

FORTY-THIRD DAY - MARCH 15, 2013
LEGISLATIVE JOURNAL
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, March 15, 2013

PRAYER

The prayer was offered by Senator Schumacher.

ROLL CALL

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

The roll was called and all members were present except Senators Avery, Hadley, Janssen, Lautenbaugh, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-second day was approved.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 153. Placed on Select File with amendment.
ER29

- 1 1. On page 1, line 2, after "sections" insert "13-2701,";
- 2 and in line 4 after the semicolon insert "to provide for additional
- 3 uses of grants under the act;".

LEGISLATIVE BILL 429. Placed on Select File.

(Signed) John Murante, Chairperson

ANNOUNCEMENTS

The Transportation and Telecommunications Committee designates LB158 and LB93 as its priority bills.

The Revenue Committee designates LB281 as its priority bill.

The Natural Resources Committee designates LB402 as its priority bill.

Senator Kintner designates LB293 as his priority bill.

Senator Nelson designates LB231 as his priority bill.

Senator Scheer designates LB203 as his priority bill.

Senator Schumacher designates LB82 as his priority bill.

Senator Bloomfield designates LB393 as his priority bill.

Senator Hansen designates LB96 as his priority bill.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 14, 2013, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Bailey, Jon M.
Center for Rural Affairs
Barefoot, Linda
Purdue Pharma LP
Bartee, Robert D.
University of Nebraska
Ebmeier, Mary Joyce
Tabitha
O'Hara Lindsay & Associates, Inc.
City of Lexington
Totten, Julie
University of Nebraska
Ward, Tammy J.
Tabitha

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:
<http://www.nebraskalegislature.gov/agencies/view.php>

MOTION - Approve Appointments

Senator Carlson moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 682:

Nebraska Ethanol Board
 Charles "Tod" Brodersen
 Mark A. Ondracek

Voting in the affirmative, 34:

| | | | | |
|-------------|----------|----------|-----------|------------|
| Bloomfield | Coash | Haar, K. | McGill | Scheer |
| Bolz | Conrad | Howard | Mello | Schilz |
| Brasch | Cook | Johnson | Murante | Schumacher |
| Campbell | Crawford | Karpisek | Nelson | Seiler |
| Carlson | Davis | Kolowski | Nordquist | Smith |
| Chambers | Dubas | Larson | Pirsch | Wallman |
| Christensen | Gloor | McCoy | Price | |

Voting in the negative, 0.

Present and not voting, 10:

| | | | | |
|---------|--------|----------|---------|------------|
| Adams | Hansen | Harr, B. | Krist | Watermeier |
| Ashford | Harms | Kintner | Lathrop | Wightman |

Excused and not voting, 5:

| | | | | |
|-------|--------|---------|-------------|----------|
| Avery | Hadley | Janssen | Lautenbaugh | Sullivan |
|-------|--------|---------|-------------|----------|

The appointments were confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 530. Title read. Considered.

Committee amendment, AM364, found on page 611, was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Senator Dubas offered her amendment, AM621, found on page 685.

The Dubas amendment was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

ANNOUNCEMENTS

Senator Davis designates LB634 as his priority bill.

Senator Brasch designates LB296 as her priority bill.

The Health and Human Services Committee designates LB269 and LB216 as its priority bills.

The Legislative Performance Audit Committee designates LB563 as its priority bill.

Senator Karpisek designates LB22 as his priority bill.

Senator Christensen designates LB522 as his priority bill.

Senator Smith designates LB585 as his priority bill.

Senator K. Haar designates LB583 as his priority bill.

The Agriculture Committee designates LB68 and LB423 as its priority bills.

The Revenue Committee designates LB341 as its priority bill.

Senator Cook designates LB366 as her priority bill.

Senator B. Harr designates LB573 as his priority bill.

COMMITTEE REPORT

Natural Resources

LEGISLATIVE BILL 517. Placed on General File with amendment.
AM603

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. The Legislature finds that:
- 4 (1) Nebraska's water resources are finite and must
- 5 be wisely managed to ensure their continued availability for
- 6 beneficial use;
- 7 (2) The state must invest in: (a) Research and data
- 8 gathering; (b) further integrating the management of Nebraska's
- 9 water supplies; (c) improving the state's aging and antiquated
- 10 water supply infrastructure; (d) building new water supply
- 11 infrastructure; (e) promoting coordination and collaboration among
- 12 all water users; and (f) providing information to policymakers to
- 13 justify a stable source of project funds;
- 14 (3) To determine the costs of effective conservation,
- 15 sustainability, and management of Nebraska's water resources, the
- 16 state's identified water needs must be compiled and organized and a

17 process must be established in order to identify statewide projects
18 and research recommendations; and

19 (4) To facilitate the creation of a funding process, a
20 collaborative effort of experts representing all water interests
21 and areas of the state is important to ensure fair and balanced
22 water funding.

23 Sec. 2. (1) The Water Funding Task Force is created. The
1 task force shall consist of Nebraska Natural Resources Commission,
2 the Director of Natural Resources or his or her designee, the
3 chairperson of the Natural Resources Committee of the Legislature
4 or his or her designee, and ten additional members to be appointed
5 by the Governor. In appointing members to the task force, the
6 Governor:

7 (a) Shall seek to create a broad-based task force with
8 knowledge of and experience with and representative of Nebraska's
9 water use and economy;

10 (b) Shall give equal recognition to the importance of
11 both water quantity and water quality;

12 (c) Appoint members representing public power,
13 public power and irrigation districts, irrigation districts,
14 municipalities, agriculture, wildlife conservation, livestock
15 producers, agribusiness, manufacturing, and outdoor recreation
16 users; and

17 (d) May solicit and accept nominations for appointments
18 to the task force from recognized water interest groups in
19 Nebraska.

20 (2) The members of the task force appointed by the
21 Governor shall represent diverse geographic regions of the state,
22 including urban and rural areas. Such members shall be appointed
23 within thirty days after the effective date of this act. Members
24 shall begin serving immediately following notice of appointment.
25 Members shall be reimbursed for their actual and necessary expenses
26 incurred in carrying out their duties as members as provided in
27 sections 81-1174 to 81-1177.

1 Sec. 3. (1) The Water Funding Task Force may consult
2 with other groups in its work, including, but not limited to, the
3 University of Nebraska, the Department of Environmental Quality,
4 the Game and Parks Commission, the Corps of Engineers of the United
5 States Army, the United States Geological Survey, the United States
6 Fish and Wildlife Service, the United States Bureau of Reclamation,
7 and the Natural Resources Conservation Service of the United States
8 Department of Agriculture.

9 (2) For administrative and budgetary purposes, the task
10 force shall be housed within the Department of Natural Resources.
11 Additional advisory support may be requested from appropriate
12 federal and state agencies.

13 (3) The task force may meet as necessary and may hire a
14 consultant or consultants to facilitate the work and meetings of
15 the task force and enter into agreements to achieve the objectives

16 of the task force. The task force may create and use working
17 groups or subcommittees as it deems necessary. Any contracts
18 or agreements entered into under this subsection shall not be
19 subject to the Nebraska Consultants' Competitive Negotiation Act or
20 sections 73-301 to 73-306 or 73-501 to 73-510.

21 (4) The Water Funding Task Force terminates on February
22 1, 2014.

23 Sec. 4. (1) On or before January 31, 2014, the
24 Water Funding Task Force shall develop and provide a report
25 electronically to the Legislature which contains the following:

26 (a) Recommendations for the prioritization of programs,
27 projects, and activities which are in need of funding and which
1 meet the long-term water funding goals, provide increased water
2 use productivity, and otherwise maximize the beneficial use of
3 Nebraska's water resources for the benefit of its citizens. The
4 recommendations shall give equal consideration to and be classified
5 into the following categories:

6 (i) Research, data, and modeling needed to assist the
7 state in meeting its water management goals;

8 (ii) Rehabilitation or restoration of water supply
9 infrastructure, new water supply infrastructure, or water supply
10 infrastructure maintenance;

11 (iii) Conjunctive management, storage, and integrated
12 management of groundwater and surface water; and

13 (iv) Compliance with interstate compacts or agreements or
14 other formal state contracts for agreements;

15 (b) Ranking criteria established by the task force to
16 identify recommendations for funding priorities, which criteria are
17 based on, but not limited to, the following factors:

18 (i) The extent to which the program, project, or activity
19 assists the state in meeting its obligations under interstate
20 compacts or decrees or other formal state contracts or agreements;

21 (ii) The extent to which the program, project, or
22 activity utilizes objectives described in the Annual Report and
23 Plan of Work for the Nebraska State Water Planning and Review
24 Process issued by the Department of Natural Resources;

25 (iii) The extent to which the program, project, or
26 activity has been approved for, but has not received, funding
27 through an established state program;

1 (iv) The cost effectiveness of the program, project, or
2 activity relative to achieving the state's water management goals;

3 (v) The extent to which the program, project, or activity
4 contributes to the state's ability to leverage state dollars with
5 local or federal government partners or other partners to maximize
6 the use of its resources; and

7 (vi) The extent to which the program, project, or
8 activity contributes to multiple water supply management goals,
9 including, but not limited to, flood control, agricultural
10 uses, recreation benefits, wildlife habitat, conservation of

11 water resources, and preservation of water resources for future
 12 generations; and

13 (c) Recommendations for legislation on a permanent
 14 structure and process through which the programs, projects, or
 15 activities described in this section will be provided with funding,
 16 including:

17 (i) A permanent governing board structure and membership;

18 (ii) An application process;

19 (iii) A statewide project distribution mechanism; and

20 (iv) A time frame for funding allocations based on the
 21 list of programs, projects, and activities provided for in this

22 section; and

23 (d) Recommendations for the annual funding amount and the
 24 start date for distribution of funds.

25 (2) The task force shall make every effort to identify
 26 and consult with all water use stakeholder groups in Nebraska on
 27 the development of the recommendations required under subsection

1 (1) of this section.

2 (3) The task force shall create and distribute a
 3 statewide map that identifies the location of the programs,
 4 projects, and activities identified for funding pursuant to this
 5 section.

6 Sec. 5. Since an emergency exists, this act takes effect
 7 when passed and approved according to law.

(Signed) Tom Carlson, Chairperson

COMMITTEE REPORTS

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.

Jeff Davis - Crime Victim's Reparations Committee

Joe Kelly - Crime Victim's Reparations Committee

Michelle Schindler - Crime Victim's Reparations Committee

Derek Vaughn - Crime Victim's Reparations Committee

Aye: 6 Ashford, Christensen, Coash, Davis, Lathrop, Seiler. Nay: 0.
 Absent: 2 Chambers, McGill. Present and not voting: 0.

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.

Rex Richard - Board of Parole

Aye: 6 Ashford, Christensen, Coash, Davis, Lathrop, Seiler. Nay: 0.
Absent: 2 Chambers, McGill. Present and not voting: 0.

(Signed) Brad Ashford, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 102. Introduced by Larson, 40.

WHEREAS, the Crofton High School girls' cross country team won the 2012 Class D Girls' State Cross Country Championship; and

WHEREAS, this victory is the Crofton High School girls' cross country team's seventh straight Class D 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 High School girls' cross country team on winning the 2012 Class D Girls' State Cross Country Championship.

2. That a copy of this resolution be sent to the Crofton High School girls' cross country team and Coach Jayne Arens.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 613. Title read. Considered.

Committee AM467, found on page 664, was offered.

SENATOR COASH PRESIDING

Senator McCoy offered the following amendment to the committee amendment:

AM653

(Amendments to Standing Committee amendments, AM467)

- 1 1. Insert the following new sections:
- 2 Sec. 8. Section 18-1208, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 18-1208 (1) Except as otherwise provided in this section,
- 5 after July 19, 2012, a municipality may impose a new occupation
- 6 tax or increase the rate of an existing occupation tax, which
- 7 new occupation tax or increased rate of an existing occupation
- 8 tax is projected to generate annual occupation tax revenue in
- 9 excess of the applicable amount listed in subsection (2) of this
- 10 section, pursuant to section 14-109, 15-202, 15-203, 16-205, or

11 17-525 if the question of whether to impose the tax or increase
12 the rate of an existing occupation tax has been submitted at an
13 election held within the municipality and in which all registered
14 voters shall be entitled to vote on the question. The officials
15 of the municipality shall order the submission of the question by
16 submitting a certified copy of the resolution proposing the tax
17 or tax rate increase to the election commissioner or county clerk
18 at least fifty days before the election. The election shall be
19 conducted in accordance with the Election Act. If a majority of
20 the votes cast upon the question are in favor of the new tax or
21 increased rate of an existing occupation tax, then the governing
22 body of such municipality shall be empowered to impose the new tax
1 or to impose the increased tax rate. If a majority of those voting
2 on the question are opposed to the new tax or increased rate, then
3 the governing body of the municipality shall not impose the new tax
4 or increased rate but shall maintain any existing occupation tax at
5 its current rate.

6 (2) The applicable amount of annual revenue for each new
7 occupation tax or annual revenue raised by the increased rate for
8 an existing occupation tax for purposes of subsection (1) of this
9 section is:

10 (a) For cities of the metropolitan class, six million
11 dollars;

12 (b) For cities of the primary class, three million
13 dollars;

14 (c) For cities of the first class, seven hundred thousand
15 dollars; and

16 (d) For cities of the second class and villages, three
17 hundred thousand dollars.

18 (3) After July 19, 2012, a municipality shall not be
19 required to submit the following questions to the registered
20 voters:

21 (a) Whether to change the rate of an occupation tax
22 imposed for a specific project which does not provide for deposit
23 of the tax proceeds in the municipality's general fund; or

24 (b) Whether to terminate an occupation tax earlier than
25 the determinable termination date under the original question
26 submitted to the registered voters.

27 This subsection applies to occupation taxes imposed prior
1 to, on, or after July 19, 2012.

2 (4) The authority granted in this section and sections
3 14-109, 15-202, 15-203, 16-205, and 17-525 to impose a new
4 occupation tax or increase the rate of an existing occupation
5 tax is suspended beginning on the effective date of this act
6 through July 15, 2014. An occupation tax which was adopted by
7 a governing body of a municipality and which is required to be
8 approved by the registered voters but which has not been approved

9 by the registered voters prior to the effective date of this act
10 is null and void. Any occupation tax imposed by a governing body
11 and approved by the registered voters, if required, prior to the
12 effective date of this act shall continue to be imposed.

13 ~~(4)-(5)~~ The provisions of this section do not apply to an
14 occupation tax subject to section 86-704.

15 Sec. 9. Section 77-27,142, Revised Statutes Cumulative
16 Supplement, 2012, is amended to read:

17 77-27,142 ~~(4)~~ Any (1)(a) Except as provided in
18 subdivision (1)(b) of this section, any incorporated municipality
19 by ordinance of its governing body is hereby authorized to impose
20 a sales and use tax of one-half percent, one percent, one and
21 one-half percent, one and three-quarters percent, or two percent
22 upon the same transactions that are sourced under the provisions
23 of sections 77-2703.01 to 77-2703.04 within such incorporated
24 municipality on which the State of Nebraska is authorized to impose
25 a tax pursuant to the Nebraska Revenue Act of 1967, as amended
26 from time to time. No sales and use tax shall be imposed pursuant
27 to this section until an election has been held and a majority of
1 the qualified electors have approved such tax pursuant to sections
2 77-27,142.01 and 77-27,142.02.

3 (b) The authority granted in this subsection to adopt an
4 ordinance imposing a sales and use tax of one and three-quarters
5 percent or two percent is suspended beginning on the effective date
6 of this act through July 15, 2014. Any such ordinance which was
7 adopted by a governing body but not approved by the electors prior
8 to the effective date of this act is null and void. Any such tax
9 adopted by a governing body and approved by the electors prior to
10 the effective date of this act shall continue to be imposed.

11 (2)(a) Any incorporated municipality that proposes to
12 impose a municipal sales and use tax at a rate greater than one
13 and one-half percent or increase a municipal sales and use tax
14 to a rate greater than one and one-half percent shall submit the
15 question of such tax or increase at a primary or general election
16 held within the incorporated municipality. The question shall be
17 submitted upon an affirmative vote by at least seventy percent
18 of all of the members of the governing body of the incorporated
19 municipality.

20 (b) Any rate greater than one and one-half percent shall
21 be used as follows:

22 (i) In a city of the metropolitan class, the proceeds
23 from the first one-quarter percent of the rate greater than one and
24 one-half percent shall be used to reduce other taxes, the proceeds
25 from the next one-eighth percent of the rate greater than one and
26 one-half percent shall be used for public infrastructure projects,
27 and the proceeds from the next one-eighth percent of the rate
1 greater than one and one-half percent shall be used for purposes of

2 the interlocal agreement or joint public agency agreement described
3 in subsection (3) of this section;

4 (ii) In a city of the primary class, up to fifteen
5 percent of the proceeds from the rate in excess of one and one-half
6 percent may be used for non-public infrastructure projects of
7 an interlocal agreement or joint public agency agreement with
8 another political subdivision within the municipality or the
9 county in which the municipality is located, and the remaining
10 proceeds shall be used for public infrastructure projects or
11 voter-approved infrastructure related to an economic development
12 program as defined in section 18-2705; and

13 (iii) In any incorporated municipality other than a city
14 of the metropolitan or primary class, the proceeds from the rate
15 in excess of one and one-half percent shall be used for public
16 infrastructure projects or voter-approved infrastructure related to
17 an economic development program as defined in section 18-2705.

18 For purposes of this section, public infrastructure
19 project means and includes, but is not limited to, any of the
20 following projects, or any combination thereof: Public highways and
21 bridges and municipal roads, streets, bridges, and sidewalks; solid
22 waste management facilities; wastewater, storm water, and water
23 treatment works and systems, water distribution facilities, and
24 water resources projects, including, but not limited to, pumping
25 stations, transmission lines, and mains and their appurtenances;
26 hazardous waste disposal systems; resource recovery systems;
27 airports; port facilities; buildings and capital equipment used
1 in the operation of municipal government; convention and tourism
2 facilities; redevelopment projects as defined in section 18-2103;
3 mass transit and other transportation systems, including parking
4 facilities; and equipment necessary for the provision of municipal
5 services.

6 (c) Any rate greater than one and one-half percent shall
7 terminate no more than ten years after its effective date or, if
8 bonds are issued and the local option sales and use tax revenue is
9 pledged for payment of such bonds, upon payment of such bonds and
10 any refunding bonds, whichever date is later, except as provided in
11 subdivision (2)(d) of this section.

12 (d) If a portion of the rate greater than one and
13 one-half percent is stated in the ballot question as being imposed
14 for the purpose of the interlocal agreement or joint public agency
15 agreement described in subdivision (2)(b)(ii) or subsection (3) of
16 this section, and such portion is at least one-eighth percent,
17 there shall be no termination date for the rate representing such
18 portion rounded to the next higher one-quarter or one-half percent.

19 (e) Sections 13-518 to 13-522 apply to the revenue from
20 any such tax or increase.

21 (3)(a) No municipal sales and use tax shall be imposed

22 at a rate greater than one and one-half percent or increased to a
23 rate greater than one and one-half percent unless the municipality
24 is a party to an interlocal agreement pursuant to the Interlocal
25 Cooperation Act or a joint public agency agreement pursuant to the
26 Joint Public Agency Act with a political subdivision within the
27 municipality or the county in which the municipality is located
1 creating a separate legal or administrative entity relating to a
2 public infrastructure project.

3 (b) Except as provided in subdivision (2)(b)(ii)
4 of this section, such interlocal agreement or joint public
5 agency agreement shall contain provisions, including benchmarks,
6 relating to the long-term development of unified governance
7 of public infrastructure projects with respect to the parties.
8 The Legislature may provide additional requirements for such
9 agreements, including benchmarks, but such additional requirements
10 shall not apply to any debt outstanding at the time the
11 Legislature enacts such additional requirements. The separate legal
12 or administrative entity created shall not be one that was in
13 existence for one calendar year preceding the submission of the
14 question of such tax or increase at a primary or general election
15 held within the incorporated municipality.

16 (c) Any other public agency as defined in section 13-803
17 may be a party to such interlocal cooperation agreement or joint
18 public agency agreement.

19 (d) A municipality is not required to use all of the
20 additional revenue generated by a sales and use tax imposed at a
21 rate greater than one and one-half percent or increased to a rate
22 greater than one and one-half percent under this subsection for the
23 purposes of the interlocal cooperation agreement or joint public
24 agency agreement set forth in this subsection.

25 (4) The provisions of subsections (2) and (3) of this
26 section do not apply to the first one and one-half percent of a
27 sales and use tax imposed by a municipality.

1 (5) Notwithstanding any provision of any municipal
2 charter, any incorporated municipality or interlocal agency or
3 joint public agency pursuant to an agreement as provided in
4 subsection (3) of this section may issue bonds in one or more
5 series for any municipal purpose and pay the principal of
6 and interest on any such bonds by pledging receipts from the
7 increase in the municipal sales and use taxes authorized by such
8 municipality. Any municipality which has or may issue bonds under
9 this section may dedicate a portion of its property tax levy
10 authority as provided in section 77-3442 to meet debt service
11 obligations under the bonds. For purposes of this subsection, bond
12 means any evidence of indebtedness, including, but not limited to,
13 bonds, notes including notes issued pending long-term financing
14 arrangements, warrants, debentures, obligations under a loan

15 agreement or a lease-purchase agreement, or any similar instrument
 16 or obligation.

17 Sec. 10. Section 77-27,142.01, Revised Statutes
 18 Cumulative Supplement, 2012, is amended to read:

19 77-27,142.01 (1) The (1)(a) Except as provided in
 20 subdivision (1)(b) of this section, the governing body of any
 21 incorporated municipality may submit the question of changing any
 22 terms and conditions of a sales and use tax previously authorized
 23 under section 77-27,142. Except as otherwise provided by section
 24 77-27,142, the question of modification shall be submitted to the
 25 voters at any primary or general election or at a special election
 26 if the governing body submits a certified copy of the resolution
 27 proposing modification to the election commissioner or county clerk
 1 within the time prior to the primary, general, or special election
 2 prescribed in section 77-27,142.02.

3 (b) The authority granted in this subsection to change a
 4 sales and use tax to a rate of one and three-quarters percent or
 5 two percent is suspended beginning on the effective date of this
 6 act through July 15, 2014. Any such change which was adopted by
 7 a governing body but not approved by the electors prior to the
 8 effective date of this act is null and void. Any such tax adopted
 9 by a governing body and approved by the electors prior to the
 10 effective date of this act shall continue to be imposed.

11 (2) If the change imposes a sales and use tax at a
 12 rate greater than one and one-half percent or increases the sales
 13 and use tax to a rate greater than one and one-half percent, the
 14 question shall include, but not be limited to:

15 (a) The percentage increase of one-quarter percent or
 16 one-half percent in the sales and use tax rate;

17 (b) A list of reductions or elimination of other taxes or
 18 fees, if any;

19 (c) A description of the projects to be funded, in whole
 20 or in part, from the revenue collected, along with any savings or
 21 efficiencies resulting from the projects;

22 (d) The year or years within which the revenue will be
 23 collected and, if bonds will be issued with some or all of the
 24 revenue pledged for payment of such bonds, a statement that the
 25 revenue will be collected until the payment in full of such bonds
 26 and any refunding bonds; and

27 (e)(i) The percentage of revenue collected to be used for
 1 the purposes of the interlocal agreement or joint public agency
 2 agreement as provided in subdivision (2)(b)(ii) or subsection (3)
 3 of section 77-27,142; (ii) a statement of the overall purpose
 4 of the agreement which is the long-term development of unified
 5 governance of public infrastructure projects, if applicable; and
 6 (iii) the name of any other political subdivision which is a party
 7 to the agreement.

- 8 This subsection does not apply to the first one and
 9 one-half percent of a sales and use tax imposed by a municipality.
 10 Sec. 11. Original section 18-1208, Reissue Revised
 11 Statutes of Nebraska, and sections 77-27,142 and 77-27,142.01,
 12 Revised Statutes Cumulative Supplement, 2012, are repealed.
 13 2. Renumber the remaining section accordingly.

Senator McCoy withdrew his amendment.

SENATOR GLOOR PRESIDING

Pending.

COMMITTEE REPORTS

Government, Military and Veterans Affairs

- LEGISLATIVE BILL 271.** Placed on General File.
LEGISLATIVE BILL 278. Placed on General File.
LEGISLATIVE BILL 303. Placed on General File.
LEGISLATIVE BILL 349. Placed on General File.
LEGISLATIVE BILL 563. Placed on General File.
LEGISLATIVE BILL 637. Placed on General File.

LEGISLATIVE BILL 222. Placed on General File with amendment.
 AM244

- 1 1. Strike original sections 4 and 33 and insert the
 2 following new sections:
 3 Sec. 4. Section 13-2101.01, Reissue Revised Statutes of
 4 Nebraska, is amended to read:
 5 13-2101.01 Sections 13-2101 to ~~13-2114~~13-2113 shall be
 6 known and may be cited as the Enterprise Zone Act.
 7 Sec. 33. Section 79-1901, Reissue Revised Statutes of
 8 Nebraska, is amended to read:
 9 79-1901 Sections 79-1901 to ~~79-1905~~79-1904 shall be
 10 known and may be cited as the Nebraska Read, Educate, and Develop
 11 Youth Act.
 12 Sec. 46. The following sections are outright repealed:
 13 Section 13-2114, Reissue Revised Statutes of Nebraska, and section
 14 79-1905, Revised Statutes Cumulative Supplement, 2012.
 15 2. On page 6, line 19, after the semicolon insert "and";
 16 and strike lines 20 through 25 and show the old matter as stricken.
 17 3. On page 7, strike line 1 and show as stricken; in
 18 line 2 strike "(9)", show as stricken, and insert "(8)"; and strike
 19 lines 5 through 7 and show as stricken.
 20 4. On page 31, strike beginning with "The" in line 16
 21 through line 23 and show the old matter as stricken.
 22 5. On page 45, strike lines 4 through 8 and show the old
 23 matter as stricken; in line 10 strike "(8)", show as stricken, and
 1 insert "(7)"; in line 13 strike "(9)", show as stricken, and insert

- 2 "(8)"; in line 17 strike "(10)", show as stricken, and insert
 3 "(9)"; in line 21 strike "(11)", show as stricken, and insert
 4 "(10)"; and in line 25 strike "(12)", show as stricken, and insert
 5 "(11)".
- 6 6. On page 46, line 3, strike "(13)", show as stricken,
 7 and insert "(12)"; and in line 21 strike "(14)", show as stricken,
 8 and insert "(13)".
- 9 7. On page 47, line 3, strike "(15)", show as stricken,
 10 and insert "(14)"; in line 7 strike "(16)", show as stricken, and
 11 insert "(15)"; and strike lines 16 through 18 and show as stricken.
- 12 8. On page 49, line 24, after the semicolon insert "and".
- 13 9. On page 50, line 2, strike "; and", show as stricken,
 14 and insert an underscored period; and strike line 3 and show the
 15 old matter as stricken.
- 16 10. On page 55, strike beginning with "The" in line 18
 17 through the period in line 19 and show the old matter as stricken.
- 18 11. On page 58, line 22, after the semicolon insert
 19 "and"; and strike lines 23 through 25 and show the old matter as
 20 stricken.
- 21 12. On page 59, strike beginning with line 1 through
 22 "(16)" in line 5, show the old matter as stricken, and insert
 23 "(15)".
- 24 13. On page 61, line 20, after the semicolon insert
 25 "and"; and strike lines 21 through 25 and show the old matter as
 26 stricken.
- 27 14. On page 62, line 1, strike "(7)", show as stricken,
 1 and insert "(6)".
- 2 15. On page 66, line 5, strike "13-2114" and insert
 3 "13-2101.01" and after the fifth comma insert "79-1901,"; and in
 4 line 9 strike "79-1905,".
- 5 16. Renumber the remaining section accordingly.

LEGISLATIVE BILL 588. Placed on General File with amendment.
 AM646

- 1 1. Strike the original sections and insert the following
 2 new sections:
- 3 Section 1. Section 23-2529, Reissue Revised Statutes of
 4 Nebraska, is amended to read:
- 5 23-2529 ~~Veterans preference shall be granted to all~~
 6 ~~applicants who are otherwise eligible for employment and who~~
 7 ~~request such preference on their applications. In order to receive~~
 8 ~~preference, the veteran must submit a copy of his or her discharge~~
 9 ~~papers and, for disability credit, proof from the United States~~
 10 ~~Department of Veterans Affairs that the disability is at least ten~~
 11 ~~percent. To the passing score of veteran candidates, ten points~~
 12 ~~shall be added for a disabled veteran and five points for all other~~
 13 ~~veterans.~~
- 14 Veterans preference shall be given in accordance with
 15 sections 48-225 to 48-231.

16 Sec. 2. Section 48-225, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 ~~48-225 As used in For purposes of sections 48-225 to~~
19 ~~48-231, unless the context otherwise requires:~~

20 (1) Veteran means:

21 (a) ~~A~~ any person who served full-time duty with military
22 pay and allowances in the armed forces of the United States,
23 except for training or for determining physical fitness, and
1 was discharged or otherwise separated with a characterization of
2 honorable or general (under honorable conditions); or

3 (b) The spouse of a veteran who has a one hundred percent
4 permanent disability as determined by the United States Department
5 of Veterans Affairs;

6 (2) Full-time duty means duty during time of war or
7 during a period recognized by the United States Department of
8 Veterans Affairs as qualifying for veterans benefits administered
9 by the department and that such duty from January 31, 1955, to
10 February 28, 1961, exceeded one hundred eighty days unless lesser
11 duty was the result of a service-connected or service-aggravated
12 disability;

13 (3) Disabled veteran means an individual who has served
14 on active duty in the armed forces of the United States, has
15 been discharged or otherwise separated with a characterization
16 of honorable or general (under honorable conditions) therefrom,
17 and has established the present existence of a service-connected
18 disability or is receiving compensation, disability retirement
19 benefits, or pension because of a public statute administered by
20 the United States Department of Veterans Affairs or a military
21 department; and

22 (4) Preference eligible means any veteran as defined in
23 this section.

24 Sec. 3. Section 48-227, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 48-227 (1) Veterans who obtain passing scores on all
27 parts or phases of an examination or numerical scoring shall have
1 five percent added to their passing score if a claim for such
2 preference is made on the application. An additional five percent
3 shall be added to the passing score or numerical scoring of any
4 disabled veteran.

5 (2) When no examination or numerical scoring is used, the
6 preference shall be given to the qualifying veteran if two or more
7 equally qualified candidates are being considered for the position.

8 (3) All notices of positions of employment available for
9 veterans preference and all applications for such positions by
10 the state or its governmental subdivisions shall state that the
11 position is subject to a veterans preference.

12 (4) A veteran desiring to use a veterans preference shall
13 provide the hiring authority with a copy of the veteran's Defense
14 Department Form 214, also known as DD214 form. A spouse of a

15 veteran desiring to use a veterans preference shall provide the
 16 hiring authority with a copy of the veteran's Defense Department
 17 Form 214, a copy of veteran's disability verification from the
 18 Department of Veterans Affairs demonstrating a one hundred percent
 19 permanent disability rating, and proof of marriage to the veteran.
 20 Any marriage claimed for veteran preference must be valid under
 21 Nebraska law.

22 (5) Within thirty days after filling a position, veterans
 23 who have applied and are not hired shall be notified by regular
 24 mail, electronic mail, phone call, or personal service that they
 25 have not been hired. Such notice also shall advise the veteran of
 26 any administrative appeal available.

27 Sec. 4. This act becomes operative on January 1, 2014.

1 Sec. 5. Original sections 23-2529, 48-225, and 48-227,
 2 Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE BILL 646. Placed on General File with amendment.
 AM613

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

3 Section 1. Section 32-512, Reissue Revised Statutes of
 4 Nebraska, is amended to read:

5 32-512 (1) After the selection of the original board of
 6 directors of a public power district as provided for in sections
 7 70-803 and 70-805 or a district as provided for in sections 70-604
 8 and 70-609, their successors shall be nominated and elected on the
 9 nonpartisan ballot, except that in districts receiving annual gross
 10 revenue of less than forty million dollars, the candidates for the
 11 board of directors shall not appear on the ballot in the primary
 12 election. The term of each elected director shall be not more than
 13 six years or until his or her successor is elected and qualified.
 14 Candidates for the board of directors shall meet the qualifications
 15 found in sections 70-610 and 70-619.

16 (2) Registered voters residing within the chartered
 17 territory and registered voters duly certified in accordance with
 18 section 70-604.03 shall be qualified to vote in the district as
 19 certified pursuant to section 70-611. The registered voters of a
 20 subdivision created under subsection (1) of section 70-612 may only
 21 cast their ballots for candidates for directors to be elected from
 22 such subdivision and for candidates for directors to be elected
 23 at large from the whole district. ~~The registered voters of a~~
 1 subdivision created under subsection (2) of section 70-612 may only
 2 cast their ballots for candidates for directors to be elected from
 3 such subdivision.

4 Sec. 2. Section 70-612, Reissue Revised Statutes of
 5 Nebraska, is amended to read:

6 70-612 (1)(a) Subject to the provisions of Chapter 70,
 7 article 6, and subject to the approval of the Nebraska Power
 8 Review Board, the board of directors of a district, other than a

9 district with a service area containing a city of the metropolitan
10 class, may amend the petition for its creation to provide for
11 the division of the territory of such district into two or more
12 subdivisions for the nomination and election of some or all of the
13 directors. Each subdivision shall be composed of one or more voting
14 precincts, or divided voting precincts, and the total population of
15 each such subdivision shall be approximately the same. ~~Two~~ Except
16 in districts which contain a city of the metropolitan class, two
17 or more subdivisions may be combined for election purposes, and
18 members of the board of directors to be elected from such combined
19 subdivisions may be nominated and elected at large when not
20 less than seventy-five percent of the population of the combined
21 subdivisions is within the corporate limits of any city.

22 (b) In the event a district formed includes all
23 or part of two or more counties and is ~~(a)-(i)~~ engaged in
24 furnishing electric light and power and more than fifty percent
25 of its customers are rural customers or ~~(b)-(ii)~~ engaged in
26 furnishing electric light and power and in the business of owning
27 and operating irrigation works, then and in that event such
1 subdivisions may be formed by following precinct or county boundary
2 lines without regard to population if in the judgment of the
3 Nebraska Power Review Board the interests of the rural users
4 of electricity or of users of irrigation water service in such
5 district will not be prejudiced thereby.

6 (2)(a) By December 1, 2013, the board of directors of a
7 district with a service area containing a city of the metropolitan
8 class shall divide the district into eight election subdivisions
9 and number the subdivisions consecutively and submit the maps to
10 the Nebraska Power Review Board. In establishing the eight election
11 subdivisions, the board of directors shall preserve the boundaries
12 of the existing election subdivisions in which one member resides
13 and divide the remaining existing subdivision in which more than
14 one member resides into the same number of election subdivisions as
15 there are members residing in such existing subdivision, and shall
16 provide for the subdivisions created by dividing such existing
17 subdivision to be composed of substantially equal population and
18 compact and contiguous territory.

19 (b) The board of directors shall assign each member
20 holding a position on the board of directors on the effective date
21 of this act to represent a numbered election subdivision for the
22 remainder of the term of office for which the member is elected,
23 regardless of whether the member resides in the subdivision,
24 and shall make such assignments so that the terms of members
25 representing election subdivisions numbered one, two, and three
26 expire in January 2015, the terms of members representing election
27 subdivisions numbered four and five expire in January 2017, and the
1 terms of members representing election subdivisions six, seven, and
2 eight expire in January 2019. If possible, each member shall be
3 assigned to represent an election subdivision that corresponds to

4 the end of the term he or she is serving.

5 (c) A successor who resides in the numbered election
6 subdivision shall be nominated and elected at the statewide primary
7 and general elections held in the calendar year prior to the
8 expiration of the term of the member who represents such numbered
9 election subdivision.

10 (d) After each federal decennial census, the board of
11 directors of a district with a service area containing a city of
12 the metropolitan class shall create new boundaries for the eight
13 election subdivisions. In establishing the boundaries of the eight
14 election subdivisions, the board of directors shall follow county
15 lines wherever practicable, shall provide for the subdivisions
16 to be composed of substantially equal population and compact and
17 contiguous territory, and shall, as nearly as possible, follow the
18 precinct lines created by the election commissioner or county clerk
19 after each federal decennial census.

20 ~~(2)~~~~(3)~~ Any public power district or public power and
21 irrigation district owning and operating irrigation works may, with
22 approval of the Nebraska Power Review Board, add representation
23 on its board of directors from any county which is outside its
24 chartered territory but in which is located some or all of such
25 irrigation works.

26 Sec. 3. Section 70-615, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 70-615 (1) In addition to the events listed in section
2 32-560, a vacancy on the board of directors shall exist in the
3 event of the (a) removal from the chartered area of any director,
4 (b) removal from the subdivision from which such director was
5 elected except as otherwise provided in subsection (2) of section
6 70-612, (c) elimination or detachment from the chartered area of
7 the territory in which a director or directors reside, or (d)
8 expiration of the term of office of a director and failure to elect
9 a director to fill such office at the preceding general election.
10 After notice and hearing, a vacancy shall also exist in the event
11 of the absence of any director from more than two consecutive
12 regular meetings of the board, unless such absences are excused by
13 a majority of the remaining board members.

14 (2) In the event of a vacancy from any of such causes,
15 or otherwise, such vacancy or vacancies shall, except in districts
16 having within their chartered area twenty-five or more cities
17 and villages, be filled by the board of directors. In districts
18 having within their chartered area twenty-five or more cities and
19 villages, vacancies shall be filled by the Governor.

20 (3) If a vacancy occurs during the term of any director
21 prior to the deadline for filing and the unexpired term extends
22 beyond the first Thursday after the first Tuesday in January
23 following the next general election, an appointment shall be until
24 the first Thursday after the first Tuesday in January following the
25 next general election, and candidates may file nomination papers

26 as provided by law for the placing of their names upon the ballot
 27 for election to the unexpired term. If a vacancy occurs during the
 1 term of any director after the deadline for filing for election,
 2 an appointment shall be until the first Thursday after the first
 3 Tuesday in January following the next general election for which
 4 candidates may file nomination papers as provided by law.

5 (4) At any time a vacancy is to be filled by election,
 6 the secretary of the district shall give notice to the public
 7 by publishing the notice of vacancy, length of term, and the
 8 deadline for filing, once in a newspaper or newspapers of general
 9 circulation within the district.

10 (5) Any appointment shall be filed with the Secretary of
 11 State by certified mail.

12 Sec. 4. Section 70-619, Reissue Revised Statutes of
 13 Nebraska, is amended to read:

14 70-619 (1) The corporate powers of the district shall be
 15 vested in and exercised by the board of directors of the district.
 16 No person shall be qualified to hold office as a member of the
 17 board of directors unless ~~(1)-(a)~~ he or she is a registered voter
 18 ~~(a)-(i)~~ of such chartered territory, ~~(b)-(ii)~~ of the subdivision
 19 from which a director is to be elected if such chartered territory
 20 is subdivided for election purposes as provided in subsection (1)
 21 or (2) of section 70-612, or ~~(e)-(iii)~~ of one of the combined
 22 subdivisions from which directors are to be elected at large as
 23 provided in section 70-612 or ~~(2)-(b)~~ he or she is a retail
 24 customer duly certified in accordance with subsection (3) of
 25 section 70-604.03.

26 (2) No person who is a full-time or part-time employee
 27 of the district shall be eligible to serve as a member of the
 1 board of directors unless such person resigns or assumes an unpaid
 2 leave of absence for the term as a member. The district shall
 3 grant such leave of absence when requested by any employee for
 4 the purpose of the employee serving as a member of the board of
 5 directors. No person shall be qualified to be a member of more than
 6 one such district board, except that a director of a rural public
 7 power district may serve as a director of another public power
 8 district formed or organized for the purpose of generating electric
 9 energy or transmitting electric energy exclusively for resale to
 10 some other public power districts, rural electric cooperatives, and
 11 membership associations or municipalities. No member of a governing
 12 body of any one of the municipalities within the areas of the
 13 district shall be qualified to serve on the original board of
 14 directors under sections 70-603 to 70-609.

15 Sec. 5. Original sections 32-512, 70-612, 70-615, and
 16 70-619, Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE BILL 525. Indefinitely postponed.

(Signed) Bill Avery, Chairperson

Agriculture

LEGISLATIVE BILL 354. Placed on General File with amendment. AM506 is available in the Bill Room.

LEGISLATIVE BILL 423. Placed on General File with amendment. AM614

- 1 1. Strike original section 3 and insert the following new
 2 section:
 3 Section 1. Section 29-818, Revised Statutes Cumulative
 4 Supplement, 2012, is amended to read:
 5 29-818 (1) Except for pet animals ~~or equines~~ as provided
 6 in subsection (2) of this section, property seized under a search
 7 warrant or validly seized without a warrant shall be safely kept by
 8 the officer seizing the same unless otherwise directed by the judge
 9 or magistrate, and shall be so kept so long as necessary for the
 10 purpose of being produced as evidence on any trial. Property seized
 11 may not be taken from the officer having it in custody by replevin
 12 or other writ so long as it is or may be required as evidence in
 13 any trial, nor may it be so taken in any event where a complaint
 14 has been filed in connection with which the property was or may be
 15 used as evidence, and the court in which such complaint was filed
 16 shall have exclusive jurisdiction for disposition of the property
 17 or funds and to determine rights therein, including questions
 18 respecting the title, possession, control, and disposition thereof.
 19 (2)(a) Any pet animal ~~or equine~~ seized under a search
 20 warrant or validly seized without a warrant may be kept by the
 21 officer seizing the same on the property of the person who owns,
 22 keeps, harbors, maintains, or controls such pet animal, ~~or equine~~.
 23 (b) When any pet animal ~~or equine~~ is seized ~~or held~~
 1 under this subsection, the court shall provide the person who owns,
 2 keeps, harbors, maintains, or controls such pet animal ~~or equine~~
 3 with notice that a hearing will be had and specify the date, time,
 4 and place of such hearing. Such notice shall be served by personal
 5 or residential service or by certified mail. If such notice cannot
 6 be served by such methods, service may be made by publication
 7 in the county where such pet animal ~~or equine~~ was seized. Such
 8 publication shall be made after application and order of the court.
 9 Unless otherwise determined and ordered by the court, the date of
 10 such hearing shall be no later than ten days after the seizure.
 11 (c) At the hearing, the court shall determine the
 12 disposition of the pet animal, ~~or equine~~, and if the court
 13 determines that any pet animal ~~or equine~~ shall not be returned, the
 14 court shall order the person from whom the pet animal ~~or equine~~
 15 was seized to pay all expenses for the support and maintenance
 16 of the pet animal, ~~or equine~~, including expenses for shelter,
 17 food, veterinary care, and board, necessitated by the possession of
 18 the pet animal, ~~or equine~~. At the hearing, the court shall also
 19 consider the person's ability to pay for the expenses of the pet

20 animal ~~or equine~~ and the amount of such payments. Payments shall be
 21 for a succeeding thirty-day period with the first payment due on
 22 or before the tenth day following the hearing. Payments for each
 23 subsequent succeeding thirty-day period, if any, shall be due on or
 24 before the tenth day of such period.

25 (d) If a person becomes delinquent in his or her payments
 26 for the expenses of the pet animal, ~~or equine~~, the court shall hold
 27 a hearing to determine the disposition of the seized pet animal,
 1 ~~or equine~~. Notice of such hearing shall be given to the person who
 2 owns, keeps, harbors, maintains, or controls such pet animal ~~or~~
 3 ~~equine~~ and to any lienholder or security interest holder of record
 4 as provided in subdivision (b) of this subsection.

5 (e) An appeal may be entered within ten days after a
 6 hearing under subdivision (c) or (d) of this subsection. Any person
 7 filing an appeal shall post a bond sufficient to pay all costs of
 8 care of the pet animal ~~or equine~~ for thirty days. Such payment will
 9 be required for each succeeding thirty-day period until the appeal
 10 is final.

11 (f) Should the person be found not guilty, all funds paid
 12 for the expenses of the pet animal ~~or equine~~ shall be returned to
 13 the person.

14 (g) For purposes of this subsection, ~~pet~~ ~~:(i)~~ Pet animal
 15 means any domestic dog, domestic cat, mini pig, domestic rabbit,
 16 domestic ferret, domestic rodent, bird except a bird raised
 17 as an agricultural animal and specifically excluding any bird
 18 possessed under a license issued by the State of Nebraska or the
 19 United States Fish and Wildlife Service, nonlethal aquarium fish,
 20 nonlethal invertebrate, amphibian, turtle, nonvenomous snake that
 21 will not grow to more than eight feet in length at maturity,
 22 or such other animal as may be specified and for which a permit
 23 shall be issued by an animal control authority after inspection and
 24 approval, except that any animal forbidden to be sold, owned, or
 25 possessed by federal or state law is not a pet animal; ~~and~~

26 ~~(ii) Equine means a horse, pony, donkey, mule, hinny, or~~
 27 ~~Hama.~~

1 (h) This section shall not preempt, and shall not be
 2 construed to preempt, any ordinance of a city of the metropolitan
 3 class.

4 2. On page 2, line 3, strike "sections 3 and 6" and
 5 insert "section 6"; and in lines 11 and 23 strike "food", show as
 6 stricken, and insert "feed".

7 3. On page 3, strike line 1; in lines 2, 4, 6, and 16,
 8 strike the new matter and reinstate the stricken matter; in lines
 9 2 and 3 strike "hinny, or llama", show as stricken, and insert "or
 10 hinny"; in line 17 after the last comma insert "llamas"; in line
 11 19 strike "(11)" and insert "(10)"; and in line 22 strike "(12)"
 12 and insert "(11)".

13 4. On page 6, line 23, after the period insert "A copy of
 14 the signed agreement shall be provided to the owner or custodian of

15 the livestock animal."

16 5. On page 7, strike line 24 and insert "shall not unduly
17 delay euthanization when necessary. The law enforcement officer may
18 forgo euthanization if the care of the livestock animal is placed
19 with the owner's or custodian's veterinarian."

20 6. On page 9, line 6, after "such" insert "livestock
21 animal"; and strike lines 16 to 25 and insert:

22 "(c) Order the person from whom the livestock animal
23 was seized to post a bond or other security, or to otherwise
24 order payment, in an amount that is sufficient to reimburse all
25 reasonable expenses, as determined by the court, for the care of
26 the livestock animal, including veterinary care, incurred by the
27 agency from the date of seizure and necessitated by the possession
1 of the livestock animal. Payments shall be for a succeeding
2 thirty-day period with the first payment due on or before the tenth
3 day following the hearing. Payments for each subsequent succeeding
4 thirty-day period, if any, shall be due on or before the tenth
5 day of such period. The bond or security shall be placed with,
6 or payments ordered under this subdivision shall be paid to, the
7 agency that took custody of the livestock animal. The agency shall
8 provide an accounting of expenses to the court when the livestock
9 animal is no longer in the custody of the agency or upon request
10 by the court. The agency may petition the court for a subsequent
11 hearing under this subsection at any time. The hearing shall be
12 held as soon as practicable and not more than ten business days
13 after the date of application for the hearing unless otherwise
14 determined and ordered by the court. When all expenses covered by
15 the bond or security are exhausted and subsequent bond or security
16 has not been posted or if a person becomes delinquent in his or her
17 payments for the expenses of the livestock animal, the livestock
18 animal shall be forfeited to the agency."

19 7. On page 10, strike lines 1 to 7; in line 9 after "any"
20 insert "proceeds of a"; in line 10 after "security" insert "or any
21 payment or portion of payment ordered under this section"; and in
22 line 23 after "animal" insert "remaining after the actual expenses
23 incurred by the agency have been paid".

24 8. On page 11, line 3, after the second comma insert "and
25 section 29-818, Revised Statutes Cumulative Supplement, 2012,".

26 9. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 287. Indefinitely postponed.

(Signed) Ken Schilz, Chairperson

General Affairs

LEGISLATIVE BILL 579. Placed on General File with amendment.
AM663

1 1. On page 3, line 10, strike "fifteen" and insert "ten".

LEGISLATIVE BILL 653. Indefinitely postponed.

(Signed) Russ Karpisek, Chairperson

Health and Human Services

LEGISLATIVE BILL 338. Indefinitely postponed.

(Signed) Kathy Campbell, Chairperson

ANNOUNCEMENTS

Senator McGill designates LB556 as her priority bill.

Senator Murante designates LB646 as his priority bill.

The General Affairs Committee designates LB579 and LB230 as its priority bills.

Senator Larson designates LB57 as his priority bill.

Senator Lautenbaugh designates LB354 as his priority bill.

Senator Kolowski designates LB276 as his priority bill.

Senator Nordquist designates LB191 as his priority bill.

Senator Janssen designates LB75 as his priority bill.

The Government, Military and Veterans Affairs Committee designates LB79 and LB271 as its priority bills.

Senator Conrad designates LB625 as her priority bill.

Senator Pirsch designates LB224 as his priority bill.

AMENDMENT - Print in Journal

Senator Schumacher filed the following amendment to LB363:
AM579

(Amendments to E & R amendments, ER22)

- 1 1. On page 3, line 22, after the period insert "The
- 2 custodian shall not include any charge for services of a vendor or
- 3 contractor which could be completed by public officers or employees
- 4 in less than four hours of dedicated time.".

MOTION - Print in Journal

Senator Chambers filed the following motion to LB613:
MO26
Bracket until June 1, 2013.

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendments to LB613:
FA28

Amend AM467
Page 1, line 4 strike "constantly" and insert "continually"

FA29
Amend AM467
Page 1, line 7 strike ", intended and otherwise,"

FA30
Amend AM467
Page 1, line 8 strike beginning with the comma strike through "governments" on line 9.

FA31
Amend AM467
Page 1, lines 10 and 11 strike "Nebraska's tax law" and insert "the state's tax laws".

FA32
Amend AM467
Page 1, line 5 strike "update" and insert "modify".

FA33
Amend AM467
Page 1, line 14 strike "be composed of" and insert "comprise".

UNANIMOUS CONSENT - Add Cointroducers

Senator Johnson asked unanimous consent to add his name as cointroducer to LB153. No objections. So ordered.

Senator Watermeier asked unanimous consent to add his name as cointroducer to LB308. No objections. So ordered.

VISITORS

Visitors to the Chamber were Charles and Tim Dungan from Lincoln; 10 members of Delta Sigma Theta Sorority, Lincoln; 12 twelfth-grade students and teacher from Lawrence Nelson School, Nelson; members of the Ground Water Foundation from Gothenburg and Auburn; members from Region V

Systems Substance Abuse Prevention Coalition from across the state; Senator Coash's grandmother, Lavonne, from Lincoln, his aunt, Kris Porter, from Nevada, MO, his cousins, Sam and Travis Porter, from Nevada, MO, and friend Jeff Westerhold, from Nevada, MO; and members from Leadership Columbus.

The Doctor of the Day was Dr. Brian Buhlke from Central City.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Pirsch, the Legislature adjourned until 10:00 a.m., Monday, March 18, 2013.

Patrick J. O'Donnell
Clerk of the Legislature