

**THIRTY-EIGHTH DAY - MARCH 6, 2013****LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION****THIRTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, March 6, 2013

**PRAYER**

The prayer was offered by Senator Campbell.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Adams presiding.

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

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-seventh day was approved.

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 27.** Placed on Final Reading.  
**LEGISLATIVE BILL 117.** Placed on Final Reading.  
**LEGISLATIVE BILL 165.** Placed on Final Reading.  
**LEGISLATIVE BILL 211.** Placed on Final Reading.  
**LEGISLATIVE BILL 211A.** Placed on Final Reading.  
**LEGISLATIVE BILL 337.** Placed on Final Reading.  
**LEGISLATIVE BILL 398.** Placed on Final Reading.  
**LEGISLATIVE BILL 426.** Placed on Final Reading.

(Signed) John Murante, Chairperson

**COMMITTEE REPORTS**

Health and Human Services

**LEGISLATIVE BILL 265.** Placed on General File with amendment.  
AM415

- 1 1. On page 7, line 14, strike beginning with "the"
- 2 through the last "of" and show as stricken.

3 2. On page 8, line 10, strike "has had significant  
4 contact" and insert "is a trusted adult that has a preexisting,  
5 significant relationship"; and in line 25 after "(1)" insert  
6 "The department shall adopt and promulgate rules and regulations  
7 on requirements for licenses, waivers, variances, and approval  
8 of foster family homes taking into consideration the health,  
9 safety, well-being, and best interests of the child. An initial  
10 assessment of a foster family home shall be completed and shall  
11 focus on the safety, protection, and immediate health, educational,  
12 developmental, and emotional needs of the child and the willingness  
13 and ability of the foster home, relative home, or kinship home  
14 to provide a safe, stable, and nurturing environment for a  
15 child for whom the department or child-placing agency has assumed  
16 responsibility.

17 (2)(a)".

18 3. On page 9, line 9, strike "(2)" and insert "(b)"; and  
19 strike lines 21 to 25 and insert

20 "(3) Kinship homes and relative homes are exempt from  
21 licensure, however, such homes should make efforts to be licensed  
22 if such license will facilitate the permanency plan of the  
23 child. The department and child-placing agencies shall, when  
1 requested or as part of the child's permanency plan, provide  
2 resources for and assistance with licensure, including, but  
3 not limited to, information on licensure, waivers for relative  
4 homes, kinship-specific and relative-specific foster care training,  
5 referral to local service providers and support groups, and funding  
6 and resources available to address home safety or other barrier to  
7 licensure.

8 (4) Prior to placement in a nonlicensed relative home  
9 or kinship home, approval shall be obtained from the department.  
10 Requirements for initial approval shall include, but not be limited  
11 to, the initial assessment provided for in subsection (1) of this  
12 section, a home visit to assure adequate and safe housing, and a  
13 criminal background check of all adult residents. Final approval  
14 shall include, but is not limited to, requirements as appropriate  
15 under 71-1903. The department or child-placing agency shall provide  
16 assistance to an approved relative home or kinship home to support  
17 the care, protection, and nurturing of the child. Support may  
18 include, but is not limited to, information on licensure, waivers,  
19 and variances, kinship-specific and relative-specific foster care  
20 training, mental and physical health care, options for funding for  
21 needs of the child, and service providers and support groups to  
22 address the needs of relative and kinship parents, families, and  
23 children.".

24 4. On page 10, strike lines 1 to 9.

25 5. On page 15, strike beginning with "persons" in line 14  
26 through "and" in line 15, show as stricken, and insert "a person  
27 who has a physical, mental, or developmental disability and is".

**LEGISLATIVE BILL 326.** Placed on General File with amendment.  
AM434

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

3 Section 1. Section 38-2845, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 38-2845 Supervision means the ~~immediate~~ personal guidance  
6 and direction by ~~the licensed a pharmacist on duty in the~~  
7 ~~facility~~ of the performance by a pharmacy technician of authorized  
8 activities or functions subject to verification by such pharmacist.  
9 Supervision of a pharmacy technician may occur by means of a  
10 real-time audiovisual communication system. , except that when a  
11 pharmacy technician performs authorized activities or functions to  
12 assist a pharmacist on duty in the facility when the prescribed  
13 drugs or devices will be administered by a licensed staff member or  
14 consultant or by a licensed physician assistant to persons who are  
15 patients or residents of a facility, the activities or functions of  
16 such pharmacy technician shall only be subject to verification by a  
17 pharmacist on duty in the facility.

18 Sec. 2. Section 38-2847, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 38-2847 Verification means the confirmation by a  
21 supervising pharmacist of the accuracy and completeness of the  
22 acts, tasks, or functions undertaken by a pharmacy technician to  
23 assist the pharmacist in the practice of pharmacy. Verification  
1 shall occur by a pharmacist on duty in the facility, except that if  
2 a pharmacy technician performs authorized activities or functions  
3 to assist a pharmacist and the prescribed drugs or devices will  
4 be administered to persons who are patients or residents of a  
5 facility by a credentialed individual authorized to administer  
6 medications, verification may occur by means of a real-time  
7 audiovisual communication system.

8 Sec. 3. Section 71-2444, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10 71-2444 Sections 71-2444 to 71-2452 and section 9 of this  
11 act shall be known and may be cited as the Automated Medication  
12 Systems Act.

13 Sec. 4. Section 71-2445, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15 71-2445 For purposes of the Automated Medication Systems  
16 Act:

17 (1) Automated medication distribution machine means a  
18 type of automated medication system that stores medication to  
19 be administered to a patient by a person credentialed under the  
20 Uniform Credentialing Act;

21 (2) Automated medication system means a mechanical system  
22 that performs operations or activities, other than compounding,  
23 administration, or other technologies, relative to storage and  
24 packaging for dispensing or distribution of medications and that

25 collects, controls, and maintains all transaction information  
 26 and includes, but is not limited to, a prescription medication  
 27 distribution machine or an automated medication distribution  
 1 machine. An automated medication system may only be used in  
 2 conjunction with the provision of pharmacist care;

3 (3) Chart order means an order for a drug or device  
 4 issued by a practitioner for a patient who is in the hospital where  
 5 the chart is stored, ~~or~~ for a patient receiving detoxification  
 6 treatment or maintenance treatment pursuant to section 28-412, or  
 7 for a resident in a long-term care facility in which a long-term  
 8 care automated pharmacy is located from which drugs will be  
 9 dispensed. Chart order does not include a prescription;

10 (4) Hospital has the definition found in section 71-419;

11 (5) Long-term care automated pharmacy means a designated  
 12 area in a long-term care facility where an automated medication  
 13 system is located, that stores medications for dispensing pursuant  
 14 to a medical order to residents in such long-term care facility,  
 15 that is installed and operated by a pharmacy licensed under the  
 16 Health Care Facility Licensure Act, and that is licensed under  
 17 section 9 of this act;

18 ~~(5)-(6)~~ Long-term care facility means an intermediate  
 19 care facility, an intermediate care facility for the mentally  
 20 retarded, a long-term care hospital, a mental health center, a  
 21 nursing facility, or a skilled nursing facility, as such terms are  
 22 defined in the Health Care Facility Licensure Act;

23 ~~(6)-(7)~~ Medical order means a prescription, a chart  
 24 order, or an order for pharmaceutical care issued by a  
 25 practitioner;

26 ~~(7)-(8)~~ Pharmacist means any person who is licensed by  
 27 the State of Nebraska to practice pharmacy;

1 ~~(8)-(9)~~ Pharmacist care means the provision by a  
 2 pharmacist of medication therapy management, with or without the  
 3 dispensing of drugs or devices, intended to achieve outcomes  
 4 related to the cure or prevention of a disease, elimination or  
 5 reduction of a patient's symptoms, or arresting or slowing of a  
 6 disease process;

7 ~~(9)-(10)~~ Pharmacist remote order entry means entering  
 8 an order into a computer system or drug utilization review by a  
 9 pharmacist licensed to practice pharmacy in the State of Nebraska  
 10 and located within the United States, pursuant to medical orders in  
 11 a hospital, long-term care facility, or pharmacy licensed under the  
 12 Health Care Facility Licensure Act;

13 ~~(10)-(11)~~ Practice of pharmacy means (a) the  
 14 interpretation, evaluation, and implementation of a medical  
 15 order, (b) the dispensing of drugs and devices, (c) drug product  
 16 selection, (d) the administration of drugs or devices, (e) drug  
 17 utilization review, (f) patient counseling, (g) the provision of  
 18 pharmaceutical care, and (h) the responsibility for compounding  
 19 and labeling of dispensed or repackaged drugs and devices, proper

20 and safe storage of drugs and devices, and maintenance of proper  
 21 records. The active practice of pharmacy means the performance of  
 22 the functions set out in this subdivision by a pharmacist as his or  
 23 her principal or ordinary occupation;

24 ~~(11)~~(12) Practitioner means a certified registered nurse  
 25 anesthetist, a certified nurse midwife, a dentist, an optometrist,  
 26 a nurse practitioner, a physician assistant, a physician, a  
 27 podiatrist, or a veterinarian;

1 ~~(12)~~(13) Prescription means an order for a drug or  
 2 device issued by a practitioner for a specific patient, for  
 3 emergency use, or for use in immunizations. Prescription does not  
 4 include a chart order;

5 ~~(13)~~(14) Prescription medication distribution machine  
 6 means a type of automated medication system that packages, labels,  
 7 or counts medication in preparation for dispensing of medications  
 8 by a pharmacist pursuant to a prescription; and

9 ~~(14)~~(15) Telepharmacy means the provision of pharmacist  
 10 care, by a pharmacist located within the United States, using  
 11 telecommunications, remote order entry, or other automations and  
 12 technologies to deliver care to patients or their agents who are  
 13 located at sites other than where the pharmacist is located.

14 Sec. 5. Section 71-2446, Reissue Revised Statutes of  
 15 Nebraska, is amended to read:

16 71-2446 Any automated machine that dispenses, delivers,  
 17 or makes available, other than by administration, prescription  
 18 medication directly to a patient or caregiver without the provision  
 19 of pharmacist care is prohibited.

20 Sec. 6. Section 71-2447, Reissue Revised Statutes of  
 21 Nebraska, is amended to read:

22 71-2447 Any hospital, long-term care facility, or  
 23 pharmacy that uses an automated medication system shall develop,  
 24 maintain, and comply with policies and procedures developed in  
 25 consultation with the pharmacist responsible for pharmacist care  
 26 for that hospital, long-term care facility, or pharmacy. At a  
 27 minimum, the policies and procedures shall address the following:

1 (1) The description and location within the hospital,  
 2 long-term care facility, or pharmacy of the automated medication  
 3 system or equipment being used;

4 (2) The name of the ~~individual or individuals~~ pharmacist  
 5 responsible for implementation of and compliance with the policies  
 6 and procedures;

7 (3) Medication access and information access procedures;

8 (4) Security of inventory and confidentiality of records  
 9 in compliance with state and federal laws, rules, and regulations;

10 (5) A description of the process used by a pharmacist or  
 11 pharmacy technician for filling an automated medication system;

12 ~~(5)~~(6) A description of how and by whom the automated  
 13 medication system is being utilized, including processes for  
 14 ~~filling~~, verifying, dispensing, and distributing medications;

- 15 ~~(6)-(7)~~ Staff education and training;  
 16 ~~(7)-(8)~~ Quality assurance and quality improvement  
 17 programs and processes;  
 18 ~~(8)-(9)~~ Inoperability or emergency downtime procedures;  
 19 ~~(9)-(10)~~ Periodic system maintenance; and  
 20 ~~(10)-(11)~~ Medication security and controls.

21 Sec. 7. Section 71-2448, Reissue Revised Statutes of  
 22 Nebraska, is amended to read:

23 71-2448 A prescription medication distribution machine:

24 (1) Is subject to the requirements of section 71-2447  
 25 and, if it is in a long-term care automated pharmacy, is subject to  
 26 section 9 of this act; and

27 (2) May be operated only (a) in a licensed pharmacy  
 1 where a pharmacist dispenses medications to patients for  
 2 self-administration pursuant to a prescription or (b) in a  
 3 long-term care automated pharmacy subject to section 9 of this act.

4 Sec. 8. Section 71-2449, Reissue Revised Statutes of  
 5 Nebraska, is amended to read:

6 71-2449 (1) An automated medication distribution machine:

7 (a) Is subject to the requirements of section 71-2447  
 8 and, if it is in a long-term care automated pharmacy, is subject to  
 9 section 9 of this act; and

10 (b) May be operated in a hospital or long-term care  
 11 facility for medication administration pursuant to a chart order or  
 12 prescription by a licensed health care professional.

13 (2) Drugs placed in an automated medication distribution  
 14 machine shall be in the manufacturer's original packaging or in  
 15 containers repackaged in compliance with state and federal laws,  
 16 rules, and regulations relating to repackaging, labeling, and  
 17 record keeping.

18 (3) The inventory which is transferred to an automated  
 19 medication distribution machine in a hospital ~~or long-term care~~  
 20 ~~facility~~ shall be excluded from the percent of total prescription  
 21 drug sales revenue described in section 71-7454.

22 Sec. 9. (1) In order for an automated medication system  
 23 to be operated in a long-term care facility, a pharmacist in charge  
 24 of a pharmacy licensed under the Health Care Facility Licensure  
 25 Act and located in Nebraska shall annually license the long-term  
 26 care automated pharmacy in which the automated medication system is  
 27 located.

1 (2) The pharmacist in charge of a licensed pharmacy shall  
 2 submit an application for licensure or renewal of licensure to the  
 3 Division of Public Health of the Department of Health and Human  
 4 Services with a fee in the amount of the fee the pharmacy pays for  
 5 licensure or renewal. The application shall include:

6 (a) The name and location of the licensed pharmacy;

7 (b) If controlled substances are stored in the automated  
 8 medication system, the federal Drug Enforcement Administration  
 9 registration number of the licensed pharmacy. After the long-term

10 care automated pharmacy is registered with the federal Drug  
11 Enforcement Administration, the pharmacist in charge of the  
12 licensed pharmacy shall provide the federal Drug Enforcement  
13 Administration registration number of the long-term care automated  
14 pharmacy to the division and any application for renewal shall  
15 include such registration number;

16 (c) The location of the long-term care automated  
17 pharmacy; and

18 (d) The name of the pharmacist in charge of the licensed  
19 pharmacy.

20 (3) As part of the application process, the division  
21 shall conduct an inspection by a pharmacy inspector as provided  
22 in section 38-28,101 of the long-term care automated pharmacy. The  
23 division shall also conduct inspections of the operation of the  
24 long-term care automated pharmacy as necessary.

25 (4) The division shall license a long-term care automated  
26 pharmacy which meets the licensure requirements of the Automated  
27 Medication Systems Act.

1 (5) A pharmacist in charge of a licensed pharmacy shall  
2 apply for a separate license for each location at which it operates  
3 one or more long-term care automated pharmacies. The licensed  
4 pharmacy shall be the provider pharmacy for the long-term care  
5 automated pharmacy.

6 (6) The pharmacist in charge of the licensed pharmacy  
7 operating a long-term care automated pharmacy shall:

8 (a) Identify a pharmacist responsible for the operation,  
9 supervision, policies, and procedures of the long-term care  
10 automated pharmacy;

11 (b) Implement the policies and procedures developed to  
12 comply with section 71-2447;

13 (c) Assure compliance with the drug storage and  
14 record-keeping requirements of the Pharmacy Practice Act;

15 (d) Assure compliance with the labeling requirements of  
16 subsection (8) of this section;

17 (e) Develop and implement policies for the verification  
18 of drugs by a pharmacist prior to being loaded into the automated  
19 medication system and for the verification of drugs by a pharmacist  
20 prior to being released for administration to a resident;

21 (f) Develop and implement policies for inventory,  
22 security, and accountability for controlled substances; and

23 (g) Assure that each medical order is reviewed by a  
24 pharmacist prior to the release of the drugs by the automated  
25 medication system. Emergency doses may be taken from an automated  
26 medication system prior to review by a pharmacist if the licensed  
27 pharmacy develops and implements policies for emergency doses.

1 (7) Supervision by a pharmacist is sufficient for  
2 compliance with the requirement of subdivision (6)(a) of this  
3 section if the pharmacist in the licensed pharmacy monitors the  
4 automated medication system electronically and keeps records of

- 5 compliance with such requirement for five years.
- 6 (8) Each drug dispensed from a long-term care automated
- 7 pharmacy shall be in a package with a label containing the
- 8 following information:
- 9 (a) The name and address of the long-term care automated
- 10 pharmacy;
- 11 (b) The prescription number;
- 12 (c) The name, strength, and dosage form of the drug;
- 13 (d) The name of the resident;
- 14 (e) The name of the practitioner who prescribed the drug;
- 15 (f) The date of filling; and
- 16 (g) Directions for use.
- 17 (9) The inventory which is transferred to a long-term
- 18 care automated pharmacy shall be excluded from the percent of total
- 19 prescription drug sales revenue described in section 71-7454.

20 Sec. 10. Section 71-2452, Reissue Revised Statutes of  
 21 Nebraska, is amended to read:

22 71-2452 Any person who violates the Automated Medication  
 23 Systems Act may be subject to disciplinary action by the Division  
 24 of Public Health of the Department of Health and Human Services  
 25 under the Health Care Facility Licensure Act, ~~the Uniform Licensing~~  
 26 ~~Law~~, or the Uniform Credentialing Act.

27 Sec. 11. Original sections 38-2845, 38-2847, 71-2444,  
 1 71-2445, 71-2446, 71-2447, 71-2448, 71-2449, and 71-2452, Reissue  
 2 Revised Statutes of Nebraska, are repealed.

(Signed) Kathy Campbell, Chairperson

**MOTION - Print in Journal**

Senator Pirsch filed the following motion to LB648:  
 MO20  
 Withdraw bill.

**AMENDMENT - Print in Journal**

Senator McCoy filed the following amendment to LR41CA:  
 AM494

- 1 1. On page 3, line 19, strike "a" and insert "the".

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 84.** Introduced by Bolz, 29.

WHEREAS, the Lincoln Southeast High School girls' basketball team won the 2013 Class A Girls' State Basketball Championship with a 65-57 win over Bellevue West High School; and

WHEREAS, the Lincoln Southeast girls' basketball team completed its season with a record of twenty-four wins and three losses; and



WHEREAS, the Lincoln Southeast girls' basketball team earned entrance to the state tournament for the fourteenth straight season, a Class A record, by defeating Norfolk High School by a score of 59-36 on February 20, 2013, in the district finals; and

WHEREAS, the Lincoln Southeast girls' basketball team defeated Bellevue East High School by a score of 57-49 on February 28, 2013, in the first round of the state tournament; and

WHEREAS, the Lincoln Southeast girls' basketball team advanced to the final round of the state tournament by defeating Millard West High School by a score of 67-48 on March 1, 2013; and

WHEREAS, with its title victory, Lincoln Southeast High School won its tenth state championship in girls' basketball, a Class A record; and

WHEREAS, the Lincoln Southeast girls' basketball team holds the state record of twenty-seven appearances at the state tournament across all classes; and

WHEREAS, the Lincoln Southeast girls' basketball team dedicated their season to the memory of G'Nell Graham, the mother of their coach, Kara Graham; 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 the Lincoln Southeast High School girls' basketball team on their exemplary season and on winning the 2013 Class A Girls' State Basketball Championship.

2. That a copy of this resolution be sent to Coach Kara Graham and the Lincoln Southeast High School girls' basketball team.

Laid over.

**LEGISLATIVE RESOLUTION 85.** Introduced by Karpisek, 32.

WHEREAS, Vince Thatcher of Crete High School won the 2013 Class B State Wrestling Championship in the 145-pound division; and

WHEREAS, Vince displayed outstanding perseverance, 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 Vince Thatcher on winning the 2013 Class B State Wrestling Championship in the 145-pound division.

2. That a copy of this resolution be sent to Vince Thatcher.

Laid over.

**RESOLUTIONS**

Pursuant to Rule 4, Sec. 5(b), LRs 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82 were adopted.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82.

**MOTIONS - Approve Appointments**

Senator Karpisek moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 588:

Nebraska Arts Council  
 Patrick Drickey  
 Kathryn LeBaron  
 Sherry McClymont  
 Stephanie Metz O'Keefe

Voting in the affirmative, 37:

Adams	Cook	Janssen	McGill	Seiler
Ashford	Crawford	Johnson	Mello	Smith
Avery	Davis	Karpisek	Murante	Sullivan
Bloomfield	Dubas	Kintner	Nelson	Wallman
Brasch	Gloor	Kolowski	Pirsch	Wightman
Campbell	Hansen	Larson	Price	
Carlson	Harms	Lautenbaugh	Schilz	
Chambers	Howard	McCoy	Schumacher	

Voting in the negative, 0.

Present and not voting, 9:

Bolz	Hadley	Krist	Nordquist	Watermeier
Haar, K.	Harr, B.	Lathrop	Scheer	

Excused and not voting, 3:

Christensen	Coash	Conrad
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The appointments were confirmed with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Karpisek moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 588:

State Racing Commission  
Helen Abbott Feller

Voting in the affirmative, 33:

Adams	Crawford	Howard	Lautenbaugh	Schumacher
Avery	Davis	Johnson	McCoy	Seiler
Bloomfield	Dubas	Karpisek	McGill	Sullivan
Brasch	Hadley	Kintner	Mello	Wallman
Campbell	Hansen	Kolowski	Pirsch	Wightman
Carlson	Harms	Larson	Price	
Cook	Harr, B.	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 13:

Ashford	Gloor	Krist	Nordquist	Watermeier
Bolz	Haar, K.	Murante	Scheer	
Chambers	Janssen	Nelson	Smith	

Excused and not voting, 3:

Christensen	Coash	Conrad		
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The appointment was confirmed with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator Karpisek moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 588:

State Electrical Board  
John Hiller

Voting in the affirmative, 34:

Adams	Chambers	Harms	Lautenbaugh	Schilz
Ashford	Cook	Howard	McCoy	Schumacher
Avery	Crawford	Johnson	McGill	Seiler
Bloomfield	Davis	Karpisek	Mello	Sullivan
Brasch	Haar, K.	Kintner	Pirsch	Wallman
Campbell	Hadley	Kolowski	Price	Wightman
Carlson	Hansen	Larson	Scheer	

Voting in the negative, 0.

Present and not voting, 12:

Bolz	Harr, B.	Lathrop	Nordquist
Dubas	Janssen	Murante	Smith
Gloor	Krist	Nelson	Watermeier

Excused and not voting, 3:

Christensen	Coash	Conrad
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The appointment was confirmed with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Senator Carlson moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 589:

Nebraska Game and Parks Commission  
Kent Forney

Voting in the affirmative, 36:

Adams	Crawford	Howard	McGill	Smith
Avery	Davis	Johnson	Mello	Sullivan
Bloomfield	Dubas	Karpisek	Murante	Wallman
Brasch	Gloor	Kintner	Pirsch	Wightman
Campbell	Haar, K.	Kolowski	Price	
Carlson	Hadley	Larson	Scheer	
Chambers	Hansen	Lautenbaugh	Schilz	
Cook	Harr, B.	McCoy	Seiler	

Voting in the negative, 0.

Present and not voting, 10:

Ashford	Harms	Krist	Nelson	Schumacher
Bolz	Janssen	Lathrop	Nordquist	Watermeier

Excused and not voting, 3:

Christensen	Coash	Conrad
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The appointment was confirmed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Avery moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 607:

State Emergency Response Commission  
Steven Danon  
Don Eisenhauer

Voting in the affirmative, 31:

Adams	Crawford	Kintner	Nordquist	Sullivan
Avery	Dubas	Kolowski	Pirsch	Wallman
Bloomfield	Gloor	Larson	Price	Wightman
Brasch	Hansen	Lautenbaugh	Scheer	
Campbell	Howard	McCoy	Schilz	
Carlson	Johnson	Mello	Schumacher	
Chambers	Karpisek	Murante	Seiler	

Voting in the negative, 0.

Present and not voting, 15:

Ashford	Davis	Harms	Krist	Nelson
Bolz	Haar, K.	Harr, B.	Lathrop	Smith
Cook	Hadley	Janssen	McGill	Watermeier

Excused and not voting, 3:

Christensen	Coash	Conrad
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The appointments were confirmed with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Campbell moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 612:

Nebraska Rural Health Advisory Commission  
Mark Goodman

Voting in the affirmative, 35:

Adams	Cook	Johnson	McCoy	Schilz
Avery	Crawford	Karpisek	McGill	Schumacher
Bloomfield	Davis	Kintner	Mello	Seiler
Brasch	Gloor	Kolowski	Nelson	Smith
Campbell	Hadley	Krist	Nordquist	Sullivan
Carlson	Hansen	Larson	Pirsch	Wallman
Chambers	Howard	Lautenbaugh	Price	Wightman

Voting in the negative, 0.

Present and not voting, 11:

Ashford	Haar, K.	Janssen	Scheer
Bolz	Harms	Lathrop	Watermeier
Dubas	Harr, B.	Murante	

Excused and not voting, 3:

Christensen    Coash            Conrad

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

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 86.** Introduced by Larson, 40.

WHEREAS, Josh Coyle of West Holt High School won the 2013 Class C State Wrestling Championship in the 182-pound division, defeating Ben Lodema of Raymond Central High School 6-3; and

WHEREAS, Josh Coyle ended the season with a record of 37-2; 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 Josh Coyle on winning the 2013 Class C State Wrestling Championship in the 182-pound division.

2. That a copy of this resolution be sent to Josh Coyle and the West Holt High School wrestling coach, Randy Schroeder.

Laid over.

**LEGISLATIVE RESOLUTION 87.** Introduced by Larson, 40.

WHEREAS, the Wynot Lady Blue Devils basketball team won the 2013 Class D-2 Girls' State Basketball Championship, defeating the Osmond Lady Tigers 60-52; and

WHEREAS, the Wynot Lady Blue Devils basketball team ended the season with a record of 25-4; and

WHEREAS, the win gave the Wynot Lady Blue Devils basketball team their third straight Class D-2 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 the Wynot Lady Blue Devils basketball team on winning the 2013 Class D-2 Girls' State Basketball Championship.

2. That a copy of this resolution be sent to the Wynot Lady Blue Devils basketball team and their coach, Steve Wieseler.

Laid over.

**NOTICE OF COMMITTEE HEARINGS**  
Judiciary

Room 1113

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

LB485  
LB385  
LB380  
LB498  
LR42

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

LB247  
LB355  
LB503  
LB580

(Signed) Brad Ashford, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 170.** Title read. Considered.

Committee AM213, found on page 441, was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

**LEGISLATIVE RESOLUTION 41CA.** Read. Considered.

Senator McCoy offered his motion, MO19, found on page 612, to recommit to the General Affairs Committee.

**SENATOR GLOOR PRESIDING**

Pending.

**COMMITTEE REPORTS**  
Judiciary

**LEGISLATIVE BILL 607.** Indefinitely postponed.

(Signed) Brad Ashford, Chairperson

## Revenue

**LEGISLATIVE BILL 153.** Placed on General File with amendment.  
AM499

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

3 Section 1. Section 13-2701, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 13-2701 Sections 13-2701 to 13-2710 and sections 5, 6,  
6 and 9 of this act shall be known and may be cited as the Civic and  
7 Community Center Financing Act.

8 Sec. 2. Section 13-2702, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10 13-2702 The purpose of the Civic and Community Center  
11 Financing Act is to support the development of civic, ~~and~~  
12 community, and recreation centers throughout Nebraska. Furthermore,  
13 the act is intended to support projects that foster maintenance or  
14 growth of communities.

15 Sec. 3. Section 13-2703, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 13-2703 For purposes of the Civic and Community Center  
18 Financing Act:

19 (1) Civic center means a facility that is primarily used  
20 to host conventions, meetings, and cultural events and a library;

21 (2) Community center means the traditional center of a  
22 community, typically comprised of a cohesive core of residential,  
23 civic, religious, and commercial buildings, arranged around a main  
1 street and intersecting streets;

2 (3) Department means the Department of Economic  
3 Development;

4 (4) Fund means the Civic and Community Center Financing  
5 Fund; ~~and~~

6 (5) Historic building means a building eligible for  
7 listing on or currently listed on the National Register of Historic  
8 Places; ~~and~~;

9 (6) Recreation center means a facility used for  
10 athletics, fitness, sport activities, or recreation that is owned  
11 by a municipality and is available for use by the general public  
12 with or without charge. Recreation center does not include any  
13 facility that requires a person to purchase a membership to utilize  
14 such facility.

15 Sec. 4. Section 13-2704, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 13-2704 (1) The Civic and Community Center Financing Fund  
18 is created. The fund shall be administered by the department.

19 ~~Transfers may be made from the fund to the General Fund at the~~  
20 ~~direction of the Legislature.~~ Any money in the Civic and Community  
21 Center Financing Fund fund available for investment shall be  
22 invested by the state investment officer pursuant to the Nebraska



23 Capital Expansion Act and the Nebraska State Funds Investment Act.  
 24 ~~The fund may be used for assistance for the construction of new~~  
 25 ~~civic centers, the renovation or expansion of existing civic or~~  
 26 ~~community centers, or the conversion, rehabilitation, or reuse of~~  
 27 ~~historic buildings for purposes consistent with this section. The~~  
 1 ~~fund may not be used for programming, marketing, advertising, and~~  
 2 ~~related activities. Transfers may be made from the fund to the~~  
 3 ~~General Fund, the Department of Revenue Enforcement Fund, and to~~  
 4 ~~the State Colleges Sport Facilities Cash Fund at the direction of~~  
 5 ~~the Legislature.~~

6 ~~(2) It is the intent of the Legislature that on July~~  
 7 ~~1, 2011, or as soon thereafter as is administratively possible~~  
 8 ~~the State Treasurer shall transfer forty two thousand nine hundred~~  
 9 ~~dollars from the Civic and Community Center Financing Fund to the~~  
 10 ~~Department of Revenue Enforcement Fund.~~

11 (2)(a) The department shall use the Civic and Community  
 12 Center Financing Fund for the following purposes:

13 (i) For grants of assistance as described in section 5 of  
 14 this act;

15 (ii) For grants of assistance as described in section 6  
 16 of this act; and

17 (iii) For reasonable and necessary costs of the  
 18 department directly related to the administration of the fund,  
 19 not to exceed the amount needed to employ a one-half full-time  
 20 equivalent employee.

21 (b) The fund may not be used for programming, marketing,  
 22 advertising, or facility-staffing activities.

23 (3) The State Treasurer shall transfer two hundred fifty  
 24 thousand dollars from the Civic and Community Center Financing  
 25 Fund to the State Colleges Sport Facilities Cash Fund on October  
 26 1 of 2012, 2013, and 2014. Commencing October 1, 2015, and every  
 27 year thereafter, the State Treasurer shall transfer four hundred  
 1 thousand dollars from the Civic and Community Center Financing Fund  
 2 to the State Colleges Sport Facilities Cash Fund.

3 Sec. 5. (1) The department shall use the fund to provide  
 4 grants of assistance for the following purposes:

5 (a) To assist in the construction of new civic centers  
 6 and recreation centers or the renovation or expansion of existing  
 7 civic centers and recreation centers;

8 (b) To assist in the conversion, rehabilitation, or reuse  
 9 of historic buildings; or

10 (c) To upgrade community centers, including the  
 11 demolition of substandard and abandoned buildings.

12 (2) Applications for grants of assistance pursuant to  
 13 this section shall be evaluated by the department pursuant to  
 14 section 13-2707.

15 Sec. 6. (1) The department shall use the fund to provide  
 16 grants of assistance for engineering and technical studies directly  
 17 related to projects described in section 5 of this act.

18 (2) Applications for grants of assistance pursuant to  
 19 this section shall be evaluated by the department pursuant to  
 20 section 9 of this act.

21 Sec. 7. Section 13-2705, Reissue Revised Statutes of  
 22 Nebraska, is amended to read:

23 13-2705 The department may conditionally approve grants  
 24 of assistance from the fund to eligible and competitive applicants  
 25 within the following limits:

26 (1) Except as provided in subdivision (2) of this  
 27 section, a grant request shall be ~~at~~ in an amount meeting the  
 1 following requirements:

2 (a) For a grant of assistance under section 5 of this  
 3 act, at least ten thousand dollars but no more than:

4 ~~(a)-(i)~~ For a city of the primary class, one million five  
 5 hundred thousand dollars;

6 ~~(b)-(ii)~~ For a municipality with a population of forty  
 7 thousand but less than one hundred thousand, seven hundred fifty  
 8 thousand dollars;

9 ~~(c)-(iii)~~ For a municipality with a population of twenty  
 10 thousand but less than forty thousand, five hundred thousand  
 11 dollars;

12 ~~(d)-(iv)~~ For a municipality with a population of ten  
 13 thousand but less than twenty thousand, four hundred thousand  
 14 dollars; and

15 ~~(e)-(v)~~ For a municipality with a population of less than  
 16 ten thousand, two hundred fifty thousand dollars; and

17 (b) For a grant of assistance under section 6 of this  
 18 act, at least two thousand dollars but no more than ten thousand  
 19 dollars;

20 (2) Upon the balance of the fund reaching two million  
 21 five hundred thousand dollars, and until the balance of the fund  
 22 falls below one million dollars, a grant request shall be ~~at~~ in an  
 23 amount meeting the following requirements:

24 (a) For a grant of assistance under section 5 of this  
 25 act, at least ten thousand dollars but no more than:

26 ~~(a)-(i)~~ For a city of the primary class, two million two  
 27 hundred fifty thousand dollars;

1 ~~(b)-(ii)~~ For a municipality with a population of forty  
 2 thousand but less than one hundred thousand, one million one  
 3 hundred twenty-five thousand dollars;

4 ~~(c)-(iii)~~ For a municipality with a population of twenty  
 5 thousand but less than forty thousand, seven hundred fifty thousand  
 6 dollars;

7 ~~(d)-(iv)~~ For a municipality with a population of ten  
 8 thousand but less than twenty thousand, six hundred thousand  
 9 dollars; and

10 ~~(e)-(v)~~ For a municipality with a population of less than  
 11 ten thousand, three hundred seventy-five thousand dollars; and

12 (b) For a grant of assistance under section 6 of this

13 act, at least two thousand dollars but no more than ten thousand  
 14 dollars;

15 (3) Assistance from the fund shall not amount to more  
 16 than fifty percent of the cost of ~~construction, renovation, or~~  
 17 ~~expansion;~~ the project for which a grant is requested; and

18 (4) A municipality shall not be awarded more than one  
 19 grant of assistance under section 5 of this act and one grant of  
 20 assistance under section 6 of this act in any five-year period.

21 Sec. 8. Section 13-2707, Reissue Revised Statutes of  
 22 Nebraska, is amended to read:

23 13-2707 (1) The department shall evaluate all  
 24 applications for grants of assistance under section 5 of this act  
 25 based on the following criteria, which are listed in no particular  
 26 order of preference:

27 (1) Attraction impact. Funding decisions by the  
 1 department shall be based in part on the likelihood of the project  
 2 attracting new civic or community activity to Nebraska from outside  
 3 of Nebraska. A project with greater out-of-state draw shall be  
 4 preferred over a project with less impact;

5 (2) Socioeconomic impact. The project's potential for  
 6 long-term positive impacts on the local and regional economy and  
 7 society;

8 (a) Retention Impact. Funding decisions by the department  
 9 shall be based on the likelihood of the project retaining  
 10 existing residents in the community where the project is located,  
 11 developing, sustaining, and fostering community connections, and  
 12 enhancing the potential for economic growth in a manner that  
 13 will sustain the quality of life and promote long-term economic  
 14 development;

15 (b) New Resident Impact. Funding decisions by the  
 16 department shall be based on the likelihood of the project  
 17 attracting new residents to the community where the project is  
 18 located;

19 (c) Visitor Impact. Funding decisions by the department  
 20 shall be based on the likelihood of the project enhancing or  
 21 creating an attraction that would increase the potential of  
 22 visitors to the community where the project is located from  
 23 inside and outside the state;

24 (3) Financial support. Assistance from the fund shall be  
 25 matched at least equally from local sources. At least fifty percent  
 26 of the local match must be in cash. Projects with a higher level of  
 27 local matching funds shall be preferred as compared to those with a  
 1 lower level of matching funds;

2 (4)-(d) Readiness. The applicant's fiscal and economic  
 3 capacity to finance the local share and ability to proceed and  
 4 implement its plan and operate the civic ~~or center,~~ community  
 5 center, or recreation center; and

6 (5) Project location. A project shall be located in the  
 7 municipality that applies for the grant; and

8 ~~(6)~~(e) Project planning. Projects with completed  
9 technical assistance and feasibility studies shall be preferred to  
10 those with no prior planning.

11 (2) Any grant of assistance under section 5 of this act  
12 shall be matched at least equally from local sources. At least  
13 fifty percent of the local match must be in cash.

14 (3) To receive a grant of assistance under section 5 of  
15 this act, the project for which the grant is requested shall be  
16 located in the municipality that applies for the grant.

17 Sec. 9. The department shall evaluate all applications  
18 for grants of assistance under section 6 of this act based on the  
19 following criteria:

20 (1) Financial support. Assistance from the fund shall be  
21 matched at least equally from local sources. At least fifty percent  
22 of the local match must be in cash. Projects with a higher level of  
23 local matching funds shall be preferred as compared to those with a  
24 lower level of matching funds; and

25 (2) Project location. Assistance from the fund shall be  
26 for engineering and technical studies related to projects that will  
27 be located in the municipality that applies for the grant.

1 Sec. 10. Section 13-2709, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3 13-2709 The department shall submit, as part of the  
4 department's annual status report under section 81-1201.11, the  
5 following information regarding the Civic and Community Center  
6 Financing Act:

7 (1) Information documenting the grants conditionally  
8 approved for funding by the Legislature in the following fiscal  
9 year;:-

10 (2) Reasons why a full application was not sent to any  
11 municipality seeking assistance under the act;

12 (3) The amount of sales tax revenue generated for the  
13 fund pursuant to subsection (4) of section 13-2610 and subsection  
14 (6) of section 13-3108, the total amount of grants applied for  
15 under the act, the year-end fund balance, and, if all available  
16 funds have not been committed to funding grants under the act, an  
17 explanation of the reasons why all such funds have not been so  
18 committed;

19 (4) The amount of appropriated funds actually expended by  
20 the department for the year;

21 (5) The department's current budget for administration  
22 of the act and the department's planned use and distribution of  
23 funds, including details on the amount of funds to be expended on  
24 grants and the amount of funds to be expended by the department for  
25 administrative purposes; and

26 (6) Grant summaries, including the applicant  
27 municipality, project description, grant amount requested,  
1 amount and type of matching funds, and reasons for approval or  
2 denial based on evaluation criteria from section 13-2707 or section

3 9 of this act for every application seeking assistance under the  
4 act.  
5 Sec. 11. Original sections 13-2701, 13-2702, 13-2703,  
6 13-2704, 13-2705, 13-2707, and 13-2709, Reissue Revised Statutes of  
7 Nebraska, are repealed.

(Signed) Galen Hadley, Chairperson

**NOTICE OF COMMITTEE HEARING**  
Judiciary

Room 1113

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

LB543  
LB462  
LB473  
LB204

(Signed) Brad Ashford, Chairperson

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 88.** Introduced by Janssen, 15; Coash, 27.

WHEREAS, David Heywood was born May 21, 1944, in Sioux City, Iowa; and

WHEREAS, David Heywood graduated from Snyder High School in 1962 and attended Wayne State College; and

WHEREAS, David Heywood married Gerri Emanuel on July 15, 1967; and

WHEREAS, David Heywood worked as an accountant at Smeal Manufacturing and Danko Emergency Equipment for a combined forty-eight years; and

WHEREAS, David Heywood served on the town board and was a former mayor of Snyder, Nebraska; and

WHEREAS, David Heywood was a member of the Snyder Volunteer Fire and Rescue Department for forty-three years; and

WHEREAS, David Heywood was president of the Nebraska State Volunteer Firefighters Association in 2012; and

WHEREAS, David Heywood was a tireless advocate for fire prevention education; and

WHEREAS, David Heywood was a devoted husband and loving father to Todd, Tim, Matt, and Jillian and their extended families; and

WHEREAS, David Heywood passed away on March 3, 2013.

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

1. That the Legislature honors David Heywood for his service to the State of Nebraska.

2. That the Legislature expresses its sympathy to the family of David Heywood.

3. That a copy of this resolution be sent to the family of David Heywood.

Laid over.

**LEGISLATIVE RESOLUTION 89.** Introduced by Larson, 40.

WHEREAS, the Crofton Lady Warriors basketball team won the 2013 Class C-2 Girls' State Basketball Championship, defeating the Hastings St. Cecilia Hawkettes 43-31; and

WHEREAS, the Crofton Lady Warriors basketball team ended the season with a record of 27-0; and

WHEREAS, the win gave the Crofton Lady Warriors basketball team their second straight Class C-2 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 the Crofton Lady Warriors basketball team on winning the 2013 Class C-2 Girls' State Basketball Championship.

2. That a copy of this resolution be sent to the Crofton Lady Warriors basketball team and their coach, Aaron Losing.

Laid over.

**LEGISLATIVE RESOLUTION 90.** Introduced by Bloomfield, 17; Avery, 28; Brasch, 16; Johnson, 23; Kintner, 2; Schumacher, 22.

WHEREAS, the Pender Pendragons won the 2013 Class D-1 Girls' State Basketball Championship; and

WHEREAS, the Pendragons defeated St. Mary's High School 42-36 in the championship game to give the Pendragons their first state championship in school history; and

WHEREAS, the Pendragons finished their championship season with a record of 25-3; 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 the Pender Pendragons on winning the 2013 Class D-1 Girls' State Basketball Championship.

2. That a copy of this resolution be sent to the Pendragons and their coach, Larry Ballinger.

Laid over.

### AMENDMENTS - Print in Journal

Senator Chambers filed the following amendments to LR41CA:

FA16

1. Page 1, line 14 strike and show as stricken "The" and insert "Because it is in the best social and economic interest of this state and its residents to promote and exploit the economic benefits of gambling to advance various desirable social purposes, the".

FA17

1. Page 1, line 14 strike and show as stricken "The" and insert "In order to improve the overall moral climate in the state, to promote wholesome social values and to inculcate in children an appreciation of freedom, justice and the American Way of Life, the".

FA18

1. Page 1, line 14 strike and show as stricken "The" and insert "In order to improve the morals of the state's residents, the".

FA19

1. Page 1, line 14 strike and show as stricken "The" and insert "In order to corrupt the morals of the state's residents, the".

FA20

1. Page 1, line 14 strike and show as stricken "The" and insert "In order to corrupt the morals of the state's residents and to provide a socially acceptable outlet for the predilections of compulsive gamblers, the".

FA21

1. Page 1, line 14 strike and show as stricken "The" and insert "Because it is the economic policy and goal of this state to encourage and promote the creation and growth of business enterprises of all types and varieties, including robust entrepreneurial creativity in the realm of providing services to compulsive gamblers, the".

2. In line 16 put a period after "enterprises" and strike and show as stricken, beginning with "which" all matter through line 1 on page 2.

### CONFLICT OF INTEREST STATEMENTS

Pursuant to Rule 1, Sec. 19, Senators Campbell and Christensen have filed Potential Conflict of Interest Statements under the Nebraska Political Accountability and Disclosure Act. The statements are on file in the Clerk of the Legislature's Office.

**UNANIMOUS CONSENT - Add Cointroducer**

Senator Pirsch asked unanimous consent to add his name as cointroducer to LB266 and LB429. No objections. So ordered.

**VISITORS**

Visitors to the Chamber were Stacy Swinney from Chadron; Ken and Kenndra Dunker from Wayne; members of Norfolk Youth Leadership Group; 14 fourth-grade students, teacher, and sponsors from St. Paul Lutheran School, Beatrice; and 38 fourth-grade students and teacher from Catlin Magnet Center, Omaha.

**ADJOURNMENT**

At 11:57 a.m., on a motion by Senator Hadley, the Legislature adjourned until 9:00 a.m., Thursday, March 7, 2013.

Patrick J. O'Donnell  
Clerk of the Legislature