

SIXTEENTH DAY - JANUARY 27, 2012**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION****SIXTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, January 27, 2012

PRAYER

The prayer was offered by Chaplain Stephen Floyd, Church of the Nazarene, Falls City.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Gloor presiding.

The roll was called and all members were present except Senators Christensen, Conrad, B. Harr, Larson, Schilz, and Sullivan who were excused; and Senators Campbell, Cornett, Langemeier, Lautenbaugh, Loudon, and McGill who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 473. Placed on Select File with amendment. ER151 is available in the Bill Room.

LEGISLATIVE BILL 633. Placed on Select File with amendment. ER150 is available in the Bill Room.

LEGISLATIVE RESOLUTION 19CA. Placed on Select File with amendment.

ER153

- 1 1. In the Standing Committee amendments, AM866, strike
- 2 lines 3 and 4.
- 3 2. On page 1, line 2, strike "FIRST" and insert "SECOND"

(Signed) Tyson Larson, 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.

REPORTS

The following reports were received by the Legislature:

Aeronautics, Nebraska Department of

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Banking and Finance, Department of

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Education, Department of

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Energy Office, Nebraska

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Fire Marshal

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Health and Human Services, Nebraska Department of

Annual Report-Number of Licenses Suspended under the License Suspension Act

Child Support Enforcement State Disbursement Unit Annual Report to the Legislature

New Hire Annual Report to the Legislature

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Waiver of Training Requirements for Relative Foster Care Annual Report

Real Estate Commission, Nebraska

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Roads, Department of

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

State Patrol

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

University of Nebraska

Nebraska Tobacco Settlement Biomedical Research Development Fund Annual Report

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 26, 2012, 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

Ailor, Robert
ABATE of Nebraska, Inc.
Brandt, Horan, Hallstrom and Stilmock
Fire Chief's Association, Nebraska
Bresel, David
Civic Reform, Nebraskans for
Bromm, Curt/Bromm & Associates, LLC
KZCO, Inc.
Tobacco Company, National
Cutshall & Nowka
Police Officers' Association of Nebraska
Recreation Vehicle Industry Association
Fry, Renee
OpenSky Policy Institute
Johnson, Larry
Trucking Association, Nebraska
Koellner, Greg
ABATE of Nebraska, Inc.
Larson Rodenburg, Susan
City of Lincoln
Loontjer, Pat
Gambling with the Good Life
Mueller Robak LLC
Dermatology Society, Nebraska
Murphy, Andrew
Maintenance of Way Employees Div. of IBT, Brotherhood of
Radcliffe, Walter H. of Radcliffe & Associates
Cities for Equity, Nebraska
Ryan, LLC
Wright, Lee
Farmers' Insurance Group
Young, Philip M.
Cullari Communications Group

GENERAL FILE

LEGISLATIVE BILL 276. Considered.

SENATOR COASH PRESIDING

SENATOR GLOOR PRESIDING

Senator Council offered the following motion:

MO77

Indefinitely postpone.

Laid over.

COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 790. Placed on General File.

LEGISLATIVE BILL 807. Placed on General File with amendment.

AM1785

- 1 1. Insert the following new section:
- 2 Sec. 3. Since an emergency exists, this act takes effect
- 3 when passed and approved according to law.

LEGISLATIVE BILL 862. Placed on General File with amendment.

AM1778

- 1 1. On page 2, line 12, strike "XXX dollars" and insert
- 2 "one hundred forty-five thousand six hundred fourteen dollars and
- 3 seventy-four cents".

(Signed) Brad Ashford, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 385. Introduced by Price, 3; Bloomfield, 17; Brasch, 16; Coash, 27; Dubas, 34; Fulton, 29; Loudon, 49; Mello, 5; Nordquist, 7.

WHEREAS, Fred LeRoy, former chairman of the Ponca Tribe of Nebraska, passed away on January 11, 2012, at the age of sixty-two; and

WHEREAS, Fred LeRoy was a Marine who served in the Vietnam War; and

WHEREAS, Fred LeRoy served two terms as chairman of the Ponca Tribe of Nebraska after successfully petitioning the federal government to officially restore the tribe after it had been terminated in 1962; and

WHEREAS, during Fred LeRoy's tenure as chairman, he presided over a period of growth in membership, housing, and programs that led to the overall betterment of the Ponca Tribe; and

WHEREAS, Fred LeRoy is survived by three children, three grandchildren, and a nephew; and

WHEREAS, Fred LeRoy was a great American, a great Nebraskan, and a great warrior for the Ponca Tribe.

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

1. That the Legislature extends its sympathy and condolences to the family of Fred LeRoy.

2. That a copy of this resolution be sent to the family of Fred LeRoy.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 612. Title read. Considered.

Committee AM789, found on page 1020, First Session, 2011, was adopted with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

AMENDMENT - Print in Journal

Senator Coash filed the following amendment to LB216A:
AM1723

- 1 1. Strike original section 1 and insert the following new
- 2 section:
- 3 Section 1. There is hereby appropriated \$26,250 from
- 4 the Department of Motor Vehicles Cash Fund for FY2012-13 to the
- 5 Department of Motor Vehicles, for Program 70, to aid in carrying
- 6 out the provisions of Legislative Bill 216, One Hundred Second
- 7 Legislature, Second Session, 2012.
- 8 No expenditures for permanent and temporary salaries and
- 9 per diems for state employees shall be made from funds appropriated
- 10 in this section.

UNANIMOUS CONSENT - Add Cointroducer

Senator Mello asked unanimous consent to add his name as cointroducer to LB50. No objections. So ordered.

VISITORS

Visitors to the Chamber were 7 students and teachers from Lincoln Public Schools; and members of the Future Water Leaders Academy from across the state.

The Doctor of the Day was Dr. Rick Gustafson from Lincoln.

ADJOURNMENT

At 11:44 a.m., on a motion by Senator Dubas, the Legislature adjourned until 10:00 a.m., Monday, January 30, 2012.

Patrick J. O'Donnell
Clerk of the Legislature