

FORTY-EIGHTH DAY - MARCH 21, 2012**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION****FORTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 21, 2012

PRAYER

The prayer was offered by Senator Harms.

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 Senator Seiler who was excused; and Senators Adams, Ashford, Conrad, Cook, Lautenbaugh, Loudon, and McGill who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-seventh day was approved.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 959. Placed on Select File.

LEGISLATIVE BILL 711. Placed on Select File.

LEGISLATIVE BILL 1063. Placed on Select File with amendment.
ER220

- 1 1. In the Cook amendment, AM2540:
- 2 a. On page 1, line 15, strike the period; and
- 3 b. On page 4, line 11, strike "1396(a)(43)" and insert
- 4 "1396a(a)(43)"; and in line 12 strike "1396(r)" and insert
- 5 "1396d(r)".

LEGISLATIVE BILL 1114. Placed on Select File with amendment.
ER221

- 1 1. On page 1, strike beginning with "sections" in line 1
- 2 through line 9 and insert "section 77-27,139.03, Revised Statutes
- 3 Supplement, 2011; to change state aid distribution from the

- 4 Municipal Equalization Fund; to provide an operative date; to
- 5 repeal the original section; and to declare an emergency."

(Signed) Tyson Larson, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 511. Introduced by Sullivan, 41.

PURPOSE: To study Nebraska's kindergarten through twelfth grade (K-12) education standards and curricula to determine whether agriculture is incorporated as an essential component at all grade levels in a consistent and thorough manner to provide students with agricultural literacy. For purposes of this study, agricultural literacy means a basic understanding and knowledge of agriculture and agricultural industries, social and environmental aspects of agriculture, agriculture's contributions to the health, safety, and welfare of Nebraska citizens, and the economic impact of agriculture on the state economy.

The study shall include, but not be limited to:

- (1) An examination of existing statutes relating to education standards and curricula;
- (2) An examination of education standards and curricula for K-12 students, including an analysis of the process, resources, research, technical data, and studies used by the State Department of Education to develop K-12 standards and curricula;
- (3) An examination of K-12 education standards and curricula in surrounding states to determine whether the standards and curricula incorporate agriculture in a substantive manner; and
- (4) The development of policy recommendations designed to direct and assist the State Department of Education with the incorporation of agriculture in future K-12 education standards and curricula.

The study shall be conducted by a joint committee consisting of the Agriculture and Education Committees of the Legislature. The chairpersons of the joint committee shall be the chairperson of the Agriculture Committee of the Legislature or a member of the Agriculture Committee selected by the chairperson of the Agriculture Committee and the chairperson of the Education Committee or a member of the Education Committee selected by the chairperson of the Education Committee.

In conducting the study, the joint committee shall consult with the State Department of Education, the Department of Agriculture, the University of Nebraska Institute of Agriculture and Natural Resources, the Nebraska Agriculture in the Classroom Program, representatives from agricultural groups, including commodity boards, representatives from education groups, including educators, administrators, and local school board members, and any other groups the joint committee deems appropriate.

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

1. That the Agriculture and Education Committees of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the joint committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature on or before December 1, 2012.

Referred to the Executive Board.

MESSAGE FROM THE GOVERNOR

March 21, 2012

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

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

Contingent upon your approval, the following individual is being appointed as Director of the Division of Children and Family Services for the Department of Health and Human Services:

Thomas Pristow
Division of Children and Family Services
Department of Health and Human Services
State Office Building
Lincoln, NE 68509

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

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

GENERAL FILE

LEGISLATIVE BILL 209A. Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 540A. Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 949A. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 541A. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1145. Title read. Considered.

Committee AM2387, found on page 924, was adopted with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

NOTICE OF COMMITTEE HEARING

General Affairs

Room 1510

Wednesday, March 28, 2012 1:15 p.m.

Timothy Hart - Nebraska Arts Council

(Signed) Russ Karpisek, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 512. Introduced by Avery, 28.

PURPOSE: The purpose of this study is to examine any issues within the jurisdiction of the Government, Military and Veterans Affairs Committee of the Legislature that may arise during the interim.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 715. Title read. Considered.

Committee AM2000, found on page 551, was adopted with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

Senator Schumacher offered the following motion:

MO84

Reconsider the vote taken on AM2000.

Senator Schumacher asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Senator Schumacher offered the following amendment:

FA59

Page 2, line 13 strike "switched,".

The Schumacher amendment was adopted with 29 ayes, 0 nays, 13 present and not voting, and 7 excused and not voting.

Senator Schumacher offered the following amendment:

FA60

On page 4, strike from after "equitable" on line 8 to after "property" on line 10. Strike from "." in line 11 through "." in line 14 and insert "The cost of construction and other costs associated with providing service to the applicant shall first be paid from the Nebraska universal service fund. If there is insufficient funds in the NUSF such costs may be negotiated between the applicant and the telephone company proposing to provide the service.".

SPEAKER FLOOD PRESIDING

Pending.

COMMITTEE REPORTS

Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Steven Manning - Commission for the Deaf and Hard of Hearing
Diane Muelleman - Commission for the Deaf and Hard of Hearing

Aye: 7 Bloomfield, Campbell, Cook, Gloor, Howard, Krist, Lambert. Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Linda Jensen - Board of Emergency Medical Services
Scott Wiebe - Board of Emergency Medical Services

Aye: 7 Bloomfield, Campbell, Cook, Gloor, Howard, Krist, Lambert. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Kathy Campbell, Chairperson

AMENDMENT - Print in Journal

Senator Schumacher filed the following amendment to LB715:

FA61

On page 2, line 20, strike the words "in the local" through the end of line 22.

VISITORS

Visitors to the Chamber were 50 eleventh- and twelfth-grade students and teachers from Elkhorn; 23 fourth- through eighth-grade students, teachers, and sponsor from Keystone Christian Academy, Norfolk; Senator Smith's wife, Ruth, from Papillion; Nancy Wolf from Omaha; and 10 fourth-grade students and teacher from St. Stanislaus, Omaha.

CEREMONIES

Upon recess the Speaker introduced a group from the Nebraska Association of Former State Legislators.

RECESS

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

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Coash presiding.

ROLL CALL

The roll was called and all members were present except Senator Seiler who was excused; and Senators Carlson, Conrad, Janssen, Langemeier, and McGill who were excused until they arrive.

BILL ON FIRST READING

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

LEGISLATIVE BILL 731A. Introduced by Mello, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 731, One Hundred Second Legislature, Second Session, 2012.

GENERAL FILE

LEGISLATIVE BILL 806. Senator Fulton renewed his motion, MO81, found on page 841, to indefinitely postpone.

SENATOR CARLSON PRESIDING

Senator Gloor moved the previous question. The question is, "Shall the debate now close?"

Senator Gloor moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The motion to cease debate prevailed with 26 ayes, 4 nays, 14 present and not voting, and 5 excused and not voting.

Senator Fulton requested a roll call vote on his motion to indefinitely postpone.

Voting in the affirmative, 14:

Avery	Carlson	Fulton	Lambert	Pirsch
Brasch	Christensen	Hansen	McCoy	Price
Campbell	Coash	Harms	Nelson	

Voting in the negative, 28:

Adams	Flood	Howard	Lathrop	Schilz
Conrad	Gloor	Janssen	Lautenbaugh	Schumacher
Cook	Haar, K.	Karpisek	Louden	Smith
Cornett	Hadley	Krist	Mello	Wallman
Council	Harr, B.	Langemeier	Nordquist	
Dubas	Heidemann	Larson	Pahls	

Present and not voting, 2:

Bloomfield Wightman

Excused and not voting, 5:

Ashford Fischer McGill Seiler Sullivan

The Fulton motion to indefinitely postpone failed with 14 ayes, 28 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 541A. Placed on Final Reading.

LEGISLATIVE BILL 968. Placed on Final Reading.

ST72

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

1. In the committee amendment, AM2123:
 - a. On page 2, line 13, "70" has been struck and "72" inserted;
 - b. On page 18, line 21, "1,038,433,125" and all amendments thereto have been struck and "1,047,220,167" inserted; and in line 25 "1,332,776,159" and all amendments thereto have been struck and "1,341,563,201" inserted; and
 - c. On page 19, line 4, "\$1,038,433,125" and all amendments thereto have been struck and "\$1,047,220,167" inserted.
2. In the E & R amendments, ER209:
 - a. On page 1, line 22, "181," has been inserted after the first comma; and
 - b. On page 2, line 1, "section 33" has been struck and "sections 33 and 34" inserted.

LEGISLATIVE BILL 969. Placed on Final Reading.

ST74

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

1. In the E & R amendments, ER211, on page 1, line 11, "29-3921," has been inserted after "13-2704,"; and in line 15 "to provide for a study;" has been inserted after the second semicolon.

2. In the Standing Committee amendment, AM2068:

a. On page 1, line 22, the first "fund" has been struck and "State Colleges Sport Facilities Cash Fund" inserted;

b. On page 13, line 27, "7, 8, 9, and 15" has been struck and "8, 9, 10, and 16" inserted; and

c. On page 14, line 4, "29-3921," has been inserted after "13-2704,".

LEGISLATIVE BILL 1072. Placed on Final Reading.

ST73

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

1. In the Standing Committee amendment, AM2358, on page 5, line 8, an underscored comma has been inserted after "Lafayette".

(Signed) Tyson Larson, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Pristow, Thomas-Director, Division of Children and Family Services-Health and Human Services

(Signed) John Wightman, Chairperson
Executive Board

RESOLUTIONS

LEGISLATIVE RESOLUTION 513. Introduced by Wightman, 36; Gloor, 35.

PURPOSE: The purpose of this resolution is to study ways in which health benefit policies and contracts could provide coverage for patient-centered medical homes. A patient-centered medical home means a team-based way to care for a patient led by a personal primary care physician who provides coordinated preventative care throughout the patient's life. In order to carry out the purpose of this resolution, the committee should seek and consider the input of interested persons and organizations, including physicians, nurse practitioners, hospitals, and insurance carriers.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 514. Introduced by Wightman, 36.

PURPOSE: The purpose of this resolution is to conduct a comprehensive review and revision of the laws governing the process for sales of real property for delinquent real property taxes, including procedures for issuing tax sale certificates, bidding down interests in tax-delinquent parcels, and treatment of parcels not sold for want of bidders at foreclosure. In order to carry out the purpose of this resolution, the study committee should seek and consider the input of interested persons and organizations, including, but not limited to, county treasurers, county attorneys, lienholders, and purchasers of tax sale certificates.

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

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

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

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 806. Senator Smith withdrew his amendment AM2224, found on page 743.

Senator Harms reoffered his amendment, AM2230, found on page 742 and considered on page 840.

SENATOR GLOOR PRESIDING

SPEAKER FLOOD PRESIDING

The Harms amendment lost with 8 ayes, 14 nays, 25 present and not voting, and 2 excused and not voting.

Senator Lautenbaugh offered the following motion:

MO85

Invoke cloture pursuant to Rule 7, Section 10.

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

Senator Lautenbaugh requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Adams	Gloor	Karpisek	Louden	Schumacher
Ashford	Haar, K.	Krist	McGill	Smith
Conrad	Hadley	Lambert	Mello	Sullivan
Cook	Hansen	Langemeier	Nordquist	Wallman
Cornett	Harr, B.	Larson	Pahls	Wightman
Council	Howard	Lathrop	Price	
Dubas	Janssen	Lautenbaugh	Schilz	

Voting in the negative, 11:

Avery	Campbell	Coash	McCoy
Bloomfield	Carlson	Fulton	Nelson
Brasch	Christensen	Harms	

Present and not voting, 3:

Flood	Heidemann	Pirsch
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Excused and not voting, 2:

Fischer	Seiler
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The Lautenbaugh motion to invoke cloture prevailed with 33 ayes, 11 nays, 3 present and not voting, and 2 excused and not voting.

Senator Lautenbaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 26:

Adams	Gloor	Krist	McGill	Sullivan
Conrad	Haar, K.	Langemeier	Mello	Wallman
Cook	Hadley	Larson	Nordquist	
Cornett	Harr, B.	Lathrop	Pahls	
Council	Howard	Lautenbaugh	Schilz	
Dubas	Karpisek	Louden	Schumacher	

Voting in the negative, 18:

Avery	Christensen	Hansen	McCoy	Smith
Brasch	Coash	Harms	Nelson	Wightman
Campbell	Flood	Heidemann	Pirsch	
Carlson	Fulton	Lambert	Price	

Present and not voting, 3:

Ashford Bloomfield Janssen

Excused and not voting, 2:

Fischer Seiler

Advanced to Enrollment and Review Initial with 26 ayes, 18 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 806A. Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 9 nays, 7 present and not voting, and 4 excused and not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 515. Introduced by Nordquist, 7; Conrad, 46; Mello, 5.

PURPOSE: The purpose of this interim study is to examine new ways to pay for and deliver health care services through the medicaid program that improve the quality of care and health of participants while lowering costs. This study shall identify and evaluate service delivery initiatives and payment strategies for medicaid eligibles with high needs and high costs. The study shall consider the implementation of preventive measures and identify efficiencies in the medicaid program. The study shall also evaluate measures to improve program integrity through new options and resources to prevent and detect medicaid fraud. The study shall examine innovative policies and programs which have been proven to improve the quality of care and the health of Nebraskans, while also generating efficiencies or reducing the cost of the medicaid program to the state.

The issues addressed by this interim study shall include, but not be limited to:

(1) An examination of innovative policies and programs proposed or implemented by other states;

(2) A review of policies, programs, and new funding opportunities made available by the federal government for innovative medicaid initiatives; and

(3) Input from various categories of medicaid providers as to how to improve the quality of care and the health of Nebraskans and lower the costs to the medicaid program.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature on or before December 31, 2012.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 516. Introduced by Nordquist, 7; Howard, 9; Mello, 5.

PURPOSE: The purpose of this interim study is to examine issues surrounding the crime of destruction of property through the use of graffiti and to develop recommendations to prevent, combat, and abate graffiti in communities throughout the state.

The issues addressed by this interim study shall include, but not be limited to:

(1) An examination of the impact of graffiti-related crimes throughout the state;

(2) A review of the effectiveness of current tools and potential programs available to Nebraska municipalities to address graffiti-related crimes, destruction of property, and graffiti abatement;

(3) An assessment of the impact of enhanced penalties for graffiti and property defacement and other graffiti-related provisions as enacted by the passage of LB 63 (2009);

(4) Recommendations for changes to current penalties for graffiti, vandalism, the sale of spray paint or markers, and destruction of property, including:

(a) Possible enhanced penalties for graffiti-related crimes;

(b) Possible enhanced penalties for gang-related graffiti; and

(c) Possible parental responsibility for crime prevention and restitution;

(5) An evaluation of the needs of law enforcement to combat graffiti-related crimes; and

(6) A survey of current programs and recommendations to implement best practices to prevent youth from engaging in graffiti-related crimes.

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

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

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature on or before December 31, 2012.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 517. Introduced by Nelson, 6.

PURPOSE: The purpose of this interim study is to examine the benefits of adult day service programs currently provided to Nebraska seniors. This study shall include, but not be limited to:

(1) A review of the nature and extent of adult day service programs across the State of Nebraska;

(2) The nature of the adult day services provided to participants in such programs;

(3) The extent to which adult day service programs constitute a viable alternative to nursing home placement for older Nebraskans;

(4) How adult day service programs might serve as an effective service and care alternative for small rural communities facing the closure of a nursing home; and

(5) The typical costs of adult day service programs and a projection of the anticipated savings, if any, in seeking to utilize adult day service programs as an alternative to nursing home care.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 518. Introduced by Mello, 5; Nordquist, 7.

PURPOSE: The purpose of this interim study is to examine issues surrounding investment of state funds. This study shall include an examination of whether section 72-1239.01 should be amended to allow the Nebraska Investment Council to invest or reinvest assets of Nebraska's retirement systems or the Nebraska educational savings plan trust into economic development within the State of Nebraska.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 519. Introduced by Mello, 5; Conrad, 46; Nordquist, 7.

PURPOSE: The purpose of this interim study is to examine wage subsidy programs. The issues addressed by this interim study shall include, but not be limited to:

(1) A review of the potential benefits of wage subsidy programs to Nebraska businesses, taxpayers, and program participants;

(2) An examination of the current use of funds in the Temporary Assistance for Needy Families rainy day fund and potential use of the funds to support wage subsidy programs; and

(3) A review of other potential funding sources for wage subsidy programs.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 520. Introduced by Mello, 5.

PURPOSE: The purpose of this interim study is to examine issues related to land banking. This study shall include, but not be limited to:

(1) A review of the effects that vacant, abandoned, and tax-foreclosed properties have on Nebraska municipalities, and the role that land banks could play in addressing these effects;

(2) A review of land banks and land bank legislation in other states, with an emphasis on the third generation of land bank legislation;

(3) A review of potential funding sources for municipally created land banks, including ongoing funding streams which would allow land banks to be internally financed;

(4) An examination of land reutilization commissions created pursuant to section 77-3203 and the differences between land reutilization commissions and land banks; and

(5) An examination of the tax foreclosure system in Nebraska and the potential role that land banks could play in speeding up the conversion of tax-foreclosed properties into productive use.

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

1. That the Revenue and Urban Affairs Committees of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 715. Senator Schumacher renewed his amendment, FA60, found in this day's Journal.

SENATOR GLOOR PRESIDING

Senator Schumacher withdrew his amendment.

Senator Schumacher withdrew his amendment, FA61, found in this day's Journal.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 14 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 905. Title read. Considered.

Committee AM2197, found on page 737, was considered.

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

The committee amendment was adopted with 26 ayes, 1 nay, 10 present and not voting, and 12 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 9 present and not voting, and 12 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 905A. Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 9 present and not voting, and 12 excused and not voting.

LEGISLATIVE BILL 1057. Title read. Considered.

Committee AM2170, found on page 730, was adopted with 30 ayes, 0 nays, 8 present and not voting, and 11 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 11 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 1057A. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 7 present and not voting, and 11 excused and not voting.

AMENDMENTS - Print in Journal

Senator Lautenbaugh filed the following amendment to LB806:

AM2359

1 1. On page 3, line 4, after the period insert "All
 2 licenses issued pursuant to this subdivision and the authorization
 3 to license and regulate under this subdivision terminate on January
 4 1, 2020, unless the commission determines that (a) a racetrack
 5 enclosure is constructed in a county which contains a city of
 6 the primary class and (b) racetrack enclosures at which historic
 7 horseracing machines are in use during 2019 have (i) an increase
 8 in the number of days of live race meets compared to the number of
 9 days of live race meets in 2011 or (ii) a XXX percent increase in
 10 the purse at the racetrack enclosure compared to the purse at the
 11 racetrack enclosure in 2011.".

Senator Lathrop filed the following amendment to LB899:

AM2393

1 1. Insert the following new section:
 2 Sec. 3. Section 43-2935, Reissue Revised Statutes of
 3 Nebraska, is amended to read:
 4 43-2935 (1) After a hearing on the record, the court
 5 shall determine whether the submitted parenting plan meets all of
 6 the requirements of the Parenting Act and is in the best interests
 7 of the child. If the parenting plan lacks any of the elements
 8 required by the act or is not in the child's best interests, the
 9 court shall modify and approve the parenting plan as modified,
 10 reject the parenting plan and order the parties to develop a new
 11 parenting plan, or reject the parenting plan and create a parenting
 12 plan that meets all the required elements and is in the best
 13 interests of the child. The court may include in the parenting
 14 plan:
 15 (†)(a) A provision for resolution of disputes that arise
 16 under the parenting plan, including provisions for suspension of
 17 parenting time, visitation, and other access when new findings of
 18 child abuse or neglect, domestic intimate partner abuse, criminal
 19 activity affecting the best interests of a child, or the violation
 20 of a protection order, restraining order, or criminal no-contact
 21 order occur, until a modified custody order or parenting plan with
 22 provisions for safety or a transition plan, or both, is in place;
 23 and

1 ~~(2)~~(b) Consequences for failure to follow parenting plan
2 provisions.

3 (2) A hearing is not required under this section if both
4 parties have waived the requirement for a hearing under section
5 42-361 or section 2 of this act.

6 2. On page 4, line 13, strike "section 42-353" and insert
7 "sections 42-353 and 43-2935"; and in line 14 strike "is" and
8 insert "are".

9 3. Renumber the remaining sections accordingly.

Senator Mello filed the following amendment to LB727:

AM2600

(Amendments to E & R amendments, ER200)

1 1. Insert the following new section:

2 Sec. 39. Sales and use taxes shall not be imposed on
3 the gross receipts from the sale, lease, or rental of and the
4 storage, use, or other consumption in this state of building
5 materials purchased by contractors and subcontractors for use in
6 the building, erection, alteration, or repair of structures and
7 other public works owned and used by the United States Department
8 of Defense or the United States Department of Veterans Affairs.

9 2. On page 65, line 27; and page 66, line 5, strike "and
10 37" and insert ", 37, and 39".

11 3. Renumber the remaining sections and correct internal
12 references and the operative date section so that the new section
13 added by this amendment becomes operative on July 1, 2012.

Senator Bloomfield filed the following amendment to LB1158:

AM2590

(Amendments to AM2521)

1 1. On page 3, line 22, strike "stakeholder and" and
2 insert "input from stakeholders, including consumers and their
3 family members, the office of consumer affairs within the division,
4 and the".

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1053. Placed on Select File with amendment.

ER227

1 1. On page 1, line 2, strike "81-1201.22,"; in line 6
2 strike "and 81-1201.04" and insert ", 81-1201.04, and 81-1201.22";
3 and in line 12 after the semicolon insert "to change membership
4 provisions for the Economic Development Commission; to change the
5 sources and uses of the Administrative Cash Fund;".

6 2. On page 6, line 22, strike the semicolon and insert an
7 underscored period; and in lines 23 and 24 strike "the Department
8 of Labor and".

9 3. On page 7, line 1, strike the semicolon and insert an

- 10 underscored period; and in line 8 strike "departments" and insert
 11 "division" and strike "; and" and insert an underscored period.
 12 4. On page 11, line 21, strike "14" and insert "15".
 13 5. On page 13, line 22; and page 14, line 24, strike "16"
 14 and insert "17".
 15 6. On page 30, line 22, strike "81-1201.22,".
 16 7. On page 31, line 1, strike "and 81-1201.04" and insert
 17 ", 81-1201.04, and 81-1201.22".

LEGISLATIVE BILL 1080. Placed on Select File with amendment.
 ER222

- 1 1. On page 1, strike beginning with "an" in line 6
 2 through line 7, and insert "operative dates; to repeal the original
 3 sections; and to declare an emergency."

LEGISLATIVE BILL 1128. Placed on Select File with amendment.
 ER225

- 1 1. On page 7, line 5, strike "entity" and insert
 2 "equity".
 3 2. On page 12, line 6, strike "(i)".

LEGISLATIVE BILL 1128A. Placed on Select File.

LEGISLATIVE BILL 750. Placed on Select File with amendment.
 ER223

- 1 1. On page 1, strike beginning with "section" in line
 2 1 through line 4 and insert "sections 77-1359 and 77-1371,
 3 Reissue Revised Statutes of Nebraska; to redefine terms related
 4 to assessment of agricultural land and horticultural land; to
 5 change provisions relating to comparable sales for assessment of
 6 real property; and to repeal the original sections."

LEGISLATIVE BILL 970. Placed on Select File with amendment.
 ER224 is available in the Bill Room.

LEGISLATIVE BILL 209A. Placed on Select File.

LEGISLATIVE BILL 540A. Placed on Select File.

LEGISLATIVE BILL 949A. Placed on Select File with amendment.
 ER226

- 1 1. On page 1, line 4, after the semicolon insert "to
 2 provide for transfers of funds; to provide for a reduction of
 3 appropriations as prescribed;"
 4 2. On page 2, line 4, after "354" insert an underscored
 5 comma.

(Signed) Tyson Larson, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 521. Introduced by Larson, 40.

PURPOSE: The purpose of this study is to evaluate whether the courts are utilizing the specific provision in section 43-290 that provides that a court may order a parent to pay a reasonable sum to cover in whole or in part the support, study, and treatment of a juvenile in the custody of the Department of Health and Human Services to promote parental responsibility and provide the most equitable use and availability of public money. This study shall determine whether the purposes of the statute are in fact being promoted by the courts with regard to ordering parents to provide financial support. Given the fiscal concerns regarding the child welfare system, it is important to look at the available options for funding adequate care of juveniles in the custody of the department. This study shall also evaluate whether sums ordered to be paid by a parent under this section are collected at an acceptable rate or if changes are necessary to provide the authority for garnishment of ordered support payments.

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

1. That the Judiciary and Health and Human Services Committees of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

COMMITTEE REPORT

Business and Labor

LEGISLATIVE BILL 1058. Placed on General File with amendment. AM2599

1 1. On page 3, line 25, strike "seven" and insert "ten".

(Signed) Steve Lathrop, Chairperson

VISITORS

Visitors to the Chamber were 80 fourth-grade students, teachers, and sponsors from Morton Elementary, Lexington; 35 fourth-grade students and teachers from Yutan; Senator Bloomfield's wife, Ruth, from Hoskins, and his niece, Jennifer Eddie, from Norfolk; and Sara Theoharis from Hastings.

The Doctor of the Day was Dr. Ron Klutman from Columbus.

ADJOURNMENT

At 5:55 p.m., on a motion by Senator Lathrop, the Legislature adjourned until 8:00 a.m., Thursday, March 22, 2012.

Patrick J. O'Donnell
Clerk of the Legislature

