad	Hansen	Larson	Price	

Voting in the negative, 0.

Present and not voting, 2:

Council          Nelson

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

### **LEGISLATIVE BILL 822.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1315, Revised Statutes Supplement, 2011; to change notice provisions relating to changes in valuations; and to repeal the original section.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**LEGISLATIVE BILL 823.**

A BILL FOR AN ACT relating to counties; to amend sections 16-731 and 23-1601, Reissue Revised Statutes of Nebraska; to change duties of county treasurers; to authorize the county treasurer to hold certain school district funds as prescribed; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 49:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Seiler
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Sullivan
Christensen	Gloor	Krist	Nelson	Wallman
Coash	Haar, K.	Lambert	Nordquist	Wightman
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Not voting, 0.

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

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 398, 719, 721, 722, 729, 734, 737, 738, 740, 742, 743, 761, 766, 768, 772, 779, 788, 795, 805, 819, 822, and 823.

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 599.** Placed on Select File with amendment.  
ER276

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 4-110, Revised Statutes Cumulative
- 4 Supplement, 2010, is amended to read:
- 5 4-110 Verification of lawful presence in the United
- 6 States pursuant to section 4-108 is not required for:
- 7 (1) Any purpose for which lawful presence in the United

8 States is not restricted by law, ordinance, or regulation;  
 9 (2) Assistance for health care services and products,  
 10 not related to an organ transplant procedure, that are necessary  
 11 for the treatment of an emergency medical condition, including  
 12 emergency labor and delivery, manifesting itself by acute symptoms  
 13 of sufficient severity, including severe pain, such that the  
 14 absence of immediate medical attention could reasonably be expected  
 15 to result in (a) placing the patient's health in serious jeopardy,  
 16 (b) serious impairment to bodily functions, or (c) serious  
 17 dysfunction of any bodily organ or part;

18 (3) Short-term, noncash, in-kind emergency disaster  
 19 relief;

20 (4) Public health assistance for immunizations with  
 21 respect to diseases and for testing and treatment of symptoms  
 22 of communicable diseases, whether or not such symptoms are caused  
 23 by a communicable disease; or

1 (5) Programs, services, or assistance necessary for the  
 2 protection of life or safety, such as soup kitchens, crisis  
 3 counseling and intervention, and short-term shelter, which (a)  
 4 deliver in-kind services at the community level, including those  
 5 which deliver such services through public or private, nonprofit  
 6 agencies and (b) do not condition the provision of assistance, the  
 7 amount of assistance provided, or the cost of assistance provided  
 8 on the income or resources of the recipient.

9 The Legislature finds that unborn children do not have  
 10 immigration status and therefor are not within the scope of section  
 11 4-108. Prenatal care services available pursuant to section 68-915  
 12 and section 4 of this act to unborn children, whose eligibility is  
 13 independent of the mother's eligibility status, shall not be deemed  
 14 to be tied to the immigration status of the mother and therefor are  
 15 not included in the restrictions imposed by section 4-108.

16 Sec. 2. Section 68-901, Revised Statutes Supplement,  
 17 2011, is amended to read:

18 68-901 Sections 68-901 to 68-971 and section 4 of this  
 19 act shall be known and may be cited as the Medical Assistance Act.

20 Sec. 3. Section 68-915, Reissue Revised Statutes of  
 21 Nebraska, is amended to read:

22 68-915 The following persons shall be eligible for  
 23 medical assistance:

24 (1) Dependent children as defined in section 43-504;

25 (2) Aged, blind, and disabled persons as defined in  
 26 sections 68-1002 to 68-1005;

27 (3) Children under nineteen years of age who are eligible  
 1 under section 1905(a)(i) of the federal Social Security Act;

2 (4) Persons who are presumptively eligible as allowed  
 3 under sections 1920 and 1920B of the federal Social Security Act;

4 (5) Children under nineteen years of age with a family  
 5 income equal to or less than two hundred percent of the Office  
 6 of Management and Budget income poverty guideline, as allowed  
 7 under Title XIX and Title XXI of the federal Social Security Act,

8 without regard to resources, and pregnant women with a family  
9 income equal to or less than one hundred eighty-five percent of  
10 the Office of Management and Budget income poverty guideline,  
11 as allowed under Title XIX and Title XXI of the federal Social  
12 Security Act, without regard to resources. Children described  
13 in this subdivision and subdivision (6) of this section shall  
14 remain eligible for six consecutive months from the date of  
15 initial eligibility prior to redetermination of eligibility. The  
16 department may review eligibility monthly thereafter pursuant to  
17 rules and regulations adopted and promulgated by the department.  
18 The department may determine upon such review that a child is  
19 ineligible for medical assistance if such child no longer meets  
20 eligibility standards established by the department;

21 (6) For purposes of Title XIX of the federal Social  
22 Security Act as provided in subdivision (5) of this section,  
23 children with a family income as follows:

24 (a) Equal to or less than one hundred fifty percent of  
25 the Office of Management and Budget income poverty guideline with  
26 eligible children one year of age or younger;

27 (b) Equal to or less than one hundred thirty-three  
1 percent of the Office of Management and Budget income poverty  
2 guideline with eligible children over one year of age and under six  
3 years of age; or

4 (c) Equal to or less than one hundred percent of the  
5 Office of Management and Budget income poverty guideline with  
6 eligible children six years of age or older and less than nineteen  
7 years of age;

8 (7) Persons who are medically needy caretaker relatives  
9 as allowed under 42 U.S.C. 1396d(a)(ii);

10 (8) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii),  
11 disabled persons as defined in section 68-1005 with a family income  
12 of less than two hundred fifty percent of the Office of Management  
13 and Budget income poverty guideline and who, but for earnings in  
14 excess of the limit established under 42 U.S.C. 1396d(q)(2)(B),  
15 would be considered to be receiving federal Supplemental Security  
16 Income. The department shall apply for a waiver to disregard any  
17 unearned income that is contingent upon a trial work period in  
18 applying the Supplemental Security Income standard. Such disabled  
19 persons shall be subject to payment of premiums as a percentage of  
20 family income beginning at not less than two hundred percent of  
21 the Office of Management and Budget income poverty guideline. Such  
22 premiums shall be graduated based on family income and shall not be  
23 less than two percent or more than ten percent of family income;

24 ~~and~~

25 (9) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii),  
26 persons who:

27 (a) Have been screened for breast and cervical cancer  
1 under the Centers for Disease Control and Prevention breast and  
2 cervical cancer early detection program established under Title XV  
3 of the federal Public Health Service Act, 42 U.S.C. 300k et seq.,

4 in accordance with the requirements of section 1504 of such act, 42  
 5 U.S.C. 300n, and who need treatment for breast or cervical cancer,  
 6 including precancerous and cancerous conditions of the breast or  
 7 cervix;

8 (b) Are not otherwise covered under creditable coverage  
 9 as defined in section 2701(c) of the federal Public Health Service  
 10 Act, 42 U.S.C. 300gg(c);

11 (c) Have not attained sixty-five years of age; and

12 (d) Are not eligible for medical assistance under any  
 13 mandatory categorically needy eligibility group; and-

14 (10) Persons eligible for services described in  
 15 subsection (3) of section 4 of this act.

16 ~~Eligibility~~ Except as provided in section 4 of this act,  
 17 eligibility shall be determined under this section using an income  
 18 budgetary methodology that determines children's eligibility at  
 19 no greater than two hundred percent of the Office of Management  
 20 and Budget income poverty guideline and adult eligibility using  
 21 adult income standards no greater than the applicable categorical  
 22 eligibility standards established pursuant to state or federal  
 23 law. The department shall determine eligibility under this section  
 24 pursuant to such income budgetary methodology and subdivision  
 25 (1)(q) of section 68-1713.

26 Sec. 4. (1) The Legislature finds that:

27 (a) Title XXI of the federal Social Security Act,

1 as amended, and the rules and regulations promulgated pursuant  
 2 thereto, authorize the State Children's Health Insurance Program  
 3 to assist state efforts to initiate and expand provisions of child  
 4 health assistance to uninsured, low-income children;

5 (b) As defined in Title XXI of the federal Social  
 6 Security Act, as amended, and the rules and regulations promulgated  
 7 pursuant thereto, child means an individual under the age of  
 8 nineteen years, including any period of time from conception to  
 9 birth, up to age nineteen years;

10 (c) Pursuant to Title XXI of the federal Social Security  
 11 Act, as amended, and the rules and regulations promulgated pursuant  
 12 thereto, eligibility can only be conferred to a targeted low-income  
 13 child, including an unborn child, under a separate child health  
 14 program;

15 (d) Under Title XXI of the federal Social Security Act,  
 16 as amended, and the rules and regulations promulgated pursuant  
 17 thereto, child health assistance is available to benefit unborn  
 18 children independent of the mother's eligibility and immigration  
 19 status;

20 (e) Under Title XXI of the federal Social Security Act,  
 21 as amended, and the rules and regulations promulgated pursuant  
 22 thereto, child health assistance expressly includes prenatal care  
 23 that connects to the health of the unborn child;

24 (f) Prenatal care has been clearly shown to reduce the  
 25 likelihood of premature delivery or low birth weight, both of which  
 26 are associated with a wide range of congenital disabilities as well

27 as infant mortality, and such care can detect a great number of  
1 serious and even life-threatening disabilities, many of which can  
2 now be successfully treated in utero;

3 (g) Ensuring prenatal care for more children will  
4 significantly help reduce infant mortality and morbidity rates and  
5 will spare many infants from the burden of congenital disabilities  
6 and reduce the cost of treating those congenital disabilities after  
7 birth;

8 (h) It is well established that access to prenatal  
9 care can improve health outcomes during infancy as well as over  
10 a child's life. Since healthy babies and children require less  
11 medical care than babies and children with health problems,  
12 provisions of prenatal care will result in lower medical  
13 expenditures for the affected children in the long run; and

14 (i) Adopting federal law to provide for medical services  
15 related to unborn children before birth will result in healthier  
16 infants, better long-term child growth and development, and  
17 ultimate cost savings to the state through reduced expenditures for  
18 high cost neonatal and potential long-term medical rehabilitation.

19 (2) Such coverage shall be implemented through the  
20 creation of a separate program as allowed under Title XXI of  
21 the federal Social Security Act, as amended, and 42 C.F.R. 457.10,  
22 solely for the unborn children of mothers who are ineligible  
23 for coverage under Title XIX of the federal Social Security Act.  
24 All other aspects of the medical assistance program relating to  
25 the State Children's Health Insurance Program remain a medicaid  
26 expansion program as defined in 42 C.F.R. 457.10.

27 (3) The benefits provided pursuant to this subsection,  
1 unless the recipient qualifies for coverage under Title XIX of  
2 the federal Social Security Act, as amended, shall be prenatal  
3 care and pregnancy-related services connected to the health of  
4 the unborn child, including: (a) Professional fees for labor and  
5 delivery, including live birth, fetal death, miscarriage, and  
6 ectopic pregnancy; (b) pharmaceuticals and prescription vitamins;  
7 (c) outpatient hospital care; (d) radiology, ultrasound, and other  
8 necessary imaging; (e) necessary laboratory testing; (f) hospital  
9 costs related to labor and delivery; (g) services related to  
10 conditions that could complicate the pregnancy, including those  
11 for diagnosis or treatment of illness or medical conditions that  
12 threaten the carrying of the unborn child to full term or the  
13 safe delivery of the unborn child; and (h) other pregnancy-related  
14 services approved by the department. Services not covered under  
15 this subsection include medical issues separate to the mother and  
16 unrelated to pregnancy.

17 (4) The department shall receive the state and federal  
18 funds appropriated or provided for benefits provided pursuant to  
19 this section. Within thirty days after the effective date of this  
20 act, the department shall submit a state plan amendment or waiver  
21 for approval by the federal Centers for Medicare and Medicaid  
22 Services to provide coverage under the medical assistance program

23 to persons eligible under this section.

24 (5) Eligibility shall be determined under this section

25 using an income budgetary methodology that determines children's

26 eligibility at no greater than one hundred eighty-five percent of

27 the Office of Management and Budget income poverty guideline.

1 Sec. 5. Original section 68-915, Reissue Revised Statutes

2 of Nebraska, section 4-110, Revised Statutes Cumulative Supplement,

3 2010, and section 68-901, Revised Statutes Supplement, 2011, are

4 repealed.

5 Sec. 6. Since an emergency exists, this act takes effect

6 when passed and approved according to law.

7 2. On page 1, strike lines 2 through 6 and insert

8 "section 68-915, Reissue Revised Statutes of Nebraska, section

9 4-110, Revised Statutes Cumulative Supplement, 2010, and section

10 68-901, Revised Statutes Supplement, 2011; to change provisions

11 relating to verification of lawful presence; to provide for

12 coverage of certain children pursuant to the medical assistance

13 program; to state findings; to provide duties for the Department of

14 Health and Human Services; to harmonize provisions; to repeal the

15 original sections; and to declare an emergency."

**LEGISLATIVE BILL 599A.** Placed on Select File with amendment.

ER277

1 1. On page 1, strike beginning with "appropriate" in

2 line 1 through line 4 and insert "amend Laws 2011, LB374, section

3 158; to appropriate funds to aid in carrying out the provisions

4 of Legislative Bill 599, One Hundred Second Legislature, Second

5 Session, 2012; to change appropriations as prescribed; to repeal

6 the original section; and to declare an emergency."

(Signed) Tyson Larson, Chairperson

**PRESENTED TO THE SECRETARY OF STATE**

Presented to the Secretary of State on April 4, 2012, at 9:55 a.m. were the following: LR3 358CA and 373CA.

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

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 4, 2012, at 9:57 a.m. were the following: LB3 670e, 715, 750, 905, 905A, 959, 972, 1001, 1057, 1057A, 1058, 1114e, and 1115.

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

**SENATOR GLOOR PRESIDING****SELECT FILE**

**LEGISLATIVE BILL 979.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 793.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 793A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1082.** ER275, found on page 1347, was adopted.

Senator Nordquist offered the following amendment:

AM2719

(Amendments to AM2695)

- 1 1. Insert the following new section:
- 2 Sec. 16. Section 16-1038, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 16-1038 (1) The right to any benefits under the
- 5 retirement system and the assets of any fund of the retirement
- 6 system shall not be assignable or subject to execution,
- 7 garnishment, attachment, or the operation of any bankruptcy or
- 8 insolvency laws, except that the retirement system may comply with
- 9 the directions set forth in a qualified domestic relations order
- 10 meeting the requirements of section 414(p) of the Internal Revenue
- 11 Code. The city or retirement committee may require appropriate
- 12 releases from any person as a condition to complying with any
- 13 such order. The retirement system shall not recognize any domestic
- 14 relations order which alters or changes benefits, provides for
- 15 a form of benefit not otherwise provided for by the retirement
- 16 system, increases benefits not otherwise provided by the retirement
- 17 system, or accelerates or defers the time of payment of benefits.
- 18 No participant or beneficiary shall have any right to any specific
- 19 portion of the assets of the retirement system.
- 20 (2) The retirement system shall be administered in a
- 21 manner necessary to comply with the tax-qualification requirements
- 22 applicable to government retirement plans under section 401(a) of
- 1 the Internal Revenue Code, including section 401(a)(9) relating
- 2 to the time and manner in which benefits are required to be
- 3 distributed and section 401(a)(9)(G) relating to incidental death
- 4 benefit requirements, section 401(a)(16) relating to compliance
- 5 with the maximum limitation on the plan benefits or contributions
- 6 under section 415, section 401(a)(17) which limits the amount of
- 7 compensation which can be taken into account under a retirement
- 8 plan, section 401(a)(25) relating to the specification of actuarial
- 9 assumptions, ~~and~~ section 401(a)(31) relating to direct rollover

10 distribution from ~~qualified-eligible~~ retirement plans, and section  
 11 401(a)(37) relating to the death benefit of a firefighter who dies  
 12 while performing qualified military service. Any requirements for  
 13 compliance with section 401(a) of the Internal Revenue Code may  
 14 be set forth in any trust or funding medium for the retirement  
 15 system. This subsection shall be in full force and effect only so  
 16 long as conformity with section 401(a) of the Internal Revenue  
 17 Code is required for public retirement systems in order to  
 18 secure the favorable income tax treatment extended to sponsors  
 19 and beneficiaries of tax-qualified retirement plans.

20 (3) If the retirement committee determines that the  
 21 retirement system has previously overpaid or underpaid a benefit  
 22 payable under sections 16-1020 to 16-1042, it shall have the  
 23 power to correct such error. In the event of an overpayment, the  
 24 retirement system may, in addition to any other remedy that the  
 25 retirement system may possess, offset future benefit payments by  
 26 the amount of the prior overpayment, together with regular interest  
 27 thereon.

1 (4) A firefighter whose benefit payment is adjusted by  
 2 the retirement committee pursuant to subsection (3) of this section  
 3 may request a review by the city council of the adjustment made by  
 4 the retirement committee.

5 (5) In order to provide the necessary amounts to pay  
 6 for or fund a pension plan established under sections 16-1020 to  
 7 16-1042, the mayor and council may make a levy which is within the  
 8 levy restrictions of section 77-3442.

9 2. On page 1, lines 18 and 21 and 22; page 2, line 3;  
 10 page 3, line 26; and page 4, lines 1 and 2, 5, and 11 and 12,  
 11 strike the new matter and reinstate the stricken matter.

12 3. On page 10, line 12, strike "(2)", show as stricken,  
 13 and insert "(2)(a)"; in line 17 strike "(a)", show as stricken, and  
 14 insert "(i)"; in line 21 strike "(b)", show as stricken, and insert  
 15 "(ii)"; and in line 24 before "A" insert "(b)".

16 4. On page 11, line 7, before "If" insert "(c)".

17 5. On page 22, line 26, before the comma insert  
 18 "and section 401(a)(a)(G) relating to incidental death benefit  
 19 requirements".

20 6. On page 23, line 3, strike "and" and show as stricken;  
 21 in line 4 before the period insert ", section 401(a)(31) relating  
 22 to direct rollover distributions from eligible retirement plans,  
 23 and section 401(a)(37) relating to the death benefit of a police  
 24 officer who dies while performing qualified military service".

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

The Nordquist amendment was adopted with 28 ayes, 0 nays, and 21 present and not voting.

Advanced to Enrollment and Review for Engrossment.

**GENERAL FILE**

**LEGISLATIVE BILL 14.** Title read. Considered.

Committee AM1954, found on page 583, was adopted with 34 ayes, 0 nays, and 15 present and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 3 nays, 15 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1125.** Title read. Considered.

Committee AM2378, found on page 909, was considered.

Senator Christensen renewed his amendment, AM2513, found on page 1165, to the committee amendment.

The Christensen amendment lost with 7 ayes, 18 nays, 23 present and not voting, and 1 excused and not voting.

The committee amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 4, 2012, at 10:57 a.m. were the following: LBs 398, 719, 721, 722, 729, 734, 737, 738, 740, 742, 743, 761e, 766, 768, 772, 779, 788, 795, 805, 819, 822, and 823.

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

**RESOLUTION**

**LEGISLATIVE RESOLUTION 625.** Introduced by Brasch, 16.

WHEREAS, Brian Hurst, son of Deb and Mike Hurst and a member of Troop 232 in Blair, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star,

Life, and finally Eagle Scout. Throughout his scouting experience, Brian has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. Brian's community service project involved many hours of planning and managing members of his troop in a landscaping project at the Blair Post Office; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Brian, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Brian Hurst on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Brian Hurst.

Laid over.

### EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 670e, 715, 750, and 959. I would have voted "nay" on final passage of LRs 358CA and 373CA.

(Signed) Charlie Janssen

### UNANIMOUS CONSENT - Add Cointroducer

Senator Pirsch asked unanimous consent to add his name as cointroducer to LB793. No objections. So ordered.

### VISITORS

Visitors to the Chamber were Brian Schlote from Plainview; Karl and Phyllis Kostobahn from Grand Island; 9 students, teacher, and sponsors from Polk County Christian, Osceola; 40 fourth-grade students and teachers from Hayward Elementary, Nebraska City; 41 twelfth-grade students and teacher from Centura High School, Cairo; and 21 fourth-grade students and teacher from Walthill.

### RECESS

At 11:55 a.m., on a motion by Senator Langemeier, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

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

**ROLL CALL**

The roll was called and all members were present except Senators Seiler and Sullivan who were excused; and Senator Conrad who was excused until she arrives.

**GENERAL FILE**

**LEGISLATIVE BILL 928.** Title read. Considered.

Senator Fulton renewed his amendment, AM2667, found on page 1234.

The Fulton amendment was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 928A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

**ANNOUNCEMENT**

The Chair announced today is Senator Schumacher's birthday.

**GENERAL FILE**

**LEGISLATIVE BILL 908.** Title read. Considered.

Committee AM2319, found on page 816, was considered.

Senator Lautenbaugh offered the following motion:

MO101

Unanimous consent to bracket until April 12, 2012.

No objections. So ordered.

**LEGISLATIVE BILL 924.** Title read. Considered.

Committee AM2537, found on page 1210, was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

**SENATOR GLOOR PRESIDING**

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

### COMMITTEE REPORTS

Enrollment and Review

**LEGISLATIVE BILL 793.** Placed on Final Reading.

**LEGISLATIVE BILL 793A.** Placed on Final Reading.

**LEGISLATIVE BILL 979.** Placed on Final Reading.

**LEGISLATIVE BILL 1082.** Placed on Final Reading.

ST102

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

1. In the Nordquist amendment, AM2719, on page 3, line 18, "401(a)(a)(G)" has been struck and "401(a)(9)(G)" inserted.

2. In the E & R amendments, ER275, on page 1, line 13, "and 16-1019" has been struck and "16-1019, and 16-1038" inserted; and in line 18 "to change provisions relating to administration of police officer and firefighter retirement systems as prescribed;" has been inserted after the first semicolon.

3. In the Karpisek amendment, AM2695, on page 24, line 26, "and 16-1019" has been struck and "16-1019, and 16-1038" inserted.

(Signed) Tyson Larson, Chairperson

### COMMITTEE REPORTS

Enrollment and Review

**LEGISLATIVE BILL 14.** Placed on Select File with amendment.

ER279

- 1 1. On page 1, strike beginning with "and" in line 3
- 2 through line 4 and insert "fees received by registers of deeds,
- 3 county clerks, clerks of the district court, and the Secretary of
- 4 State;".

**LEGISLATIVE BILL 1125.** Placed on Select File with amendment.

ER280

- 1 1. In the Standing Committee amendments, AM2378, on page
- 2 2, line 7, strike the second "in" and insert "of".

**LEGISLATIVE BILL 928.** Placed on Select File with amendment.

ER278

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 37-201, Revised Statutes Cumulative
- 4 Supplement, 2010, is amended to read:
- 5 37-201 Sections 37-201 to 37-811 and sections 2 and 5 to

6 14 of this act shall be known and may be cited as the Game Law.

7 Sec. 2. (1) The commission may issue permits for hunting  
8 mountain lions and may adopt and promulgate rules and regulations  
9 therefor within the limitations prescribed in subsection (1) of  
10 section 37-447 and section 37-452 for hunting deer. Any authorized  
11 permits shall be issued to residents of Nebraska, except that  
12 permits issued by auction may be issued to nonresidents.

13 (2) The commission shall, pursuant to section 37-327,  
14 establish and charge a nonrefundable application fee of not more  
15 than twenty-five dollars for permits issued only to residents. Any  
16 number of resident-only permits, as authorized by the commission,  
17 shall be awarded by random drawing to eligible applicants. No  
18 permit fee shall be charged in addition to the nonrefundable  
19 application fee.

20 (3) No more than one additional permit may be authorized  
21 and issued pursuant to an auction open to residents and  
22 nonresidents. The auction shall be conducted according to rules and  
23 regulations prescribed by the commission. Any money derived from  
1 the sale of permits by auction shall be used only for perpetuation  
2 and management of mountain lions.

3 Sec. 3. Section 37-448, Revised Statutes Cumulative  
4 Supplement, 2010, is amended to read:

5 37-448 (1) Subject to rules and regulations adopted and  
6 promulgated by the commission, the secretary of the commission  
7 may designate special deer depredation seasons or extensions of  
8 existing deer hunting seasons by executive order. The secretary  
9 may designate a depredation season or an extension of an existing  
10 deer hunting season whenever he or she determines that deer are  
11 causing excessive property damage. The secretary shall specify the  
12 number of permits to be issued, the species of deer allowed to be  
13 taken, the bag limit for such species including deer for donation  
14 in accordance with the deer donation program established pursuant  
15 to sections 5 to 14 of this act, the beginning and ending dates for  
16 the depredation season or hunting season extension, shooting hours,  
17 the length of the depredation season or hunting season extension,  
18 and the geographic area in which hunting will be permitted. Hunting  
19 during a special depredation season or hunting season extension  
20 shall be limited to residents, and the rules and regulations shall  
21 allow use of any weapon permissible for use during the regular deer  
22 season.

23 (2) The depredation season may commence not less than  
24 five days after the first public announcement that the depredation  
25 season has been established. Permits shall be issued in an  
26 impartial manner at a location determined by the secretary.  
27 The commission shall, pursuant to section 37-327, establish and  
1 charge a fee of not more than twenty-five dollars for a special  
2 depredation season permit. The commission shall use the income from  
3 the sale of special depredation season permits for abatement of  
4 damage caused by deer. The commission shall also provide for an

5 unlimited number of free permits for the taking of antlerless deer  
 6 upon request to any person owning or operating at least twenty  
 7 acres of farm or ranch land within the geographic area in which  
 8 hunting will be permitted and to any member of the immediate family  
 9 of any such person as defined in subdivision (2)(a) of section  
 10 37-455. A free permit shall be valid only within such area and  
 11 only during the designated deer depredation season. Receipt of a  
 12 depredation season permit shall not in any way affect a person's  
 13 eligibility for a regular season permit.

14 Sec. 4. Section 37-452, Reissue Revised Statutes of  
 15 Nebraska, is amended to read:

16 37-452 (1) No person shall hunt antelope, elk, ~~or~~  
 17 mountain sheep, or mountain lions unless such person is at least  
 18 twelve years of age, and any person who is twelve through fifteen  
 19 years of age shall only hunt antelope, elk, ~~or~~ mountain sheep, or  
 20 mountain lions when supervised by a person nineteen years of age or  
 21 older having a valid hunting permit.

22 (2) No person shall hunt deer unless such person is at  
 23 least ten years of age, and any person who is ten through fifteen  
 24 years of age shall only hunt deer when supervised by a person  
 25 nineteen years of age or older having a valid hunting permit.

26 (3) A person nineteen years of age or older having a  
 27 valid hunting permit shall not supervise more than two persons  
 1 while hunting deer, antelope, elk, ~~or~~ mountain sheep, or mountain  
 2 lions at the same time.

3 Sec. 5. The purpose of sections 5 to 14 of this act is  
 4 to establish procedures for the administration of a deer donation  
 5 program and to encourage hunters to harvest deer to donate to a  
 6 program to feed residents of Nebraska who are in need.

7 Sec. 6. For purposes of sections 5 to 14 of this act:

8 (1) Deer means any wild deer legally taken in Nebraska  
 9 and deer confiscated as legal evidence if the confiscated carcass  
 10 is considered by a conservation officer to be in good condition for  
 11 donation under the program;

12 (2) Field dressed means properly bled and cleaned of the  
 13 internal organs;

14 (3) Meat processor means any business that is licensed to  
 15 process meat for retail customers by the Department of Agriculture,  
 16 the United States Department of Agriculture, or a neighboring  
 17 state's department that is similar to Nebraska's; and

18 (4) Program means the deer donation program established  
 19 pursuant to sections 5 to 14 of this act.

20 Sec. 7. Deer is the only species of wildlife covered by  
 21 the program. To be accepted, the entire field-dressed deer carcass  
 22 shall be donated, but the hunter may keep the antlers, head, and  
 23 cape.

24 Sec. 8. On or before July 1, 2012, the commission shall  
 25 provide each applicant the option on the application for any type  
 26 of hunting permit authorizing the taking of deer to indicate that

27 the applicant may designate an amount in addition to the permit fee  
1 to be credited to the Hunters Helping the Hungry Cash Fund.

2 Sec. 9. (1) The commission shall set a fair market price  
3 for the processing cost of deer donated to the program. To set a  
4 fair market price, the commission shall consider prices for similar  
5 deer processing services paid by retail customers in Nebraska and  
6 nearby states and shall establish an annual per-deer processing  
7 payment to be made to meat processors to the extent that money is  
8 available in the Hunters Helping the Hungry Cash Fund.

9 (2) The commission shall adopt and promulgate rules and  
10 regulations necessary to carry out the program.

11 Sec. 10. The commission shall promote the harvesting  
12 of deer by hunters and the donation of deer at meat processors  
13 participating in the program to the extent that money is available  
14 in the Hunters Helping the Hungry Cash Fund.

15 Sec. 11. The commission may enlist as many meat  
16 processors as available to participate in the program and shall  
17 enter into contracts with meat processors as described in section  
18 12 of this act subject to available funding in the Hunters  
19 Helping the Hungry Cash Fund. The commission shall provide  
20 forms for donation of deer by hunters and posters for meat  
21 processors to advertise their participation. The commission shall  
22 provide informational and promotional materials to meat processors  
23 regarding the program.

24 Sec. 12. (1) To participate in the program, each meat  
25 processor shall enter into an annual contract with the commission  
26 which details the meat processor's participation.

27 (2) Meat processors shall accept the entire field-dressed  
1 carcass of a donated deer according to the terms of their  
2 respective contracts with the commission and shall not assess any  
3 fees or costs to donors, recipients, or participants. Information  
4 from the donor is required for each donated deer and shall be  
5 submitted on forms provided by the commission. Payment shall not be  
6 made to a meat processor without this information.

7 (3) Meat processors shall accept a donated deer if the  
8 meat processor determines the venison is in acceptable condition.

9 (4) Prior to receiving payment, a meat processor shall  
10 be required to provide to the commission a record of each donated  
11 deer that includes information required by the commission. Payments  
12 shall be made to meat processors within forty-five days after  
13 submittal of a complete and accurate invoice according to the terms  
14 of their respective contracts with the commission.

15 (5) The commission shall not be liable for the safety,  
16 quality, or condition of deer accepted by meat processors or  
17 recipients or consumed by participants in the program.

18 Sec. 13. The commission, at its own discretion, may enter  
19 into contracts with other entities for purposes of executing or  
20 expanding the program. The commission may include the offer of  
21 matching grants to pay for deer processing to entities that acquire

22 funding from sources other than the state to pay for expenses of  
 23 the program.

24 Sec. 14. The Hunters Helping the Hungry Cash Fund is  
 25 created. The fund shall include amounts designated for the fund  
 26 pursuant to section 8 of this act and revenue received from gifts,  
 27 grants, bequests, donations, other similar donation arrangements,  
 1 or other contributions from public or private sources intended for  
 2 the fund. The fund shall be administered by the commission to carry  
 3 out the program. The annual expenditures from the fund shall be  
 4 limited only by the available balance of the fund. The commission  
 5 shall not be obligated to provide payments from the fund or pay any  
 6 other expenses in excess of the available balance in the fund. Any  
 7 money in the fund available for investment shall be invested by the  
 8 state investment officer pursuant to the Nebraska Capital Expansion  
 9 Act and the Nebraska State Funds Investment Act.

10 Sec. 15. Sections 2, 4, and 16 of this act become  
 11 operative three calendar months after the adjournment of this  
 12 legislative session. The other sections of this act become  
 13 operative on their effective date.

14 Sec. 16. Original section 37-452, Reissue Revised  
 15 Statutes of Nebraska, is repealed.

16 Sec. 17. Original sections 37-201 and 37-448, Revised  
 17 Statutes Cumulative Supplement, 2010, are repealed.

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

20 2. On page 1, strike beginning with "mountain" in line 1  
 21 through line 6 and insert "the Game Law; to amend section 37-452,  
 22 Reissue Revised Statutes of Nebraska, and sections 37-201 and  
 23 37-448, Revised Statutes Cumulative Supplement, 2010; to provide  
 24 for permits for hunting mountain lions; to provide for fees; to  
 25 provide age requirements; to change provisions relating to special  
 26 deer depredation seasons; to provide for donation of deer; to  
 27 create a fund; to harmonize provisions; to provide operative dates;  
 1 to repeal the original sections; and to declare an emergency."

**LEGISLATIVE BILL 928A.** Placed on Select File.

(Signed) Tyson Larson, Chairperson

### **AMENDMENT - Print in Journal**

Senator Smith filed the following amendment to LB1161:  
 AM2745 is available in the Bill Room.

**SPEAKER FLOOD PRESIDING**

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 851.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1704, 77-1704.01, 77-1706, 77-1707, and 77-1821, Reissue Revised Statutes of Nebraska; to change provisions relating to tax receipts; and to repeal the original sections.

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

Voting in the affirmative, 41:

Adams	Dubas	Harr, B.	Lathrop	Schilz
Bloomfield	Fischer	Heidemann	McCoy	Schumacher
Brasch	Flood	Howard	McGill	Smith
Carlson	Fulton	Janssen	Mello	Wallman
Christensen	Gloor	Karpisek	Nelson	Wightman
Coash	Haar, K.	Krist	Nordquist	
Cook	Hadley	Lambert	Pahls	
Cornett	Hansen	Langemeier	Pirsch	
Council	Harms	Larson	Price	

Voting in the negative, 0.

Present and not voting, 4:

Ashford	Avery	Campbell	Louden
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Excused and not voting, 4:

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

**LEGISLATIVE BILL 865.**

A BILL FOR AN ACT relating to juror compensation; to amend sections 23-131, 23-1801, and 33-138, Reissue Revised Statutes of Nebraska; to authorize the voluntary waiver of compensation by jurors; and to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

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

### **LEGISLATIVE BILL 869.**

A BILL FOR AN ACT relating to the State Athletic Commissioner; to amend sections 81-8,129, 81-8,130, 81-8,130.01, 81-8,132, 81-8,133, 81-8,133.01, 81-8,134, 81-8,135, 81-8,138, 81-8,139, and 81-8,139.01, Reissue Revised Statutes of Nebraska; to change provisions relating to the jurisdiction of the State Athletic Commissioner; to change provisions relating to licenses and permits; to change membership of the Athletic Advisory Committee; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman
Cook	Hadley	Lambert	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Ashford

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB880 with 42 ayes, 1 nay, 2 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 880.**

A BILL FOR AN ACT relating to the Records Management Act; to amend sections 84-1201, 84-1203, 84-1204, 84-1205.03, 84-1205.05, 84-1206, 84-1207, and 84-1219, Reissue Revised Statutes of Nebraska; to provide duties relating to reducing costs and adopting modern methods of records management as prescribed; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 84-1205.04, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 881.**

A BILL FOR AN ACT relating to jails and correctional facilities; to amend section 47-703, Reissue Revised Statutes of Nebraska; to change medical services payment provisions; and to repeal the original section.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

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

**LEGISLATIVE BILL 896.** With Emergency Clause.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend section 60-1437, Revised Statutes Supplement, 2011; to prohibit certain actions and provide procedures for incentive compensation; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

### **LEGISLATIVE BILL 897.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1615, Reissue Revised Statutes of Nebraska; to change provisions relating to tax lists; to harmonize provisions; to repeal the original section; and to outright repeal section 33-113, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

Adams	Cook	Hadley	Langemeier	Pahls
Ashford	Cornett	Hansen	Larson	Pirsch
Avery	Council	Harms	Lathrop	Price
Bloomfield	Dubas	Harr, B.	Louden	Schilz
Brasch	Fischer	Heidemann	McCoy	Schumacher
Campbell	Flood	Howard	McGill	Smith
Carlson	Fulton	Janssen	Mello	Wallman
Christensen	Gloor	Karpisek	Nelson	Wightman
Coash	Haar, K.	Lambert	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Krist

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 898.**

A BILL FOR AN ACT relating to minitrucks; to amend sections 60-121.01, 60-337.01, and 60-636.01, Reissue Revised Statutes of Nebraska, and section 60-501, Revised Statutes Supplement, 2011; to redefine minitruck; and to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 899.**

A BILL FOR AN ACT relating to legal procedure; to amend sections 42-353 and 43-2935, Reissue Revised Statutes of Nebraska; to provide procedures for entering a legal separation decree; to change requirements for hearings regarding parenting plans; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

**LEGISLATIVE BILL 936.** With Emergency Clause.

A BILL FOR AN ACT relating to counties under township organization; to amend section 23-2,100, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to termination of the township board; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

A constitutional two-thirds majority having voted in the affirmative, the bill

was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 941.**

A BILL FOR AN ACT relating to pawnbrokers and junk dealers; to amend section 69-206, Reissue Revised Statutes of Nebraska; to change restrictions on disposition of pawned and secondhand goods; and to repeal the original section.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB997 with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 997.**

A BILL FOR AN ACT relating to power lines; to amend sections 48-436, 48-437, 48-438, and 60-6,299, Reissue Revised Statutes of Nebraska, and section 60-6,298, Revised Statutes Supplement, 2011; to change provisions relating to high voltage conductor safety and certain permits issued for operation of oversized vehicles and loads; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1005.**

A BILL FOR AN ACT relating to the Volunteer Emergency Responders Job Protection Act; to amend sections 35-1403, 35-1406, and 35-1407, Reissue Revised Statutes of Nebraska, and section 35-1402, Revised Statutes Cumulative Supplement, 2010; to include members of state emergency response teams established under the Emergency Management Act; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Cornett	Hansen	Langemeier	Pahls
Ashford	Council	Harms	Larson	Pirsch
Avery	Dubas	Harr, B.	Lathrop	Price
Bloomfield	Fischer	Heidemann	Louden	Schilz
Brasch	Flood	Howard	McCoy	Schumacher
Campbell	Fulton	Janssen	McGill	Smith
Carlson	Gloor	Karpisek	Mello	Wallman
Christensen	Haar, K.	Krist	Nelson	Wightman
Coash	Hadley	Lambert	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Cook

Excused and not voting, 4:

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

### **LEGISLATIVE BILL 1026.**

A BILL FOR AN ACT relating to the Uniform Disposition of Unclaimed Property Act; to amend section 69-1317, Reissue Revised Statutes of Nebraska; to change provisions relating to confidential records; to eliminate obsolete provisions; and to repeal the original section.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1030.**

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,109 and 60-6,133, Reissue Revised Statutes of Nebraska; to change provisions relating to obligations of drivers; and to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1035.**

A BILL FOR AN ACT relating to elections; to amend sections 32-610 and 32-1031, Reissue Revised Statutes of Nebraska, and section 32-811, Revised Statutes Supplement, 2011; to change and eliminate provisions relating to political parties and filing for office; to provide for automatic nomination of candidates for airport authority boards as prescribed; to change provisions relating to the canvass of votes; to repeal the original sections; and to outright repeal section 32-718, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 43:

Adams	Cornett	Hansen	Larson	Pirsch
Ashford	Council	Harr, B.	Lathrop	Price
Avery	Dubas	Heidemann	Louden	Schilz
Brasch	Fischer	Howard	McCoy	Schumacher
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Wallman
Christensen	Gloor	Krist	Nelson	Wightman
Coash	Haar, K.	Lambert	Nordquist	
Cook	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Present and not voting, 2:

Bloomfield Harms

Excused and not voting, 4:

Conrad Lautenbaugh Seiler Sullivan

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

### **LEGISLATIVE BILL 1038.**

A BILL FOR AN ACT relating to children; to provide for the establishment of a lead poisoning prevention program as prescribed; and to provide duties for the Department of Health and Human Services.

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

Voting in the affirmative, 44:

Adams	Cornett	Hansen	Langemeier	Pahls
Ashford	Council	Harms	Larson	Pirsch
Avery	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman
Cook	Hadley	Lambert	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Bloomfield

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1042.**

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-2301, 38-2315, and 71-605, Reissue Revised Statutes of Nebraska; to authorize nurse practitioners to sign death certificates as prescribed; to provide for disciplinary action; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 43:

Adams	Cornett	Hansen	Langemeier	Pahls
Ashford	Council	Harms	Larson	Pirsch
Avery	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Smith
Carlson	Fulton	Janssen	McGill	Wallman
Christensen	Gloor	Karpisek	Mello	Wightman
Coash	Haar, K.	Krist	Nelson	
Cook	Hadley	Lambert	Nordquist	

Voting in the negative, 0.

Present and not voting, 2:

Bloomfield   Schumacher

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1049.**

A BILL FOR AN ACT relating to scrap metal recycling; to amend sections 69-401, 69-404, 69-407, 69-408, and 69-409, Reissue Revised Statutes of Nebraska; to redefine a term; to provide requirements for the purchase of certain regulated metals property; to change provisions relating to a payment for purchase of copper; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Cornett	Hansen	Langemeier	Pahls
Ashford	Council	Harms	Larson	Pirsch
Avery	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman
Cook	Hadley	Lambert	Nordquist	

Voting in the negative, 1:

Bloomfield

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1051 with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1051.**

A BILL FOR AN ACT relating to abuse and neglect; to amend sections 28-348, 28-349, 28-350, 28-351, 28-352, 28-355, 28-358, 28-370, 28-372, 28-373, 28-374, 28-386, 28-387, and 28-713.01, Reissue Revised Statutes of Nebraska, and section 28-376, Revised Statutes Cumulative Supplement,

2010; to define and redefine terms; to change provisions relating to reports of abuse, neglect, and exploitation investigated for the Adult Protective Services Central Registry and the central register of child protection cases; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Cook	Hadley	Lambert	Pahls
Ashford	Cornett	Hansen	Langemeier	Pirsch
Avery	Council	Harms	Lathrop	Price
Bloomfield	Dubas	Harr, B.	Louden	Schilz
Brasch	Fischer	Heidemann	McCoy	Schumacher
Campbell	Flood	Howard	McGill	Smith
Carlson	Fulton	Janssen	Mello	Wallman
Christensen	Gloor	Karpisek	Nelson	Wightman
Coash	Haar, K.	Krist	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Larson

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1054.**

A BILL FOR AN ACT relating to insurance; to amend sections 44-3521 and 44-3526, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change contract coverage under the Motor Vehicle Service Contract Reimbursement Insurance Act; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Wallman
Christensen	Gloor	Karpisek	Mello	Wightman
Coash	Haar, K.	Krist	Nelson	

Voting in the negative, 0.

Present and not voting, 1:

Smith

Excused and not voting, 4:

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

#### **LEGISLATIVE BILL 1054A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1054, One Hundred Second Legislature, Second Session, 2012.

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

Voting in the affirmative, 43:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Price
Bloomfield	Dubas	Harr, B.	Lathrop	Schilz
Brasch	Fischer	Heidemann	Louden	Schumacher
Campbell	Flood	Howard	McCoy	Wallman
Carlson	Fulton	Janssen	McGill	Wightman
Christensen	Gloor	Karpisek	Mello	
Coash	Haar, K.	Krist	Nelson	

Voting in the negative, 0.

Present and not voting, 2:

Pirsch	Smith
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Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1062.**

A BILL FOR AN ACT relating to adoption; to amend sections 43-118 and 43-147, Reissue Revised Statutes of Nebraska; to provide for an adoption assistance agreement and continuation of adoption assistance as prescribed; to harmonize provisions; to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1077.**

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-401, Revised Statutes Supplement, 2011; to require certain facilities to offer vaccinations as prescribed; to harmonize provisions; and to repeal the original section.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

**LEGISLATIVE BILL 1083.** With Emergency Clause.

A BILL FOR AN ACT relating to the Nurse Practice Act; to amend section 38-2218, Reissue Revised Statutes of Nebraska; to clarify permitted practices; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

**LEGISLATIVE BILL 1087.**

A BILL FOR AN ACT relating to natural gas; to create the Natural Gas Fuel Board; and to provide powers and duties.

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

Voting in the affirmative, 43:

Adams	Cornett	Hansen	Larson	Pirsch
Ashford	Council	Harms	Lathrop	Price
Avery	Dubas	Harr, B.	Louden	Schilz
Brasch	Fischer	Heidemann	McCoy	Schumacher
Campbell	Flood	Howard	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Wallman
Christensen	Gloor	Krist	Nelson	Wightman
Coash	Haar, K.	Lambert	Nordquist	
Cook	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Present and not voting, 2:

Bloomfield Janssen

Excused and not voting, 4:

Conrad Lautenbaugh Seiler Sullivan

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

**LEGISLATIVE BILL 1087A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1087, One Hundred Second Legislature, Second Session, 2012.

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

Voting in the affirmative, 44:

Adams	Cook	Hadley	Langemeier	Pahls
Ashford	Cornett	Hansen	Larson	Pirsch
Avery	Council	Harms	Lathrop	Price
Bloomfield	Dubas	Harr, B.	Louden	Schilz
Brasch	Fischer	Heidemann	McCoy	Schumacher
Campbell	Flood	Howard	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Wallman
Christensen	Gloor	Krist	Nelson	Wightman
Coash	Haar, K.	Lambert	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Janssen

Excused and not voting, 4:

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

**LEGISLATIVE BILL 1101.** With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1340, Reissue Revised Statutes of Nebraska; to change a provision relating to county assessors; to provide operative dates; to repeal the original section; to outright repeal section 77-1340, Reissue Revised Statutes of Nebraska, as amended by this legislative bill; and to declare an emergency.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1106.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1374, Reissue Revised Statutes of Nebraska; to change provisions relating to the assessment of improvements on leased public lands; and to repeal the original section.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**LEGISLATIVE BILL 1116.**

A BILL FOR AN ACT relating to the Nebraska Capitol Commission; to amend section 81-1108.32, Reissue Revised Statutes of Nebraska; to change membership provisions; and to repeal the original section.

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

Voting in the affirmative, 44:

Adams	Cook	Hansen	Langemeier	Pahls
Ashford	Cornett	Harms	Larson	Pirsch
Avery	Council	Harr, B.	Lathrop	Price
Bloomfield	Dubas	Heidemann	Louden	Schilz
Brasch	Fischer	Howard	McCoy	Schumacher
Campbell	Flood	Janssen	McGill	Smith
Carlson	Fulton	Karpisek	Mello	Wallman
Christensen	Gloor	Krist	Nelson	Wightman
Coash	Hadley	Lambert	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Haar, K.

Excused and not voting, 4:

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

### **LEGISLATIVE BILL 1121.**

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-787 and 31-789, Reissue Revised Statutes of Nebraska; to change provisions relating to signatures on recall petitions; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 42:

Adams	Cook	Harr, B.	Lathrop	Price
Ashford	Council	Heidemann	Louden	Schilz
Avery	Dubas	Howard	McCoy	Schumacher
Bloomfield	Fischer	Janssen	McGill	Smith
Brasch	Flood	Karpisek	Mello	Wallman
Campbell	Fulton	Krist	Nelson	Wightman
Carlson	Gloor	Lambert	Nordquist	
Christensen	Hansen	Langemeier	Pahls	
Coash	Harms	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 3:

Cornett            Haar, K.            Hadley

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

**LEGISLATIVE BILL 1122.** With Emergency Clause.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-912, Reissue Revised Statutes of Nebraska; to change a power of the Department of Health and Human Services relating to the limitation of certain services as prescribed; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

**LEGISLATIVE BILL 1126.**

A BILL FOR AN ACT relating to villages; to amend sections 13-327 and 13-328, Reissue Revised Statutes of Nebraska; to provide for a county to cede and transfer extraterritorial jurisdiction of land to a village as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Cook	Hadley	Lambert	Pahls
Ashford	Cornett	Hansen	Langemeier	Pirsch
Avery	Council	Harms	Larson	Price
Bloomfield	Dubas	Harr, B.	Lathrop	Schilz
Brasch	Fischer	Heidemann	Louden	Schumacher
Campbell	Flood	Howard	McCoy	Smith
Carlson	Fulton	Janssen	Mello	Wallman
Christensen	Gloor	Karpisek	Nelson	Wightman
Coash	Haar, K.	Krist	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

McGill

Excused and not voting, 4:

Conrad      Lautenbaugh      Seiler      Sullivan

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

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1140 with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 1140.**

A BILL FOR AN ACT relating to the Professional Landscape Architects Act; to amend sections 81-8,184, 81-8,185, 81-8,186, 81-8,189, 81-8,190, 81-8,191.01, 81-8,192, 81-8,193, 81-8,195, 81-8,196, 81-8,197, 81-8,198, 81-8,199, 81-8,200, 81-8,200.01, 81-8,200.02, 81-8,201, 81-8,202, 81-8,203, 81-8,204, 81-8,205, 81-8,206, and 81-8,208, Reissue Revised Statutes of Nebraska, and section 81-8,194, Revised Statutes Cumulative Supplement, 2010; to eliminate registration of professional landscape architects; to license professional landscape architects; to change provisions relating to the State Board of Landscape Architects and licensure requirements and examinations; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad            Lautenbaugh    Seiler            Sullivan

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1141.**

A BILL FOR AN ACT relating to government; to amend sections 55-157 and 81-1170.01, Reissue Revised Statutes of Nebraska; to change provisions relating to reimbursement of travel expenses for Nebraska National Guard members as prescribed; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Adams	Cook	Hadley	Lambert	Pahls
Ashford	Cornett	Hansen	Larson	Pirsch
Avery	Council	Harms	Lathrop	Price
Bloomfield	Dubas	Harr, B.	Louden	Schilz
Brasch	Fischer	Heidemann	McCoy	Schumacher
Campbell	Flood	Howard	McGill	Smith
Carlson	Fulton	Janssen	Mello	Wallman
Christensen	Gloor	Karpisek	Nelson	Wightman
Coash	Haar, K.	Krist	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Langemeier

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

### **LEGISLATIVE BILL 1148.**

A BILL FOR AN ACT relating to marriage and family therapists; to amend section 38-2133, Reissue Revised Statutes of Nebraska; to change provisions relating to qualified supervisors and supervision requirements for certification; and to repeal the original section.

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

Voting in the affirmative, 45:

Adams	Cook	Hadley	Lambert	Nordquist
Ashford	Cornett	Hansen	Langemeier	Pahls
Avery	Council	Harms	Larson	Pirsch
Bloomfield	Dubas	Harr, B.	Lathrop	Price
Brasch	Fischer	Heidemann	Louden	Schilz
Campbell	Flood	Howard	McCoy	Schumacher
Carlson	Fulton	Janssen	McGill	Smith
Christensen	Gloor	Karpisek	Mello	Wallman
Coash	Haar, K.	Krist	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Conrad           Lautenbaugh   Seiler           Sullivan

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

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 851, 865, 869, 880, 881, 896, 897, 898, 899, 936, 941, 997, 1005, 1026, 1030, 1035, 1038, 1042, 1049, 1051, 1054, 1054A, 1062, 1077, 1083, 1087, 1087A, 1101, 1106, 1116, 1121, 1122, 1126, 1140, 1141, and 1148.

**GENERAL FILE**

**LEGISLATIVE BILL 1050.** Senator Cornett withdrew her amendment AM2181, found on page 976 and considered on page 1196.

Senator Cornett offered the following motion:

MO100

Suspend the rules, Rule 7, Sec. 3(d), to permit consideration of AM2746.

Senator Cornett moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

The Cornett motion to suspend the rules prevailed with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Cornett offered the following amendment:

AM2746

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 54-784.01, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 54-784.01 Sections 54-784.01 to 54-796 and section 2 of
- 6 this act shall be known and may be cited as the Animal Importation
- 7 Act.
- 8 Sec. 2. (1) Except as otherwise provided in this
- 9 section, individual identification shall not be required for cattle
- 10 identified by a registered brand, accompanied by a state-issued
- 11 brand inspection certificate, and imported into Nebraska directly
- 12 from a mandatory brand inspection area of any state or portion of
- 13 a state.
- 14 (2) The Department of Agriculture may require cattle
- 15 described in subsection (1) of this section to be identified by
- 16 individual identification to enter the state if the Director of
- 17 Agriculture determines that:
- 18 (a) The brand registration or the brand inspection
- 19 procedures and documentation of the state of origin are
- 20 insufficient to enable the tracing of animals to their herd of
- 21 origin;
- 22 (b) Identification by brand alone is in conflict with a

- 23 standard of federal law or regulation regarding identification of  
 1 cattle moved in interstate commerce; or  
 2 (c) The cattle originate from a location that is not a  
 3 tuberculous accredited-free state or zone pursuant to 9 C.F.R. 77.7  
 4 or is not designated a brucellosis Class Free or Class A state or  
 5 area pursuant to 9 C.F.R. 78.41, as such regulations existed on  
 6 January 1, 2012.  
 7 (3) This section does not limit the authority of the  
 8 State Veterinarian to issue import orders imposing additional  
 9 requirements for animals imported into Nebraska from any state,  
 10 country, zone, or other area, including requirements relating to  
 11 identification.  
 12 Sec. 3. Original section 54-784.01, Reissue Revised  
 13 Statutes of Nebraska, is repealed.

Senator Cornett moved for a call of the house. The motion prevailed with 19 ayes, 0 nays, and 30 not voting.

The Cornett amendment was adopted with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 4, 2012, at 5:50 p.m. were the following: LBs 851, 865, 869, 880, 881, 896e, 897, 898, 899, 936e, 941, 997, 1005, 1026, 1030, 1035, 1038, 1042, 1049, 1051, 1054, 1054A, 1062, 1077, 1083e, 1087, 1087A, 1101e, 1106, 1116, 1121, 1122e, 1126, 1140, 1141, and 1148.

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

### **RESOLUTION**

**LEGISLATIVE RESOLUTION 626.** Introduced by Mello, 5.

WHEREAS, the AIM Institute, a nonprofit membership organization, was founded in 1992 to empower communities, organizations, and individuals through the use of information technology; and

WHEREAS, since its founding, the AIM Institute has fulfilled its mission well and has had a significant impact on business, government, education, and nonprofit entities across the State of Nebraska and the surrounding region; and

WHEREAS, the AIM Institute's contributions in building, connecting, and inspiring the information technology community include: Reaching over 103,000 middle school, high school, and college students through its educational initiatives; providing \$1.2 million in technology for schools, including laptop computers, smart boards, mobile tools, and other educational technology; processing eight million job applications on Careerlink.com, one of the AIM Institute's signature services; training over 50,000 information technology professionals in Nebraska and the surrounding region through its networking security, web development, and similar training events; bringing \$85.2 million in grants into the region, impacting the overall economy at a value of over \$213 million; and providing training and technical assistance through capacity building services to over 450 nonprofit organizations; and

WHEREAS, the AIM Institute is celebrating its 20th anniversary in 2012.

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

1. That the Legislature recognizes the impact that the AIM Institute has had in building, connecting, and inspiring the information technology community, congratulates the institute on its 20th anniversary, and extends its best wishes for continued success in the coming years.

2. That a copy of this resolution be sent to the AIM Institute and its President and CEO, Dr. Kandace R. Miller.

Laid over.

### SELECT FILE

**LEGISLATIVE BILL 599.** ER276, found in this day's Journal, was adopted.

Senator Krist offered the following amendment:

AM2752

(Amendments to E & R amendments, ER276)

- 1 1. Insert the following new section:
- 2 Sec. 5. This act becomes operative on May 1, 2012.
- 3 2. Renumber the remaining sections accordingly.

Senator Schilz offered the following amendment to the Krist amendment:

AM2759

(Amendments to AM2752)

- 1 1. Strike amendments 1 and 2 and insert the following new
- 2 amendments:
- 3 1. Strike section 1 and insert the following new
- 4 sections:
- 5 Section 1. Section 4-111, Revised Statutes Cumulative
- 6 Supplement, 2010, is amended to read:
- 7 4-111 Verification of lawful presence in the United
- 8 States pursuant to section 4-108 requires that the applicant for

9 public benefits attest in a format prescribed by the Department of  
10 Administrative Services that:

11 (1) He or she is a United States citizen; or

12 (2) He or she is a qualified alien under the federal  
13 Immigration and Nationality Act, 8 U.S.C. 1101 et seq., as such act  
14 existed on January 1, 2009, and is lawfully present in the United  
15 States.

16 A state agency or political subdivision of the State  
17 of Nebraska may adopt and promulgate rules and regulations or  
18 procedures for the electronic filing of the attestation required  
19 under this section if such attestation is substantially similar to  
20 the format prescribed by the Department of Administrative Services.  
21 It is the intent of the Legislature that an applicant for benefits  
22 under section 5 of this act provide the attestation required by  
1 this section as part of such application.

2 Sec. 2. Section 4-112, Revised Statutes Cumulative  
3 Supplement, 2010, is amended to read:

4 4-112 For any applicant who has executed a document  
5 described in subdivision (2) of section 4-111, eligibility for  
6 public benefits shall be verified through the Systematic Alien  
7 Verification for Entitlements Program operated by the United States  
8 Department of Homeland Security or an equivalent program designated  
9 by the United States Department of Homeland Security. Until such  
10 verification of eligibility is made, such attestation may be  
11 presumed to be proof of lawful presence for purposes of sections  
12 4-108 to 4-113 and section 5 of this act unless such verification  
13 is required before providing the public benefit under another  
14 provision of state or federal law.

15 Sec. 6. This act becomes operative on May 1, 2012.

16 2. On page 2, line 18; and page 5, lines 15 and 16,  
17 strike "4" and insert "5".

18 3. On page 6, lines 18 and 19, strike "and immigration  
19 status".

20 4. On page 9, line 2 strike "section 4-110" and insert  
21 "sections 4-111 and 4-112".

22 5. Renumber the remaining sections accordingly.

## **SENATOR CARLSON PRESIDING**

## **SENATOR LANGEMEIER PRESIDING**

Senator Fulton moved for a call of the house. The motion prevailed with 28  
eyes, 2 nays, and 19 not voting.

Senator Fulton requested a roll call vote on the Schilz amendment.

Voting in the affirmative, 11:

Bloomfield	Janssen	McCoy	Schilz
Brasch	Lambert	Nelson	Smith
Fulton	Larson	Price	

Voting in the negative, 23:

Adams	Coash	Gloor	Karpisek	Schumacher
Ashford	Cook	Haar, K.	Krist	Wallman
Avery	Cornett	Hadley	Louden	Wightman
Campbell	Council	Harr, B.	McGill	
Carlson	Dubas	Howard	Nordquist	

Present and not voting, 12:

Christensen	Hansen	Langemeier	Mello
Fischer	Harms	Lathrop	Pahls
Flood	Heidemann	Lautenbaugh	Pirsch

Excused and not voting, 3:

Conrad	Seiler	Sullivan
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The Schilz amendment lost with 11 ayes, 23 nays, 12 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

## COMMITTEE REPORTS

### Enrollment and Review

**LEGISLATIVE BILL 924.** Placed on Select File with amendment. ER281 is available in the Bill Room.

**LEGISLATIVE BILL 1050.** Placed on Select File with amendment. ER282

- 1 1. On page 1, strike beginning with "revenue" in line 1
- 2 through line 5 and insert "agriculture; to amend section 54-784.01,
- 3 Reissue Revised Statutes of Nebraska; to provide for identification
- 4 requirements for importation of certain cattle as prescribed; and
- 5 to repeal the original section."

(Signed) Tyson Larson, Chairperson

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 627.** Introduced by Krist, 10; Cook, 13.

WHEREAS, the Irvington Volunteer Fire Department is celebrating its sixtieth anniversary in 2012; and

WHEREAS, the Irvington Volunteer Fire Department has a storied history of volunteer service to its community; and

WHEREAS, the Irvington Volunteer Fire Department was founded on July 1, 1952, by a men's club to address the fire protection needs of northwestern Douglas County and has grown into one of the busiest volunteer fire departments in the state. It responds to approximately six hundred fifty emergencies per year, many of which require emergency medical services; and

WHEREAS, the 30-member department stands ready to assist its community in whatever situation arises.

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

1. That the Legislature congratulates the Irvington Volunteer Fire Department on its sixtieth anniversary and thanks the department's members for their service.

2. That a copy of this resolution be sent to the Irvington Volunteer Fire Department.

Laid over.

**LEGISLATIVE RESOLUTION 628.** Introduced by Nebraska Retirement Systems Committee: Nordquist, 7, Chairperson; Karpisek, 32; Loudon, 49; Mello, 5.

PURPOSE: To study the pensions provided for firefighters from cities of the first class.

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

1. That the Nebraska Retirement Systems Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 629.** Introduced by Mello, 5.

WHEREAS, the nonprofit research and design collaborative Emerging Terrain conducted a project that obscured the graffiti-covered grain

elevators along Interstate 80 in South Omaha with beautiful aesthetic artwork; and

WHEREAS, the project, known as Stored Potential, helps South Omaha neighborhoods retain respect and dignity, fight back against crime and graffiti, and maintain civic pride within the South Omaha community and downtown Omaha; and

WHEREAS, the collaboration of artists, organizations, volunteers, corporation sponsors, and city agencies that worked together to make Stored Potential a success has helped benefit not only members of the South Omaha community, but all Nebraskans; and

WHEREAS, the project helps reflect on the relationship between land and agriculture as well as engaging Nebraskans in a larger conversation about their built environment and raising consciousness of land-use patterns; and

WHEREAS, since Executive Director Anne Trumble founded Emerging Terrain in 2007, the organization has conducted significant projects and research that merges urban spaces and landscaping with agricultural themes and the surrounding aesthetic environment; and

WHEREAS, Anne Trumble received a 2012 Governor's Arts Award as an emerging leader on April 2, 2012.

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

1. That the Legislature commends Emerging Terrain on the success of the project known as Stored Potential that obscured the graffiti previously displayed on grain elevators in South Omaha.

2. That a copy of this resolution be sent to Emerging Terrain's Executive Director, Anne Trumble.

Laid over.

### SELECT FILE

**LEGISLATIVE BILL 599.** Senator Krist withdrew his amendment AM2752, found in this day's Journal.

Senator Campbell offered the following amendment:  
AM2755

(Amendments to E & R amendments, ER276)

- 1 1. On page 5, line 26, after "finds" insert "and
- 2 declares".

Senator Campbell asked unanimous consent to withdraw her amendment, AM2755, found in this day's Journal, and replace it with her substitute amendment, AM2761. No objections. So ordered.

AM2761

(Amendments to E & R amendments, ER276)

- 1 1. Insert the following new section:
- 2 Sec. 5. Beginning January 1, 2013, Nebraska hospitals
- 3 shall annually report the following data to the Department of

- 4 Health and Human Services:  
 5 (1) The number of live births per year;  
 6 (2) The number of prenatal care office visits by the  
 7 mother to her primary care provider;  
 8 (3) The gestational age in weeks of the baby at birth;  
 9 (4) Whether the baby was born prior to thirty-six weeks  
 10 gestational age;  
 11 (5) The number of days the baby was hospitalized after  
 12 birth;  
 13 (6) Whether the baby was admitted to a neonatal intensive  
 14 care unit after birth;  
 15 (7) Whether all or any part of the mother's prenatal care  
 16 and pregnancy-related services, labor, or delivery expenses or the  
 17 postpartum medical expenses of the baby were covered by insurance;  
 18 (8) Whether the mother paid for all or any part of the  
 19 mother's prenatal care and pregnancy-related services, labor, or  
 20 delivery expenses or the postpartum medical expenses of the baby  
 21 out of pocket;  
 22 (9) Whether all or any part of the mother's prenatal care  
 1 and pregnancy-related services, labor, or delivery expenses or the  
 2 postpartum medical expenses of the baby were paid by the medical  
 3 assistance program established under the Medical Assistance Act;  
 4 (10) Whether labor and delivery costs were paid pursuant  
 5 to emergency medicaid coverage; or  
 6 (11) Whether the mother's prenatal care and  
 7 pregnancy-related services were paid pursuant to section 4  
 8 of this act.  
 9 2. Renumber the remaining sections accordingly.

Senator Janssen offered the following amendment to the Campbell amendment:

AM2777

(Amendments to AM2761)

- 1 1. Insert the following new sections:  
 2 Sec. 6. Section 68-1708, Reissue Revised Statutes of  
 3 Nebraska, is amended to read:  
 4 68-1708 Sections 68-1708 to 68-1734 and section 9 of this  
 5 act shall be known and may be cited as the Welfare Reform Act.  
 6 Sec. 7. Section 68-1723, Reissue Revised Statutes of  
 7 Nebraska, is amended to read:  
 8 68-1723 (1) Cash assistance shall be provided only while  
 9 recipients are actively engaged in the specific activities outlined  
 10 in the self-sufficiency contract developed under section 68-1719.  
 11 If the recipients are not actively engaged in these activities, no  
 12 cash assistance shall be paid.  
 13 (2) Recipient families with at least one adult with  
 14 the capacity to work, as determined by the comprehensive assets  
 15 assessment, shall participate in the self-sufficiency contract as  
 16 a condition of receiving cash assistance. If any such adult fails

17 to cooperate in carrying out the terms of the contract, the family  
18 shall be ineligible for cash assistance.

19 (a) Adult members of recipient families whose youngest  
20 child is between the ages of twelve weeks and six months shall  
21 engage in an individually determined number of part-time hours  
22 in activities such as family nurturing, preemployment skills, or  
1 education.

2 (b) Participation in activities outlined in the  
3 self-sufficiency contract shall not be required for one parent of  
4 a recipient family whose youngest child is under the age of twelve  
5 weeks.

6 (c) Cash assistance under section 68-1724 shall be  
7 extended: (i) To cover the twelve-week postpartum recovery period  
8 for children born to recipient families; and (ii) to recognize  
9 special medical conditions of such children requiring the presence  
10 of at least one adult member of the recipient family, as determined  
11 by the state, which extend past the age of twelve weeks.

12 (d) Full participation in the activities outlined in the  
13 self-sufficiency contract shall be required for adult members of a  
14 two-parent recipient family whose youngest child is over the age of  
15 six months. Part-time participation in activities outlined in the  
16 self-sufficiency contract shall be required for an adult member of  
17 a single-parent recipient family whose youngest child is under the  
18 age of six years.

19 (e) In cases in which the only adults in the recipient  
20 family do not have parental responsibility which shall mean such  
21 adults are not the biological or adoptive parents or stepparents  
22 of the children in their care, and assistance is requested for all  
23 family members, including the adults, the family shall participate  
24 in the activities outlined in the self-sufficiency contract as a  
25 condition of receiving cash assistance.

26 (f) Unemployed or underemployed absent and able-to-work  
1 parents of children in the recipient family may participate  
2 in self-sufficiency contracts, employment, and payment of child  
3 support, and such absent parents may be required to pay all or a  
4 part of the costs of the self-sufficiency contracts.

5 (3) Individual recipients and recipient families shall  
6 have the right to request an administrative hearing (a) for the  
7 purpose of reviewing compliance by the state with the terms of  
8 the self-sufficiency contract or (b) for the purpose of reviewing  
9 a determination by the ~~department~~ Department of Health and Human  
10 Services that the recipient or recipient family has not complied  
11 with the terms of the self-sufficiency contract. It is the intent  
12 of the Legislature that an independent mediation appeal process be  
13 developed as an option to be considered.

14 (4) Applicants and recipients who test positive pursuant  
15 to the screening provided in section 9 of this act shall be  
16 ineligible for cash assistance as provided in such section and the  
rules and regulations of the department.

17 Sec. 8. Section 68-1724, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 68-1724 (1) Cash assistance shall be provided for a  
20 period or periods of time not to exceed a total of sixty months for  
21 recipient families with children subject to the following:

22 (a) If the state fails to meet the specific terms of  
23 the self-sufficiency contract developed under section 68-1719,  
24 the sixty-month time limit established in this section shall be  
25 extended;

26 (b) The sixty-month time period for cash assistance shall  
27 begin within the first month of eligibility;

1 (c) When no longer eligible to receive cash assistance,  
2 assistance shall be available to reimburse work-related child care  
3 expenses even if the recipient family has not achieved economic  
4 self-sufficiency. The amount of such assistance shall be based on a  
5 cost-shared plan between the recipient family and the state which  
6 shall provide assistance up to one hundred eighty-five percent  
7 of the federal poverty level for up to twenty-four months. A  
8 recipient family may be required to contribute up to twenty percent  
9 of such family's gross income for child care. It is the intent  
10 of the Legislature that transitional health care coverage be made  
11 available on a sliding-scale basis to individuals and families  
12 with incomes up to one hundred eighty-five percent of the federal  
13 poverty level if other health care coverage is not available; and

14 (d) The self-sufficiency contract shall be revised and  
15 cash assistance extended when there is no job available for  
16 adult members of the recipient family. It is the intent of the  
17 Legislature that available job shall mean a job which results in  
18 an income of at least equal to the amount of cash assistance that  
19 would have been available if receiving assistance minus unearned  
20 income available to the recipient family.

21 ~~The department~~ Department of Health and Human Services  
22 shall develop policy guidelines to allow for cash assistance to  
23 persons who have received the maximum cash assistance provided  
24 by this section and who face extreme hardship without additional  
25 assistance. For purposes of this section, extreme hardship means a  
26 recipient family does not have adequate cash resources to meet the  
27 costs of the basic needs of food, clothing, and housing without  
1 continuing assistance or the child or children are at risk of  
2 losing care by and residence with their parent or parents.

3 (2) Cash assistance conditions under the Welfare Reform  
4 Act shall be as follows:

5 (a) Adults in recipient families shall mean individuals  
6 at least nineteen years of age living with and related to a  
7 child eighteen years of age or younger and shall include parents,  
8 siblings, uncles, aunts, cousins, or grandparents, whether the  
9 relationship is biological, adoptive, or step;

10 (b) The payment standard shall be based upon family size;

11 (c) The adults in the recipient family shall ensure that

12 the minor children regularly attend school. Education is a valuable  
13 personal resource. The cash assistance provided to the recipient  
14 family may be reduced when the parent or parents have failed to  
15 take reasonable action to encourage the minor children of the  
16 recipient family ages sixteen and under to regularly attend school.  
17 No reduction of assistance shall be such as may result in extreme  
18 hardship. It is the intent of the Legislature that a process be  
19 developed to insure communication between the case manager, the  
20 parent or parents, and the school to address issues relating to  
21 school attendance;

22 (d) Two-parent families which would otherwise be eligible  
23 under section 43-504 or a federally approved waiver shall receive  
24 cash assistance under this section;

25 (e) For minor parents, the assistance payment shall be  
26 based on the minor parent's income. If the minor parent lives  
27 with at least one parent, the family's income shall be considered  
1 in determining eligibility and cash assistance payment levels for  
2 the minor parent. If the minor parent lives independently, support  
3 shall be pursued from the parents of the minor parent. If the  
4 absent parent of the minor's child is a minor, support from his or  
5 her parents shall be pursued. Support from parents as allowed under  
6 this subdivision shall not be pursued when the family income is  
7 less than three hundred percent of the federal poverty guidelines;

8 ~~and~~

9 (f) For adults who are not biological or adoptive  
10 parents or stepparents of the child or children in the family,  
11 if assistance is requested for the entire family, including the  
12 adults, a self-sufficiency contract shall be entered into as  
13 provided in section 68-1719. If assistance is requested for only  
14 the child or children in such a family, such children shall be  
15 eligible after consideration of the family's income and if (i)  
16 the family cooperates in pursuing child support and (ii) the minor  
17 children of the family regularly attend school; ~~and~~;

18 (g) Applicants and recipients who test positive pursuant  
19 to the screening provided in section 9 of this act shall be  
20 ineligible for cash assistance as provided in such section and the  
21 rules and regulations of the department.

22 Sec. 9. The Department of Health and Human Services shall  
23 develop a program to screen any applicant for or recipient of cash  
24 assistance under the Welfare Reform Act for the use of a controlled  
25 substance not prescribed for him or her by a licensed health care  
26 provider if the department has reasonable cause to believe such  
27 applicant or recipient is using such a controlled substance. If the  
1 applicant or recipient tests positive pursuant to such screening  
2 program, the department shall conduct an administrative hearing to  
3 review the case. If, after such hearing, the department determines  
4 that the positive result was accurate, it shall declare the  
5 applicant or recipient ineligible for such cash assistance benefits  
6 for a period of one year from the date of such determination. The

7 ruling of the department may be appealed, and the appeal shall be  
 8 in accordance with the Administrative Procedure Act.

9 The department shall refer an applicant or a recipient  
 10 declared ineligible for cash assistance benefits under this section  
 11 to the Division of Behavioral Health of the department for referral  
 12 to a substance abuse treatment program.

13 2. Insert the following new amendments:

14 2. On page 5, line 26, after "finds" insert "and  
 15 declares".

16 3. On page 9, line 1, strike "section 68-915" and insert  
 17 "sections 68-915, 68-1708, 68-1723, and 68-1724".

18 4. Renumber the remaining sections accordingly.

Senator Janssen moved for a call of the house. The motion prevailed with 35 ayes, 0 nays, and 14 not voting.

Senator Janssen requested a roll call vote on his amendment.

Voting in the affirmative, 15:

Bloomfield	Fulton	Karpisek	Lautenbaugh	Price
Brasch	Heidemann	Lambert	McCoy	Schilz
Fischer	Janssen	Larson	Nelson	Smith

Voting in the negative, 13:

Adams	Campbell	Cornett	Krist	Wallman
Ashford	Carlson	Council	Louden	
Avery	Cook	Howard	McGill	

Present and not voting, 18:

Christensen	Gloor	Harms	Mello	Schumacher
Coash	Haar, K.	Harr, B.	Nordquist	Wightman
Dubas	Hadley	Langemeier	Pahls	
Flood	Hansen	Lathrop	Pirsch	

Excused and not voting, 3:

Conrad	Seiler	Sullivan
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The Janssen amendment lost with 15 ayes, 13 nays, 18 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Campbell withdrew her amendment, AM2761.

Senator Nordquist offered the following amendment:

AM2754

(Amendments to E & R amendments, ER276)

- 1 1. On page 5, line 16, strike "Except as provided in" and
- 2 insert "Subject to".

Senator Nordquist withdrew his amendment.

Senator McGill offered the following amendment:

AM2751

(Amendments to E & R amendments, ER276)

- 1 1. On page 6, line 9, strike "age" and insert "the age
- 2 of".

Senator McGill withdrew her amendment.

Senator Lathrop offered the following amendment:

AM2750

(Amendments to E & R amendments, ER276)

- 1 1. Strike section 6.

Senator Lathrop withdrew his amendment.

Senator Nelson offered the following amendment:

AM2747

(Amendments to E & R amendments, ER276)

- 1 1. Strike section 1.
- 2 2. On page 2, line 18; and page 5, lines 15 and 16,
- 3 strike "4" and insert "3".
- 4 3. On page 6, lines 18 and 19, strike "and immigration
- 5 status".
- 6 4. On page 9, strike beginning with "section" in line 2
- 7 through the first comma in line 3.
- 8 5. Renumber the remaining sections accordingly.

**SENATOR CARLSON PRESIDING**

**SENATOR LANGEMEIER PRESIDING**

Senator Nelson moved for a call of the house. The motion prevailed with 35 ayes, 0 nays, and 14 not voting.

Senator Nelson requested a roll call vote on his amendment.

Voting in the affirmative, 15:

Bloomfield	Fulton	Janssen	Lautenbaugh	Price
Brasch	Hansen	Lambert	McCoy	Schilz
Fischer	Heidemann	Larson	Nelson	Smith

Voting in the negative, 14:

Ashford	Conrad	Council	Karpisek	Schumacher
Avery	Cook	Gloor	Krist	Wallman
Campbell	Cornett	Howard	McGill	

Present and not voting, 18:

Adams	Dubas	Harms	Louden	Pirsch
Carlson	Flood	Harr, B.	Mello	Wightman
Christensen	Haar, K.	Langemeier	Nordquist	
Coash	Hadley	Lathrop	Pahls	

Excused and not voting, 2:

Seiler	Sullivan
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The Nelson amendment lost with 15 ayes, 14 nays, 18 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Fulton requested a record vote on the advancement of the bill.

Voting in the affirmative, 29:

Adams	Coash	Flood	Howard	Mello
Ashford	Conrad	Gloor	Karpisek	Nordquist
Avery	Cook	Haar, K.	Krist	Schumacher
Campbell	Cornett	Hadley	Lathrop	Wallman
Carlson	Council	Harms	Louden	Wightman
Christensen	Dubas	Harr, B.	McGill	

Voting in the negative, 16:

Bloomfield	Hansen	Langemeier	Pirsch
Brasch	Heidemann	Lautenbaugh	Price
Fischer	Janssen	McCoy	Schilz
Fulton	Lambert	Nelson	Smith

Present and not voting, 2:

Larson	Pahls
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Excused and not voting, 2:

Seiler	Sullivan
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Advanced to Enrollment and Review for Engrossment with 29 ayes, 16 nays, 2 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 599A.** ER277, found in this day's Journal, was adopted.

Advanced to Enrollment and Review for Engrossment.

### **VISITORS**

Visitors to the Chamber were 15 UNL Reporting Students, Lincoln; 18 fourth-grade students and teacher from Arapahoe; 80 second-grade students, teachers, and sponsors from Wahoo; 73 fourth-grade students, teachers, and sponsors from Pine Creek Elementary, Bennington; 10 ninth-grade students and sponsors from North Platte Leadership Academy; Senator Hansen's granddaughter, Morgan Hansen, from North Platte; Senator Fischer's sons, Morgan and Luke Fischer, from Valentine; Jessica, Caroline, and Elsa Covi from Omaha; and Betty Leggott from Grand Island.

The Doctor of the Day was Dr. Pat Hotovy from York.

### **ADJOURNMENT**

At 10:08 p.m., on a motion by Speaker Flood, the Legislature adjourned until 8:00 a.m., Thursday, April 5, 2012.

Patrick J. O'Donnell  
Clerk of the Legislature

