

**FORTY-FOURTH DAY - MARCH 18, 2013****LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION****FORTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, March 18, 2013

**PRAYER**

The prayer was offered by Reverend Stephanie Ahlschwede, United Methodist Ministries, Omaha.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Heidemann presiding.

The roll was called and all members were present except Senators Ashford, B. Harr, Karpisek, Lautenbaugh, and Price who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-third day was approved.

**COMMITTEE REPORT**

Health and Human Services

**LEGISLATIVE BILL 344.** Placed on General File with amendment.  
AM549

1. On page 3, line 11, strike "(3)" and insert "(2)".

(Signed) Kathy Campbell, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 613.** Committee AM467, found on page 664 and considered on page 728, was renewed.

Senator Chambers offered his amendment, FA28, found on page 745, to the committee amendment.

The Chambers amendment was adopted with 26 ayes, 10 nays, 10 present and not voting, and 3 excused and not voting.

Pending.

## ANNOUNCEMENT

Speaker Adams designates LBs 3, 34, 55, 69, 90, 99, 115, 182, 232, 255, 265, 298, 306, 326, 331, 348, 368, 384, 483, 495, 545, 565, 574, 589, and 623 as Speaker priority bills.

## COMMITTEE REPORT

## Appropriations

**LEGISLATIVE BILL 629.** Placed on General File with amendment. AM641

- 1 1. Strike the original sections and insert the following  
 2 new sections:  
 3 Section 1. Section 77-382, Revised Statutes Cumulative  
 4 Supplement, 2012, is amended to read:  
 5 77-382 (1) The department shall prepare a tax expenditure  
 6 report describing (a) the basic provisions of the Nebraska  
 7 tax laws, (b) the actual or estimated revenue loss caused by  
 8 the exemptions, deductions, exclusions, deferrals, credits, and  
 9 preferential rates in effect on July 1 of each year and allowed  
 10 under Nebraska's tax structure and in the property tax, and (c) the  
 11 elements which make up the tax base for state and local income,  
 12 including income, sales and use, property, and miscellaneous taxes.  
 13 (2) The department shall review the major tax exemptions  
 14 for which state general funds are used to reduce the impact of  
 15 revenue lost due to a tax expenditure. The report shall indicate an  
 16 estimate of the amount of the reduction in revenue resulting from  
 17 the operation of all tax expenditures. The report shall list each  
 18 tax expenditure relating to sales and use tax under the following  
 19 categories:  
 20 (a) Agriculture, which shall include a separate listing  
 21 for the following items: Agricultural machinery; agricultural  
 22 chemicals; seeds sold to commercial producers; water for irrigation  
 23 and manufacturing; commercial artificial insemination; mineral  
 1 oil as dust suppressant; animal grooming; oxygen for use in  
 2 aquaculture; animal life whose products constitute food for human  
 3 consumption; and grains;  
 4 (b) Business across state lines, which shall include  
 5 a separate listing for the following items: Property shipped  
 6 out-of-state; fabrication labor for items to be shipped  
 7 out-of-state; property to be transported out-of-state; property  
 8 purchased in other states to be used in Nebraska; aircraft  
 9 delivery to an out-of-state resident or business; state reciprocal  
 10 agreements for industrial machinery; and property taxed in another  
 11 state;  
 12 (c) Common carrier and logistics, which shall include a  
 13 separate listing for the following items: Railroad rolling stock  
 14 and repair parts and services; common or contract carriers and  
 15 repair parts and services; common or contract carrier accessories;

16 and common or contract carrier safety equipment;

17 (d) Consumer goods, which shall include a separate  
18 listing for the following items: Motor vehicles and motorboat  
19 trade-ins; merchandise trade-ins; certain medical equipment and  
20 medicine; newspapers; laundromats; telefloral deliveries; motor  
21 vehicle discounts for the disabled; and political campaign  
22 fundraisers;

23 (e) Energy, which shall include a separate listing for  
24 the following items: Motor fuels; energy used in industry; energy  
25 used in agriculture; aviation fuel; and minerals, oil, and gas  
26 severed from real property;

27 (f) Food, which shall include a separate listing for the  
1 following items: Food for home consumption; Supplemental Nutrition  
2 Assistance Program; school lunches; meals sold by hospitals; meals  
3 sold by institutions at a flat rate; food for the elderly,  
4 handicapped, and Supplemental Security Income recipients; and meals  
5 sold by churches;

6 (g) General business, which shall include a separate  
7 listing for the following items: Component and ingredient parts;  
8 manufacturing machinery; containers; film rentals; molds and dies;  
9 syndicated programming; intercompany sales; intercompany leases;  
10 sale of a business or farm machinery; and transfer of property in a  
11 change of business ownership;

12 (h) Lodging and shelter, which shall include a  
13 separate listing for the following item: Room rentals by certain  
14 institutions;

15 (i) Miscellaneous, which shall include a separate listing  
16 for the following items: Cash discounts and coupons; separately  
17 stated finance charges; casual sales; lease-to-purchase agreements;  
18 and separately stated taxes;

19 (j) Nonprofits, governments, and exempt entities, which  
20 shall include a separate listing for the following items: Purchases  
21 by political subdivisions of the state; purchases by churches  
22 and nonprofit colleges and medical facilities; purchasing agents  
23 for public real estate construction improvements; contractor as  
24 purchasing agent for public agencies; Nebraska lottery; admissions  
25 to school events; sales on Native American Indian reservations;  
26 school-supporting fundraisers; fine art purchases by a museum;  
27 purchases by the Nebraska State Fair Board; purchases by the  
1 Nebraska Investment Finance Authority and licensees of the State  
2 Racing Commission; purchases by the United States Government;  
3 public records; and sales by religious organizations;

4 (k) Recent sales tax expenditures, which shall include a  
5 separate listing for each sales tax expenditure created by statute  
6 or rule and regulation after July 19, 2012; and

7 (l) Telecommunications, which shall include a separate  
8 listing for the following items: Telecommunications access charges;  
9 prepaid calling arrangements; conference bridging services; and  
10 nonvoice data services.

11 ~~(3) The report shall make recommendations relating to the~~  
 12 ~~elimination, in whole or in part, of particular tax expenditures or~~  
 13 ~~to the limiting of the duration of particular tax expenditures to a~~  
 14 ~~fixed number of years.~~

15 (4) ~~(3)~~ It is the intent of the Legislature that nothing  
 16 in the Tax Expenditure Reporting Act shall cause the valuation or  
 17 assessment of any property exempt from taxation on the basis of its  
 18 use exclusively for religious, educational, or charitable purposes.

19 Sec. 2. Section 81-125, Reissue Revised Statutes of  
 20 Nebraska, is amended to read:

21 81-125 The Governor shall on or before January 15 of  
 22 each odd-numbered year present to the Legislature a complete budget  
 23 for all the activities of the state receiving appropriations or  
 24 requesting appropriations, except that the Governor during his  
 25 or her first year in office shall present such budget to the  
 26 Legislature on or before February 1. Such budget shall be a

27 tentative work program for the coming biennium, shall contain a  
 1 full and itemized report of the expenditures from appropriations  
 2 made by the previous Legislature and the items which the Governor  
 3 deems worthy of consideration for the coming biennium, for the  
 4 respective departments, offices, and institutions, and for all  
 5 other purposes, and shall contain the estimated revenue from  
 6 taxation, the estimated revenue from sources other than taxation,  
 7 an estimate of the amount required to be raised by taxation and  
 8 the sales and income tax rates necessary to raise such amount, the  
 9 revenue foregone by operation of laws in effect at the time of  
 10 such report granting tax expenditures and reduced tax liabilities  
 11 as identified in the report required by section 77-5731, and  
 12 recommendations as to deficiency funding requirements pursuant to  
 13 section 81-126. The summary of the tax expenditure report prepared  
 14 pursuant to the Tax Expenditure Reporting Act and a summary of  
 15 the report required by section 77-5731 shall be included with or  
 16 appended to the budget presented to the Legislature. The Governor  
 17 may make recommendations whether to continue or eliminate, in  
 18 whole or in part, each tax expenditure and incentive program  
 19 or to limit the duration of particular tax expenditures and  
 20 incentives to a fixed number of years and shall include his or  
 21 her reasoning for each recommendation, if any. The recommendations  
 22 shall be transmitted to the Revenue Committee of the Legislature  
 23 at the same time the Governor submits a budget as required in  
 24 this section. The budget as transmitted to the Legislature shall  
 25 show the estimated requirements for each activity of the state  
 26 as prepared by the Department of Administrative Services and the  
 27 final recommendation of the Governor. The budget shall comprise  
 1 the complete report to the Legislature of all appropriations  
 2 made for the current biennium and expenditures therefrom by all  
 3 agencies receiving appropriations, and the report of expenditures  
 4 contained in the budget shall be in lieu of all other biennial or  
 5 other financial reports required by statute to the Legislature by

6 expending agencies of appropriations and expenditures for their own  
7 activities except the biennial report of the State Treasurer and  
8 Director of Administrative Services.  
9 Sec. 3. Original section 81-125, Reissue Revised Statutes  
10 of Nebraska, and section 77-382, Revised Statutes Cumulative  
11 Supplement, 2012, are repealed.

(Signed) Heath Mello, Chairperson

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 103.** Introduced by Coash, 27.

WHEREAS, Aimee Fischer is a student at Lincoln Southwest High School and a member of the Lincoln Southwest High School swimming and diving team; and

WHEREAS, Aimee Fischer demonstrates good character and dedication to her sport, team, and academics; and

WHEREAS, Aimee Fischer won a state gold medal swimming the freestyle leg in the 200 Yard Medley Relay at the 2013 Girls' State Swimming and Diving Championships; and

WHEREAS, Aimee Fischer won a state gold medal in the 200 Yard Freestyle at the 2013 Girls' State Swimming and Diving Championships; and

WHEREAS, Aimee Fischer won a state gold medal in the 500 Yard Freestyle at the 2013 Girls' State Swimming and Diving Championships; 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 Aimee Fischer on becoming a three-time gold medal winner at the 2013 Girls' State Swimming and Diving Championships.

2. That a copy of this resolution be sent to Aimee Fischer and to Coach Robert Calegan.

Laid over.

**LEGISLATIVE RESOLUTION 104.** Introduced by Coash, 27.

WHEREAS, Abby Lunzmann is a student at Lincoln Southwest High School and a member of the Lincoln Southwest High School swimming and diving team; and

WHEREAS, Abby Lunzmann demonstrates good character and dedication to her sport, team, and academics; and

WHEREAS, Abby Lunzmann won a state gold medal swimming the butterfly leg in the 200 Yard Medley Relay at the 2013 Girls' State Swimming and Diving Championships; 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 Abby Lunzmann on becoming a state gold medalist at the 2013 Girls' State Swimming and Diving Championships.

2. That a copy of this resolution be sent to Abby Lunzmann and to Coach Robert Calegan.

Laid over.

**LEGISLATIVE RESOLUTION 105.** Introduced by Coash, 27.

WHEREAS, Vladislav Blazhievskiy is a student at Lincoln Southwest High School and a member of the Lincoln Southwest High School swimming and diving team; and

WHEREAS, Vladislav Blazhievskiy demonstrates good character and dedication to his sport, team, and academics; and

WHEREAS, Vladislav Blazhievskiy won a state gold medal in the 500 Yard Freestyle at the 2013 Boys' State Swimming and Diving Championships; 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 Vladislav Blazhievskiy on becoming a state gold medalist at the 2013 Boys' State Swimming and Diving Championships.

2. That a copy of this resolution be sent to Vladislav Blazhievskiy and to Coach Robert Calegan.

Laid over.

**GENERAL FILE**

**LEGISLATIVE BILL 613.** Senator Chambers offered his amendment, FA29, found on page 745, to the committee amendment.

**SENATOR GLOOR PRESIDING**

The Chambers amendment was adopted with 29 ayes, 2 nays, 12 present and not voting, and 6 excused and not voting.

Pending.

**COMMITTEE REPORTS**  
Revenue

**LEGISLATIVE BILL 96.** Placed on General File.

**LEGISLATIVE BILL 34.** Placed on General File with amendment.  
AM650

- 1 1. Strike section 6 and insert the following new
- 2 sections:
- 3 Sec. 6. Section 77-5723, Revised Statutes Cumulative
- 4 Supplement, 2012, is amended to read:
- 5 77-5723 (1) In order to utilize the incentives set
- 6 forth in the Nebraska Advantage Act, the taxpayer shall file
- 7 an application, on a form developed by the Tax Commissioner,
- 8 requesting an agreement with the Tax Commissioner.
- 9 (2) The application shall contain:
- 10 (a) A written statement describing the plan of employment
- 11 and investment for a qualified business in this state;
- 12 (b) Sufficient documents, plans, and specifications as
- 13 required by the Tax Commissioner to support the plan and to define
- 14 a project;
- 15 (c) If more than one location within this state is
- 16 involved, sufficient documentation to show that the employment
- 17 and investment at different locations are interdependent parts of
- 18 the plan. A headquarters shall be presumed to be interdependent
- 19 with each other location directly controlled by such headquarters.
- 20 If a taxpayer's plan includes every location in the state that
- 21 is involved in a qualified business activity, then all of the
- 22 taxpayer's locations are presumed to be interdependent. A showing
- 23 that the parts of the plan would be considered parts of a unitary
- 1 business for corporate income tax purposes shall not be sufficient
- 2 to show interdependence for the purposes of this subdivision;
- 3 (d) A nonrefundable application fee of one thousand
- 4 dollars for a tier 1 project, two thousand five hundred dollars for
- 5 a tier 2, tier 3, or tier 5 project, five thousand dollars for a
- 6 tier 4 project, and ten thousand dollars for a tier 6 project. The
- 7 fee shall be credited to the Nebraska Incentives Fund; and
- 8 (e) A timetable showing the expected sales tax refunds
- 9 and what year they are expected to be claimed. The timetable shall
- 10 include both direct refunds due to investment and credits taken as
- 11 sales tax refunds as accurately as possible.
- 12 The application and all supporting information shall be
- 13 confidential except for the name of the taxpayer, the location of
- 14 the project, the amounts of increased employment and investment,
- 15 and the information required to be reported by sections 77-5731 and
- 16 77-5734.
- 17 (3) An application must be complete to establish the date
- 18 of the application. An application shall be considered complete
- 19 once it contains the items listed in subsection (2) of this

20 section, regardless of the Tax Commissioner's additional needs  
 21 pertaining to information or clarification in order to approve or  
 22 not approve the application.

23 (4) Once satisfied that the plan in the application  
 24 defines a project consistent with the purposes stated in the  
 25 Nebraska Advantage Act in one or more qualified business activities  
 26 within this state, that the taxpayer and the plan will qualify for  
 27 benefits under the act, and that the required levels of employment  
 1 and investment for the project will be met prior to the end of the  
 2 fourth year after the year in which the application was submitted  
 3 for a tier 1, tier 3, or tier 6 project or the end of the sixth  
 4 year after the year in which the application was submitted for  
 5 a tier 2, tier 4, or tier 5 project, the Tax Commissioner shall  
 6 approve the application. For a tier 5 project that is sequential  
 7 to a tier 2 large data center project, the required level of  
 8 investment shall be met prior to the end of the fourth year after  
 9 the expiration of the tier 2 large data center project entitlement  
 10 period relating to direct sales tax refunds.

11 (5) The Tax Commissioner shall make his or her  
 12 determination to approve or not approve an application within one  
 13 hundred eighty days after the date of the application. If the Tax  
 14 Commissioner requests, by mail or by electronic means, additional  
 15 information or clarification from the taxpayer in order to make his  
 16 or her determination, such one-hundred-eighty-day period shall be  
 17 tolled from the time the Tax Commissioner makes the request to the  
 18 time he or she receives the requested information or clarification  
 19 from the taxpayer. The taxpayer and the Tax Commissioner may also  
 20 agree to extend the one-hundred-eighty-day period. If the Tax  
 21 Commissioner fails to make his or her determination within the  
 22 prescribed one-hundred-eighty-day period, the application shall be  
 23 deemed approved.

24 (6) Within one hundred eighty days after (5) After  
 25 approval of the application, the taxpayer and the Tax Commissioner  
 26 shall enter into prepare and mail a written agreement to the  
 27 taxpayer for the taxpayer's signature. The taxpayer and the Tax  
 1 Commissioner shall enter into a written agreement. The taxpayer  
 2 shall agree to complete the project, and the Tax Commissioner,  
 3 on behalf of the State of Nebraska, shall designate the approved  
 4 plan of the taxpayer as a project and, in consideration of  
 5 the taxpayer's agreement, agree to allow the taxpayer to use  
 6 the incentives contained in the Nebraska Advantage Act. The  
 7 application, and all supporting documentation, to the extent  
 8 approved, shall be considered a part of the agreement. The  
 9 agreement shall state:

10 (a) The levels of employment and investment required by  
 11 the act for the project;

12 (b) The time period under the act in which the required  
 13 levels must be met;

14 (c) The documentation the taxpayer will need to supply



15 when claiming an incentive under the act;

16 (d) The date the application was filed; and

17 (e) A requirement that the company update the Department  
18 of Revenue annually on any changes in plans or circumstances which  
19 affect the timetable of sales tax refunds as set out in the  
20 application. If the company fails to comply with this requirement,  
21 the Tax Commissioner may defer any pending sales tax refunds until  
22 the company does comply.

23 ~~(6)-(7)~~ The incentives contained in section 77-5725 shall  
24 be in lieu of the tax credits allowed by the Nebraska Advantage  
25 Rural Development Act for any project. In computing credits under  
26 the act, any investment or employment which is eligible for  
27 benefits or used in determining benefits under the Nebraska  
1 Advantage Act shall be subtracted from the increases computed  
2 for determining the credits under section 77-27,188. New investment  
3 or employment at a project location that results in the meeting  
4 or maintenance of the employment or investment requirements, the  
5 creation of credits, or refunds of taxes under the Employment and  
6 Investment Growth Act shall not be considered new investment or  
7 employment for purposes of the Nebraska Advantage Act. The use of  
8 carryover credits under the Employment and Investment Growth Act,  
9 the Invest Nebraska Act, the Nebraska Advantage Rural Development  
10 Act, or the Quality Jobs Act shall not preclude investment and  
11 employment from being considered new investment or employment under  
12 the Nebraska Advantage Act. The use of property tax exemptions at  
13 the project under the Employment and Investment Growth Act shall  
14 not preclude investment not eligible for the property tax exemption  
15 from being considered new investment under the Nebraska Advantage  
16 Act.

17 ~~(7)-(8)~~ A taxpayer and the Tax Commissioner may enter  
18 into agreements for more than one project and may include more  
19 than one project in a single agreement. The projects may be either  
20 sequential or concurrent. A project may involve the same location  
21 as another project. No new employment or new investment shall be  
22 included in more than one project for either the meeting of the  
23 employment or investment requirements or the creation of credits.  
24 When projects overlap and the plans do not clearly specify, then  
25 the taxpayer shall specify in which project the employment or  
26 investment belongs.

27 ~~(8)-(9)~~ The taxpayer may request that an agreement be  
1 modified if the modification is consistent with the purposes of  
2 the act and does not require a change in the description of  
3 the project. An agreement may not be modified to a tier that  
4 would grant a higher level of benefits to the taxpayer or to  
5 a tier 1 project. Once satisfied that the modification to the  
6 agreement is consistent with the purposes stated in the act, the  
7 Tax Commissioner and taxpayer may amend the agreement. For a tier 6  
8 project, the taxpayer must agree to limit the project to qualified  
9 activities allowable under tier 2 and tier 4.

10 Sec. 10. Section 77-5734, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12 77-5734 The Department of Revenue shall, on or before  
13 the fifteenth day of October and February of every year and the  
14 fifteenth day of April in odd-numbered years, make an estimate  
15 of the amount of sales and use tax refunds to be paid under the  
16 Nebraska Advantage Act during the fiscal years to be forecast under  
17 section 77-27,158. The estimate shall be based on the most recent  
18 data available, including pending and approved applications and  
19 updates thereof as are required by subdivisions (2)(e) and ~~(5)(e)~~  
20 (6)(e) of section 77-5723. The estimate shall be forwarded to the  
21 Legislative Fiscal Analyst and the Nebraska Economic Forecasting  
22 Advisory Board and made a part of the advisory forecast required by  
23 section 77-27,158.

24 2. On page 20, line 21, strike "and 77-5728" and insert  
25 "77-5728, and 77-5734".

26 3. Renumber the remaining sections accordingly.

**LEGISLATIVE BILL 348.** Placed on General File with amendment.  
AM642

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

3 Section 1. Section 77-1333, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 77-1333 (1) The Legislature finds that:

6 (a) The provision of safe, decent, and affordable housing  
7 to all residents of the State of Nebraska is a matter of public  
8 concern and represents a legitimate and compelling state need,  
9 affecting the general welfare of all residents;

10 (b) Rent-restricted housing projects constructed and  
11 financed, in whole or in part, with an allocation of federal  
12 low-income housing tax credits under section 42 of the Internal  
13 Revenue Code effectively provide safe, decent, and affordable  
14 housing for residents of Nebraska;

15 (c) Such projects are restricted by federal law as to the  
16 rents paid by the tenants thereof; and

17 (d) This section is intended to further the provision of  
18 safe, decent, and affordable housing to all residents of Nebraska  
19 and to maximize the benefits available under section 42 of the  
20 Internal Revenue Code.

21 ~~(4)-(2)~~ The county assessor shall ~~perform~~ utilize  
22 an income-approach calculation for all rent-restricted housing  
23 projects constructed to allow an allocation of low-income housing  
1 tax credits under section 42 of the Internal Revenue Code  
2 and approved by the Nebraska Investment Finance Authority when  
3 ~~considering~~ determining the assessed valuation to place on the  
4 property for each assessment year. The income-approach calculation  
5 shall be consistent with any rules and regulations adopted  
6 and promulgated by the Tax Commissioner and shall comply with

7 professionally accepted mass appraisal techniques. Any low-income  
 8 housing tax credits authorized under section 42 of the Internal  
 9 Revenue Code that were granted to owners of the project shall  
 10 not be considered income for purposes of the calculation but ~~may~~  
 11 shall be considered in determining the capitalization rate to be  
 12 used when capitalizing the income stream. ~~The county assessor,~~  
 13 ~~in determining the actual value of any specific property, may~~  
 14 ~~consider other methods of determining value that are consistent~~  
 15 ~~with professionally accepted mass appraisal methods described~~  
 16 ~~in section 77-112.~~ Each county assessor, when utilizing the  
 17 income-approach calculation, shall utilize the capitalization rate  
 18 provided by the Nebraska Investment Finance Authority. The Nebraska  
 19 Investment Finance Authority shall calculate the capitalization  
 20 rate on an annual basis and provide the same to each county  
 21 assessor. Such capitalization rate shall be a market-derived  
 22 capitalization rate which shall take into account the value of any  
 23 low-income housing tax credits and shall be calculated using any  
 24 generally accepted technique used to derive capitalization rates.  
 25 Once a market-derived capitalization rate has been determined, the  
 26 property tax levy applicable to the property shall be added to the  
 27 market-derived capitalization rate. The Nebraska Investment Finance  
 1 Authority shall, if necessary, calculate a separate capitalization  
 2 rate for each county or group of counties to take into account the  
 3 unique market conditions existing therein.

4 ~~(2)-(3)~~ The owner of a rent-restricted housing project  
 5 shall file a statement with the county assessor on or before  
 6 October 1 of each year that details income and expense data for the  
 7 prior year, a description of any land-use restrictions, and such  
 8 other information as the county assessor may require.

9 Sec. 2. Original section 77-1333, Reissue Revised  
 10 Statutes of Nebraska, is repealed.

(Signed) Galen Hadley, Chairperson  
 Agriculture

**LEGISLATIVE BILL 583.** Placed on General File with amendment.  
 AM664

1 1. Strike beginning with page 4, line 22, through page 5,  
 2 line 9, and insert the following new subsection:  
 3 "(10)(a) By September 1, 2014, prepare an initial report  
 4 on climate change in Nebraska which includes a synthesis and  
 5 assessment of the state of knowledge on: Historical climate  
 6 variability and change; climate projections; and possible impacts  
 7 to key sectors of the state such as agriculture, water, wildlife,  
 8 ecosystems, forests, and outdoor recreation. The report shall  
 9 include key points and a summary of the findings; and  
 10 (b) By December 1, 2014, review such initial report and  
 11 provide a final report to the Governor and electronically to the

- 12 Legislature which includes key points, overarching recommendations,  
 13 and options that emerge from the initial report; and".

(Signed) Ken Schilz, Chairperson

### AMENDMENT - Print in Journal

Senator Price filed the following amendment to LB434:  
 AM672

- 1 1. On page 6, strike lines 12 through 19 and all  
 2 amendments thereto and insert the following new subdivision:  
 3 "(n) Cooperate with other emergency management agencies  
 4 and public agencies in the development of emergency management  
 5 registries which include persons with functional needs and  
 6 the families and guardians of such persons for purposes of  
 7 planning for assistance for such persons and their families and  
 8 guardians before, during, and after a disaster or other emergency.  
 9 Participation in an emergency management registry by persons with  
 10 functional needs and their families shall be voluntary. Information  
 11 obtained by emergency management agencies or other public agencies  
 12 for such purposes shall not be considered a public record under  
 13 section 84-712.01. All information acquired pursuant to this  
 14 subdivision is confidential and cannot be disclosed or released  
 15 except to other agencies which have a legitimate and official  
 16 interest in the information for carrying out the purposes of this  
 17 subdivision. Any person acquiring information pursuant to this  
 18 subdivision who discloses or releases such information in violation  
 19 of this subdivision is guilty of a Class III misdemeanor. The  
 20 disclosure or release of such information regarding an individual  
 21 is a separate offense from information disclosed or released  
 22 regarding any other individual; and".

### RESOLUTION

**LEGISLATIVE RESOLUTION 106.** Introduced by Karpisek, 32.

WHEREAS, Emma Vertin is a student at Lincoln Southwest High School and a member of the Lincoln Southwest High School swimming and diving team; and

WHEREAS, Emma Vertin demonstrates good character and dedication to her sport, team, and academics; and

WHEREAS, Emma Vertin won a state gold medal swimming the backstroke leg in the 200 Yard Medley Relay at the 2013 Girls' State Swimming and Diving Championships; 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 Emma Vertin on becoming a state gold medalist at the 2013 Girls' State Swimming and Diving Championships.

2. That a copy of this resolution be sent to Emma Vertin and to Coach Robert Calegan.

Laid over.

### **UNANIMOUS CONSENT - Add Cointroducers**

Senator Lathrop asked unanimous consent to add his name as cointroducer to LB133. No objections. So ordered.

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

### **VISITORS**

Visitors to the Chamber were 13 fourth-grade students and teacher from Lyons Decatur Northeast Elementary, Lyons; and 11 members and coach of the Central High School basketball team, Omaha.

### **ADJOURNMENT**

At 12:04 p.m., on a motion by Senator Coash, the Legislature adjourned until 9:00 a.m., Tuesday, March 19, 2013.

Patrick J. O'Donnell  
Clerk of the Legislature

