

TWENTY-NINTH DAY - FEBRUARY 21, 2013**LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION****TWENTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 21, 2013

PRAYER

The prayer was offered by Senator Sullivan.

ROLL CALL

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

The roll was called and all members were present except Senators Christensen, Conrad, Karpisek, Lautenbaugh, Price, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-eighth day was approved.

NOTICE OF COMMITTEE HEARING

Health and Human Services

Room 1510

Tuesday, March 5, 2013 9:15 a.m.

Elizabeth Neeley - Foster Care Advisory Committee

Jeromy Warner - State Board of Health

LB508

LB487

LB430

LB368

(Signed) Kathy Campbell, Chairperson

COMMITTEE REPORT

Health and Human Services

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

Eileen Dakan - Commission for the Deaf and Hard of Hearing

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

(Signed) Kathy Campbell, Chairperson

SELECT FILE

LEGISLATIVE BILL 147. Senator Gloor offered his amendment, AM161, found on page 387.

The Gloor amendment was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 213. Senator Schumacher offered his amendment, AM143, found on page 380.

The Schumacher amendment was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 209. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 214. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 336. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 32. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 207. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 207A. Advanced to Enrollment and Review for

Engrossment.

LEGISLATIVE BILL 250. ER5, found on page 397, was adopted.

Senator Dubas offered her amendment, AM194, found on page 433.

The Dubas amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 67. ER8, found on page 397, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 164. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 210. ER7, found on page 397, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 40. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 137. ER6, found on page 401, was adopted.

Senator Mello withdrew his amendment, AM270, found on page 454.

Senator Mello offered his amendment, AM293, found on page 462.

The Mello amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 78. ER12, found on page 401, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 24. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 28. Senator Lautenbaugh offered the following amendment:

AM330

1 1. Insert the following new section:

2 Section 1. Section 45-104.01, Reissue Revised Statutes of

- 3 Nebraska, is amended to read:
 4 45-104.01 Unless otherwise specifically provided, the
 5 interest rate assessed on delinquent payments of any taxes or
 6 special assessments owing to any political subdivision of the State
 7 of Nebraska shall be assessed at a rate of ~~fourteen percent per~~
 8 ~~annum~~ equal to two percentage points above the bond investment
 9 yield, as published by the Secretary of the Treasury of the
 10 United States, of the average accepted auction price for the first
 11 auction of each annual quarter of the twenty-six-week United States
 12 Treasury bills in effect on the date of entry of the judgment. The
 13 State Court Administrator shall distribute notice of such rate and
 14 any changes to it to all Nebraska judges to be in effect two weeks
 15 after the date the auction price is published by the Secretary of
 16 the Treasury of the United States.
 17 2. On page 3, line 7, strike "by the Legislature," , show
 18 as stricken, and insert an underscored comma; in line 22 strike
 19 "section" and insert "sections 45-104.01 and"; and in line 23
 20 strike "is" and insert "are".
 21 3. Renumber the remaining sections accordingly.

Senator Lautenbaugh withdrew his amendment.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 29. ER9, found on page 401, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 36. ER10, found on page 401, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 135. ER11, found on page 402, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 7. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 156. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 225. Senator Smith offered his amendment, AM259, found on page 446.

The Smith 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.

LEGISLATIVE BILL 180. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 311. ER16, found on page 407, was adopted.

Advanced to Enrollment and Review for Engrossment.

NOTICE OF COMMITTEE HEARINGS

Appropriations

Room 1524

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

LB126

LB569

Agency 5 - Supreme Court

Agency 94 - Public Advocacy, Commission on

Room 1003

Wednesday, March 13, 2013 1:30 p.m.

LB492

Agency 29 - Natural Resources, Department of

Agency 31 - Military Department

Agency 33 - Game and Parks Commission

Thursday, March 14, 2013 1:30 p.m.

Agency 19 - Banking, Department of

Agency 22 - Insurance, Department of

Agency 87 - Accountability and Disclosure Commission

Agency 65 - Administrative Services, Department of

Friday, March 15, 2013 1:30 p.m.

Agency 12 - State Treasurer

Agency 35 - Liquor Control Commission, Nebraska

Agency 71 - Nebraska Energy Office

Agency 52 - State Fair Board

(Signed) Heath Mello, Chairperson

Business and Labor

Room 2102

Monday, March 4, 2013 1:30 p.m.

LB476
LB652
LB436
LB570

(Signed) Steve Lathrop, Chairperson

Natural Resources

Room 1525

Thursday, February 28, 2013 1:30 p.m.

Kent Forney - Nebraska Game and Parks Commission

Tuesday, March 5, 2013 9:15 a.m.

LB557
LB598

(Signed) Tom Carlson, Chairperson

Revenue

Room 1524

Tuesday, March 5, 2013 9:15 a.m.

LB14
LB308
LB475
LB82

(Signed) Galen Hadley, Chairperson

Government, Military and Veterans Affairs

Room 1507

Tuesday, March 5, 2013 9:30 a.m.

LB417
LB292

LB299
LB349

(Signed) Bill Avery, Chairperson

Judiciary

Room 1113

Tuesday, March 5, 2013 9:15 a.m.

LB415
LB631
LB520
LB533

(Signed) Brad Ashford, Chairperson

COMMITTEE REPORTS

Natural Resources

LEGISLATIVE BILL 186. Indefinitely postponed.

(Signed) Tom Carlson, Chairperson

Revenue

LEGISLATIVE BILL 405. Indefinitely postponed.

LEGISLATIVE BILL 406. Indefinitely postponed.

(Signed) Galen Hadley, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 61. Introduced by Campbell, 25.

WHEREAS, My'Kah Knowlin, age 11, of Lincoln, Nebraska, and a student at Lux Middle School, has achieved national recognition for exemplary volunteer service by receiving a 2013 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Ms. Knowlin earned this award by giving generously of her time and energy to deliver more than three hundred "Boxes of Love" filled with toys, snacks, and other items to children in Joplin, Missouri, after that city was hit by devastating tornadoes. She asked businesses to donate items

and shoe stores to donate boxes, and then she recruited friends to help fill the boxes; and

WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Ms. Knowlin who use their considerable talents and resources to serve others.

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

1. That the Legislature congratulates and honors My'Kah Knowlin as a recipient of a 2013 Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for her continued success and happiness.

2. That a copy of this resolution be sent to My'Kah Knowlin.

Laid over.

LEGISLATIVE RESOLUTION 62. Introduced by Wallman, 30.

WHEREAS, Austin Ruskamp of Freeman High School won the 2013 Class D State Wrestling Championship in the 160-pound division; and

WHEREAS, Austin displayed outstanding determination and skill in winning the state championship; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Austin Ruskamp on winning the 2013 Class D State Wrestling Championship in the 160-pound division.

2. That a copy of this resolution be sent to Austin Ruskamp.

Laid over.

LEGISLATIVE RESOLUTION 63. Introduced by Wallman, 30.

WHEREAS, Eric Engler of Beatrice High School won the 2013 Class B State Wrestling Championship in the 195-pound division; and

WHEREAS, Eric displayed outstanding determination and skill in winning the state championship; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Eric Engler on winning the 2013 Class B State Wrestling Championship in the 195-pound division.

2. That a copy of this resolution be sent to Eric Engler.

Laid over.

LEGISLATIVE RESOLUTION 64. Introduced by Wallman, 30.

WHEREAS, Chance Helmick of Beatrice High School won the 2013 Class B State Wrestling Championship in the 170-pound division; and

WHEREAS, Chance displayed outstanding determination and skill in winning the state championship; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Chance Helmick on winning the 2013 Class B State Wrestling Championship in the 170-pound division.

2. That a copy of this resolution be sent to Chance Helmick.

Laid over.

COMMITTEE REPORT

Natural Resources

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

S. Michael "Mick" Jensen - Nebraska Game and Parks Commission

Aye: 7 Brasch, Carlson, Dubas, K. Haar, Johnson, Kolowski, Smith. Nay: 0. Absent: 1 Schilz. Present and not voting: 0.

(Signed) Tom Carlson, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator McCoy asked unanimous consent to add his name as cointroducer to LB613. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. Dale Michels from Lincoln.

ADJOURNMENT

At 9:52 a.m., on a motion by Senator K. Haar, the Legislature adjourned until 10:00 a.m., Friday, February 22, 2013.

Patrick J. O'Donnell
Clerk of the Legislature

