

**NINETEENTH DAY - FEBRUARY 5, 2013****LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION****NINETEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, February 5, 2013

**PRAYER**

The prayer was offered by Pastor James Miller, Christ United Methodist Church, Lincoln.

**ROLL CALL**

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

The roll was called and all members were present except Senators Conrad, B. Harr, and Sullivan who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the eighteenth day was approved.

**RESOLUTION**

**LEGISLATIVE RESOLUTION 47.** Introduced by Watermeier, 1; Bolz, 29; Campbell, 25; Christensen, 44; Cook, 13; Kintner, 2; Seiler, 33.

WHEREAS, the Nebraska Library Association has named the following individuals as the 2012 Library Volunteers of the Year: Pat Apel of the Syracuse Public Library, Carol Barnes of the Springfield Memorial Library, Kathy Throne of the Omaha Public Library - Florence Branch, JoAnn Thomas of the Lincoln City Libraries - Charles H. Gere Branch, Marche Cepure of Lincoln Southeast High School, Karen Baisinger of the Hastings Regional Center, and Judith Thompson of the Arapahoe Public Library; and

WHEREAS, this award is given to outstanding individuals who have shown a strong desire to give back to their communities and who have given generously of their time through many years of volunteer service.

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

1. That the Legislature congratulates Pat Apel, Carol Barnes, Kathy Throne, JoAnn Thomas, Marche Cepure, Karen Baisinger, and Judith Thompson on being named the 2012 Library Volunteers of the Year.

2. That a copy of this resolution be sent to Pat Apel, Carol Barnes, Kathy Throne, JoAnn Thomas, Marche Cepure, Karen Baisinger, and Judith Thompson and to the Nebraska Library Association.

Laid over.

**NOTICE OF COMMITTEE HEARING**  
Transportation and Telecommunications

Room 1113

Tuesday, February 12, 2013 1:30 p.m.

LB83  
LB85  
LB399  
LB453

(Signed) Annette Dubas, Chairperson

**MOTION - Approve Appointment**

Senator Carlson moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 337:

Nebraska Power Review Board  
Frank Reida

Voting in the affirmative, 35:

Adams	Crawford	Howard	McCoy	Schumacher
Bloomfield	Davis	Johnson	Murante	Seiler
Bolz	Dubas	Karpisek	Nelson	Smith
Brasch	Gloor	Kintner	Nordquist	Sullivan
Campbell	Haar, K.	Krist	Pirsch	Wallman
Carlson	Hadley	Lathrop	Price	Watermeier
Cook	Hansen	Lautenbaugh	Scheer	Wightman

Voting in the negative, 0.

Present and not voting, 11:

Ashford	Christensen	Kolowski	Mello
Avery	Coash	Larson	Schilz
Chambers	Janssen	McGill	

Excused and not voting, 3:

Conrad            Harms            Harr, B.

The appointment was confirmed with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

### **MOTION - Withdraw LB360**

Senator Karpisek offered his motion, MO6, found on page 355, to withdraw LB360.

The Karpisek motion to withdraw the bill prevailed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

### **SELECT FILE**

**LEGISLATIVE BILL 1.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 2.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 30.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 35.** ER1, found on page 317, was adopted.

Senator Hadley renewed his amendment, AM65, found on page 323.

The Hadley amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 72.** Senator McCoy withdrew his amendment, AM73, found on page 331.

Senator McCoy offered his amendment, AM108, found on page 346.

The McCoy amendment was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 100.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 146.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 16.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 102.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 91.** Senator K. Haar offered his amendment, AM105, found on page 350.

The K. Haar amendment was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

### ANNOUNCEMENT

The Chair announced today is Senator Dubas' birthday.

### GENERAL FILE

**LEGISLATIVE BILL 209.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 214.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 336.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 32.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 207.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 207A.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 207, One Hundred Third Legislature, First Session, 2013.

**COMMITTEE REPORTS**

## Education

**LEGISLATIVE BILL 254.** Placed on General File.

**LEGISLATIVE BILL 408.** Placed on General File.

**LEGISLATIVE BILL 135.** Placed on General File with amendment.  
AM64

1 1. Strike original section 1 and insert the following new  
2 section:  
3 Section 1. Section 85-1512, Reissue Revised Statutes of  
4 Nebraska, is amended to read:  
5 85-1512 Each board shall divide the community college  
6 area into five election districts as nearly equal in population as  
7 may be practicable and shall transmit the appropriate information  
8 pertaining to such election districts to the Secretary of State  
9 and to the appropriate election officials within the area. Board  
10 members shall be nominated and elected as provided in section  
11 32-514. To be eligible for membership on the board, a person shall  
12 be a registered voter and shall have been a resident of the area  
13 for six months and, for members representing a district, a resident  
14 of the district for six months. No person shall be eligible ~~to~~  
15 for membership on a community college board of governors who is  
16 an elected or appointed member of any other board relating to  
17 education. No member of a community college board of governors  
18 shall be employed by the community college area for which he or  
19 she serves as a board member. Each member elected to represent a  
20 district shall be a resident of the district.  
21 2. On page 2, line 10, strike "85-1506" and insert  
22 "85-1512".

**LEGISLATIVE BILL 252.** Placed on General File with amendment.  
AM62

1 1. On page 3, strike beginning with "including" in line 7  
2 through the underscored comma in line 11 and show the old matter as  
3 stricken; strike beginning with "including" in line 12 through the  
4 comma in line 16 and show as stricken; and strike beginning with  
5 the first comma in line 18 through the period in line 19, show the  
6 old matter as stricken, and insert an underscored period.

(Signed) Kate Sullivan, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer**

Senator Kintner asked unanimous consent to add his name as cointroducer to LB14. No objections. So ordered.

**VISITORS**

Visitors to the Chamber were members of the George W. Norris Institute: former Senator Tom Vickers, from Farnam, and Gene O. Morris and Dennis Berry from McCook; and 18 fourth-grade students, teacher, and sponsors from Immanuel Lutheran School, Columbus.

**ADJOURNMENT**

At 9:57 a.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Wednesday, February 6, 2013.

Patrick J. O'Donnell  
Clerk of the Legislature