

THIRTY-SEVENTH DAY - MARCH 1, 2012

LEGISLATIVE JOURNAL

**ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION**

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 1, 2012

PRAYER

The prayer was offered by Pastor Michael Davis, United Methodist Church, Elgin.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

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

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 29, 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

Freeman, Robert
OTB Destination, LLC
Plucker, Julia
ABATE of Nebraska, Inc.
Friends of Nebraska Racing Inc.
Southport West Partners, LLC

REPORT

The following report was received by the Legislature:

Commission on Law Enforcement and Criminal Justice, Nebraska
Nebraska Crime Victim's Reparations Program, Twenty-fourth Report,
July 1, 2010-June 30, 2011

GENERAL FILE

LEGISLATIVE BILL 993A. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 950A. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

ANNOUNCEMENT

The Chair announced today is Senator Sullivan's birthday.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 403, 404, 405, 406 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 403, 404, 405, 406.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 216.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 60-3,104, Reissue Revised Statutes of Nebraska, and sections 60-301 and 60-3,100, Revised Statutes Supplement, 2011; to provide for special interest motor vehicle license plates; to provide for a fee; to provide a penalty; to define special interest motor vehicle; to harmonize provisions; to provide an operative date; 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, 46:

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

Voting in the negative, 1:

Louden

Present and not voting, 1:

Council

Excused and not voting, 1:

Conrad

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

LEGISLATIVE BILL 216A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 216, 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, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

Louden

Excused and not voting, 1:

Conrad

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 LB427 with 46 ayes, 0 nays, and 3 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 427.

A BILL FOR AN ACT relating to the Commercial Dog and Cat Operator Inspection Act; to amend sections 54-625, 54-626, 54-627, 54-630, 54-637, 54-640, 54-641, 54-645, and 54-646, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to licensing and primary enclosures; to change requirements of commercial cat breeders and commercial dog breeders; to harmonize provisions; to provide an operative date; 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	Conrad	Haar, K.	Lambert	Pahls
Ashford	Cook	Hadley	Langemeier	Pirsch
Avery	Cornett	Hansen	Larson	Price
Bloomfield	Council	Harms	Lautenbaugh	Schilz
Brasch	Dubas	Harr, B.	McCoy	Seiler
Campbell	Fischer	Heidemann	McGill	Smith
Carlson	Flood	Howard	Mello	Sullivan
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gloor	Karpisek	Nordquist	Wightman

Voting in the negative, 3:

Krist	Louden	Schumacher
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Present and not voting, 1:

Lathrop

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 459.

A BILL FOR AN ACT relating to political subdivisions; to prohibit defining or assigning a legal status for animals as prescribed; and to provide a duty for the Revisor of Statutes.

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

Voting in the negative, 0.

Present and not voting, 2:

Conrad Haar, K.

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

WITHDRAW - Amendment to LB473

Senator Sullivan withdrew her amendment, FA36, found on page 695, to LB473.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 507.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend section 68-1708, Reissue Revised Statutes of Nebraska; to provide for satisfaction of work activity requirements through education; to restrict use of state funds; to provide for reports; to state intent; to harmonize provisions; to provide a termination date; 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	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.

Present 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 612.

A BILL FOR AN ACT relating to civil procedure; to increase the statute of limitations for plaintiffs suffering injury from sexual assault as a child; and to provide a duty for the Revisor of Statutes.

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.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 19CA.

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 IV, section 5:

IV-5 ~~All civil officers~~ A civil officer of this state shall be liable to impeachment for any misdemeanor in office or for any misdemeanor in pursuit of such office.

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 provide that any misdemeanor while in pursuit of his or her office is grounds for impeachment of a civil officer.

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, 45:

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

Voting in the negative, 0.

Present and not voting, 4:

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

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 269.

A BILL FOR AN ACT relating to the Delayed Deposit Services Licensing Act; to amend sections 45-901, 45-910, and 45-927, Reissue Revised Statutes of Nebraska; to change provisions relating to fees and the distribution of fees; to create a fund; to provide powers and duties for the University of Nebraska; 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, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Lathrop

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

LEGISLATIVE BILL 370.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1824, 77-1825, 77-1831, 77-1832, 77-1833, 77-1834, 77-1835, and 77-1837, Reissue Revised Statutes of Nebraska; to change provisions relating to collection of delinquent real property taxes by sale of real property; to define a term; to provide for applicability; 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	Larson	Price
Ashford	Cornett	Harms	Lathrop	Schilz
Avery	Council	Harr, B.	Lautenbaugh	Schumacher
Bloomfield	Dubas	Heidemann	McCoy	Seiler
Brasch	Fischer	Howard	McGill	Smith
Campbell	Flood	Janssen	Mello	Sullivan
Carlson	Fulton	Karpisek	Nelson	Wallman
Christensen	Gloor	Krist	Nordquist	Wightman
Coash	Haar, K.	Lambert	Pahls	
Conrad	Hadley	Langemeier	Pirsch	

Voting in the negative, 1:

Louden

Not voting, 0.

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

LEGISLATIVE BILL 470.

A BILL FOR AN ACT relating to libraries; to amend sections 16-251 and 51-211, Reissue Revised Statutes of Nebraska; to provide requirements for approval of personnel policies and procedures 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, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Cornett

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

LEGISLATIVE BILL 498.

A BILL FOR AN ACT relating to the Industrial Ground Water Regulatory Act; to amend section 46-683.01, Reissue Revised Statutes of Nebraska; to provide an exception for amendments for permits for mineral exploration and production; 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 646. With Emergency Clause.

A BILL FOR AN ACT relating to emergency medical services; to amend sections 38-1207, 48-101.01, and 71-8215, Reissue Revised Statutes of Nebraska; to redefine terms; to prohibit expansion of a scope of practice; 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, 48:

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	Wightman
Coash	Haar, K.	Lambert	Nordquist	
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Present and not voting, 1:

Wallman

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 677.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-929, 28-930, and 28-931, Revised Statutes Cumulative Supplement, 2010; to provide penalties for assault on a health care professional as prescribed; to define terms; to provide for signs; 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	Cornett	Harr, B.	Lathrop	Pirsch
Ashford	Dubas	Heidemann	Lautenbaugh	Price
Avery	Fischer	Howard	Louden	Schilz
Brasch	Flood	Janssen	McCoy	Schumacher
Campbell	Gloor	Karpisek	McGill	Seiler
Carlson	Haar, K.	Krist	Mello	Smith
Christensen	Hadley	Lambert	Nelson	Sullivan
Conrad	Hansen	Langemeier	Nordquist	Wallman
Cook	Harms	Larson	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 4:

Bloomfield	Coash	Council	Fulton
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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 LB714 with 45 ayes, 0 nays, and 4 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 714. With Emergency Clause.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2202, 76-2213.01, 76-2228.01, 76-2229.01, 76-2230,

76-2231.01, 76-2232, 76-2236, 76-2241, and 76-2249, Revised Statutes Cumulative Supplement, 2010, and section 76-2223, Revised Statutes Supplement, 2011; to update references; to change provisions relating to findings; 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.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 725. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 49-801.01, Revised Statutes Supplement, 2011; to update references to the Internal Revenue Code of 1986; 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 LB770 with 45 ayes, 0 nays, and 4 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 770.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,147.01 and 81-2,147.03, Reissue Revised Statutes of Nebraska; to redefine a term; to adopt updated labeling requirements under the Nebraska Seed Law; 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 LB771 with 40 ayes, 2 nays, and 7 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 771. With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend sections 81-2,239, 81-2,244.01, 81-2,257, 81-2,259, 81-2,270, 81-2,271, and 81-2,277, Reissue Revised Statutes of Nebraska; to change and eliminate food establishment and food safety provisions; to harmonize provisions; to repeal the original sections; to outright repeal sections 81-2,272.02, 81-2,272.17, and 81-2,272.36, Reissue Revised Statutes of Nebraska; 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.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 800.

A BILL FOR AN ACT relating to school lands; to amend section 72-258.03, Revised Statutes Supplement, 2011; to change provisions relating to appraised value of school 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, 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 LB828 with 48 ayes, 0 nays, and 1 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 828. With Emergency Clause.

A BILL FOR AN ACT relating to energy; to amend sections 66-901, 66-902, 66-909, 66-910, 66-911.01, 66-912, and 76-3004, Reissue Revised Statutes of Nebraska, sections 72-270, 72-271, 72-272, 72-273, 72-274, 77-2704.57, 79-309.01, and 79-1035, Revised Statutes Cumulative Supplement, 2010, and section 76-3001, Revised Statutes Supplement, 2011; to define, redefine, and eliminate terms; to change and eliminate provisions relating to easements; to provide for duration of solar and wind agreements as prescribed; to prohibit severance of certain ownership

interests as prescribed; to harmonize provisions; to repeal the original sections; to outright repeal sections 66-907, 66-909.03, and 66-911, Reissue Revised Statutes of Nebraska; 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, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Schilz

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 836. With Emergency Clause.

A BILL FOR AN ACT relating to deposit and investment of public funds; to amend section 77-2365.02, Reissue Revised Statutes of Nebraska; to change provisions relating to investment in certificates of deposit and time deposits; 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.

LEGISLATIVE BILL 852.

A BILL FOR AN ACT relating to corporations; to amend section 21-2202, Reissue Revised Statutes of Nebraska, and section 21-2024, Revised Statutes Supplement, 2011; to change provisions relating to corporate purposes under the Business Corporation Act and to redefine a term under the Nebraska Professional Corporation 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, 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 853.

A BILL FOR AN ACT relating to secured transactions; to amend section 9-530, Uniform Commercial Code, Reissue Revised Statutes of Nebraska; to change provisions relating to filing information; 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
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	
Cook	Hansen	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 1:

Ashford

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 LB854 with 46 ayes, 0 nays, and 3 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 854.

A BILL FOR AN ACT relating to business entities; to amend sections 21-323.01, 21-325.01, 21-19,139, 21-19,159, 21-20,160, 21-20,180.01, and 21-2995, Reissue Revised Statutes of Nebraska, and section 21-152, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to dissolution, revocation, and reinstatement; to provide an operative date; 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 LB873 with 44 ayes, 1 nay, and 4 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 873. With Emergency Clause.

A BILL FOR AN ACT relating to petroleum release remedial action; to amend sections 66-1523, 66-1525, and 66-1529.02, Reissue Revised Statutes of Nebraska, and section 66-1519, Revised Statutes Supplement, 2011; to extend use of the Petroleum Release Remedial Action Cash Fund until June 30, 2016; to harmonize provisions; to provide an operative date; 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, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Gloor

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 879.

A BILL FOR AN ACT relating to public funds; to amend section 77-2320, Reissue Revised Statutes of Nebraska; to change security deposit requirements; 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 886.

A BILL FOR AN ACT relating to trade practices; to amend sections 87-130, 87-132, and 87-134, Reissue Revised Statutes of Nebraska, and sections 87-210 and 87-211, Revised Statutes Supplement, 2011; to change provisions relating to trademarks and trade names; 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 890.

A BILL FOR AN ACT relating to the Nebraska Nonprofit Corporation Act; to amend sections 21-1914 and 21-1915, Reissue Revised Statutes of Nebraska; to provide for the electronic transmission of notice as prescribed; to define a term; 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 911.

A BILL FOR AN ACT relating to labor; to amend section 48-622.02, Reissue Revised Statutes of Nebraska; to clarify a use of the Nebraska Training and Support Trust Fund; 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 942.

A BILL FOR AN ACT relating to the Nebraska Uniform Limited Liability Company Act; to amend section 21-193, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to notice; 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 1043. With Emergency Clause.

A BILL FOR AN ACT relating to public power districts; to amend section 70-655, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to contracts or agreements for discounted rates; 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, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Conrad

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 LB1118 with 43 ayes, 3 nays, and 3 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1118. With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5701, 77-5703, 77-5705, 77-5723, and 77-5727, Reissue Revised Statutes of Nebraska, and sections 77-5715, 77-5725, 77-5726, and 77-5735, Revised Statutes Cumulative Supplement, 2010; to provide tax incentives for large data center projects; to define and redefine terms; to harmonize provisions; 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, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Pahls

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

COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 1057. Placed on General File with amendment.
AM2170

- 1 1. Strike sections 5 and 7 and insert the following
- 2 sections:
- 3 Sec. 5. Sections 2 and 6 of this act become operative on
- 4 October 1, 2012. The other sections of this act become operative on
- 5 their effective date.
- 6 Sec. 6. Original section 2-3623, Reissue Revised Statutes
- 7 of Nebraska, is repealed.
- 8 2. On page 3, strike lines 1 through 17.
- 9 3. On page 4, strike beginning with the comma in line 20
- 10 through the comma in line 22.
- 11 4. On page 5, line 6, strike "2-3623,".
- 12 5. Renumber the remaining sections accordingly.

(Signed) Tom Carlson, Chairperson

Revenue

LEGISLATIVE BILL 750. Placed on General File with amendment.
AM2183

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 77-1371, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 77-1371 Comparable sales are recent sales of properties

6 that are similar to the property being assessed in significant
7 physical, functional, and location characteristics and in their
8 contribution to value. Sales of land which do not include a farm
9 home site as defined in section 77-1359 shall not constitute
10 a comparable sale when determining the actual value for farm
11 home sites pursuant to sections 77-1359 and 77-1363. When using
12 comparable sales in determining actual value of an individual
13 property under the sales comparison approach provided in section
14 77-112, the following guidelines shall be considered in determining
15 what constitutes a comparable sale:

16 (1) Whether the sale was financed by the seller and
17 included any special financing considerations or the value of
18 improvements;

19 (2) Whether zoning affected the sale price of the
20 property;

21 (3) For sales of agricultural land or horticultural land
22 as defined in section 77-1359, whether a premium was paid to
23 acquire nearby property. Land within one mile of currently owned
1 property shall be considered nearby property;

2 (4) Whether sales or transfers made in connection with
3 foreclosure, bankruptcy, or condemnations, in lieu of foreclosure,
4 or in consideration of other legal actions should be excluded from
5 comparable sales analysis as not reflecting current market value;

6 (5) Whether sales between family members within the third
7 degree of consanguinity include considerations that fail to reflect
8 current market value;

9 (6) Whether sales to or from federal or state agencies or
10 local political subdivisions reflect current market value;

11 (7) Whether sales of undivided interests in real property
12 or parcels less than forty acres or sales conveying only a portion
13 of the unit assessed reflect current market value;

14 (8) Whether sales or transfers of property in exchange
15 for other real estate, stocks, bonds, or other personal property
16 reflect current market value;

17 (9) Whether deeds recorded for transfers of convenience,
18 transfers of title to cemetery lots, mineral rights, and rights of
19 easement reflect current market value;

20 (10) Whether sales or transfers of property involving
21 railroads or other public utility corporations reflect current
22 market value;

23 (11) Whether sales of property substantially improved
24 subsequent to assessment and prior to sale should be adjusted to
25 reflect current market value or eliminated from such analysis; ~~and~~

26 (12) For agricultural land or horticultural land as
27 defined in section 77-1359 which is or has been receiving the
1 special valuation pursuant to sections 77-1343 to 77-1347.01,
2 whether the sale price reflects a value which the land has for
3 purposes or uses other than as agricultural land or horticultural

4 land and therefor does not reflect current market value of other
5 agricultural land or horticultural land; and-

6 (13) For agricultural land and horticultural land as
7 defined in section 77-1359, whether a premium was paid because
8 the sale was in conjunction with a like-kind exchange of property
9 under section 1031 of the Internal Revenue Code. The Department
10 of Revenue shall each year conduct an analysis of sales of
11 agricultural land and horticultural land to determine whether sales
12 of agricultural land and horticultural land involving section 1031
13 like-kind exchanges reflect a market premium relative to sales of
14 agricultural land and horticultural land not involving section 1031
15 like-kind exchanges.

16 The Property Tax Administrator may issue guidelines for
17 assessing officials for use in determining what constitutes a
18 comparable sale. Guidelines shall take into account the factors
19 listed in this section and other relevant factors as prescribed by
20 the Property Tax Administrator.

21 Sec. 2. Original section 77-1371, Reissue Revised
22 Statutes of Nebraska, is repealed.

LEGISLATIVE BILL 1114. Placed on General File with amendment.
AM2118

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

3 Section 1. Section 77-27,139.03, Revised Statutes
4 Supplement, 2011, is amended to read:

5 77-27,139.03 (1) State aid provided to municipalities
6 pursuant to sections 77-27,139.01 to 77-27,139.04 shall be
7 calculated by determining the average property tax levy for
8 operational purposes other than for principal and interest payments
9 on the indebtedness of all incorporated municipalities. The Auditor
10 of Public Accounts shall provide to the Department of Revenue
11 a list of the bond and nonbond tax request amounts from the
12 most recent budgets filed by incorporated municipalities. The
13 information shall be used to calculate the bond and nonbond tax
14 levies for aid purposes under this section. The auditor shall
15 provide the information to the department by February 1 each year.

16 (2) Each municipality shall receive state aid from the
17 Municipal Equalization Fund equal to (a) the product of the
18 average per capita property tax of the appropriate population group
19 multiplied by the current population of the municipality minus (b)
20 the product of the average property tax levy multiplied by the
21 certified valuation within the incorporated municipality, except
22 that a municipality shall not receive any aid under this section if
23 the calculation results in a negative number.

1 (3) If a municipal tax levy for operational purposes
2 was less than the average property tax levy in the immediately
3 preceding fiscal year, the state aid provided to such municipality
4 shall be reduced by twenty percent for each one-cent increment the

- 5 levy was below the average property tax levy but the reduction
6 shall not exceed eighty percent.
7 (4) If the amount of money in the Municipal Equalization
8 Fund is less than the total amount of state aid for all
9 municipalities as required by the allocation formula in subsection
10 (2) of this section, the money in the fund shall be allocated
11 on a prorated basis to such municipalities. If the amount of
12 money in the fund is more than the total amount of state aid for
13 municipalities as required by the allocation formula, the excess
14 money in the fund shall be credited to the General Fund.
15 Sec. 2. This act becomes operative on July 1, 2012.
16 Sec. 3. Original section 77-27,139.03, Revised Statutes
17 Supplement, 2011, is repealed.
18 Sec. 4. Since an emergency exists, this act takes effect
19 when passed and approved according to law.

(Signed) Abbie Cornett, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 436. Introduced by Price, 3; Avery, 28; Bloomfield, 17; Flood, 19; Gloor, 35; Hadley, 37; Janssen, 15; Krist, 10; Lambert, 2; Nelson, 6; Seiler, 33; Smith, 14; Wallman, 30.

WHEREAS, the United States Air Force Weather Agency traces its heritage to two centuries of American military weather service, beginning when United States Army surgeons began recording weather observations regularly in the early nineteenth century as part of the Army's medical studies; and

WHEREAS, the United States Army Air Corps Weather Service was established on July 1, 1937; and

WHEREAS, the mission of the United States Air Force Weather Agency technicians, as part of the Joint team, is to deliver accurate, relevant, and timely environmental information, products, and services anywhere in the world and impact decision superiority by enhancing predictive battlespace awareness and enabling commanders at all levels to anticipate and exploit the battlespace environment; and

WHEREAS, the United States Air Force Weather Agency will celebrate its seventy-fifth anniversary July 1, 2012.

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

1. That the Legislature congratulates the United States Air Force Weather Agency for the support it offers to the men and women of our military and to the citizens of the State of Nebraska and the United States of America.

Laid over.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 216, 216A, 427, 459, 507, 612, 269, 370, 470, 498, 646, 677, 714, 725, 770, 771, 800, 828, 836, 852, 853, 854, 873, 879, 886, 890, 911, 942, 1043, 1118, and LR19CA.

GENERAL FILE

LEGISLATIVE BILL 1067. Title read. Considered.

Committee AM1961, found on page 540, was considered.

SENATOR COASH PRESIDING

Pending.

SPEAKER FLOOD PRESIDING**RESOLUTION**

Pursuant to Rule 4, Sec. 5(b), LR402 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR402.

SENATOR COASH PRESIDING**GENERAL FILE**

LEGISLATIVE BILL 1067. Committee AM1961, found on page 540 and considered in this day's Journal, was renewed.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 1, 2012, at 10:53 a.m. were the following: LBs 216, 216A, 427, 459, 507, 612, 269, 370, 470, 498, 646e, 677, 714e, 725e, 770, 771e, 800, 828e, 836e, 852, 853, 854, 873e, 879, 886, 890, 911, 942, 1043e, and 1118e.

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

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on March 1, 2012, at 10:55 a.m. was the following: LR19CA.

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

COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 900. Placed on General File with amendment.
AM2169

- 1 1. On page 2, line 1, after "the" insert "Director of
- 2 Children and Family Services of the Division of Children and Family
- 3 Services of the Department of Health and Human Services, the"; and
- 4 in line 16 after "the" insert "Division of Children and Family
- 5 Services, the".
- 6 2. On page 3, line 11, after "assist" insert "the
- 7 Division of Children and Family Services.".

LEGISLATIVE BILL 1148. Placed on General File with amendment.
AM2119

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 38-2133, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 38-2133 (1) A person who applies to the department for
- 6 certification as a marriage and family therapist shall be qualified
- 7 for such certification if he or she:
- 8 (a) Provides evidence to the department that he or she
- 9 has a master's or doctoral degree in marriage and family therapy
- 10 from a program approved by the board or a graduate degree in a
- 11 field determined by the board to be related to marriage and family
- 12 therapy and graduate-level course work determined by the board to
- 13 be equivalent to a master's degree in marriage and family therapy;
- 14 (b) Provides evidence to the department that he or she
- 15 has had at least three thousand hours of experience in marriage
- 16 and family therapy under a qualified supervisor following receipt
- 17 of the graduate degree. The three thousand hours shall include
- 18 at least one thousand five hundred hours of direct-client contact
- 19 during the five years preceding application for certification.
- 20 During the course of completing the client-contact hours, there
- 21 shall be at least one hundred hours of supervisor-supervisee
- 22 contact hours with a qualified supervisor and supervision shall be
- 23 provided at least one hour per week or two hours every two weeks;
- 1 and
- 2 (c) Completes an application and passes an examination
- 3 approved by the board.

4 (2) For purposes of this section:

5 (a) Actively engaged in the practice of marriage and
6 family therapy may include (i) services and activities provided
7 under the direct supervision of a person with at least a master's
8 degree in marriage and family therapy from a program approved by
9 the board or (ii) services and activities that are classified by
10 title or by description of duties and responsibilities as marriage
11 and family therapy practice;

12 (b) Qualified supervisor means (i) a licensed mental
13 health practitioner, a psychologist licensed to engage in the
14 practice of psychology, or a licensed physician who holds a
15 designation of approved supervisor from an association which
16 establishes standards for marriage and family therapy in conformity
17 with accepted industry standards; such who meets supervisory
18 standards established by shall be specified in rules and
19 regulations of approved by the board and adopted and promulgated
20 by the department or (ii) a marriage and family therapist who has
21 practiced for five years and has completed a five-hour supervision
22 course that may be provided by an association which establishes
23 standards for marriage and family therapy in conformity with
24 accepted industry standards; such standards shall be specified
25 in rules and regulations approved by the board and adopted and
26 promulgated by the department; and

27 (c) Supervision means face-to-face contact between an
1 applicant and a qualified supervisor during which the applicant
2 appraises the supervisor of the diagnosis and treatment of each
3 client, the clients' cases are discussed, the supervisor provides
4 the applicant with oversight and guidance in treating and dealing
5 with clients, and the supervisor evaluates the applicant's
6 performance. In order for a supervised period of time to be
7 credited toward the time of supervision required by subsection (1)
8 of this section, it shall consist of the following:

9 (i) A minimum of a ratio of two hours of supervision per
10 fifteen hours of the applicant's contact with clients;

11 (ii)-(i) Focus on raw data from the applicant's clinical
12 work which is made directly available to the supervisor through
13 such means as written clinical materials, direct observation, and
14 video and audio recordings;

15 (iii)-(ii) A process which is distinguishable from
16 personal psychotherapy or didactic instruction; and

17 (iv)-(iii) A proportion of individual and group
18 supervision as determined by the rules and regulations of the
19 board.

20 Sec. 2. Original section 38-2133, Reissue Revised
21 Statutes of Nebraska, is repealed.

(Signed) Kathy Campbell, Chairperson

Agriculture

LEGISLATIVE BILL 905. Placed on General File with amendment.
AM2197

- 1 1. Strike sections 11 and 13 and insert the following
2 sections:
3 Sec. 11. Sections 6 and 12 of this act become operative
4 on October 1, 2012. The other sections of this act become operative
5 on their effective date.
6 Sec. 12. Original section 2-2311, Reissue Revised
7 Statutes of Nebraska, is repealed.
8 2. On page 5, line 11, strike "act" and insert "section";
9 in line 12 strike "five-tenths" and insert "four-tenths"; strike
10 beginning with "The" in line 14 through the period in line 18;
11 after line 21 insert:
12 "(2) After October 1, 2014, the board may, whenever it
13 determines that the excise tax levied by this section is yielding
14 more or less than is required to carry out the intent and purposes
15 of the Nebraska Wheat Resources Act, reduce or increase such levy
16 for such period as it deems justifiable, but not less than one
17 year, and such levy shall not exceed five-tenths percent of the
18 net market value. Any adjustment to the levy shall be by rule and
19 regulation adopted and promulgated by the board in accordance with
20 the Administrative Procedure Act."; and strike lines 22 through 25
21 and show as stricken.
22 3. On page 6, strike lines 1 through 5 and show as
23 stricken; and in line 25 strike the semicolon.
1 4. On page 7, strike beginning with "any" in line 1
2 through the semicolon in line 2.
3 5. On page 8, line 4, strike "2-2311,".
4 6. Renumber the remaining section accordingly.

(Signed) Tom Carlson, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 751A. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2011, LB374, section 88; to appropriate funds to aid in carrying out the provisions of Legislative Bill 751, One Hundred Second Legislature, Second Session, 2012; to change an appropriation; to repeal the original section; and to declare an emergency.

RESOLUTIONS

LEGISLATIVE RESOLUTION 437. Introduced by Christensen, 44.

WHEREAS, Dexter Becker of Southern Valley won the 2012 Class C State Wrestling Championship in the 195-pound division; and

WHEREAS, Dexter pinned Trent Osnes of Valentine to win the state title; and

WHEREAS, Dexter is Southern Valley's first state wrestling champion; 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 SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Dexter Becker on winning the 2012 Class C State Wrestling Championship in the 195-pound division.

2. That a copy of this resolution be sent to Dexter Becker.

Laid over.

LEGISLATIVE RESOLUTION 438. Introduced by Christensen, 44.

WHEREAS, Hunter Timmons of Medicine Valley won the 2012 Class D State Wrestling Championship in the 145-pound division; and

WHEREAS, Hunter defeated Sean Pille of Oakland-Craig 5-3 to take the state title; 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 SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Hunter Timmons on winning the 2012 Class D State Wrestling Championship in the 145-pound division.

2. That a copy of this resolution be sent to Hunter Timmons.

Laid over.

LEGISLATIVE RESOLUTION 439. Introduced by Christensen, 44.

WHEREAS, Mike Shoff of Cambridge won the 2012 Class D State Wrestling Championship in the 285-pound division; and

WHEREAS, Mike defeated Nathan Bazata of Howells 4-3 to take the state title; 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 SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Mike Shoff on winning the 2012 Class D State Wrestling Championship in the 285-pound division.
2. That a copy of this resolution be sent to Mike Shoff.

Laid over.

LEGISLATIVE RESOLUTION 440. Introduced by Bloomfield, 17.

WHEREAS, the Emerson-Hubbard High School dance team brought home first place honors in the 2012 Class D Nebraska State Cheer and Dance Championships in Hip Hop, with team members receiving individual gold medals; and

WHEREAS, team members are senior Catherine Duerksen (3rd year), senior Justine Sebade (4th year), junior Raychel Wyatt (3rd year), junior Jayden Gubbels (1st year), sophomore Jordyn Gentrup (1st year), and freshman Lexi Boyle (1st year); and

WHEREAS, volunteer coaches Brenda Sebade and Kristina Schoenberner have given tirelessly to the success of this team; and

WHEREAS, the "Spectacular Six" and their coaches gave up much of their free time over the summer, early morning hours on school days twice per week, and Saturdays for another four to five hours per week, not to mention daily practice together or individually; and

WHEREAS, parents, teachers, classmates, and the communities have provided financial support through fundraising; and

WHEREAS, many of the team members also participate in school sports, limiting their time for the dance team to early morning and sometimes after sports practice and games; and

WHEREAS, all team members must maintain regular attendance requirements and grade eligibility, which takes individual and team responsibility and commitment.

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

1. That the Legislature congratulates the Emerson-Hubbard High School dance team for winning the 2012 Class D Nebraska State Cheer and Dance Championships in Hip Hop.

2. That the Legislature congratulates volunteer coaches Brenda Sebade and Kristina Schoenberner for their excellent season and guidance of the team.

3. That a copy of this resolution be sent to the Emerson-Hubbard High School dance team and coaches Brenda Sebade and Kristina Schoenberner.

Laid over.

LEGISLATIVE RESOLUTION 441. Introduced by Bloomfield, 17.

WHEREAS, the Emerson-Hubbard High School dance team brought home first place honors in the 2012 Class D Nebraska State Cheer and

Dance Championships in Jazz, with team members receiving individual gold medals; and

WHEREAS, team members are senior Catherine Duerksen (3rd year), senior Justine Sebade (4th year), junior Raychel Wyatt (3rd year), junior Jayden Gubbels (1st year), sophomore Jordyn Gentrup (1st year), and freshman Lexi Boyle (1st year); and

WHEREAS, volunteer coaches Brenda Sebade and Kristina Schoenberner have given tirelessly to the success of this team; and

WHEREAS, the "Spectacular Six" and their coaches gave up much of their free time over the summer, early morning hours on school days twice per week, and Saturdays for another four to five hours per week, not to mention daily practice together or individually; and

WHEREAS, parents, teachers, classmates, and the communities have provided financial support through fundraising; and

WHEREAS, many of the team members also participate in school sports, limiting their time for the dance team to early morning and sometimes after sports practice and games; and

WHEREAS, all team members must maintain regular attendance requirements and grade eligibility, which takes individual and team responsibility and commitment.

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

1. That the Legislature congratulates the Emerson-Hubbard High School dance team for winning the 2012 Class D Nebraska State Cheer and Dance Championships in Jazz.

2. That the Legislature congratulates volunteer coaches Brenda Sebade and Kristina Schoenberner for their excellent season and guidance of the team.

3. That a copy of this resolution to sent to the Emerson-Hubbard High School dance team and coaches Brenda Sebade and Kristina Schoenberner.

Laid over.

LEGISLATIVE RESOLUTION 442. Introduced by Bloomfield, 17.

WHEREAS, the Wayne High School She Devils dance team brought home first place honors in the 2012 Class C Nebraska State Cheer and Dance Championships in Pom-Small Group, with team members receiving individual gold medals; and

WHEREAS, team members are senior captain Laura Muren, senior Megan Bessmer, senior Natalie Sieler, junior captain Erica Holcomb, junior McKenna Gibson, sophomore Aspen Pflanz, sophomore Chantel Martin, sophomore Paige Wacker, freshman Gabby Miller, and freshman Maddie Morris; and

WHEREAS, volunteer coaches Haley Reimer and Sophie Foster have given tirelessly to the success of this team and stated "the team demonstrated excellent precision and uniformity throughout their pom routine"; and

WHEREAS, the She Devils and their coaches gave up much of their free time over the summer, early morning hours on school days twice per week, and Saturdays for another four to five hours per week, not to mention daily practice together or individually; and

WHEREAS, parents, teachers, classmates, and the community have provided financial support through fundraising; and

WHEREAS, many of the team members also participate in school sports, limiting their time for the dance team to early morning and sometimes after sports practice and games; and

WHEREAS, all team members must maintain regular attendance requirements and grade eligibility, which takes individual and team responsibility and commitment.

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

1. That the Legislature congratulates the Wayne High School She Devils dance team for winning the 2012 Class C Nebraska State Cheer and Dance Championships in Pom-Small Group.

2. That the Legislature congratulates volunteer coaches Haley Reimer and Sophie Foster for their excellent season and guidance of the team.

3. That a copy of this resolution be sent to the Wayne High School She Devils dance team and coaches Haley Reimer and Sophie Foster.

Laid over.

AMENDMENTS - Print in Journal

Senator McCoy filed the following amendment to LB806:
AM2229

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 3, lines 10 and 23; and page 4, lines 5
- 2 and 6, strike "equitable treatment of equine species" and insert
- 3 "construction of a racetrack enclosure for horseraces in a county
- 4 which contains a city of the primary class".
- 5 2. Insert the following new amendment:
- 6 2. On page 3, line 4, after the period insert "The
- 7 authorization to license and regulate parimutuel wagering on
- 8 historic horseracing under this subdivision, sections 2 to 4
- 9 of this act, and sections 2-1215 and 2-1222 terminates when the
- 10 racetrack enclosure referred to in subsection (3) of section 2-1222
- 11 is constructed".

Senator McCoy filed the following amendment to LB806:
AM2219

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 1, line 6, after "held" insert "and in which
- 2 all horses that participated are dead at the time the wager is
- 3 placed".

Senator Harms filed the following amendment to LB806:
AM2226

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 1, line 13, after "horserace" insert "and
- 2 shall require that each machine used for parimutuel wagering on
- 3 historic horseraces displays only one horserace at a time".

Senator Harms filed the following amendment to LB806:
AM2230

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 1, line 14, after "(4)" insert "As part of
- 2 the regulation under subdivision (7) of section 2-1203.01, the
- 3 commission shall require that live racing be conducted at the
- 4 licensed racetrack enclosure for one hundred fifty percent or more
- 5 of the days assigned to the racetrack in 1988 in order to qualify
- 6 for a license under subdivision (7) of section 2-1203.01.
- 7 (5)".

Senator Nelson filed the following amendment to LB806:
AM2223

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 2, line 10, strike "one-tenth of one" and
- 2 insert "ten".

Senator Mello filed the following amendment to LB1079:
AM2249

- 1 1. On page 2, strike beginning with "between" in line
- 2 12 through "college" in line 14 and all amendments thereto and
- 3 insert "among a provider of basic skills education and training,
- 4 the provider of the Adult Education Program established pursuant to
- 5 section 79-11,133, and a nonprofit social services organization";
- 6 and strike lines 24 and 25 and all amendments thereto.
- 7 2. On page 3, strike lines 1 and 2 and all amendments
- 8 thereto; in line 3 strike "(3)" and insert "(2)"; in line 6 strike
- 9 "(4)" and insert "(3)"; in line 7 strike "adult-education" and
- 10 insert "adult education"; in line 8 strike "and in a community
- 11 college"; in line 9 strike "(5)" and insert "(4)"; in line 13
- 12 strike "(6)" and insert "(5)"; and in line 16 strike "(7)" and
- 13 insert "(6)".

Senator Avery filed the following amendment to LB806:
AM2217

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 1, line 5, strike "a form of horserace that"
- 2 and insert "an electronic gaming device that displays a horserace
- 3 and".

Senator Avery filed the following amendment to LB806:

AM2216

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 1, line 10, strike "enough" and insert "the
- 2 entire length".

Senator Avery filed the following amendment to LB806:

AM2225

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 1, strike beginning with "initial" in line 15
- 2 through "one" in line 16 and insert "annual license fee of ten".

Senator Avery filed the following amendment to LB806:

AM2218

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 3, line 4, after the first occurrence of
- 2 "fund" insert ", not to exceed one thousand dollars annually,".

Senator Smith filed the following amendment to LB806:

AM2224

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 2, lines 15 and 17, strike "five hundredths of
- 2 one" and insert "five".

Senator Christensen filed the following amendment to LB806:

AM2227

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 1, line 13, after "horserace" insert "and
- 2 shall require that there is at least twenty minutes between the end
- 3 of the display of one historic horserace and the beginning of the
- 4 display of the next historic horserace".

Senator Fulton filed the following amendment to LB806:

AM2220

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 2, line 2, strike the first occurrence of
- 2 "one" and insert "ten".

Senator Fulton filed the following amendment to LB806:

AM2221

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 2, line 4, strike "one and one-half" and
- 2 insert "fifteen".

Senator Fulton filed the following amendment to LB806:

AM2222

(Amendments to Standing Committee amendments, AM1852)

- 1 1. On page 2, line 7, strike "two" and insert "twenty".

Senator Karpisek filed the following amendment to LB1067:
AM2260

(Amendments to Standing Committee amendments, AM1961)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 9-607, Revised Statutes Supplement,
- 4 2011, is amended to read:
- 5 9-607 (1) Lottery shall mean a gambling scheme in which:
- 6 (a) The players pay or agree to pay something of value
- 7 for an opportunity to win;
- 8 (b) Winning opportunities are represented by tickets;
- 9 (c) Winners are solely determined by one of the following
- 10 two methods:
- 11 (i) By a random drawing of tickets differentiated by
- 12 sequential enumeration from a receptacle by hand whereby each
- 13 ticket has an equal chance of being chosen in the drawing; or
- 14 (ii) By use of a game known as keno in which a player
- 15 selects up to twenty numbers from a total of eighty numbers on a
- 16 paper ticket and a computer, other electronic selection device, or
- 17 electrically operated blower machine which is not player-activated
- 18 randomly selects up to twenty numbers from the same pool of
- 19 eighty numbers and the winning players are determined by the
- 20 correct matching of the numbers on the paper ticket selected by
- 21 the players with the numbers randomly selected by the computer,
- 22 other electronic selection device, or electrically operated blower
- 1 machine, except that (A) no keno game shall permit or require
- 2 player activation of lottery equipment and (B) the random selection
- 3 of numbers by the computer, other electronic selection device, or
- 4 electrically operated blower machine shall not occur within five
- 5 minutes of the completion of the previous selection of random
- 6 numbers unless another time limit applies pursuant to subsection
- 7 (5) of this section; and
- 8 (d) The holders of the winning paper tickets are to
- 9 receive cash or prizes redeemable for cash. Selection of a winner
- 10 or winners shall be predicated solely on chance.
- 11 (2) Lottery shall not include:
- 12 (a) Any gambling scheme which uses any mechanical gaming
- 13 device, computer gaming device, electronic gaming device, or video
- 14 gaming device which has the capability of awarding something of
- 15 value, free games redeemable for something of value, or tickets or
- 16 stubs redeemable for something of value;
- 17 (b) Any activity authorized or regulated under the
- 18 Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the
- 19 Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and
- 20 Raffle Act, the State Lottery Act, section 9-701, or Chapter 2,
- 21 article 12; or
- 22 (c) Any activity prohibited under Chapter 28, article 11.
- 23 (3) Notwithstanding the requirement in subdivision
- 24 (1)(c)(ii) of this section that a player select up to twenty

25 numbers, a player may select more than twenty numbers on a paper
26 ticket when a top or bottom, left or right, edge, or way ticket
27 is played. For a top or bottom ticket, the player shall select
1 all numbers from one through forty or all numbers from forty-one
2 through eighty. For a left or right ticket, the player shall select
3 all numbers ending in one through five or all numbers ending in
4 six through zero. For an edge ticket, the player shall select all
5 of the numbers comprising the outside edge of the ticket. For a way
6 ticket, the player shall select a combination of groups of numbers
7 in multiple ways on a single ticket.

8 (4) A county, city, or village conducting a keno lottery
9 shall designate the method of winning number selection to be used
10 in the lottery and submit such designation in writing to the
11 department prior to conducting a keno lottery. Only those methods
12 of winning number selection described in subdivision (1)(c)(ii) of
13 this section shall be permitted, and the method of winning number
14 selection initially utilized may only be changed once during that
15 business day as set forth in the designation. A county, city, or
16 village shall not change the method or methods of winning number
17 selection filed with the department or allow it to be changed
18 once such initial designation has been made unless (a) otherwise
19 authorized in writing by the department based upon a written
20 request from the county, city, or village or (b) an emergency
21 arises in which case a ball draw method of number selection would
22 be switched to a number selection by a random number generator.
23 An emergency situation shall be reported by the county, city,
24 or village to the department within twenty-four hours of its
25 occurrence.

26 (5) The governing body of a county, city, or village
27 conducting a keno lottery under this section may submit the issue
1 of changing the time between random selection of numbers by the
2 computer under subdivision (1)(c)(ii)(B) of this section from five
3 minutes to four minutes or three minutes. The governing body may
4 submit the question of four minutes or the question of three
5 minutes to the registered voters of the county, city, or village at
6 a special, primary, or general election pursuant to section 32-559
7 once per calendar year.

8 Sec. 2. Original section 9-607, Revised Statutes
9 Supplement, 2011, is repealed.

Senator B. Harr filed the following amendment to LB473:
FA37
Strike the enacting clause.

VISITORS

Visitors to the Chamber were 14 fourth-grade students and teacher from St. Paul Lutheran School, Beatrice.

The Doctor of the Day was Dr. John R. Jacobsen from Geneva.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Sullivan, the Legislature adjourned until 10:00 a.m., Monday, March 5, 2012.

Patrick J. O'Donnell
Clerk of the Legislature