

EIGHTH DAY - JANUARY 18, 2013**LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION****EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, January 18, 2013

PRAYER

The prayer was offered by Pastor Matt Rappley, Judson Baptist Church, La Vista.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Carlson presiding.

The roll was called and all members were present except Senator Nelson who was excused; and Senator Ashford who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB126	Appropriations (rereferred)
LB239	Banking, Commerce and Insurance
LB240	Health and Human Services
LB241	Government, Military and Veterans Affairs
LB242	Executive Board
LB243	Health and Human Services
LB244	General Affairs
LB245	Health and Human Services
LB246	Judiciary
LB247	Judiciary
LB248	Business and Labor
LB249	Transportation and Telecommunications
LB250	Transportation and Telecommunications
LB251	Revenue
LB252	Education

LB253	Education
LB254	Education
LB255	Judiciary
LB256	Judiciary
LB257	Government, Military and Veterans Affairs
LB258	Transportation and Telecommunications
LB259	General Affairs
LB260	Health and Human Services
LB261	Health and Human Services
LB262	Education
LB263	Nebraska Retirement Systems
LB264	Revenue
LB265	Health and Human Services
LB266	Revenue
LB267	Judiciary
LB268	Appropriations
LB269	Health and Human Services
LB270	Health and Human Services
LB271	Government, Military and Veterans Affairs
LB272	Natural Resources
LB273	General Affairs
LB274	Education
LB275	Education
LB276	Health and Human Services
LB277	Judiciary
LB278	Government, Military and Veterans Affairs
LB279	Banking, Commerce and Insurance
LB280	Judiciary
LB281	Revenue
LB282	Revenue
LB283	Banking, Commerce and Insurance
LB284	Judiciary
LB285	Appropriations
LB286	Appropriations
LB287	Agriculture
LB288	Agriculture
LB289	Judiciary
LB290	Banking, Commerce and Insurance
LB291	Business and Labor
LB292	Government, Military and Veterans Affairs
LB293	Judiciary
LB294	Government, Military and Veterans Affairs
LB295	Urban Affairs
LB296	Revenue
LB297	Business and Labor
LR22	Health and Human Services

(Signed) John Wightman, Chairperson
Executive Board

EXECUTIVE BOARD REPORT

Senator Wightman, Chairperson of the Executive Board, reported the appointment of the following member of the Legislature to the following special committee:

Homeland Security Policy Group

Senator Bill Kintner - member of Appropriations Committee

(Signed) John Wightman, Chairperson
Legislative Council, Executive Board

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

Room 1507

Monday, January 28, 2013 1:30 p.m.

LB213
LB214
LB279
LB290

(Signed) Mike Gloor, Chairperson

General Affairs

Room 1510

Monday, January 28, 2013 1:30 p.m.

LB173
LB230
LB259
LB273

(Signed) Russ Karpisek, Chairperson

Agriculture

Room 2102

Tuesday, January 29, 2013 1:30 p.m.

LB15
LB68
LB69

(Signed) Ken Schilz, Chairperson

Transportation and Telecommunications

Room 1113

Monday, January 28, 2013 1:30 p.m.

Rhonda Lahm: Director, Department of Motor Vehicles
LB32
LB207
LB249
LB250

(Signed) Annette Dubas, Chairperson

Education

Room 1525

Monday, January 28, 2013 1:30 p.m.

LB121
LB135
LB211
LB252

(Signed) Kate Sullivan, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 17, 2013, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Amack, Angela K.
Public Advocacy, The Nebraska Commission on
Barrett, John
Cox Communications (Withdrawn 01/17/2013)
Bedke, Eric J.
ABATE of Nebraska, Inc.
Brashear, Kermit A.
Blue Cross and Blue Shield of Nebraska
Freeman, Jessica
Nebraska Friends of Midwives
Goc, John J.
Metropolitan Utilities District
Mills Consulting, Inc.
Habben, Jon
Rural Community Schools Association, Nebraska

Hunter, Law Offices of Bruce D.
 Communities In Schools of Nebraska Inc.
 McKenzie, Janis M.
 Gifted, Nebraska Association for the
 Mines & Associates
 Peetz & Company
 North Platte Valley Water Association
 Radcliffe, Walter H. of Radcliffe and Associates
 Davis, W. Scott
 HBAL/MOBA Coalition
 Kissel/E&S Associates, LLC
 Lieben, Whitted, Houghton, Slowiaczek & Cavanaugh, P.C., L.L.O
 Ramaekers, Larry
 Grand Island Northwest Public Schools
 Sherman, Becky
 Nebraska Friends of Midwives
 Wright, Lee
 Farmers Group, Inc.

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:
<http://www.nebraskalegislature.gov/agencies/view.php>

ANNOUNCEMENT

The Legislative Performance Audit Committee elected Senator Harms as Chairperson and Senator Watermeier as Vice Chairperson.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 340. Introduced by Natural Resources Committee: Carlson, 38, Chairperson; Brasch, 16; Johnson, 23; Kolowski, 31; Schilz, 47.

A BILL FOR AN ACT relating to public power; to amend section 70-1013, Revised Statutes Cumulative Supplement, 2012; to change a hearing requirement; and to repeal the original section.

LEGISLATIVE BILL 341. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1807, 77-1808, 77-1812, 77-1813, 77-1818, 77-1822, 77-1823, 77-1830, 77-1836, 77-1849, and 77-1936, Reissue Revised Statutes of Nebraska, and sections 77-1824, 77-1824.01, 77-1825, 77-1831, 77-1832, and 77-1833, Revised Statutes Cumulative Supplement, 2012; to change and eliminate provisions relating to tax sales for delinquent property taxes; to harmonize provisions; to provide an operative date; to repeal the original sections; and

to outright repeal sections 77-1820, 77-1926, and 77-1937, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 342. Introduced by Coash, 27.

A BILL FOR AN ACT relating to parental rights; to amend sections 43-247, 43-279.01, 43-284, 43-284.01, 43-1411.01, and 43-2930, Reissue Revised Statutes of Nebraska, and sections 42-364, 43-245, 43-253, and 43-272.01, Revised Statutes Cumulative Supplement, 2012; to define terms; to eliminate obsolete provisions; to change right to counsel and procedure provisions in abuse and neglect and termination of parental rights proceedings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 343. Introduced by Coash, 27.

A BILL FOR AN ACT relating to intellectual disability; to amend sections 21-610, 23-104.03, 28-105.01, 30-2624, 31-113, 38-2404, 42-374, 43-289, 44-710.01, 71-421, 71-1107, 71-1110, 71-2102, 71-6018.01, 77-1827, 79-712, 79-1118.01, 79-1128, 83-101.06, 83-112, 83-217, 83-218, 83-363, 83-381, 83-382, 83-383, 83-386, 83-387, 83-389, and 83-1205, Reissue Revised Statutes of Nebraska, and sections 68-1202 and 79-1124, Revised Statutes Cumulative Supplement, 2012; to change terminology related to mental retardation; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 344. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Nebraska Health Care Certificate of Need Act; to amend section 71-5829.04, Reissue Revised Statutes of Nebraska; to change provisions relating to the moratorium on long-term care beds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 345. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to transfer on death deeds; to amend sections 76-2,126 and 76-3409, Revised Statutes Cumulative Supplement, 2012; to change requirements for transfer on death deeds and filings related to transfer on death deeds; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 346. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to schools; to amend sections 77-3442, 79-1003, and 79-1028.01, Revised Statutes Cumulative Supplement, 2012; to authorize school districts to levy for school security measures as prescribed; to redefine a term; to authorize school districts to exceed budget authority as prescribed; to authorize the creation of school funds; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 347. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to health care facilities; to amend section 71-401, Revised Statutes Cumulative Supplement, 2012; to state intent; to provide for a moratorium on issuance of certain licenses as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 348. Introduced by B. Harr, 8; Conrad, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1333, Reissue Revised Statutes of Nebraska; to state findings; to change provisions relating to the assessment of certain rent-restricted housing projects; and to repeal the original section.

LEGISLATIVE BILL 349. Introduced by Murante, 49.

A BILL FOR AN ACT relating to elections; to amend sections 32-620, 32-1005, 32-1007, and 32-1008, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to ballot status for candidates for President and Vice President of the United States; to provide for a write-in campaign for the office of President; to change provisions regarding counting votes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 350. Introduced by Murante, 49.

A BILL FOR AN ACT relating to the Nebraska Police Standards Advisory Council; to amend section 81-1407, Reissue Revised Statutes of Nebraska; to add members to the council as prescribed; and to repeal the original section.

LEGISLATIVE BILL 351. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,118, Reissue Revised Statutes of Nebraska; to require a cognitive test for persons eighty years of age or older as prescribed; to provide an exception; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 352. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2429, Reissue Revised Statutes of Nebraska, and section 69-2427, Revised Statutes Cumulative Supplement, 2012; to define a term; to provide signage requirements and duties for the Nebraska State Patrol; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 353. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3228, Reissue Revised Statutes of Nebraska; to restrict rule and regulation authority; and to repeal the original section.

LEGISLATIVE BILL 354. Introduced by Larson, 40.

A BILL FOR AN ACT relating to agriculture; to amend sections 49-1499.02 and 66-1333, Reissue Revised Statutes of Nebraska, and section 66-1345.01, Revised Statutes Cumulative Supplement, 2012; to adopt the Nebraska Corn Promotion Act and repeal the Nebraska Corn Resources Act; to create a board; to create and eliminate funds; to provide a penalty; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 2-3601, 2-3602, 2-3603, 2-3604, 2-3605, 2-3606, 2-3607, 2-3608, 2-3609, 2-3610, 2-3611, 2-3612, 2-3614, 2-3615, 2-3616, 2-3617, 2-3618, 2-3619, 2-3620, 2-3621, 2-3622, 2-3623, 2-3627, 2-3628, 2-3629, 2-3630, 2-3631, 2-3632, 2-3633, 2-3634, and 2-3635, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 355. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the age of majority; to amend sections 2-1207, 8-2602, 9-255.06, 9-255.09, 9-334, 9-633, 9-646, 9-810, 9-814, 9-823, 9-826, 13-317, 20-403, 21-1724, 21-1781, 23-1213.01, 23-1824, 25-1601, 28-319, 28-320.01, 28-457, 28-833, 29-2270, 30-2412, 30-2603, 30-3402, 30-3502, 38-165, 38-1710, 38-2421, 38-3122, 42-371.01, 43-104.09, 43-117.01, 43-284.02, 43-289, 43-290, 43-294, 43-504, 43-2721, 43-3703, 44-7.103, 44-4053, 44-5238, 48-122.01, 48-124, 49-801, 53-168.06, 53-181, 53-1.122, 60-4.120.01, 60-6.157, 60-6.340, 68-1724, 71-629, 71-808, 71-824, 71-20.120, 71-3405, 71-4808, 71-6039.01, 76-1494, 79-296, 80-403, 81-885.13, 81-1916, 81-1936, 81-2036, 83-383, and 83-388, Reissue Revised Statutes of Nebraska, and sections 25-1628, 25-21.271, 28-311.08, 28-319.01, 28-416, 28-728, 28-813.01, 28-1463.04, 28-1463.05, 29-401, 29-4016, 30-2209, 30-2604, 30-3902, 32-602, 37-413, 37-452, 38-129, 43-245, 43-412, 43-1311.03, 43-2404.02, 43-2922, 53-180.05, 64-101, 68-915, 68-2002, 68-2004, 68-2005, 71-9105, 76-2228.01, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 77-2704.63, 79-215, 79-267, 79-1003, 81-6.120, 81-1917, and 81-2026, Revised Statutes Cumulative Supplement, 2012; to change the age of majority from nineteen to eighteen years of age and certain age requirements as prescribed; to define and redefine terms; to change reporting provisions; to eliminate obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 44-706.01 and 71-826, Reissue Revised Statutes of Nebraska, and section 43-2101, Revised Statutes Cumulative Supplement, 2012.

LEGISLATIVE BILL 356. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to schools; to prohibit participation in co-curricular or extracurricular activities as prescribed; and to provide exceptions.

LEGISLATIVE BILL 357. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003 and 79-1028.01, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to budget limitations; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 358. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend section 76-2308, Reissue Revised Statutes of Nebraska; to redefine excavation; and to repeal the original section.

LEGISLATIVE BILL 359. Introduced by Cook, 13.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility redetermination for a child care subsidy as prescribed; and to repeal the original section.

LEGISLATIVE BILL 360. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to fees; to amend sections 60-158, 69-2404, and 83-424, Reissue Revised Statutes of Nebraska, and sections 24-703 and 33-117, Revised Statutes Cumulative Supplement, 2012; to change court fees, sheriff's fees, identification inspection fees, and handgun certificate fees; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 361. Introduced by Howard, 9; Conrad, 46.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-3404, 71-3405, 71-3406, 71-3408, 71-3409, 71-3410, and 71-3411, Reissue Revised Statutes of Nebraska, and section 71-3407, Revised Statutes Cumulative Supplement, 2012; to name the Child and Maternal Death Review Act; to state intent; to define terms; to provide for review of maternal deaths; to change review procedures for child deaths; to rename and change membership of the review team; to change and provide powers and duties; to provide for a team coordinator; to change provisions relating to information and records; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 362. Introduced by Avery, 28; Harms, 48.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 37-434, 37-436, 37-441, 37-442, 37-443, 37-446, and 60-1513, Reissue Revised Statutes of Nebraska, and sections 37-438 and 60-3,156, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to park entry permits; to provide fees for motor vehicle registration; to provide for distribution and use of the fees; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 363. Introduced by Avery, 28.

A BILL FOR AN ACT relating to public records; to amend section 84-712.03, Reissue Revised Statutes of Nebraska, and section 84-712, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to access; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 364. Introduced by Avery, 28.

A BILL FOR AN ACT relating to government contracts; to amend section 49-14,102, Reissue Revised Statutes of Nebraska; to permit certain government bodies to set limits on certain contracts; and to repeal the original section.

LEGISLATIVE BILL 365. Introduced by Avery, 28.

A BILL FOR AN ACT relating to schools; to require instruction in certain emergency procedures as a requirement for high school graduation as prescribed; and to provide for a waiver.

LEGISLATIVE BILL 366. Introduced by Cook, 13.

A BILL FOR AN ACT relating to education; to amend section 9-812, Reissue Revised Statutes of Nebraska; to adopt the Remedial Adult Education Innovation Act; to change provisions relating to the Education Innovation Fund; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 367. Introduced by Cook, 13.

A BILL FOR AN ACT relating to education; to adopt the Twenty-First Century Developmental Education Act.

LEGISLATIVE BILL 368. Introduced by Crawford, 45; Mello, 5.

A BILL FOR AN ACT relating to employment; to state findings; to create and provide for a subsidized employment pilot program; to provide duties for the Department of Health and Human Services and the Department of

Labor; to provide for termination of the program; to state intent relating to appropriations; and to provide an operative date.

LEGISLATIVE BILL 369. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to probation and parole; to amend sections 29-2257 and 29-2262.06, Reissue Revised Statutes of Nebraska, and sections 29-2252, 29-2255, 29-2262.07, and 83-1,102, Revised Statutes Cumulative Supplement, 2012; to provide duties for the probation administrator and the Parole Administrator; to harmonize provisions; to eliminate obsolete provisions; and to repeal the original sections.

LEGISLATIVE BILL 370. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-518, Reissue Revised Statutes of Nebraska; to create the County Property Tax Assistance Program and the Municipal Property Tax Assistance Program; to provide powers and duties; to create funds; to harmonize provisions; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 371. Introduced by Mello, 5; Karpisek, 32; Krist, 10.

A BILL FOR AN ACT relating to state government; to adopt the Transparency in Government Procurement Act.

LEGISLATIVE BILL 372. Introduced by Mello, 5; Janssen, 15; Karpisek, 32; Seiler, 33.

A BILL FOR AN ACT relating to the Department of Administrative Services; to adopt the Buy Nebraska Act; to eliminate provisions relating to resident bidder preferences; and to outright repeal sections 73-101.01 and 73-101.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 373. Introduced by Mello, 5; Lathrop, 12.

A BILL FOR AN ACT relating to contractors; to amend sections 45-1201, 45-1202, 45-1203, and 45-1204, Reissue Revised Statutes of Nebraska; to change and eliminate provisions of the Nebraska Construction Prompt Pay Act; to repeal the original sections; and to outright repeal section 45-1207, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 374. Introduced by Nelson, 6; Pirsch, 4.

A BILL FOR AN ACT relating to bail; to amend section 29-2206, Revised Statutes Cumulative Supplement, 2012; to provide for a delinquent child support payment lien on an appearance bond as prescribed; to provide a duty for the Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 375. Introduced by Lathrop, 12; Wallman, 30.

A BILL FOR AN ACT relating to appropriations; to designate funds to be used for services for persons with developmental disabilities.

LEGISLATIVE BILL 376. Introduced by Johnson, 23; Christensen, 44; Davis, 43; Hadley, 37; Schilz, 47; Seiler, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development.

LEGISLATIVE BILL 377. Introduced by Johnson, 23.

A BILL FOR AN ACT relating to county roads; to amend section 39-1702, Reissue Revised Statutes of Nebraska; to change provisions relating to annexation of a county road by a city or village; and to repeal the original section.

LEGISLATIVE BILL 378. Introduced by Smith, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,122, 60-3,123, 60-3,124, and 60-3,125, Reissue Revised Statutes of Nebraska; to eliminate the additional fee for the issuance of Pearl Harbor, prisoner of war, disabled veteran, and Purple Heart license plates; and to repeal the original sections.

LEGISLATIVE BILL 379. Introduced by Nelson, 6; Kolowski, 31; Krist, 10.

A BILL FOR AN ACT relating to committed persons; to amend section 83-173.01, Reissue Revised Statutes of Nebraska, and sections 83-184 and 83-1,107, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to certain notices of furlough; to change furlough and reduction of sentence provisions for certain offenses; and to repeal the original sections.

LEGISLATIVE BILL 380. Introduced by Howard, 9; Ashford, 20; Avery, 28; Conrad, 46; B. Harr, 8; McGill, 26; Nordquist, 7.

A BILL FOR AN ACT relating to adoption; to amend sections 43-101, 43-104.08, 43-104.13, 43-104.15, 43-104.18, 43-104.19, and 43-111, Reissue Revised Statutes of Nebraska; to provide for adoption by two adult persons jointly; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 381. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to elections; to amend sections 32-110.02, 32-311.01, 32-321, 32-902, 32-914, 32-938, 32-953, and 32-1027, Reissue Revised Statutes of Nebraska, and sections 32-915, 32-947, 32-1002,

60-4,115, and 60-4,181, Revised Statutes Cumulative Supplement, 2012; to require presentation of a government-issued photographic identification document to vote; to provide exceptions; to provide for provisional ballots; to change requirements for identification for certain first-time voters; to change provisions for issuance of state identification cards; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-318.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 382. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-714 and 32-1038, Reissue Revised Statutes of Nebraska, and section 32-710, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to ballots cast by presidential electors; and to repeal the original sections.

LEGISLATIVE BILL 383. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,130.04, Reissue Revised Statutes of Nebraska, and sections 60-301, 60-393, 60-395, 60-396, and 60-3,104, Revised Statutes Cumulative Supplement, 2012; to provide for Nebraska Armed Forces Pride Plates; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 384. Introduced by Nordquist, 7; Campbell, 25.

A BILL FOR AN ACT relating to insurance; to adopt the Nebraska Exchange Transparency Act; and to declare an emergency.

LEGISLATIVE BILL 385. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to children; to amend sections 43-2,129, 43-1311.01, and 71-1902, Revised Statutes Cumulative Supplement, 2012; to prohibit certain bases for discrimination relating to placement; to provide placement standards; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 386. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to counties; to amend section 39-1802, Reissue Revised Statutes of Nebraska; to require notice of certain maintenance actions as prescribed; and to repeal the original section.

LEGISLATIVE BILL 387. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to public roads; to eliminate provisions relating to the power of a county board to construct drainage facilities on public roads and to perform other control measures; and to outright repeal section 39-1802, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 388. Introduced by Natural Resources Committee: Carlson, 38, Chairperson; Dubas, 34; Johnson, 23; Kolowski, 31; Schilz, 47.

A BILL FOR AN ACT relating to public power; to amend sections 16-901, 17-1001, 70-101, 70-301, 70-304, 70-305, 70-306, 70-307, 70-408, 70-409, 70-1002, 70-1002.01, 70-1002.02, 70-1004, 70-1005, 70-1007, 70-1008, 70-1009, 70-1010, 70-1011, 70-1012, 70-1012.01, 70-1017, and 70-1018, Reissue Revised Statutes of Nebraska, and sections 70-1001, 70-1001.01, 70-1003, 70-1013, 70-1014.01, 70-1014.02, and 70-1015, Revised Statutes Cumulative Supplement, 2012; to define and redefine terms; to provide for construction of electric transmission lines by an incumbent owner as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 389. Introduced by Bolz, 29; Campbell, 25; Coash, 27; Wallman, 30.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2715.07, Revised Statutes Cumulative Supplement, 2012; to provide an income tax credit for adoption and guardianship costs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 390. Introduced by Christensen, 44; Kintner, 2.

A BILL FOR AN ACT relating to the Emergency Management Act; to amend section 81-829.40, Reissue Revised Statutes of Nebraska, and section 81-829.36, Revised Statutes Cumulative Supplement, 2012; to prohibit the suspension or limitation on the sale, dispensing, or transportation of firearms or ammunition by the Governor during a state of emergency; to proscribe prohibitions or restrictions on the possession, use, carrying, transfer, transportation, storage, or display of firearms or ammunition during a state of emergency; and to repeal the original sections.

LEGISLATIVE BILL 391. Introduced by Davis, 43; Bloomfield, 17; Carlson, 38; Christensen, 44; Hansen, 42; Larson, 40; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to water law; to amend section 46-241, Reissue Revised Statutes of Nebraska; to change provisions relating to storage reservoirs and underground water storage; and to repeal the original section.

LEGISLATIVE BILL 392. Introduced by Lathrop, 12; Coash, 27.

A BILL FOR AN ACT relating to crimes and offenses; to eliminate certain firearms provisions no longer authorized by federal law; and to outright repeal section 28-1211, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 393. Introduced by Bloomfield, 17; Brasch, 16; Christensen, 44; Davis, 43; Janssen, 15; Karpisek, 32; Kintner, 2; Krist, 10; Larson, 40; Murante, 49; Scheer, 19; Schilz, 47.

A BILL FOR AN ACT relating to motorcycles; to amend section 60-6,279, Reissue Revised Statutes of Nebraska; to change helmet provisions; to require eye protection; and to repeal the original section.

LEGISLATIVE BILL 394. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Affordable Housing Trust Fund; to amend section 58-706, Revised Statutes Cumulative Supplement, 2012; to authorize support for vocational training in the housing and construction trades industries; and to repeal the original section.

LEGISLATIVE BILL 395. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-907, Revised Statutes Cumulative Supplement, 2012; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 396. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Court; to amend section 48-152, Reissue Revised Statutes of Nebraska; to authorize contempt and other sanctions; and to repeal the original section.

LEGISLATIVE BILL 397. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to insurance; to require screening coverage for amino acid-based formulas.

LEGISLATIVE BILL 398. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,300, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to certain excessively loaded vehicles; and to repeal the original section.

LEGISLATIVE BILL 399. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,232, Revised Statutes Cumulative Supplement, 2012; to permit a rotating or flashing amber light on a motor vehicle operated on behalf of a public safety or crime prevention organization as prescribed; and to repeal the original section.

LEGISLATIVE BILL 400. Introduced by Lautenbaugh, 18; Lathrop, 12; Nordquist, 7.

A BILL FOR AN ACT relating to appropriations; to state intent relating to aid to community colleges.

LEGISLATIVE BILL 401. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to schools; to amend sections 13-916, 17-159, 48-1503, 66-1063, 79-405, 79-407, 79-409, 79-514, 79-516, 79-601, 79-610, 79-734, 79-746, and 79-10,105, Reissue Revised Statutes of Nebraska, and sections 79-408 and 79-2115, Revised Statutes Cumulative Supplement, 2012; to adopt the School Purchasing Act; to harmonize provisions; and to repeal the original sections.

RESOLUTIONS

LEGISLATIVE RESOLUTION 25. Introduced by McCoy, 39.

WHEREAS, Elyse Mancuso, a student at Elkhorn South High School, won the Jeopardy! Teen Tournament; and

WHEREAS, Ms. Mancuso won \$79,600 over the two-night final, the most for any teen version of the show; and

WHEREAS, the Legislature recognizes the outstanding achievements of the youth of our state.

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

1. That the Legislature congratulates Elyse Mancuso on winning the Jeopardy! Teen Tournament.

2. That a copy of this resolution be sent to Elyse Mancuso.

Laid over.

LEGISLATIVE RESOLUTION 26. Introduced by McCoy, 39.

WHEREAS, the Elkhorn South High School girls' golf team won the 2012 Class B Girls' State Golf Championship; and

WHEREAS, the win gave Elkhorn South High School its second straight state championship; and

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

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

1. That the Legislature congratulates the Elkhorn South High School girls' golf team on winning the 2012 Class B Girls' State Golf Championship.

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

Laid over.

LEGISLATIVE RESOLUTION 27. Introduced by McCoy, 39.

WHEREAS, the Elkhorn South High School boys' tennis team won the 2012 Class B Boys' State Tennis Championship; and

WHEREAS, the win gave Elkhorn South High School its second straight state championship; and

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

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

1. That the Legislature congratulates the Elkhorn South High School boys' tennis team on winning the 2012 Class B Boys' State Tennis Championship.

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

Laid over.

LEGISLATIVE RESOLUTION 28. Introduced by McCoy, 39.

WHEREAS, the Mount Michael Benedictine High School boys' cross country team won the 2012 Class B Boys' State Cross Country Championship; and

WHEREAS, team members showed incredible perseverance, determination, and teamwork in winning the state championship; and

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

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

1. That the Legislature congratulates the Mount Michael Benedictine High School boys' cross country team on winning the 2012 Class B Boys' State Cross Country Championship.

2. That a copy of this resolution be sent to the Mount Michael Benedictine High School boys' cross country team.

Laid over.

LEGISLATIVE RESOLUTION 29CA. Introduced by Adams, 24.

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

Section 1. At the general election in November 2014 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 VIII, section 12:

VIII-12 For the purpose of rehabilitating, acquiring, or redeveloping ~~substandard and blighted~~ property in need of rehabilitation or redevelopment in a redevelopment project as determined by law, any city or village of the state may, notwithstanding any other provision in the Constitution, and without regard to charter limitations and restrictions, incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise.

Notwithstanding any other provision in the Constitution or a local charter, such cities or villages may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies, which taxes shall be at such rate for a period not to exceed ~~fifteen~~ twenty years, on the assessed valuation of the property in the project area portion of a designated ~~blighted and substandard~~ area in need of rehabilitation or redevelopment that is in excess of the assessed valuation of such property for the year prior to such rehabilitation, acquisition, or redevelopment.

When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

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 standards for redevelopment projects and change the special tax treatment for property in need of rehabilitation or redevelopment from fifteen to twenty years.

For

Against.

LEGISLATIVE RESOLUTION 30. Introduced by Nelson, 6.

WHEREAS, Juan Chavez, a 2012 graduate of Burke High School in Omaha, has been awarded the prestigious Gates Millennium Scholarship through the Bill and Melinda Gates Foundation; and

WHEREAS, the Gates Millennium Scholars Program selects only 1,000 students nationwide for a full scholarship covering tuition, books, room and board, and additional fees through graduation at any college or university of the student's choice; and

WHEREAS, the scholarship requires that the student receive a nomination from a teacher or counselor and a recommendation from a member of the community, that the student achieve a minimum grade point average of 3.3 on a 4.0 scale, and that the student demonstrate leadership and perform community service hours; and

WHEREAS, Juan Chavez's teachers and counselors at Burke High School supported his nomination and fostered his academic success; and

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

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

1. That the Legislature congratulates Juan Chavez for winning the prestigious Gates Millennium Scholarship.

2. That the Legislature congratulates the teachers and counselors at Burke High School for helping Juan Chavez achieve this honor.

3. That a copy of this resolution be sent to Juan Chavez and Burke High School.

Laid over.

LEGISLATIVE RESOLUTION 31. Introduced by Campbell, 25; Avery, 28; Coash, 27; Dubas, 34; McGill, 26; Pirsch, 4.

WHEREAS, in 2009, in response to Nebraska's lack of behavioral health services for children and families, the Legislature passed LB 603, which enacted the Children and Family Behavioral Health Support Act and the Behavioral Health Workforce Act. The legislation created several programs intended to help families who were faced with children's behavioral health problems, including the Children and Family Support Hotline, the Family Navigator Program, and the post-adoption and post-guardianship assistance program (known as Right Turn). In addition to these new programs, LB 603 expanded existing programs, including the Professional Partner Programs in the state's six behavioral health regions. LB 603 also created the Behavioral Health Education Center, administered by the University of Nebraska Medical Center, to increase the number of behavioral healthcare practitioners in Nebraska. To monitor the effect of implementation of this legislation, LB 603 created the Children's Behavioral Health Oversight Committee of the Legislature as a special committee of the Legislature. The committee was also charged with monitoring other child welfare and juvenile justice initiatives by the Department of Health and Human Services related to the provision of behavioral health services to children and their families; and

WHEREAS, LB 603 provided that the Children's Behavioral Health Oversight Committee of the Legislature, and the section of statute which created it (71-827), would terminate on December 31, 2012; and

WHEREAS, in 2012 the Legislature passed and Governor Heineman signed LB 821, which created the Nebraska Children's Commission, charged with creating a system-wide strategic plan for child welfare, reviewing Department of Health and Human Services' operations regarding child welfare, and providing a permanent forum for state, local, and community collaboration on child welfare; and

WHEREAS, though no longer provided for by statute, the Children's Behavioral Health Oversight Committee of the Legislature warrants a one-year extension to transition its oversight to the Nebraska Children's Commission.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint the Children's Behavioral Health Oversight Committee of the Legislature as a special committee of the Legislature. The committee shall consist of nine members of the Legislature appointed by the executive board as follows: (a) Two members of the Appropriations Committee of the Legislature; (b) two members of the Health and Human Services Committee of the Legislature; (c) two members of the Judiciary Committee of the Legislature; and (d) three members of the Legislature who are not members of such committees. The executive board shall give consideration to appointing members who previously served on the Children's Behavioral Health Oversight Committee of the Legislature. The committee shall elect a chairperson and vice-chairperson from among its members.

2. The Children's Behavior Health Oversight Committee of the Legislature is hereby authorized to monitor programs implemented by the Children and Family Behavioral Health Support Act and other child welfare and juvenile justice initiatives implemented by the Department of Health and Human Services related to the provision of behavioral health services to children and their families. The committee shall meet as necessary with representatives of the Division of Behavioral Health of the Department of Health and Human Services, the Division of Children and Family Services of the Department of Health and Human Services, and the Nebraska Children's Commission and with other interested parties. The committee also may hold public hearings. Staff support for the committee shall be provided by existing legislative staff as directed by the executive board. The committee may request the executive board to hire consultants that the committee deems necessary to carry out the purposes of the committee.

3. The Children's Behavioral Health Oversight Committee of the Legislature shall issue reports as the circumstances warrant.

4. The Children's Behavioral Health Oversight Committee of the Legislature is hereby authorized to continue its work until the beginning of the One Hundred Third Legislature, Second Session, to provide an orderly transition of its oversight to the Nebraska Children's Commission.

Laid over.

LEGISLATIVE RESOLUTION 32. Introduced by Janssen, 15.

WHEREAS, Douglas L. Nabb was born April 8, 1942, in Omaha, Nebraska; and

WHEREAS, Doug attended Omaha North High School, graduated from Midland Lutheran College, and later earned a master's degree in education from the University of Nebraska-Lincoln; and

WHEREAS, Doug taught in the Fremont Public School system for thirty-one years, impacting countless lives and inspiring thousands of students to reach their highest potential; and

WHEREAS, Doug spent his retirement years as a passionate lobbyist for the Fremont Public Schools at the Legislature; and

WHEREAS, Doug volunteered his time and talents to numerous philanthropic efforts; and

WHEREAS, Doug passed away on September 27, 2012.

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

1. That the Legislature extends its deep sympathy to the family of Doug Nabb.

2. That a copy of this resolution be sent to the family of Doug Nabb.

Laid over.

LEGISLATIVE RESOLUTION 33. Introduced by Bloomfield, 17; Adams, 24; Avery, 28; Brasch, 16; Campbell, 25; Christensen, 44; Coash, 27; Cook, 13; Crawford, 45; Davis, 43; Dubas, 34; Gloor, 35; K. Haar, 21; Hansen, 42; Harms, 48; Howard, 9; Janssen, 15; Johnson, 23; Kolowski, 31; Lathrop, 12; Price, 3; Schilz, 47; Sullivan, 41; Wallman, 30; Watermeier, 1.

WHEREAS, "Freedom is Not Free," and our members of the armed forces of the United States of America lead the way in bringing peace, democracy, and the joy of freedom around the world; and

WHEREAS, our young men and women of the armed forces swear to defend the United States of America against all evil; and

WHEREAS, our young men and women of the armed forces leave home, family, and employment behind and embark upon a journey from which they may not return; and

WHEREAS, the bravery and dedication of our American military are above all measures a display of loyalty, perseverance, and commitment; and

WHEREAS, there are those who leave us way too early and return adorned with the flag of the United States of America, "Old Glory"; and

WHEREAS, even as our men and women of the armed forces are serving around the world in the hope of a lasting peace and freedom for all, we suffer losses not on the battlefield, but still losses that deserve honor. Such is the case for Captain Matthew Justin Meyer, United States Air Force, Instructor Pilot, Vance Air Force Base, Enid, Oklahoma. Captain Meyer succumbed to medical complications on May 11, 2012, and his passing is no less painful to his family, friends, and community; and

WHEREAS, Captain Meyer served his nation with honor, and this resolution honors his service and sacrifices; and

WHEREAS, Captain Meyer leaves behind his wife, Christina, parents Terry and Karen Meyer, brother Jonathan and wife Diane Meyer, sister Elizabeth and husband Abe Schoember, nephews Caleb and Ben Schoember, grandparents Edna Meyer, Lorn Barkshear, and June Barkshear, and in-laws Lynda and Mike Matthews.

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

1. That the Legislature recognizes and honors the service and sacrifice made by Captain Matthew Justin Meyer and his family for our freedom. There is no price that will ever repay this Airman and his family for what Matthew did out of love of God, country, family, and freedom for one and all.

2. That the Legislature extends its sympathy and gratitude to the loved ones of Captain Matthew Justin Meyer. Indeed, "Freedom is Not Free." May his soul rest in peace and may God bless America.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR31 was referred to the Reference Committee.

NOTICE OF COMMITTEE HEARINGS

Business and Labor

Room 2102

Monday, January 28, 2013 1:30 p.m.

LB58
LB297
LB21
LB141
LB291

(Signed) Steve Lathrop, Chairperson

Executive Board

Room 2102

Monday, January 28, 2013 12:00 p.m.

LB39
LB149
LR20

(Signed) John Wightman, Chairperson

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Nordquist has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

UNANIMOUS CONSENT - Add Cointroducer

Senator Mello asked unanimous consent to add his name as cointroducer to LB224. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. Bob Rauner from Lincoln.

ADJOURNMENT

At 11:20 a.m., on a motion by Senator Lautenbaugh, the Legislature adjourned until 10:00 a.m., Tuesday, January 22, 2013.

Patrick J. O'Donnell
Clerk of the Legislature

