

SIXTY-SEVENTH DAY - APRIL 25, 2013**LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION****SIXTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, April 25, 2013

PRAYER

The prayer was offered by Bishop James Conley, Catholic Diocese of Lincoln.

ROLL CALL

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

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

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-sixth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR155	Executive Board

(Signed) John Wightman, Chairperson
Executive Board

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 24, 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

Cutshall & Nowka
Grand Island Chamber of Commerce

Kelley Governmental Relations
Grand Island Chamber of Commerce
Mines, Mick
Mines & Associates
Olhausen, Vaun
Novartis Pharmaceuticals Corporation (Withdrawn 04/22/2013)
Peetz, Natalie
Peetz & Company

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>

GENERAL FILE

LEGISLATIVE BILL 23A. Title read. Considered.

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

LEGISLATIVE BILL 366A. Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 553A. Title read. Considered.

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

LEGISLATIVE BILL 407. Committee AM1018, found on page 1007 and considered on page 1067, was renewed.

Senator Sullivan withdrew the Sullivan et al. amendment, AM1047, found on page 1011 and considered on pages 1078 and 1085.

Senator Hadley withdrew his amendment, AM1034, found on page 1050.

Senator Karpisek withdrew his amendment, AM1055, found on page 1050.

Senator K. Haar withdrew the K. Haar-Kolowski amendment, AM1036, found on page 1050.

Senator Kolowski withdrew his amendment, AM1039, found on page 1053.

Senator Bolz withdrew her amendment, AM1038, found on page 1055.

Senator Krist withdrew his amendment, AM1041, found on page 1057.

Senator Gloor withdrew the Gloor-Hadley amendment, AM1060, found on page 1085.

The committee amendment lost with 1 aye, 22 nays, 23 present and not voting, and 3 excused and not voting.

Senator Sullivan offered the Sullivan et al. amendment, AM1102, found on page 1146.

The Sullivan et al. amendment was adopted with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 161. Introduced by Dubas, 34.

WHEREAS, Brad Santin of Palmer, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Brad has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Brad, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the legislature congratulates Brad Santin on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Brad Santin.

Laid over.

LEGISLATIVE RESOLUTION 162. Introduced by Dubas, 34.

WHEREAS, Brett Santin of Palmer, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Brett has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Brett, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Brett Santin on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Brett Santin.

Laid over.

LEGISLATIVE RESOLUTION 163. Introduced by Dubas, 34.

WHEREAS, Cody McClellan of Palmer, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Cody has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Cody, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Cody McClellan on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Cody McClellan.

Laid over.

LEGISLATIVE RESOLUTION 164. Introduced by Dubas, 34.

WHEREAS, Heath McClellan of Palmer, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Heath has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Heath, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Heath McClellan on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Heath McClellan.

Laid over.

SELECT FILE

LEGISLATIVE BILL 306. ER59, found on page 998, was adopted.

Senator Lathrop offered the following motion:

MO56

Suspend the rules, Rule 7, Sec. 3(d) to permit consideration of AM1114.

SPEAKER ADAMS PRESIDING

SENATOR KRIST PRESIDING

Senator Lathrop moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

The Lathrop motion to suspend the rules prevailed with 34 ayes, 4 nays, 10 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Lathrop offered his amendment, AM1114, found on page 1121.

Senator Bloomfield offered the following amendment to the Lathrop amendment:

AM1164

(Amendments to AM1114)

- 1 1. On page 1, strike beginning with "one" in line 11
- 2 through "cents" in line 12 and insert "one hundred forty-nine
- 3 thousand two hundred fifty-five dollars and eleven cents"; and
- 4 strike beginning with "one" in line 14 through "cents" in line 15
- 5 and insert "one hundred fifty-two thousand nine hundred eighty-six
- 6 dollars and forty-nine cents".

Senator Bloomfield moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

Senator Bloomfield requested a roll call vote on his amendment.

Voting in the affirmative, 16:

Avery	Hansen	Larson	Schilz
Bloomfield	Janssen	McCoy	Smith
Bolz	Karpisek	Murante	Wallman
Brasch	Kintner	Nelson	Watermeier

Voting in the negative, 28:

Adams	Conrad	Haar, K.	Kolowski	Scheer
Ashford	Cook	Hadley	Krist	Seiler
Campbell	Crawford	Harms	Lathrop	Sullivan
Carlson	Davis	Harr, B.	Lautenbaugh	Wightman
Chambers	Dubas	Howard	McGill	
Coash	Gloor	Johnson	Nordquist	

Present and not voting, 4:

Christensen	Mello	Pirsch	Schumacher
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Excused and not voting, 1:

Price

The Bloomfield amendment lost with 16 ayes, 28 nays, 4 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

The Lathrop amendment was adopted with 29 ayes, 4 nays, 13 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 69. Placed on Final Reading.
LEGISLATIVE BILL 205. Placed on Final Reading.
LEGISLATIVE BILL 240. Placed on Final Reading.
LEGISLATIVE BILL 429A. Placed on Final Reading.
LEGISLATIVE BILL 487. Placed on Final Reading.
LEGISLATIVE BILL 585. Placed on Final Reading.
LEGISLATIVE BILL 589. Placed on Final Reading.
LEGISLATIVE BILL 595. Placed on Final Reading.
LEGISLATIVE BILL 595A. Placed on Final Reading.
LEGISLATIVE BILL 646. Placed on Final Reading.

(Signed) John Murante, Chairperson

NOTICE OF COMMITTEE HEARING

Executive Board

Room 2102

Wednesday, May 8, 2013 12:00 p.m.

LR155

(Signed) John Wightman, Chairperson

AMENDMENTS - Print in Journal

Senator Campbell filed the following amendment to LB269A:

AM1163

- 1 1. Insert the following new section:
- 2 Sec. 4. Since an emergency exists, this act takes effect
- 3 when passed and approved according to law.
- 4 2. On page 2, line 2, strike "FY2014-15" and insert
- 5 "FY2013-14".

Senator Conrad filed the following amendment to LB507:

AM1173

(Amendments to Standing Committee amendments, AM701)

- 1 1. Insert the following new sections:
- 2 Sec. 18. Sections 16, 18, 19, and 21 of this act become
- 3 operative on their effective date. The other sections of this act

4 become operative three calendar months after adjournment of this
5 legislative session.

6 Sec. 19. Original section 68-1206, Reissue Revised
7 Statutes of Nebraska, is repealed.

8 Sec. 21. Since an emergency exists, this act takes effect
9 when passed and approved according to law.

10 2. On page 10, line 1, after the period insert "As
11 part of the provision of social services authorized by section
12 68-1202, the department shall participate in the federal child care
13 assistance program under section 42 U.S.C. 618, as such section
14 existed on January 1, 2013, and provide child care assistance to
15 families with incomes up to one hundred twenty-five percent of the
16 federal poverty level for FY2013-14 and one hundred thirty percent
17 of the federal poverty level for FY2014-15 and each fiscal year
18 thereafter.".

19 3. On page 12, line 13, strike "sections 68-1206 and" and
20 insert "section".

21 4. Renumber the remaining section accordingly.

BILL ON FIRST READING

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

LEGISLATIVE BILL 507A. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 507, One Hundred Third Legislature, First Session, 2013.

SPEAKER ADAMS PRESIDING

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 152 and 153 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 152 and 153.

VISITORS

Visitors to the Chamber were 50 fourth-grade students and teachers from Filmore Central Elementary, Geneva; 6 directors and employees of the Cornhusker Public Power District; 80 fourth-grade students, teachers, and sponsors from Cather Elementary, Omaha; 10 fourth-grade students and teacher from Plainview; Leroy Petersen and Tom Schantz from Wisner; 48 eighth-grade students and teachers from Mary Our Queen School, Omaha; Aaron and Alex Rooker from Papillion; 18 fourth-grade students and

teachers from Sunset Hills School, Omaha; and 8 fourth-grade students and teacher from St. Joseph School, York.

The Doctor of the Day was Dr. Keasling from Omaha.

ADJOURNMENT

At 12:47 p.m., on a motion by Senator Mello, the Legislature adjourned until 10:00 a.m., Monday, April 29, 2013.

Patrick J. O'Donnell
Clerk of the Legislature

