

FIFTY-SEVENTH DAY - APRIL 5, 2012**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION****FIFTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, April 5, 2012

PRAYER

The prayer was offered by Senator Schumacher.

ROLL CALL

Pursuant to adjournment, the Legislature met at 8:00 a.m., President Sheehy presiding.

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

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-sixth day was approved.

REPORTS

The following reports were received by the Legislature:

Roads, Department of

The Current State Highway System
The March 27, 1972 Federal Aid Primary System Map
The Interstate and Defense Highway System
The June 1, 1991 Federal Aid Primary System
The National Highway System
The Highway Beautification Control System
The Scenic Byways System

SELECT FILE

LEGISLATIVE BILL 14. ER279, found on page 1404, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1125. ER280, found on page 1404, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 928. ER278, found on page 1404, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 928A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 924. ER281, found on page 1439, was adopted.

Senator Mello offered the following amendment:

AM2779

(Amendments to E & R amendments, ER281)

- 1 1. On page 3, lines 15 and 22, after "commissioner"
- 2 insert "or county supervisor".

The Mello amendment was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB357 with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 357.

A BILL FOR AN ACT relating to the Local Option Revenue Act; to amend sections 77-27,142, 77-27,142.01, and 77-27,142.02, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to increases in sales and use taxes; 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, 30:

Adams	Cook	Hadley	Lathrop	Schilz
Ashford	Cornett	Harms	Lautenbaugh	Schumacher
Avery	Council	Harr, B.	McGill	Smith
Campbell	Flood	Krist	Nelson	Sullivan
Coash	Gloor	Lambert	Nordquist	Wallman
Conrad	Haar, K.	Larson	Pahls	Wightman

Voting in the negative, 15:

Bloomfield	Dubas	Hansen	Karpisek	Mello
Brasch	Fischer	Heidemann	Langemeier	Pirsch
Christensen	Fulton	Janssen	McCoy	Price

Present and not voting, 1:

Howard

Excused and not voting, 3:

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 745.

A BILL FOR AN ACT relating to cities and villages; to amend sections 15-202, 15-203, 16-205, and 17-525, Reissue Revised Statutes of Nebraska, and section 14-109, Revised Statutes Supplement, 2011; to provide requirements for imposition of an occupation tax; 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, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Carlson Louden Seiler

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

LEGISLATIVE BILL 804.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1416, Reissue Revised Statutes of Nebraska; to change provisions relating to justification for use of force; to harmonize provisions; and to repeal the original section.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Council

Excused and not voting, 3:

Carlson Louden Seiler

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 LB998 with 39 ayes, 1 nay, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 998. With Emergency Clause.

A BILL FOR AN ACT relating to foster care; to amend sections 28-726, 43-1303, 43-1304, 43-1305, 43-1307, 43-1308, 43-1309, 43-1310, 43-1313, 43-1314.01, 43-1317, and 43-1321, Reissue Revised Statutes of Nebraska, sections 43-1302 and 43-3001, Revised Statutes Cumulative Supplement, 2010, and sections 43-285, 43-1301, and 43-1314, Revised Statutes Supplement, 2011; to eliminate the State Foster Care Review Board; to create the Foster Care Review Office and a committee; to rename a fund; to provide for an executive director; to provide powers and duties; to change provisions relating to local foster care review boards and court review hearings; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 43-1306, 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, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Sullivan

Excused and not voting, 3:

Carlson Louden Seiler

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 LB998A with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 998A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2011, LB374, sections 216 and 260; to change appropriation provisions to aid in carrying out the provisions of Legislative Bill 998, One Hundred Second Legislature, Second Session, 2012; to provide for drawing and paying warrants; 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, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Carlson	Louden	Seiler
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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 LB1053 with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1053. With Emergency Clause.

A BILL FOR AN ACT relating to travel and tourism; to amend sections 81-1201.07, 81-1245, 81-1246, 81-1247, 81-1248, 81-1249, 81-1250, 81-1251, 81-1252, 81-1253, 81-1254, 81-1256, 81-1257, 81-1258, 81-1259, 81-1261, 81-1262, and 81-1263, Reissue Revised Statutes of Nebraska, sections 77-2711, 81-1201.04, and 81-1201.22, Revised Statutes Cumulative Supplement, 2010, and sections 81-1201.13, 81-1255, and 81-1260, Revised Statutes Supplement, 2011; to transfer and change provisions relating to the Nebraska Visitors Development Act; to define and redefine terms; to create and provide duties for a commission; to change membership provisions for the Economic Development Commission; to change the sources and uses of the Administrative Cash Fund; to eliminate a division and an advisory committee; to provide for transition; 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, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

McGill

Excused and not voting, 1:

Seiler

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 LB1053A with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1053A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2011, LB374, sections 222 and 260, as amended by sections 61 and 65, respectively, Legislative Bill 968, One Hundred Second Legislature, Second Session, 2012; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1053, One Hundred Second Legislature, Second Session, 2012; to change and eliminate provisions relating to appropriations; 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, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

McGill

Excused and not voting, 1:

Seiler

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 LB1113 with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1113.

A BILL FOR AN ACT relating to power of attorney; to amend section 30-3408, Reissue Revised Statutes of Nebraska, and section 30-2201, Revised Statutes Supplement, 2011; to adopt the Nebraska Uniform Power of Attorney Act; to repeal the Uniform Durable Power of Attorney Act and the Nebraska Short Form Act; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 30-2665, 30-2666, 30-2667, 30-2668, 30-2669, 30-2670, 30-2671, 30-2672, 49-1501, 49-1502, 49-1503, 49-1504, 49-1505, 49-1506, 49-1507, 49-1508, 49-1509, 49-1510, 49-1511, 49-1512, 49-1513, 49-1514, 49-1515, 49-1516, 49-1517, 49-1518, 49-1519, 49-1520, 49-1521, 49-1522, 49-1523, 49-1524, 49-1525, 49-1526, 49-1527, 49-1528, 49-1529, 49-1530, 49-1531, 49-1532, 49-1533, 49-1534, 49-1535, 49-1536, 49-1537, 49-1538, 49-1539, 49-1540, 49-1541, 49-1542, 49-1543, 49-1544, 49-1545, 49-1546, 49-1547, 49-1548, 49-1549, 49-1550, 49-1551, 49-1552, 49-1553, 49-1554, 49-1555, 49-1556, 49-1557, 49-1558, 49-1559, 49-1560, 49-1561, and 49-1562, Reissue Revised Statutes of Nebraska, and sections 30-2664 and 30-2665.01, Revised Statutes Cumulative Supplement, 2010.

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

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

McGill

Excused and not voting, 1:

Seiler

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 LB1155 with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1155.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-102, 60-135.01, 60-358.01, 60-4,108, 60-4,110, and 60-6,355, Reissue Revised Statutes of Nebraska, and sections 23-187, 60-101, 60-123, 60-301, 60-302, 60-339, 60-471, 60-501, 60-520, 60-547, 60-601, 60-605, 60-6,348, and 60-6,349, Revised Statutes Supplement, 2011; to allow operation of golf car vehicles on highways as prescribed; to provide powers for counties, cities, and villages; to change penalties relating to operating a motor vehicle while under orders not to operate a motor vehicle; to harmonize provisions; to provide operative dates; and to repeal the original sections.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 3:

Bloomfield Council Louden

Excused and not voting, 1:

Seiler

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 1158. With Emergency Clause.

A BILL FOR AN ACT relating to medical assistance; to amend section 71-801, Reissue Revised Statutes of Nebraska, and section 68-908, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the medical assistance program; to provide requirements for behavioral health managed care contracts; 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	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:

Louden

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 357, 745, 804, 998, 998A, 1053, 1053A, 1113, 1155, and 1158.

SELECT FILE

LEGISLATIVE BILL 1161. ER269, found on page 1279, was adopted.

Senator Avery withdrew his amendment, AM2672, found on page 1212.

Senator Langemeier withdrew his amendment, FA67, found on page 1213.

Senator Smith withdrew his amendment, AM2745, found on page 1408.

Senator K. Haar offered the following motion:

MO102

Recommit to committee.

SENATOR COASH PRESIDING

Pending.

EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 851, 865, 869, 880, 881, 896e, 897, 898, 899, 936e, 941, 997, 1005, 1026, 1030, 1035, 1038, 1042, 1049, 1051, 1054, 1054A, 1062, 1077, 1083e, 1087, 1087A, 1101e, 1106, 1116, 1121, 1122e, 1126, 1140, 1141, and 1148.

(Signed) Kate Sullivan

REFERENCE COMMITTEE REPORT2012 Resolution calling for an Interim Study

LR628	Interim study to examine the pensions provided to firefighters in cities of the first class	Nebraska Retirement Systems
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(Signed) John Wightman, Chairperson
Executive Board

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 5, 2012, at 9:04 a.m. were the following: LBs 357, 745, 804, 998e, 998Ae, 1053e, 1053Ae, 1113, 1155, and 1158e.

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

COMMITTEE REPORT

Judiciary

The Judiciary 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.

R. L. (Bob) Boozer - Board of Parole

Aye: 8 Ashford, Coash, Council, B. Harr, Larson, Lathrop, Lautenbaugh, McGill. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Brad Ashford, Chairperson

SPEAKER FLOOD PRESIDING**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

LEGISLATIVE BILL 40. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Revised Statutes Supplement, 2011; to change a sales tax exemption for health clinics; to provide an operative date; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

LEGISLATIVE BILL 66.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend section 29-4107, Reissue Revised Statutes of Nebraska, and section 29-4106, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to DNA collection and the costs of DNA sample kits; 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 66A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 66, 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, 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.

PRESIDENT SHEEHY PRESIDING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB209 with 40 ayes, 0 nays, and 9 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 209.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,144, Reissue Revised Statutes of Nebraska, and section 77-2711, Revised Statutes Cumulative Supplement, 2010; to provide for review of tax returns by certified municipal employees; to provide for delayed deductions of refunds from municipal sales and use tax receipts; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure

having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 209A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 209, 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, 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 426.

A BILL FOR AN ACT relating to political subdivisions; to amend section 13-2706, Revised Statutes Cumulative Supplement, 2010, and section 13-3108, Revised Statutes Supplement, 2011; to change provisions relating to eligibility for grants under the Civic and Community Center Financing Act and the Sports Arena Facility Financing Assistance 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 541. With Emergency Clause.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2011; to provide for contracts with third parties to promote the integrity of the medical assistance program and assist cost-containment efforts; to harmonize provisions; 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 541A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 541, One Hundred Second Legislature, Second Session, 2012; 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 576.

A BILL FOR AN ACT relating to the Nebraska statutes; to amend section 49-707, Reissue Revised Statutes of Nebraska; to create funds; to change disposition of certain receipts; 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 LB727 with 39 ayes, 0 nays, and 10 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 727. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 9-226, 9-226.01, 9-228, 9-322, 9-322.02, 9-324, 9-418, 9-418.01, 9-420, 9-620, 9-622, 9-623, 9-820, 57-706, 57-1206, 66-486, 66-488, 66-489.02, 66-525, 66-6,110, 66-6,113, 66-721, 66-722, 76-908, 77-377.01, 77-3,116, 77-612, 77-802, 77-1375, 77-1780, 77-2701, 77-2701.04, 77-2701.16, 77-2705.03, 77-2776, 77-2779, 77-27,130, 77-27,135, 77-27,150, 77-27,152, 77-3311, 77-3906, 77-4015, 77-4016, 77-4020, and 77-4312, Reissue Revised Statutes of Nebraska, section 66-1521, Revised Statutes Cumulative Supplement, 2010, and sections 66-712, 66-738, and 77-2704.10, Revised Statutes Supplement, 2011; to change provisions

relating to tax filings and notices, motor fuel taxation, sales and use taxes, and a tax study; to define terms; to provide sales tax exemptions relating to youth sports and educational activities and certain fees and admissions; to eliminate a committee; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 66-737, 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 bills were read and put upon final passage:

LEGISLATIVE BILL 806.

A BILL FOR AN ACT relating to horseracing; to amend sections 2-1203.01, 2-1215, and 2-1222, Reissue Revised Statutes of Nebraska; to authorize the State Racing Commission to license and regulate wagering on historic horseraces as prescribed; to provide for a tax on wagers; to create a fund; to provide a penalty; to change penalty provisions; to change provisions relating to the source and use of the Racing Commission's Cash Fund; to provide severability; 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, 26:

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

Voting in the negative, 18:

Adams	Carlson	Fulton	Lambert	Smith
Avery	Christensen	Hansen	McCoy	Wightman
Bloomfield	Coash	Harms	Nelson	
Brasch	Fischer	Heidemann	Pirsch	

Present and not voting, 5:

Campbell	Flood	Janssen	McGill	Price
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 806A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 806, 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, 29:

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

Voting in the negative, 12:

Avery	Christensen	Lambert	Pirsch
Brasch	Hansen	McCoy	Price
Carlson	Harms	Nelson	Smith

Present and not voting, 8:

Adams	Campbell	Fischer	McGill
Bloomfield	Coash	Janssen	Wightman

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 LB817 with 42 ayes, 0 nays, and 7 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 817.

A BILL FOR AN ACT relating to law enforcement; to amend sections 23-1701.01, 81-1401, 81-1406, 81-1412.02, 81-1414, 81-1414.04, 81-1414.05, and 81-1439, Reissue Revised Statutes of Nebraska, section 29-2264, Revised Statutes Cumulative Supplement, 2010, and sections 47-624, 47-627, 81-1403, and 81-1404, Revised Statutes Supplement, 2011; to provide for the evidentiary use of certain convictions regarding certification; to provide, change, and eliminate duties for the Community Corrections Division of the Nebraska Commission on Law Enforcement and Criminal Justice; to change provisions relating to the uniform crime data analysis system and law enforcement certification and continuing education; to provide penalties; to provide powers and duties for the director of the Nebraska Law Enforcement Training Center and the Nebraska Police Standards Advisory Council; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 81-1414.01 and 81-1414.02, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 47:

Adams	Cook	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	
Conrad	Harms	Lathrop	Price	

Voting in the negative, 0.

Present and not voting, 2:

Cornett Haar, K.

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 817A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 817, One Hundred Second Legislature, Second Session, 2012; and to provide an operative date.

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.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB820 with 39 ayes, 0 nays, and 10 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 820. With Emergency Clause.

A BILL FOR AN ACT relating to child welfare services; to amend section 71-1902, Revised Statutes Supplement, 2011; to create committees; to provide powers and duties; to require an implementation plan, a demonstration project, and an application for a waiver of federal requirements; to require reports; to provide for a statewide level of care assessment system and a foster care reimbursement rate structure; to provide for a temporary stipend for foster parents; to change requirements for licensure to furnish foster care; to redefine a term; to provide operative dates; 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.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 820A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 820, One Hundred Second Legislature, Second Session, 2012; 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	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:

Seiler

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 LB821 with 42 ayes, 0 nays, and 7 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 821. With Emergency Clause.

A BILL FOR AN ACT relating to health and human services; to amend sections 28-711, 73-401, 81-8,240, 81-8,241, 81-8,244, and 81-8,245, Reissue Revised Statutes of Nebraska; to state intent; to create the Nebraska Children's Commission; to provide powers and duties; to adopt the Office of Inspector General of Nebraska Child Welfare Act; to change provisions relating to the Public Counsel; 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, 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 bills were read and put upon final passage:

LEGISLATIVE BILL 821A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 821, One Hundred Second Legislature, Second Session, 2012; 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 825.

A BILL FOR AN ACT relating to social services; to define terms; to provide requirements for staffing, services, and contracts for public assistance programs administered by the Department of Health and Human Services; and to provide reporting requirements.

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, 38:

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

Voting in the negative, 4:

Flood	Fulton	Hansen	Nelson
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Present and not voting, 7:

Adams	Heidemann	Langemeier	Pirsch
Fischer	Janssen	Lautenbaugh	

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

LEGISLATIVE BILL 825A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 825, 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, 46:

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

Voting in the negative, 2:

Hansen	Nelson
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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 830. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Reissue Revised Statutes of Nebraska; to provide a sales and use tax exemption for biochips as prescribed; 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, 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 862. With Emergency Clause.

A BILL FOR AN ACT relating to courts; to amend section 24-201.01, Revised Statutes Cumulative Supplement, 2010; to change the salary of Supreme Court Judges; 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	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	Gloor	Lambert	Nordquist	Wightman
Coash	Hadley	Langemeier	Pahls	
Conrad	Hansen	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 1:

Haar, K.

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 862A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 862, One Hundred Second Legislature, Second Session, 2012; to provide an operative date; 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	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.

Excused and not voting, 1:

Council

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 LB872 with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 872.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2734.04 and 77-2734.14, Reissue Revised Statutes of Nebraska; to change provisions relating to apportionment of income between states; to define and redefine terms; 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	Heidemann	Louden	Schumacher
Ashford	Dubas	Howard	McCoy	Seiler
Avery	Fischer	Janssen	McGill	Smith
Bloomfield	Fulton	Karpisek	Mello	Sullivan
Brasch	Gloor	Krist	Nelson	Wallman
Campbell	Haar, K.	Lambert	Nordquist	Wightman
Carlson	Hadley	Langemeier	Pahls	
Christensen	Hansen	Larson	Pirsch	
Coash	Harms	Lathrop	Price	
Cook	Harr, B.	Lautenbaugh	Schilz	

Voting in the negative, 1:

Conrad

Present and not voting, 1:

Flood

Excused and not voting, 1:

Council

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 LB887 with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 887.

A BILL FOR AN ACT relating to insurance; to amend sections 44-114, 44-154, 44-2120, 44-2121, 44-2126, 44-2127, 44-2129, 44-2132, 44-2133, 44-2135, 44-2137, 44-2138, 44-2139, 44-2702, 44-2703, 44-2704, 44-2719.02, 44-32,177, 44-8101, 44-8102, 44-8103, 44-8104, 44-8105, 44-8106, 44-8107, and 44-8216, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to fees, confidential and privileged information, merger and acquisition, registration, transactions, domestic insurers, examination, confidential information, rules and regulations, coverages, construction of statutes, court orders, purpose, applicability, exemptions, recommendations, powers and duties, and special purpose financial captive insurers; to authorize supervisory colleges; to provide powers for the Director of Insurance; to require annuity education; to harmonize provisions; to provide operative dates; and to repeal the

original sections.

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

Voting in the affirmative, 48:

Adams	Cook	Harms	Lathrop	Price
Ashford	Cornett	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.

Excused and not voting, 1:

Council

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 950.

A BILL FOR AN ACT relating to the Water Resources Cash Fund; to amend section 61-218, Revised Statutes Supplement, 2011; to state intent; to provide for a transfer of funds; 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, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

Karpisek

Excused and not voting, 1:

Council

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

LEGISLATIVE BILL 950A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 950, One Hundred Second Legislature, Second Session, 2012; and to declare an emergency.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 3:

Gloor Howard Pahls

Excused and not voting, 1:

Council

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 LB970 with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 970.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2701.01, 77-2715.01, 77-2715.02, 77-2727, and 77-2734.02, Reissue Revised Statutes of Nebraska, section 77-2734.01, Revised Statutes Cumulative Supplement, 2010, and section 77-2717, Revised Statutes Supplement, 2011; to change income tax rates and calculation; 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, 39:

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

Voting in the negative, 9:

Conrad	Dubas	Karpisek	McGill	Wallman
Cook	Howard	Louden	Schumacher	

Excused and not voting, 1:

Council

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 993.

A BILL FOR AN ACT relating to child abuse and neglect; to amend sections 28-728 and 28-729, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to child abuse and neglect investigation teams, child abuse and neglect treatment teams, and child advocacy centers; to define a term; to repeal the original sections; and to outright repeal sections 28-732 and 28-733, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 48:

Adams	Cook	Harms	Lathrop	Price
Ashford	Cornett	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.

Excused and not voting, 1:

Council

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

SPEAKER FLOOD PRESIDING

LEGISLATIVE BILL 993A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 993, 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	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	
Cook	Harms	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 2:

Ashford Council

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 LB1020 with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1020. With Emergency Clause.

A BILL FOR AN ACT relating to public health and welfare; to amend section 9-836.01, Revised Statutes Cumulative Supplement, 2010, and section 9-812, Revised Statutes Supplement, 2011; to adopt the Nebraska Coordinated School Health Act; to change allocation provisions relating to the Education Innovation Fund; 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, 32:

Avery	Fulton	Karpisek	McGill	Seiler
Campbell	Gloor	Krist	Mello	Smith
Coash	Haar, K.	Lambert	Nordquist	Sullivan
Conrad	Hadley	Langemeier	Pahls	Wallman
Cook	Harms	Larson	Pirsch	
Cornett	Harr, B.	Lathrop	Price	
Dubas	Howard	Lautenbaugh	Schumacher	

Voting in the negative, 15:

Adams	Carlson	Flood	Janssen	Nelson
Bloomfield	Christensen	Hansen	Louden	Schilz
Brasch	Fischer	Heidemann	McCoy	Wightman

Excused and not voting, 2:

Ashford Council

Having failed to receive a constitutional two-thirds majority voting in the affirmative, the bill failed to pass with the emergency clause attached. The question is, "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 26:

Avery	Dubas	Howard	McGill	Sullivan
Campbell	Fulton	Karpisek	Mello	Wallman
Coash	Gloor	Krist	Nordquist	
Conrad	Haar, K.	Langemeier	Price	
Cook	Hadley	Larson	Schumacher	
Cornett	Harr, B.	Lathrop	Seiler	

Voting in the negative, 15:

Adams	Carlson	Flood	Heidemann	Nelson
Bloomfield	Christensen	Hansen	Janssen	Schilz
Brasch	Fischer	Harms	McCoy	Wightman

Present and not voting, 6:

Lambert	Louden	Pirsch
Lautenbaugh	Pahls	Smith

Excused and not voting, 2:

Ashford Council

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1020A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1020, One Hundred Second Legislature, Second Session, 2012; 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, 34:

Avery	Dubas	Harr, B.	Lathrop	Price
Bloomfield	Fischer	Heidemann	McGill	Schumacher
Campbell	Flood	Howard	Mello	Seiler
Coash	Fulton	Karpisek	Nelson	Smith
Conrad	Gloor	Krist	Nordquist	Sullivan
Cook	Haar, K.	Langemeier	Pahls	Wallman
Cornett	Hadley	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 13:

Adams	Christensen	Janssen	Louden	Wightman
Brasch	Hansen	Lambert	McCoy	
Carlson	Harms	Lautenbaugh	Schilz	

Excused and not voting, 2:

Ashford	Council
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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 1063.

A BILL FOR AN ACT relating to medical assistance; to adopt the Children's Health and Treatment Act.

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

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 3:

Janssen	Langemeier	Lautenbaugh
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Excused and not voting, 2:

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

LEGISLATIVE BILL 1080.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Reissue Revised Statutes of Nebraska, and section 77-202, Revised Statutes Supplement, 2011; to provide a property tax exemption and a sales and use tax exemption relating to data centers; to define a term; 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, 44:

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

Voting in the negative, 2:

Adams Conrad

Present and not voting, 1:

Lautenbaugh

Excused and not voting, 2:

Ashford Council

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

LEGISLATIVE BILL 1090.

A BILL FOR AN ACT relating to the State Department of Education; to define terms; to provide for grants and the distribution of information relating to the Summer Food Service Program; and to provide powers and duties for the State Department of Education.

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, 33:

Avery	Cornett	Howard	Mello	Schumacher
Campbell	Dubas	Karpisek	Nelson	Seiler
Carlson	Gloor	Krist	Nordquist	Smith
Christensen	Haar, K.	Larson	Pahls	Sullivan
Coash	Hadley	Lathrop	Pirsch	Wallman
Conrad	Harms	Louden	Price	
Cook	Harr, B.	McGill	Schilz	

Voting in the negative, 11:

Adams	Fischer	Hansen	Langemeier
Bloomfield	Flood	Heidemann	McCoy
Brasch	Fulton	Janssen	

Present and not voting, 3:

Lambert Lautenbaugh Wightman

Excused and not voting, 2:

Ashford Council

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

LEGISLATIVE BILL 1090A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1090, 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, 32:

Avery	Fulton	Howard	McGill	Schumacher
Campbell	Gloor	Karpisek	Mello	Seiler
Carlson	Haar, K.	Krist	Nordquist	Sullivan
Coash	Hadley	Langemeier	Pahls	Wallman
Conrad	Harms	Larson	Pirsch	
Dubas	Harr, B.	Lathrop	Price	
Flood	Heidemann	Louden	Schilz	

Voting in the negative, 1:

Christensen

Present and not voting, 14:

Adams	Cook	Hansen	Lautenbaugh	Smith
Bloomfield	Cornett	Janssen	McCoy	Wightman
Brasch	Fischer	Lambert	Nelson	

Excused and not voting, 2:

Ashford Council

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

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 993, 993A, 1063, 1080, 1090, and 1090A.

PRESIDENT SHEEHY PRESIDING

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1091.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-450.03 and 86-457, Reissue Revised Statutes of Nebraska, and section 86-313, Revised Statutes Cumulative Supplement, 2010; to adopt the Prepaid Wireless Surcharge Act; to eliminate a definition and certain charges relating to prepaid wireless service; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to outright repeal section 86-450.02, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 3:

Bloomfield Lautenbaugh Schumacher

Excused and not voting, 2:

Ashford Council

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

LEGISLATIVE BILL 1091A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1091, 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, 42:

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

Voting in the negative, 0.

Present and not voting, 5:

Cook	Hadley	Lautenbaugh	Schumacher	Wallman
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Excused and not voting, 2:

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

LEGISLATIVE BILL 1097.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Revised Statutes Supplement, 2011; to provide a sales and use tax exemption for purchases by nonprofit mental health centers; to provide an operative 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, 43:

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

Voting in the negative, 0.

Present and not voting, 4:

Cook Fischer Lautenbaugh McGill

Excused and not voting, 2:

Ashford Council

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 LB1128 with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1128.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2734.03 and 77-3806, Reissue Revised Statutes of Nebraska, section 77-908, Revised Statutes Cumulative Supplement, 2010, and sections 49-801.01, 77-2715.07, and 77-2717, Revised Statutes Supplement, 2011; to adopt the New Markets Job Growth Investment Act; to provide tax credits; 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, 41:

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

Voting in the negative, 0.

Present and not voting, 6:

Fischer	Harr, B.	Lautenbaugh
Fulton	Heidemann	Louden

Excused and not voting, 2:

Ashford Council

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1128A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1128, 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, 42:

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

Voting in the negative, 0.

Present and not voting, 5:

Adams	Heidemann	Howard	Lautenbaugh	Louden
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Excused and not voting, 2:

Ashford Council

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

LEGISLATIVE BILL 1145.

A BILL FOR AN ACT relating to criminal law; to amend section 28-802, Reissue Revised Statutes of Nebraska; to change the penalty for pandering; to create a task force relating to human trafficking; to provide powers and duties; to require the placement of posters and the training of certain officials regarding human trafficking; 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, 46:

Adams	Cornett	Harr, B.	Louden	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	
Conrad	Hansen	Larson	Price	
Cook	Harms	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Lautenbaugh

Excused and not voting, 2:

Ashford Council

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

LEGISLATIVE BILL 1145A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1145, 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, 46:

Adams	Cornett	Harr, B.	Louden	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	
Conrad	Hansen	Larson	Price	
Cook	Harms	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Lautenbaugh

Excused and not voting, 2:

Ashford Council

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 LB1160 with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1160. With Emergency Clause.

A BILL FOR AN ACT relating to health and human services; to amend sections 43-296, 43-405, 43-534, 68-1207.01, 71-825, 71-827, 71-1904, and 71-3407, Reissue Revised Statutes of Nebraska; to define terms; to state intent; to require development of an information system as prescribed; to provide for reports, an advance planning document, surveys, employment of an evaluator, and an evaluation; to change provisions relating to certain reports; to harmonize provisions; to provide operative dates; 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, 45:

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

Voting in the negative, 0.

Present and not voting, 2:

Lautenbaugh Louden

Excused and not voting, 2:

Ashford Council

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 1160A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1160, One Hundred Second Legislature, Second Session, 2012; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 4:

Christensen Janssen Lautenbaugh Pahls

Excused and not voting, 2:

Ashford Council

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

Enrollment and Review

LEGISLATIVE BILL 14. Placed on Final Reading.

LEGISLATIVE BILL 599. Placed on Final Reading.

ST104

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

1. In the E & R amendments, ER276, on page 7, line 12, "provisions" has been struck and "provision" inserted.

LEGISLATIVE BILL 599A. Placed on Final Reading.

LEGISLATIVE BILL 924. Placed on Final Reading.

LEGISLATIVE BILL 928. Placed on Final Reading.

LEGISLATIVE BILL 928A. Placed on Final Reading.

LEGISLATIVE BILL 1125. Placed on Final Reading.

(Signed) Tyson Larson, Chairperson

COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

The following bill was correctly enrolled: LB1020.

(Signed) Tyson Larson, Chairperson

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 40, 66, 66A, 209, 209A, 426, 541, 541A, 576, 727, 806, 806A, 817, 817A, 820, 820A, 821, 821A, 825, 825A, 830, 862, 862A, 872, 887, 950, 950A, 970, 1020, 1020A, 1091, 1091A, 1097, 1128, 1128A, 1145, 1145A, 1160, and 1160A.

SELECT FILE

LEGISLATIVE BILL 1161. Senator K. Haar renewed his motion, MO102, found in this day's Journal, to recommit to committee.

Senator K. Haar withdrew his motion.

Senator Smith offered the following amendment:
AM2782 is available in the Bill Room.

Senator Smith withdrew his amendment.

Senator Langemeier offered the following amendment:
AM2788

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:
3 Section 1. Section 57-1101, Reissue Revised Statutes of
4 Nebraska, as amended by section 1, Legislative Bill 1, One Hundred
5 Second Legislature, First Special Session, 2011, is amended to
6 read:
7 57-1101 Any person engaged in, and any company,
8 corporation, or association formed or created for the purpose of,
9 transporting or conveying crude oil, petroleum, gases, or other
10 products thereof in interstate commerce through or across the
11 State of Nebraska or intrastate within the State of Nebraska, and
12 desiring or requiring a right-of-way or other interest in real
estate and being unable to agree with the owner or lessee of
13 any land, lot, right-of-way, or other property for the amount of
14 compensation for the use and occupancy of so much of any lot, land,
15 real estate, right-of-way, or other property as may be reasonably
16 necessary for the laying, relaying, operation, and maintenance
17 of any such pipeline or the location of any plant or equipment
18 necessary to operate such pipeline, shall have the right to acquire
19 the same for such purpose through the exercise of the power of
20 eminent domain, except that for any major oil pipeline as defined
21 in section 5 of this act to be placed in operation in the State of
22 Nebraska after the effective date of this act, any such person,
23 company, corporation, or association shall comply with section 3,
Legislative Bill 4, One Hundred Second Legislature, First Special
Session, 2011, as amended by the One Hundred Second Legislature,
Second Session, 2012, and receive the approval of the Governor for
the route of the pipeline under such section or shall apply for
and receive an order approving the application under the Major
Oil Pipeline Siting Act, prior to having the rights provided
under this section. If condemnation procedures have not been
commenced within two years after the date the Governor's approval
is granted or after the date of receipt of an order approving an
application under the Major Oil Pipeline Siting Act, the right
under this section expires. The procedure to condemn property shall

13 be exercised in the manner set forth in sections 76-704 to 76-724.

14 Sec. 2. Section 2, Legislative Bill 1, One Hundred Second
15 Legislature, First Special Session, 2011, is amended to read:

16 Sec. 2. Sections 2 to 13 of this act and section 3 of
17 this act shall be known and may be cited as the Major Oil Pipeline
18 Siting Act.

19 Sec. 3. The commission shall not withhold any documents
20 or records relating to a major oil pipeline from the public unless
21 the documents or records are of the type that can be withheld under
22 section 84-712.05 or unless federal law provides otherwise.

23 Sec. 4. Section 3, Legislative Bill 1, One Hundred Second
24 Legislature, First Special Session, 2011, is amended to read:

25 Sec. 3. (1) The purposes of the Major Oil Pipeline Siting
26 Act are to:

27 (a) Ensure the welfare of Nebraskans, including
1 protection of property rights, aesthetic values, and economic
2 interests;

3 (b) Consider the lawful protection of Nebraska's natural
4 resources in determining the location of routes of major oil
5 pipelines within Nebraska;

6 (c) Ensure that a major oil pipeline is not constructed
7 within Nebraska without receiving the approval of the commission
8 under section 9 of this act;

9 (d) Ensure that the location of routes for major oil
10 pipelines is in compliance with Nebraska law; and

11 (e) Ensure that a coordinated and efficient method for
12 the authorization of such construction is provided.

13 (2) Nothing in the Major Oil Pipeline Siting Act shall be
14 construed to regulate any safety issue with respect to any aspect
15 of any interstate oil pipeline. The Major Oil Pipeline Siting Act
16 is intended to deal solely with the issue of siting or choosing the
17 location of the route aside and apart from safety considerations.
18 The Legislature acknowledges and respects the exclusive federal
19 authority over safety issues established by the federal law, the
20 Pipeline Safety Act of 1994, 49 U.S.C. 60101 et seq., and the
21 express preemption provision stated in that act. The Major Oil
22 Pipeline Siting Act is intended to exercise only the remaining
23 sovereign powers and purposes of Nebraska which are not included in
24 the category of safety regulation.

25 ~~(3) The Major Oil Pipeline Siting Act shall not apply to~~
26 ~~any major oil pipeline that has submitted an application to the~~
27 ~~United States Department of State pursuant to Executive Order 13337~~
1 ~~prior to the effective date of this act.~~

2 Sec. 5. Section 5, Legislative Bill 1, One Hundred Second
3 Legislature, First Special Session, 2011, is amended to read:

4 Sec. 5. For purposes of the Major Oil Pipeline Siting
5 Act:

6 (1) Commission means the Public Service Commission;

7 (2) Major oil pipeline means a pipeline which is larger

8 than six inches in inside diameter and which is constructed
 9 in Nebraska for the transportation of petroleum, or petroleum
 10 components, products, or wastes, including crude oil or any
 11 fraction of crude oil, within, through, or across Nebraska, but
 12 does not include in-field and gathering lines; ~~or major oil~~
 13 ~~pipelines exempt under subsection (3) of section 3 of this act; and~~

14 (3) Pipeline carrier means a person that engages in
 15 owning, operating, or managing a major oil pipeline.

16 Sec. 6. Section 6, Legislative Bill 1, One Hundred Second
 17 Legislature, First Special Session, 2011, is amended to read:

18 Sec. 6. (1) ~~Unless exempt pursuant to section 3 of~~
 19 ~~this act, If a pipeline carrier proposing~~ proposes to construct
 20 a major oil pipeline to be placed in operation in Nebraska after
 21 the effective date of this act and the pipeline carrier has
 22 submitted a route for an oil pipeline within, through, or across
 23 Nebraska but the route is not approved by the Governor pursuant
 24 to section 3, Legislative Bill 4, One Hundred Second Legislature,
 25 First Special Session, 2011, as amended by the One Hundred Second
 26 Legislature, Second Session, 2012, the pipeline carrier shall file
 27 an application with the commission and receive approval pursuant to
 1 section 9 of this act prior to beginning construction of the major
 2 oil pipeline within Nebraska. ~~A~~ ~~If a pipeline carrier proposing~~
 3 proposes a substantive change to the route of a major oil pipeline
 4 and the pipeline carrier has submitted a route for an oil pipeline
 5 within, through, or across Nebraska but the route is not approved
 6 by the Governor pursuant to section 3, Legislative Bill 4, One
 7 Hundred Second Legislature, First Special Session, 2011, as amended
 8 by the One Hundred Second Legislature, Second Session, 2012, the
 9 pipeline carrier shall file an application for the proposed change
 10 with the commission and receive approval pursuant to section 9 of
 11 this act prior to beginning construction relating to the proposed
 12 change. The applicant shall also file a copy of the application
 13 with the agencies listed in subsection (3) of section 8 of this
 14 act.

15 (2) The application shall be accompanied by written
 16 agreement to pay expenses assessed pursuant to section 7 of
 17 this act and written testimony and exhibits in support of the
 18 application. The application shall include:

19 (a) The name and address of the pipeline carrier;

20 (b) A description of the nature and proposed route of
 21 the major oil pipeline and evidence of consideration of alternative
 22 routes;

23 (c) A statement of the reasons for the selection of the
 24 proposed route of the major oil pipeline;

25 (d) A list of the governing bodies of the counties and
 26 municipalities through which the proposed route of the major oil
 27 pipeline would be located;

1 (e) A description of the product or material to be
 2 transported through the major oil pipeline;

- 3 (f) The person who will own the major oil pipeline;
 4 (g) The person who will manage the major oil pipeline;
 5 (h) A plan to comply with the Oil Pipeline Reclamation
 6 Act; and
 7 (i) A list of planned methods to minimize or mitigate
 8 the potential impacts of the major oil pipeline to land areas and
 9 connected natural resources other than with respect to oil spills.
 10 (3) The applicant shall publish notice of the application
 11 in at least one newspaper of general circulation in each county in
 12 which the major oil pipeline is to be constructed and forward a
 13 copy of such notice to the commission. The applicant shall serve
 14 notice of the application upon the governing bodies of the counties
 15 and municipalities specified pursuant to subdivision (2)(d) of this
 16 section.

17 Sec. 7. Section 3, Legislative Bill 4, One Hundred Second
 18 Legislature, First Special Session, 2011, is amended to read:

19 Sec. 3. (1)(a) The department may

- 20 (i) Evaluate any route for an oil pipeline within,
 21 through, or across the state and submitted by a pipeline carrier
 22 for the stated purpose of being included in a federal agency's
 23 or agencies' National Environmental Policy Act review process. Any
 24 such evaluation shall include at least one public hearing, provide
 25 opportunities for public review and comment, and include, but not
 26 be limited to, an analysis of the environmental, economic, social,
 27 and other impacts associated with the proposed route and route
 1 alternatives in Nebraska. The department may collaborate with a
 2 federal agency or agencies and set forth the responsibilities and
 3 schedules that will lead to an effective and timely evaluation; or
 4 collaborate (ii) Collaborate with a federal agency or
 5 agencies in a review under the National Environmental Policy Act
 6 involving a supplemental environmental impact statement for oil
 7 pipeline projects within, through, or across the state. Prior
 8 to entering into such shared jurisdiction and authority, the
 9 department shall collaborate with such agencies to set forth
 10 responsibilities and schedules for an effective and timely review
 11 process.

12 ~~Prior to entering into such shared jurisdiction and~~
 13 ~~authority with a federal agency or agencies, the department shall~~
 14 ~~enter into a memorandum of understanding with such federal agency~~
 15 ~~or agencies that sets forth the responsibilities and schedules that~~
 16 ~~will lead to an effective and timely review under the National~~
 17 ~~Environmental Policy Act involving a supplemental environmental~~
 18 ~~impact statement.~~

- 19 (b) A pipeline carrier that has submitted a route for
 20 evaluation or review pursuant to subdivision (1)(a) of this section
 21 shall reimburse the department for the cost of the evaluation or
 22 review within sixty days after notification from the department of
 23 the cost. The department shall remit any reimbursement to the State
 24 Treasurer for credit to the Department of Environmental Quality

25 Cash Fund.

26 (2) ~~Since the objectives of the process are to ensure~~
27 ~~adequate information gathering, full and careful agency and public~~
1 ~~review, objective preparation of a supplemental environmental~~
2 ~~impact statement, adherence to a defined schedule, and an~~
3 ~~appropriate role for a pipeline carrier which avoids the appearance~~
4 ~~of conflicts of interest, it is the intent of the Legislature that~~
5 ~~the state fully fund the process of preparation of a supplemental~~
6 ~~environmental impact statement and that no fees will be required of~~
7 ~~an applicant.~~ The department may contract with outside vendors in
8 the process of preparation of a supplemental environmental impact
9 statement or an evaluation conducted under subdivision (1)(a) of
10 this section. The department shall make every reasonable effort to
11 ensure that each vendor has no conflict of interest or relationship
12 to any pipeline carrier that applies for an oil pipeline permit.

13 (3) In order for the process to be efficient and
14 expeditious, the department's contracts with vendors pursuant to
15 this section for a supplemental environmental impact statement or
16 an evaluation conducted under subdivision (1)(a) of this section
17 shall not be subject to the Nebraska Consultants' Competitive
18 Negotiation Act or sections 73-301 to 73-306 or 73-501 to 73-509.

19 (4) After the supplemental environmental impact statement
20 or the evaluation conducted under subdivision (1)(a) of this
21 section is prepared, the department shall submit it to the
22 Governor. Within thirty days after receipt of the supplemental
23 environmental impact statement or the evaluation conducted under
24 subdivision (1)(a) of this section from the department, the
25 Governor shall indicate, in writing, to the federal agency or
26 agencies involved in the review or any other appropriate federal
27 agency or body as to whether he or she approves any of the routes
1 reviewed in the supplemental environmental impact statement or the
2 evaluation conducted under subdivision (1)(a) of this section. If
3 the Governor does not approve any of the reviewed routes, he or she
4 shall notify the pipeline carrier that in order to obtain approval
5 of a route in Nebraska the pipeline carrier is required to file
6 an application with the Public Service Commission pursuant to the
7 Major Oil Pipeline Siting Safety Act.

8 (5) The department shall not withhold any documents or
9 records relating to an oil pipeline from the public unless the
10 documents or records are of the type that can be withheld under
11 section 84-712.05 or unless federal law provides otherwise.

12 Sec. 8. There is hereby appropriated (1) \$-0- from the
13 Department of Environmental Quality Cash Fund for FY2012-13 and
14 (2) \$2,000,000 from the Department of Environmental Quality Cash
15 Fund for FY2013-14 to the Department of Environmental Quality, for
16 Program 513, to aid in carrying out the provisions of Legislative
17 Bill 1161, One Hundred Second Legislature, Second Session, 2012.

18 Sec. 9. If any section in this act or any part of any
19 section is declared invalid or unconstitutional, the declaration

20 shall not affect the validity or constitutionality of the remaining
21 portions.

22 Sec. 10. Original section 57-1101, Reissue Revised
23 Statutes of Nebraska, as amended by section 1, Legislative
24 Bill 1, One Hundred Second Legislature, First Special Session,
25 2011, sections 2, 3, 5, and 6, Legislative Bill 1, One Hundred
26 Second Legislature, First Special Session, 2011, and section 3,
27 Legislative Bill 4, One Hundred Second Legislature, First Special
1 Session, 2011, are repealed.

2 Sec. 11. Since an emergency exists, this act takes effect
3 when passed and approved according to law.

Senator Heidemann offered the following amendment to the Langemeier amendment:

FA71

Amend AM2788

On page 9, line 12, strike "\$0" and insert "\$2,000,000" and in line 14, strike "\$2,000,000" and insert "\$0".

The Heidemann amendment was adopted with 26 ayes, 1 nay, 17 present and not voting, and 5 excused and not voting.

The Langemeier amendment, as amended, was adopted with 34 ayes, 1 nay, 8 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 807. ER176, found on page 527, was adopted.

Senator Lautenbaugh renewed his amendment, AM2030, found on page 700.

Senator Lautenbaugh renewed his amendment, AM2089, found on page 701, to his amendment.

The Lautenbaugh amendment was adopted with 26 ayes, 1 nay, 14 present and not voting, and 8 excused and not voting.

Senator Karpisek renewed his amendment, AM2382, found on page 919, to the Lautenbaugh amendment.

The Karpisek amendment was adopted with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

Senator Lautenbaugh offered the following amendment to his amendment: AM2692

(Amendments to AM2030)

1 1. Insert the following new sections:

2 Sec. 2. Section 69-2435, Reissue Revised Statutes of

3 Nebraska, is amended to read:

4 69-2435 A permitholder shall continue to meet the
5 requirements of section 69-2433 during the time he or she holds the
6 permit, except as provided in subsection (4) of section 69-2443.

7 If, during such time, a permitholder does not continue to meet one
8 or more of the requirements, the permitholder shall return his
9 or her permit to the Nebraska State Patrol for revocation. If a
10 permitholder does not return his or her permit, the permitholder is
11 subject to having his or her permit revoked under section 69-2439.

12 Sec. 3. Section 69-2436, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 69-2436 (1) A permit to carry a concealed handgun is
15 valid throughout the state for a period of five years after the
16 date of issuance. The fee for issuing a permit is one hundred
17 dollars.

18 (2) The Nebraska State Patrol shall renew a person's
19 permit to carry a concealed handgun for a renewal period of five
20 years, subject to continuing compliance with the requirements of
21 section 69-2433, except as provided in subsection (4) of section
22 69-2443. The renewal fee is fifty dollars, and renewal may be
1 applied for up to four months before expiration of a permit to
2 carry a concealed handgun.

3 (3) The applicant shall submit the fee with the
4 application to the Nebraska State Patrol. The fee shall be remitted
5 to the State Treasurer for credit to the Nebraska State Patrol Cash
6 Fund.

7 (4) On or before June 30, 2007, the Nebraska State
8 Patrol shall journal entry, as necessary, all current fiscal year
9 expenses and revenue, including investment income, from the Public
10 Safety Cash Fund under the Concealed Handgun Permit Act and recode
11 them against the Nebraska State Patrol Cash Fund and its program
12 appropriation.

13 Sec. 4. Section 69-2439, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 69-2439 (1) Any peace officer having probable cause to
16 believe that a permitholder is no longer in compliance with one
17 or more requirements of section 69-2433, except as provided in
18 subsection (4) of section 69-2443, shall bring an application for
19 revocation of the permit to be prosecuted as provided in subsection
20 (2) of this section.

21 (2) It is the duty of the county attorney or his or
22 her deputy of the county in which such permitholder resides
23 to prosecute a case for the revocation of a permit to carry
24 a concealed handgun brought pursuant to subsection (1) of this
25 section. In case the county attorney refuses or is unable to
26 prosecute the case, the duty to prosecute shall be upon the
27 Attorney General or his or her assistant.

1 (3) The case shall be prosecuted as a civil case, and the
2 permit shall be revoked upon a showing by a preponderance of the

3 evidence that the permitholder does not meet one or more of the
4 requirements of section 69-2433.

5 (4) A person who has his or her permit revoked under
6 this section may be fined up to one thousand dollars and shall
7 be charged with the costs of the prosecution. The money collected
8 under this subsection as an administrative fine shall be remitted
9 to the State Treasurer for distribution in accordance with Article
10 VII, section 5, of the Constitution of Nebraska.

11 Sec. 5. Section 69-2443, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 69-2443 (1) A permitholder who violates subsection (1)
14 or (2) of section 69-2440 or section 69-2441 or 69-2442 is guilty
15 of a Class III misdemeanor for the first violation and a Class I
16 misdemeanor for any second or subsequent violation.

17 (2) A permitholder who violates subsection (3) of section
18 69-2440 is guilty of a Class I misdemeanor.

19 (3) A permitholder convicted of a violation ~~described in~~
20 ~~subsection (1) or (2) of this section of section 69-2440 or 69-2442~~
21 may also have his or her permit revoked.

22 (4) A permitholder convicted of a violation of section
23 69-2441 shall not have his or her permit revoked for a first
24 offense but may have his or her permit revoked for any second or
25 subsequent offense.

26 2. Renumber the remaining sections and correct the
27 repealer section accordingly.

The Lautenbaugh amendment was adopted with 26 ayes, 0 nays, 15 present and not voting, and 8 excused and not voting.

Senator Lautenbaugh offered the following amendment to his amendment:
FA72

Amend AM2030

On Page 1, line 13, after "(4)" insert "Except for property owned by the state or any political subdivision,".

The Lautenbaugh amendment was adopted with 28 ayes, 0 nays, 11 present and not voting, and 10 excused and not voting.

The Lautenbaugh amendment, AM2030, as amended, was adopted with 29 ayes, 0 nays, 10 present and not voting, and 10 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

RESOLUTION

LEGISLATIVE RESOLUTION 630. Introduced by Schumacher, 22.

WHEREAS, Leigh, Nebraska, located in Colfax County, is celebrating its 125th anniversary; and

WHEREAS, in 1873, Stephen Miller hauled lumber from Schuyler for a one-room house at the present site of Leigh, and a post office was set up at the Miller home in 1874, with Mrs. Miller as the first postmistress; and

WHEREAS, in 1875, A. M. Walling and family acquired the Miller homestead, the post office was transferred to Walling, with Mrs. Walling serving as postmistress, and the name was changed to Leigh, Mrs. Walling's maiden name; and

WHEREAS, by 1880, Leigh had a blacksmith shop, ten dwellings, and a population of fifty-four. Homesteaders of English ancestry settled on the east side of the community, those of German descent to the west, and Czech and Irish immigrants filed claims to the north and south; and

WHEREAS, on March 7, 1887, Leigh became an incorporated village; and

WHEREAS, Leigh will culminate its quasiquicentennial celebration from June 29 to 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 recognizes Leigh's community spirit and congratulates the community of Leigh on its 125th anniversary.

2. That a copy of this resolution be sent to the Leigh Village Board.

Laid over.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 5, 2012, at 12:20 p.m. were the following: LBs 40e, 66, 66A, 209, 209A, 426, 541e, 541Ae, 576, 727e, 806, 806A, 817, 817A, 820e, 820Ae, 821e, 821Ae, 825, 825A, 830e, 862e, 862Ae, 872, 887, 950, 950Ae, 970, 993, 993A, 1020, 1020Ae, 1063, 1080, 1090, 1090A, 1091, 1091A, 1097, 1128, 1128A 1145, 1145A, 1160e, and 1160Ae.

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

UNANIMOUS CONSENT - Add Cointroducers

Senators Lathrop and McGill asked unanimous consent to add their names as cointroducers to LB357. No objections. So ordered.

EASE

The Legislature was at ease from 1:14 p.m. until 2:16 p.m.

SENATOR GLOOR PRESIDING

COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 1161. Placed on Final Reading.

ST105

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

1. In the Langemeier amendment, AM2788, on page 9, line 7, "Safety" has been struck.

2. The E & R Amendments have been struck.

3. On page 1, the matter beginning with "section" in line 1 through line 6 has been struck and "section 57-1101, Reissue Revised Statutes of Nebraska, as amended by section 1, Legislative Bill 1, One Hundred Second Legislature, First Special Session, 2011, sections 2, 3, 5, and 6, Legislative Bill 1, One Hundred Second Legislature, First Special Session, 2011, and section 3, Legislative Bill 4, One Hundred Second Legislature, First Special Session, 2011; to change provisions relating to eminent domain; to change provisions of the Major Oil Pipeline Siting Act; to provide, change, and eliminate provisions relating to the review and evaluation of oil pipeline routes; to harmonize provisions; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1161, One Hundred Second Legislature, Second Session, 2012; to provide severability; to repeal the original sections; and to declare an emergency." inserted.

(Signed) Tyson Larson, Chairperson

AMENDMENT - Print in Journal

Senator Lautenbaugh filed the following amendment to LB807:
AM2789

- 1 1. Strike FA72.
2 2. In the Lautenbaugh amendment, AM2089, on page 1,
3 strike lines 13 through 16 and insert
4 "(4) A permitholder convicted of a violation of section
5 69-2441 that occurred on property owned by the state or any
6 political subdivision of the state may also have his or her permit
7 revoked. A permitholder convicted of a violation of section 69-2441
8 that did not occur on property owned by the state or any political
9 subdivision of the state shall not have his or her permit revoked
10 for a first offense but may have his or her permit revoked for any
11 second or subsequent offense.".
12 3. In the Lautenbaugh amendment, AM2692, strike section
13 5.

VISITORS

Visitors to the Chamber were Janice Berry, Mary Jackson, and Debra Sneed from Omaha; Brianna Sneed and Peggy Boone from Omaha, 45 fourth-grade students and teachers from Plattsmouth; 45 students and teachers from Wilber-Clatonia High School, Wilber; 15 members of Leadership Washington County; and 46 fourth-grade students and teachers from Milford.

The Doctor of the Day was Dr. Theresa Hatcher from Bellevue.

ADJOURNMENT

At 2:17 p.m., on a motion by Senator Langemeier, the Legislature adjourned until 10:00 a.m., Tuesday, April 10, 2012.

Patrick J. O'Donnell
Clerk of the Legislature