

**EIGHTY-FIFTH DAY - MAY 29, 2013****LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION****EIGHTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, May 29, 2013

**PRAYER**

The prayer was offered by Pastor MaryEllen Gaither, First Presbyterian Church, Humboldt.

**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 Senator Seiler who was excused; and Senators Lautenbaugh and Price who were excused until they arrive.

**SPEAKER ADAMS PRESIDING****CORRECTIONS FOR THE JOURNAL**

The Journal for the eighty-fourth day was approved.

**RESOLUTIONS**

Pursuant to Rule 4, Sec. 5(b), LRs 347, 348, and 349 were adopted.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 347, 348, and 349.

**COMMUNICATION**

May 28, 2013

The Honorable John Gale  
Secretary of State  
2300 State Capitol  
Lincoln, NE 68509

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the line-item vetoes by Governor Heineman of LB194e, and consistent with our rules, I am delivering the bill for filing in the form and amounts as prescribed by the Governor.

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

PJO:jk

### COMMUNICATION

May 28, 2013

The Honorable John Gale  
Secretary of State  
2300 State Capitol  
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB195e with a certificate attached thereto signed by the President of the Legislature certifying the passage of certain line-item vetoes as set forth on the attached certificate, notwithstanding the objections of the Governor.

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

PJO:jk  
Enc.

### CERTIFICATE

Legislative Bill 195e, having been returned by the Governor with his signature, but with certain items therein line-item vetoed, the Legislature by the constitutional majority, has overridden said line-item vetoes as follows, and having passed the Legislature by the constitutional majority the bill has become law this 28th day of May 2013.

Section 18 Supreme Court, Program 52 Operations Court Appointed Special Advocate aid and additional salary increases to County Court employees.

Section 47 Department of Education, Program 158 Education Aid, for Learning Community Aid.

Section 93 Department of Health and Human Services, Program 33 Administration for only the general fund appropriations for the addition of a Dental Health Director.

Section 102 Department of Health and Human Services, Program 347 Public Assistance, for cash fund appropriations for the Homeless Shelter Assistance Trust Fund.

Section 110 Department of Health and Human Services Program 502 Public Health Aid for general fund aid for the Federally Qualified Health Centers.

Sections 119 and 120, Department of Roads, Program 305 Assistance to Local Transit Authorities for mass transit aid.

Section 167 Coordinating Commission for Postsecondary Education, Program 640 Postsecondary Education Coordination for a data analyst position.

Section 222 Department of Economic Development, Program 601 Community and Rural Development for the cash fund appropriation to the Affordable Housing Trust Fund.

Section 258 Commission on Public Advocacy, Program 426 Legal Services Aid, from the Legal Aid and Services Fund.

Section 266 Fund Transfers, in FY2013-14 of \$3,794,502 vetoed of the transfer from the Securities Act Cash Fund to the General Fund, and in FY2014-15, \$4,027,590 vetoed of the transfer from the Securities Act Cash Fund to the General Fund.

(Signed) Greg Adams  
President of the Legislature

## COMMUNICATION

May 28, 2013

The Honorable John Gale  
Secretary of State  
2300 State Capitol  
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB198e with a certificate attached thereto signed by the President of the Legislature, certifying the passage of the line-item vetoes, notwithstanding the objections of the Governor.

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

PJO:jk  
Enc.

### **CERTIFICATE**

Legislative Bill 198e, having been returned by the Governor with his signature, but with line-item vetoes, the Legislature by the constitutional majority has overridden the line-item vetoes and the bill has become law this 28th day of May 2013.

(Signed) Greg Adams  
President of the Legislature

### **COMMUNICATION**

May 28, 2013

The Honorable John Gale  
Secretary of State  
2300 State Capitol  
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB199e with a certificate attached thereto signed by the President of the Legislature, certifying the passage of the line-item vetoes, notwithstanding the objections of the Governor.

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

PJO:jk  
Enc.

### **CERTIFICATE**

Legislative Bill 199e, having been returned by the Governor with his signature, but with line-item vetoes, the Legislature by the constitutional majority has overridden the line-item vetoes and the bill has become law this 28th day of May 2013.

(Signed) Greg Adams  
President of the Legislature

**SENATOR GLOOR PRESIDING**

**WITHDRAW - Amendment to LB97**

Senator Chambers withdrew his amendment, FA124, found on page 1584, to LB97.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB97 with 40 ayes, 2 nays, 4 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 97.**

A BILL FOR AN ACT relating to land banks; to amend sections 77-1759, 77-1807, 77-1809, 77-1810, 77-3211, and 77-3213, Reissue Revised Statutes of Nebraska, and sections 77-1736.06, 77-1915, 77-1916, and 77-2704.15, Revised Statutes Cumulative Supplement, 2012; to adopt the Nebraska Municipal Land Bank Act; to change provisions relating to property tax refunds, payment of taxes, and collection of delinquent real property taxes; to exempt purchases from sales and use taxes as prescribed; to provide for transfers of real property from land reutilization authorities; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 47:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	McCoy	Schumacher
Avery	Cook	Howard	McGill	Smith
Bloomfield	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB225**

Senator Chambers withdrew his amendment, FA128, found on page 1585, to LB225.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 225.**

A BILL FOR AN ACT relating to public health and welfare; to adopt the Newborn Critical Congenital Heart Disease Screening Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 47:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	McCoy	Schumacher
Avery	Cook	Howard	McGill	Smith
Bloomfield	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB298**

Senator Chambers withdrew his amendment, FA139, found on page 1618, to LB298.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB298 with 36 ayes, 5 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 298.** With Emergency Clause.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend sections 28-405 and 28-416, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to controlled substances schedules and penalties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Adams	Coash	Harms	Lathrop	Scheer
Ashford	Conrad	Harr, B.	McCoy	Schilz
Avery	Crawford	Janssen	McGill	Schumacher
Bloomfield	Davis	Johnson	Mello	Smith
Bolz	Dubas	Karpisek	Murante	Sullivan
Brasch	Gloor	Kintner	Nelson	Wallman
Campbell	Haar, K.	Kolowski	Nordquist	Watermeier
Carlson	Hadley	Krist	Pirsch	Wightman
Christensen	Hansen	Larson	Price	

Voting in the negative, 2:

Chambers      Cook

Present and not voting, 1:

Howard

Excused and not voting, 2:

Lautenbaugh    Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Amendment to LB326**

Senator Chambers withdrew his amendment, FA141, found on page 1619, to LB326.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB326 with 35 ayes, 2 nays, 10 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 326.**

A BILL FOR AN ACT relating to pharmacists; to amend sections 38-2845, 38-2847, 71-2444, 71-2445, 71-2446, 71-2447, 71-2448, 71-2449, and 71-2452, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions of the Pharmacy Practice Act and the Automated Medication Systems Act; to provide for licensure of long-term care automated pharmacies; to provide for a patient's choice of pharmacy; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Adams	Conrad	Harr, B.	McCoy	Schumacher
Ashford	Cook	Howard	McGill	Smith
Avery	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	
Coash	Harms	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Bloomfield

Excused and not voting, 2:



Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB331**

Senator Chambers withdrew his amendment, FA142, found on page 1619, to LB331.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 331.** With Emergency Clause.

A BILL FOR AN ACT relating to postsecondary education; to amend sections 85-1903, 85-1907, 85-2403, and 85-2405, Revised Statutes Cumulative Supplement, 2012; to redefine award and eligible student for purposes of the Nebraska Opportunity Grant Act; to redefine authorization to operate for purposes of the Postsecondary Institution Act; to provide for interstate reciprocity agreements regarding postsecondary distance education; to change provisions for fees under the Postsecondary Institution Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 47:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	McCoy	Schumacher
Avery	Cook	Howard	McGill	Smith
Bloomfield	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB368**

Senator Chambers withdrew his amendment, FA143, found on page 1619, to LB368.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 368.**

A BILL FOR AN ACT relating to employment; to state findings; to define terms; to create and provide for a subsidized employment pilot program; to provide powers and duties for the Department of Health and Human Services and the Department of Labor; to provide for termination of the program; to state intent relating to appropriations; and to provide an operative date.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Cook	Harms	Lathrop	Scheer
Ashford	Crawford	Harr, B.	McCoy	Schumacher
Bolz	Davis	Howard	McGill	Smith
Campbell	Dubas	Johnson	Mello	Sullivan
Carlson	Gloor	Karpisek	Murante	Wallman
Chambers	Haar, K.	Kolowski	Nelson	Wightman
Conrad	Hadley	Krist	Nordquist	

Voting in the negative, 7:

Bloomfield	Hansen	Kintner	Schilz
Christensen	Janssen	Larson	

Present and not voting, 6:

Avery	Coash	Price
Brasch	Pirsch	Watermeier

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

**WITHDRAW - Amendment to LB368A**

Senator Chambers withdrew his amendment, FA144, found on page 1619, to LB368A.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 368A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 368, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 36:

Adams	Conrad	Harms	McCoy	Smith
Ashford	Cook	Harr, B.	McGill	Sullivan
Avery	Crawford	Howard	Mello	Wallman
Bolz	Davis	Johnson	Murante	Wightman
Campbell	Dubas	Karpisek	Nelson	
Carlson	Gloor	Kolowski	Nordquist	
Chambers	Haar, K.	Krist	Scheer	
Coash	Hadley	Lathrop	Schumacher	

Voting in the negative, 3:

Christensen	Kintner	Larson
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Present and not voting, 8:

Bloomfield	Hansen	Pirsch	Schilz
Brasch	Janssen	Price	Watermeier

Excused and not voting, 2:

Lautenbaugh	Seiler
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB479**

Senator Chambers withdrew his amendment, FA147, found on page 1619, to LB479.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB479 with 35 ayes, 2 nays, 10 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 479.**

A BILL FOR AN ACT relating to insurance; to amend section 44-710.04, Revised Statutes Cumulative Supplement, 2012; to prohibit policy and contract terms relating to contractual rights to proceeds of various insurance as prescribed; to change provisions relating to sickness and accident insurance policies; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 47:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	McCoy	Schumacher
Avery	Cook	Howard	McGill	Smith
Bloomfield	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB23**

Senator Chambers withdrew his amendment, FA100, found on page 1582, to LB23.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB23 with 35 ayes, 4 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 23.**

A BILL FOR AN ACT relating to intellectual disability; to amend sections 21-610, 23-104.03, 28-105.01, 30-2624, 31-113, 38-2404, 42-374, 43-289, 44-710.01, 68-911, 68-919, 68-921, 68-1801, 68-1802, 68-1803, 68-1805, 68-1806, 68-1807, 68-1808, 68-1809, 71-413, 71-421, 71-434, 71-1101, 71-1104, 71-1107, 71-1110, 71-2102, 71-2411, 71-2445, 71-5803.09, 71-6018.01, 71-6039, 71-6721, 71-6725, 71-6727, 77-1827, 79-712, 79-1118.01, 79-1128, 83-101.06, 83-112, 83-217, 83-218, 83-363, 83-381, 83-382, 83-383, 83-386, 83-387, 83-389, and 83-1205, Reissue Revised Statutes of Nebraska, and sections 28-401, 38-2826.01, 68-1202, 68-1804, 77-2704.12, and 79-1124, Revised Statutes Cumulative Supplement, 2012; to change terminology related to mental retardation; to define and redefine terms; to rename an act and a fund; to change allocation provisions for taxes on intermediate care facilities; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	McCoy	Schumacher
Avery	Cook	Howard	McGill	Sullivan
Bloomfield	Crawford	Janssen	Mello	Wallman
Bolz	Davis	Johnson	Murante	Watermeier
Brasch	Dubas	Karpisek	Nelson	Wightman
Campbell	Gloor	Kintner	Nordquist	
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	

Voting in the negative, 0.

Present and not voting, 1:

Smith

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB23A**

Senator Chambers withdrew his amendment, FA101, found on page 1582, to LB23A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 23A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 23, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 45:

Adams	Christensen	Hadley	Kolowski	Price
Ashford	Coash	Hansen	Lathrop	Scheer
Avery	Conrad	Harms	McCoy	Schilz
Bloomfield	Cook	Harr, B.	McGill	Schumacher
Bolz	Crawford	Howard	Mello	Smith
Brasch	Davis	Janssen	Murante	Sullivan
Campbell	Dubas	Johnson	Nelson	Wallman
Carlson	Gloor	Karpisek	Nordquist	Watermeier
Chambers	Haar, K.	Kintner	Pirsch	Wightman

Voting in the negative, 0.

Present and not voting, 2:

Krist Larson

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB93**

Senator Chambers withdrew his amendment, FA115, found on page 1583, to LB93.

**BILL ON FINAL READING**

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB93 with 37 ayes, 4 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 93.**

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-462, 60-479, 60-484, and 60-4,117, Revised Statutes Cumulative Supplement, 2012; to provide for the notation of a person's status as a veteran on operators' licenses and state identification cards; to change application provisions; to provide for a registry of veterans; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	McCoy	Schumacher
Avery	Cook	Howard	McGill	Smith
Bloomfield	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB93A**

Senator Chambers withdrew his amendment, FA116, found on page 1584, to LB93A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 93A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 93, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	McCoy	Schumacher
Avery	Cook	Howard	McGill	Smith
Bloomfield	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Price	
Christensen	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 2:

Lautenbaugh Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.



**WITHDRAW - Amendment to LB104**

Senator Chambers withdrew his amendment, FA125, found on page 1584, to LB104.

**MOTION - Return LB104 to Select File**

Senator Schilz moved to return LB104 to Select File for his specific amendment, AM1494, found on page 1615.

Senator B. Harr moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 10 nays, and 13 not voting.

Senator Schilz requested a roll call vote, in reverse order, on his motion to return.

Voting in the affirmative, 21:

Bloomfield	Hansen	Kolowski	Nelson	Sullivan
Brasch	Harms	Larson	Pirsch	
Christensen	Janssen	Lautenbaugh	Scheer	
Coash	Karpisek	McCoy	Schilz	
Davis	Kintner	Murante	Smith	

Voting in the negative, 17:

Adams	Chambers	Gloor	McGill	Watermeier
Ashford	Conrad	Haar, K.	Nordquist	
Avery	Cook	Hadley	Schumacher	
Campbell	Crawford	Lathrop	Wallman	

Present and not voting, 10:

Bolz	Dubas	Howard	Krist	Price
Carlson	Harr, B.	Johnson	Mello	Wightman

Excused and not voting, 1:

Seiler

The Schilz motion to return failed with 21 ayes, 17 nays, 10 present and not voting, and 1 excused and not voting.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB104 with 38 ayes, 6 nays, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 104.** With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-27,142, 77-27,142.01, 77-5715, and 77-5725, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to sales and use tax increases under the Local Option Revenue Act; to provide tax incentives for renewable energy projects under the Nebraska Advantage Act; to redefine qualified business; to change provisions relating to tiers; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Adams	Coash	Hadley	Krist	Scheer
Ashford	Conrad	Harms	Larson	Schumacher
Avery	Cook	Harr, B.	Lathrop	Sullivan
Bolz	Crawford	Howard	McGill	Wallman
Campbell	Davis	Johnson	Mello	Watermeier
Carlson	Dubas	Karpisek	Nordquist	Wightman
Chambers	Gloor	Kintner	Pirsch	
Christensen	Haar, K.	Kolowski	Price	

Voting in the negative, 2:

Hansen	Janssen
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Present and not voting, 8:

Bloomfield	Lautenbaugh	Murante	Schilz
Brasch	McCoy	Nelson	Smith

Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB211**

Senator Chambers withdrew his amendment, FA102, found on page 1582, to LB211.

### **BILL ON FINAL READING**

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB211 with 38 ayes, 4 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 211. With Emergency Clause.**

A BILL FOR AN ACT relating to community colleges; to amend sections 85-1412, 85-1418, 85-1502, 85-1539, 85-1540, 85-2233, and 85-2234, Revised Statutes Cumulative Supplement, 2012; to change and provide duties for the Coordinating Commission for Postsecondary Education; to change and eliminate provisions relating to statewide coordination of community college boards; to provide a duty relating to membership on a committee as prescribed; to change provisions relating to distribution of state aid and grants; to provide an operative date; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 47:

Adams	Conrad	Harr, B.	Lautenbaugh	Schilz
Ashford	Cook	Howard	McCoy	Schumacher
Avery	Crawford	Janssen	McGill	Smith
Bloomfield	Davis	Johnson	Mello	Sullivan
Brasch	Dubas	Karpisek	Murante	Wallman
Campbell	Gloor	Kintner	Nelson	Watermeier
Carlson	Haar, K.	Kolowski	Nordquist	Wightman
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Price	
Coash	Harms	Lathrop	Scheer	

Voting in the negative, 0.

Present and not voting, 1:

Bolz

Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB211A**

Senator Chambers withdrew his amendment, FA103, found on page 1582, to LB211A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 211A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 211, One Hundred Third Legislature, First Session, 2013; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 47:

Adams	Conrad	Harr, B.	Lautenbaugh	Schilz
Ashford	Cook	Howard	McCoy	Schumacher
Avery	Crawford	Janssen	McGill	Smith
Bloomfield	Davis	Johnson	Mello	Sullivan
Brasch	Dubas	Karpisek	Murante	Wallman
Campbell	Gloor	Kintner	Nelson	Watermeier
Carlson	Haar, K.	Kolowski	Nordquist	Wightman
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Price	
Coash	Harms	Lathrop	Scheer	

Voting in the negative, 0.

Present and not voting, 1:

Bolz

Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Amendment to LB216**

Senator Chambers withdrew his amendment, FA126, found on page 1584, to LB216.

**BILL ON FINAL READING**

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB216 with 37 ayes, 4 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 216.** With Emergency Clause.

A BILL FOR AN ACT relating to state wards; to amend sections 43-285, 43-905, 43-1311.03, and 71-1902, Revised Statutes Cumulative Supplement, 2012; to adopt the Young Adult Voluntary Services and Support Act; to change provisions relating to independent living transition proposals, extended guardianship services and support, and licensure of foster family homes; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Adams	Coash	Hansen	Lautenbaugh	Scheer
Ashford	Conrad	Harms	McCoy	Schilz
Avery	Cook	Harr, B.	McGill	Schumacher
Bolz	Crawford	Howard	Mello	Smith
Brasch	Davis	Johnson	Murante	Sullivan
Campbell	Dubas	Karpisek	Nelson	Wallman
Carlson	Gloor	Kolowski	Nordquist	Watermeier
Chambers	Haar, K.	Krist	Pirsch	Wightman
Christensen	Hadley	Lathrop	Price	

Voting in the negative, 2:

Bloomfield Kintner

Present and not voting, 2:

Janssen Larson

Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB216A**

Senator Chambers withdrew his amendment, FA127, found on page 1584, to LB216A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 216A.**

A BILL FOR AN ACT relating to appropriations; to amend section 106, Legislative Bill 195, One Hundred Third Legislature, First Session, 2013; to appropriate funds to aid in carrying out the provisions of Legislative Bill 216, One Hundred Third Legislature, First Session, 2013; to change appropriations; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Adams	Conrad	Harms	McCoy	Schilz
Ashford	Cook	Harr, B.	McGill	Schumacher
Avery	Crawford	Howard	Mello	Smith
Bolz	Davis	Johnson	Murante	Sullivan
Brasch	Dubas	Karpisek	Nelson	Wallman
Campbell	Gloor	Kolowski	Nordquist	Watermeier
Carlson	Haar, K.	Krist	Pirsch	Wightman
Chambers	Hadley	Lathrop	Price	
Coash	Hansen	Lautenbaugh	Scheer	

Voting in the negative, 0.

Present and not voting, 5:

Bloomfield Christensen Janssen Kintner Larson

Excused and not voting, 1:

Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB269**

Senator Chambers withdrew his amendment, FA104, found on page 1583, to LB269.

### **BILL ON FINAL READING**

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB269 with 37 ayes, 4 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 269. With Emergency Clause.**

A BILL FOR AN ACT relating to children and families; to amend section 71-3406, Reissue Revised Statutes of Nebraska, and sections 43-285, 43-905, 43-1311.03, 43-4101, 43-4202, 43-4203, 43-4208, 68-1207, 71-1904, and 81-3133, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to state wards, foster care, the Nebraska Children's Commission, child welfare services, the State Child Death Review Team, and reporting requirements for certain child welfare expenditures; to require application for federal reimbursement of certain costs, employment of a policy analyst, foster home licensing requirements, certain provisions in contracts for child welfare services, and a formal grievance process for the child welfare system and the juvenile justice system; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 48:

Adams	Coash	Harms	Lathrop	Scheer
Ashford	Conrad	Harr, B.	Lautenbaugh	Schilz
Avery	Cook	Howard	McCoy	Schumacher
Bloomfield	Crawford	Janssen	McGill	Smith
Bolz	Davis	Johnson	Mello	Sullivan
Brasch	Dubas	Karpisek	Murante	Wallman
Campbell	Gloor	Kintner	Nelson	Watermeier
Carlson	Haar, K.	Kolowski	Nordquist	Wightman
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **WITHDRAW - Amendment to LB269A**

Senator Chambers withdrew his amendment, FA105, found on page 1583, to LB269A.

#### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 269A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend section 105, Legislative Bill 195, One Hundred Third Legislature, First Session, 2013; to appropriate funds to aid in carrying out the provisions of Legislative Bill 269, One Hundred Third Legislature, First Session, 2013; to change appropriations; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:



Adams	Coash	Harms	Lathrop	Scheer
Ashford	Conrad	Harr, B.	Lautenbaugh	Schilz
Avery	Cook	Howard	McCoy	Schumacher
Bloomfield	Crawford	Janssen	McGill	Smith
Bolz	Davis	Johnson	Mello	Sullivan
Brasch	Dubas	Karpisek	Murante	Wallman
Campbell	Gloor	Kintner	Nelson	Watermeier
Carlson	Haar, K.	Kolowski	Nordquist	Wightman
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB296**

Senator Chambers withdrew his amendment, FA106, found on page 1583, to LB296.

### **BILL ON FINAL READING**

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB296 with 37 ayes, 4 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 296.**

A BILL FOR AN ACT relating to the Nebraska educational savings plan; to amend sections 77-2716, 85-1802, and 85-1809, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to income tax reductions for contributions; to redefine a term; to change provisions relating to participation agreements; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 48:

Adams	Coash	Harms	Lathrop	Scheer
Ashford	Conrad	Harr, B.	Lautenbaugh	Schilz
Avery	Cook	Howard	McCoy	Schumacher
Bloomfield	Crawford	Janssen	McGill	Smith
Bolz	Davis	Johnson	Mello	Sullivan
Brasch	Dubas	Karpisek	Murante	Wallman
Campbell	Gloor	Kintner	Nelson	Watermeier
Carlson	Haar, K.	Kolowski	Nordquist	Wightman
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **WITHDRAW - Amendment to LB306**

Senator Chambers withdrew his amendment, FA129, found on page 1585, to LB306.

#### **BILL ON FINAL READING**

##### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB306 with 32 ayes, 7 nays, 9 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 306.** With Emergency Clause.

A BILL FOR AN ACT relating to judges; to amend sections 24-201.01, 24-703, and 24-710.13, Revised Statutes Cumulative Supplement, 2012; to change judges' salaries; to change provisions related to retirement contributions and the Nebraska Retirement Fund for Judges fees as prescribed; to eliminate obsolete language; to provide an operative date; to provide severability; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Adams	Coash	Hansen	McCoy	Schumacher
Ashford	Conrad	Harms	McGill	Smith
Avery	Cook	Harr, B.	Mello	Sullivan
Bolz	Crawford	Howard	Murante	Watermeier
Brasch	Davis	Johnson	Nordquist	Wightman
Campbell	Dubas	Kolowski	Pirsch	
Carlson	Gloor	Krist	Price	
Chambers	Haar, K.	Lathrop	Scheer	
Christensen	Hadley	Lautenbaugh	Schilz	

Voting in the negative, 6:

Bloomfield	Karpisek	Larson
Janssen	Kintner	Nelson

Present and not voting, 1:

Wallman

Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **MOTION - Return LB306A to Select File**

Senator Chambers moved to return LB306A to Select File for his specific amendment, FA130, found on page 1585.

Senator Chambers withdrew his motion to return.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 306A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 306, One Hundred Third Legislature, First Session, 2013; to provide an operative date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Conrad	Hansen	Lautenbaugh	Scheer
Ashford	Cook	Harms	McCoy	Schilz
Avery	Crawford	Harr, B.	McGill	Schumacher
Bolz	Davis	Howard	Mello	Smith
Campbell	Dubas	Johnson	Murante	Sullivan
Carlson	Gloor	Kolowski	Nordquist	Wallman
Chambers	Haar, K.	Krist	Pirsch	Watermeier
Coash	Hadley	Lathrop	Price	

Voting in the negative, 6:

Bloomfield	Janssen	Kintner
Brasch	Karpisek	Nelson

Present and not voting, 3:

Christensen	Larson	Wightman
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Excused and not voting, 1:

Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB308**

Senator Chambers withdrew his amendment, FA140, found on page 1619, to LB308.

### **BILL ON FINAL READING**

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB308 with 39 ayes, 4 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 308.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715 and 77-2734.07, Reissue Revised Statutes of Nebraska, and section 77-2717, Revised Statutes Cumulative Supplement, 2012; to change income tax calculations relating to the federal alternative minimum tax; to change

provisions relating to deductions for net operating losses and capital losses; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 48:

Adams	Coash	Harms	Lathrop	Scheer
Ashford	Conrad	Harr, B.	Lautenbaugh	Schilz
Avery	Cook	Howard	McCoy	Schumacher
Bloomfield	Crawford	Janssen	McGill	Smith
Bolz	Davis	Johnson	Mello	Sullivan
Brasch	Dubas	Karpisek	Murante	Wallman
Campbell	Gloor	Kintner	Nelson	Watermeier
Carlson	Haar, K.	Kolowski	Nordquist	Wightman
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB363**

Senator Chambers withdrew his amendment, FA107, found on page 1583, to LB363.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 363.**

A BILL FOR AN ACT relating to public records; to amend section 84-712.03, Reissue Revised Statutes of Nebraska, and section 84-712, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to access; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 47:

Adams	Conrad	Harr, B.	Lautenbaugh	Schilz
Ashford	Cook	Howard	McCoy	Schumacher
Avery	Crawford	Janssen	McGill	Smith
Bolz	Davis	Johnson	Mello	Sullivan
Brasch	Dubas	Karpisek	Murante	Wallman
Campbell	Gloor	Kintner	Nelson	Watermeier
Carlson	Haar, K.	Kolowski	Nordquist	Wightman
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Price	
Coash	Harms	Lathrop	Scheer	

Voting in the negative, 0.

Present and not voting, 1:

Bloomfield

Excused and not voting, 1:

Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB363A**

Senator Chambers withdrew his amendment, FA108, found on page 1583, to LB363A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 363A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 363, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Adams	Conrad	Harr, B.	Lautenbaugh	Schilz
Ashford	Cook	Howard	McCoy	Schumacher
Avery	Crawford	Janssen	McGill	Smith
Bloomfield	Davis	Johnson	Mello	Sullivan
Bolz	Dubas	Karpisek	Murante	Wallman
Brasch	Gloor	Kintner	Nelson	Watermeier
Campbell	Haar, K.	Kolowski	Nordquist	Wightman
Carlson	Hadley	Krist	Pirsch	
Chambers	Hansen	Larson	Price	
Coash	Harms	Lathrop	Scheer	

Voting in the negative, 0.

Present and not voting, 1:

Christensen

Excused and not voting, 1:

Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

## **SPEAKER ADAMS PRESIDING**

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 97, 225, 298, 326, 331, 368, 368A, 479, 23, 23A, 93, 93A, 104, 211, 211A, 216, 216A, 269, 269A, 296, 306, 306A, 308, 363, and 363A.

### **RESOLUTIONS**

**LEGISLATIVE RESOLUTION 360.** Introduced by Coash, 27; Ashford, 20; Conrad, 46; B. Harr, 8; Howard, 9; Lathrop, 12; Lautenbaugh, 18; Pirsch, 4; Schumacher, 22; Wightman, 36.

WHEREAS, Court of Appeals Judge Richard D. Sievers of Lincoln, Nebraska, will retire from the bench on May 31, 2013; and

WHEREAS, Judge Sievers became one of the original Court of Appeals judges in December of 1991; and

WHEREAS, Judge Sievers served as the court's Chief Judge from 1992 through 1996; and

WHEREAS, Judge Sievers distinguished himself throughout his legal career by promoting access to the legal system and educating Nebraska youth on the workings of the third branch of government; and

WHEREAS, Judge Sievers served on several national and local committees including the National Advisory Council for the American Judicature Society, the Supreme Court's Practice and Procedure Committee, the board of directors for Nebraska Continuing Legal Education, and the board of directors for Legal Services of Southeast Nebraska; and

WHEREAS, Judge Sievers also served for seven years as the Nebraska board of directors representative for the National High School Mock Trial Championship; and

WHEREAS, Judge Sievers was founding chairman of the Supreme Court Pro Se Litigation Committee, and was recognized as the 2005 Outstanding Judge for Service to the Community, the highest honor given by the Supreme Court; and

WHEREAS, during his tenure on the Court of Appeals, Judge Sievers authored approximately 1,600 opinions covering virtually all aspects of civil and criminal litigation.

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

1. That the Legislature recognizes Judge Richard D. Sievers for his many accomplishments, thanks him for his many years of outstanding service to the Nebraska legal system, and extends its best wishes to Judge Sievers on his retirement from the bench.

2. That a copy of this resolution be sent to Judge Richard D. Sievers.

Laid over.

**LEGISLATIVE RESOLUTION 361.** Introduced by Sullivan, 41; Adams, 24; Avery, 28; Bloomfield, 17; Bolz, 29; Coash, 27; Cook, 13; Davis, 43; K. Haar, 21; B. Harr, 8; Johnson, 23; Kolowski, 31; McCoy, 39; Nordquist, 7; Price, 3; Scheer, 19; Schumacher, 22; Wallman, 30; Watermeier, 1.

WHEREAS, Dr. Roger Breed, Commissioner of Education, has distinguished himself throughout his 42-year career as an educator in the State of Nebraska; and

WHEREAS, Dr. Breed was recognized in 2007 by the Nebraska Council of School Administrators as Superintendent of the Year; and

WHEREAS, Dr. Breed has served on the Nebraska State Accreditation Committee, the executive board of the Nebraska Council of School Administrators, and the Greater Nebraska Schools Association; and

WHEREAS, Dr. Breed was recently named recipient of the National Educational Administrator of the Year Award presented by the National Association of Educational Office Professionals, and was recipient of the Jack Halstrom Friend of Education Award; and

WHEREAS, as Commissioner of Education, Dr. Breed led the implementation of statewide reading, mathematics, and science tests, established a new state accountability system, and worked with the court system to address excessive absenteeism in public schools; and



WHEREAS, Dr. Breed has also served as co-chairman of the Nebraska P-16 Initiative and the Chief Justice Task Force for Truancy Intervention; and  
WHEREAS, Dr. Breed is retiring as Commissioner of Education effective June 30, 2013.

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

1. That the Legislature recognizes Dr. Roger Breed for his many accomplishments and honors, thanks him for his many years of outstanding service to the state, and extends its best wishes to Dr. Breed on his retirement.

2. That a copy of this resolution be sent to Dr. Roger Breed.

Laid over.

### **COMMITTEE REPORT**

#### Natural Resources

The Natural Resources 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.

Michelle Bucklin - Environmental Quality Council  
Joseph Citta Jr. - Environmental Quality Council  
Mark Czaplewski - Environmental Quality Council  
Rodney Gangwish - Environmental Quality Council  
Robert Hall - Environmental Quality Council  
Lance Hedquist - Environmental Quality Council  
Alden Zuhlke - Environmental Quality Council

Aye: 8 Brasch, Carlson, Dubas, K. Haar, Johnson, Kolowski, Schilz, Smith.  
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tom Carlson, Chairperson

### **RECESS**

At 11:59 a.m., on a motion by Senator Bloomfield, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator Krist presiding.

### **ROLL CALL**

The roll was called and all members were present except Senator Seiler who was excused; and Senators Adams, Avery, Lautenbaugh, and Price who were excused until they arrive.

**RESOLUTION****LEGISLATIVE RESOLUTION 362.** Introduced by Davis, 43.

WHEREAS, Commander Darren Nelson, United States Navy, has enjoyed a distinguished naval career since receiving his commission and bachelor of science degree from the University of Nebraska in 1993; and

WHEREAS, Commander Nelson's naval career includes serving as communications officer on the USS Bainbridge, damage control officer on the USS Barry, combat systems officer on the USS Ingraham, 1st lieutenant on the USS Saipan, and executive officer on the USS Gunston Hall, and assignment to the U.S. Naval War College where he received a masters of arts in national security and strategic studies; and

WHEREAS, Commander Nelson's personal decorations include the Meritorious Service Medal, Navy and Marine Corps Commendation Medal, Navy and Marine Corps Achievement Medal, and various campaign and service ribbons; and

WHEREAS, the USS Arlington is a new San Antonio-class amphibious transport dock built to transport and land Marines along with their equipment and supplies. The ship is 684 feet long, 105 feet wide, and has a displacement weight of 25,000 tons which is similar in size to the USS Enterprise, one of the most famous U.S. aircraft carriers of World War II; and

WHEREAS, Commander Nelson has been assigned initial command of the USS Arlington following its ceremonial commissioning on April 6, 2013; and

WHEREAS, Commander Nelson, son of Joan Nelson and the late Harvey Nelson, grew up in Rushville, Nebraska, where he was active in athletics, speech, plays, and other activities and graduated from Rushville High School in 1988.

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

1. That the Legislature congratulates Commander Darren Nelson for being named commander of the new USS Arlington by the United States Navy.

2. That a copy of this resolution be sent to Commander Nelson and to his mother Joan Nelson of Rushville, Nebraska.

Laid over.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 29, 2013, at 12:02 p.m. were the following: LBs 97, 225, 298e, 326, 331e, 368, 368A, 479, 23, 23A, 93, 93A, 104e, 211e, 211Ae, 216e, 216A, 269e, 269Ae, 296, 306e, 306Ae, 308, 363, and 363A.

(Signed) Jamie Kruse  
Clerk of the Legislature's Office

**MESSAGE FROM THE GOVERNOR**

May 29, 2013

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 66, 140, 341, 410e, 497e, 563e, and 623 were received in my office on May 23, 2013.

These bills were signed and delivered to the Secretary of State on May 29, 2013.

Sincerely,  
(Signed) Dave Heineman  
Governor

**WITHDRAW - Amendment to LB366**

Senator Chambers withdrew his amendment, FA119, found on page 1584, to LB366.

**BILL ON FINAL READING**

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB366 with 34 ayes, 2 nays, 7 present and not voting, and 6 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 366.** With Emergency Clause.

A BILL FOR AN ACT relating to education; to amend section 9-812, Reissue Revised Statutes of Nebraska; to adopt the Diploma of High School Equivalency Assistance Act; to eliminate obsolete provisions and provide an additional use of the Education Innovation Fund; to harmonize provisions; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Ashford	Conrad	Harms	McCoy	Schumacher
Bloomfield	Cook	Harr, B.	McGill	Smith
Bolz	Crawford	Janssen	Mello	Sullivan
Brasch	Davis	Johnson	Murante	Wallman
Campbell	Dubas	Karpisek	Nelson	Watermeier
Carlson	Gloor	Kintner	Nordquist	Wightman
Chambers	Haar, K.	Kolowski	Pirsch	
Christensen	Hadley	Krist	Scheer	
Coash	Hansen	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Larson

Excused and not voting, 6:

Adams	Howard	Price
Avery	Lautenbaugh	Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB366A**

Senator Chambers withdrew his amendment, FA120, found on page 1584, to LB366A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 366A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 366, One Hundred Third Legislature, First Session, 2013; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Ashford	Cook	Harr, B.	McGill	Smith
Bloomfield	Crawford	Janssen	Mello	Sullivan
Bolz	Davis	Johnson	Murante	Wallman
Brasch	Dubas	Karpisek	Nelson	Watermeier
Campbell	Gloor	Kintner	Nordquist	Wightman
Carlson	Haar, K.	Kolowski	Pirsch	
Chambers	Hadley	Krist	Scheer	
Coash	Hansen	Lathrop	Schilz	
Conrad	Harms	McCoy	Schumacher	

Voting in the negative, 0.

Present and not voting, 2:

Christensen Larson

Excused and not voting, 6:

Adams	Howard	Price
Avery	Lautenbaugh	Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendments to LB429**

Senator Chambers withdrew his amendments, FA109 and FA145, found on pages 1583 and 1619, to LB429.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 429.**

A BILL FOR AN ACT relating to the Taxpayer Transparency Act; to amend sections 84-602 and 84-602.02, Revised Statutes Cumulative Supplement, 2012; to require disclosure of state contracts as prescribed; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Ashford	Conrad	Harms	Lathrop	Schilz
Bloomfield	Cook	Harr, B.	McCoy	Schumacher
Bolz	Crawford	Janssen	McGill	Smith
Brasch	Davis	Johnson	Mello	Sullivan
Campbell	Dubas	Karpisek	Murante	Wallman
Carlson	Gloor	Kintner	Nelson	Watermeier
Chambers	Haar, K.	Kolowski	Nordquist	Wightman
Christensen	Hadley	Krist	Pirsch	
Coash	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 6:

Adams	Howard	Price
Avery	Lautenbaugh	Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **WITHDRAW - Amendments to LB429A**

Senator Chambers withdrew his amendments, FA110 and FA146, found on pages 1583 and 1619, to LB429A.

#### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 429A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 429, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 43:

Ashford	Conrad	Harms	Lathrop	Schilz
Bloomfield	Cook	Harr, B.	McCoy	Schumacher
Bolz	Crawford	Janssen	McGill	Smith
Brasch	Davis	Johnson	Mello	Sullivan
Campbell	Dubas	Karpisek	Murante	Wallman
Carlson	Gloor	Kintner	Nelson	Watermeier
Chambers	Haar, K.	Kolowski	Nordquist	Wightman
Christensen	Hadley	Krist	Pirsch	
Coash	Hansen	Larson	Scheer	

Voting in the negative, 0.

Excused and not voting, 6:

Adams	Howard	Price
Avery	Lautenbaugh	Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB483**

Senator Chambers withdrew his amendment, FA117, found on page 1584, to LB483.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 483.**

A BILL FOR AN ACT relating to correctional services; to amend section 83-150, Reissue Revised Statutes of Nebraska; to state intent; to provide for a reentry planning pilot program in adult correctional facilities; to change provisions relating to the use of a fund; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 41:

Adams	Coash	Harms	McGill	Smith
Ashford	Conrad	Harr, B.	Mello	Sullivan
Bloomfield	Cook	Johnson	Murante	Wallman
Bolz	Crawford	Karpisek	Nelson	Watermeier
Brasch	Davis	Kolowski	Nordquist	Wightman
Campbell	Dubas	Krist	Pirsch	
Carlson	Gloor	Larson	Scheer	
Chambers	Haar, K.	Lathrop	Schilz	
Christensen	Hadley	McCoy	Schumacher	

Voting in the negative, 1:

Kintner

Present and not voting, 2:

Hansen	Janssen
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Excused and not voting, 5:

Avery            Howard            Lautenbaugh    Price            Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB483A**

Senator Chambers withdrew his amendment, FA118, found on page 1584, to LB483A.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 483A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 483, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 42:

Adams	Coash	Harms	McCoy	Schumacher
Ashford	Conrad	Harr, B.	McGill	Smith
Bloomfield	Cook	Howard	Mello	Sullivan
Bolz	Crawford	Johnson	Murante	Wallman
Brasch	Davis	Karpisek	Nelson	Watermeier
Campbell	Dubas	Kolowski	Nordquist	Wightman
Carlson	Gloor	Krist	Pirsch	
Chambers	Haar, K.	Larson	Scheer	
Christensen	Hadley	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 3:

Hansen            Janssen            Kintner

Excused and not voting, 4:

Avery            Lautenbaugh    Price            Seiler

A constitutional majority having voted in the affirmative, the bill was



declared passed and the title agreed to.

**WITHDRAW - Amendment to LB507**

Senator Chambers withdrew his amendment, FA131, found on page 1585, to LB507.

**BILL ON FINAL READING**

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB507 with 37 ayes, 4 nays, 4 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 507.** With Emergency Clause.

A BILL FOR AN ACT relating to children; to amend sections 68-1206 and 71-1919, Reissue Revised Statutes of Nebraska, and section 43-536, Revised Statutes Cumulative Supplement, 2012; to adopt the Step Up to Quality Child Care Act; to change provisions relating to reimbursement rates for child care, child care assistance, and grounds for discipline of a license under the Child Care Licensing Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Adams	Conrad	Harms	McCoy	Schumacher
Ashford	Cook	Harr, B.	McGill	Smith
Bolz	Crawford	Howard	Mello	Sullivan
Brasch	Davis	Johnson	Murante	Wallman
Campbell	Dubas	Karpisek	Nelson	Watermeier
Carlson	Gloor	Kolowski	Nordquist	Wightman
Chambers	Haar, K.	Krist	Pirsch	
Christensen	Hadley	Larson	Scheer	
Coash	Hansen	Lathrop	Schilz	

Voting in the negative, 1:

Kintner

Present and not voting, 2:

Bloomfield Janssen

Excused and not voting, 4:

Avery Lautenbaugh Price Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendment to LB507A**

Senator Chambers withdrew his amendment, FA132, found on page 1585, to LB507A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 507A.** With Emergency Clause.

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; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Adams	Coash	Hansen	Lathrop	Schilz
Ashford	Conrad	Harms	McCoy	Schumacher
Bloomfield	Cook	Harr, B.	McGill	Smith
Bolz	Crawford	Howard	Mello	Sullivan
Brasch	Davis	Johnson	Murante	Wallman
Campbell	Dubas	Karpisek	Nelson	Watermeier
Carlson	Gloor	Kolowski	Nordquist	Wightman
Chambers	Haar, K.	Krist	Pirsch	
Christensen	Hadley	Larson	Scheer	

Voting in the negative, 1:

Kintner

Present and not voting, 1:

Janssen

Excused and not voting, 4:

Avery           Lautenbaugh   Price           Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **WITHDRAW - Amendments to LB517**

Senator Lathrop withdrew his amendments, AM1308 and AM1396, found on pages 1303 and 1409, to LB517.

Senator Chambers withdrew his amendment, FA111, found on page 1583, to LB517.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 517.** With Emergency Clause.

A BILL FOR AN ACT relating to water management; to state findings; to create the Water Funding Task Force; to provide powers and duties for the task force and the Department of Natural Resources; to provide a termination date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Adams	Coash	Hansen	Krist	Pirsch
Ashford	Conrad	Harms	Larson	Scheer
Bloomfield	Cook	Harr, B.	Lathrop	Schilz
Bolz	Crawford	Howard	McCoy	Schumacher
Brasch	Davis	Janssen	McGill	Smith
Campbell	Dubas	Johnson	Mello	Sullivan
Carlson	Gloor	Karpisek	Murante	Wallman
Chambers	Haar, K.	Kintner	Nelson	Watermeier
Christensen	Hadley	Kolowski	Nordquist	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Avery           Lautenbaugh   Price           Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill

was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Amendment to LB517A**

Senator Chambers withdrew his amendment, FA112, found on page 1583, to LB517A.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 517A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 517, One Hundred Third Legislature, First Session, 2013; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Adams	Coash	Hansen	Krist	Pirsch
Ashford	Conrad	Harms	Larson	Scheer
Bloomfield	Cook	Harr, B.	Lathrop	Schilz
Bolz	Crawford	Howard	McCoy	Schumacher
Brasch	Davis	Janssen	McGill	Smith
Campbell	Dubas	Johnson	Mello	Sullivan
Carlson	Gloor	Karpisek	Murante	Wallman
Chambers	Haar, K.	Kintner	Nelson	Watermeier
Christensen	Hadley	Kolowski	Nordquist	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Avery	Lautenbaugh	Price	Seiler
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Amendment to LB530**

Senator Chambers withdrew his amendment, FA113, found on page 1583, to LB530.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB530 with 39 ayes, 4 nays, 2 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 530.** With Emergency Clause.

A BILL FOR AN ACT relating to foster care; to amend sections 43-4202, 43-4203, and 43-4213, Revised Statutes Cumulative Supplement, 2012; to state intent; to provide duties for the Division of Children and Family Services of the Department of Health and Human Services and the Nebraska Children's Commission; to change a termination date; to create the Foster Care Reimbursement Rate Committee; to provide powers and duties; to change provisions relating to stipends for foster parents; to eliminate a committee; to harmonize provisions; to repeal the original sections; to outright repeal section 43-4212, Revised Statutes Cumulative Supplement, 2012; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Adams	Conrad	Harms	Larson	Scheer
Ashford	Cook	Harr, B.	Lathrop	Schilz
Bolz	Crawford	Howard	McCoy	Schumacher
Brasch	Davis	Janssen	McGill	Smith
Campbell	Dubas	Johnson	Mello	Sullivan
Carlson	Gloor	Karpisek	Murante	Wallman
Chambers	Haar, K.	Kintner	Nelson	Watermeier
Christensen	Hadley	Kolowski	Nordquist	Wightman
Coash	Hansen	Krist	Pirsch	

Voting in the negative, 0.

Present and not voting, 1:

Bloomfield

Excused and not voting, 4:

Avery	Lautenbaugh	Price	Seiler
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Amendment to LB530A**

Senator Chambers withdrew his amendment, FA114, found on page 1583, to LB530A.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 530A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 530, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 44:

Adams	Coash	Hansen	Krist	Pirsch
Ashford	Conrad	Harms	Larson	Scheer
Bloomfield	Cook	Harr, B.	Lathrop	Schumacher
Bolz	Crawford	Howard	McCoy	Smith
Brasch	Davis	Janssen	McGill	Sullivan
Campbell	Dubas	Johnson	Mello	Wallman
Carlson	Gloor	Karpisek	Murante	Watermeier
Chambers	Haar, K.	Kintner	Nelson	Wightman
Christensen	Hadley	Kolowski	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

Schilz

Excused and not voting, 4:

Avery	Lautenbaugh	Price	Seiler
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB556**

Senator Chambers withdrew his amendment, FA133, found on page 1585,

to LB556.

## **BILL ON FINAL READING**

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB556 with 37 ayes, 6 nays, 2 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 556.**

A BILL FOR AN ACT relating to children's health care; to amend sections 68-911 and 71-8506, Reissue Revised Statutes of Nebraska; to provide for telehealth services for children's behavioral health; to state intent for behavioral health screenings; to provide for education and training on children's behavioral health; to create a pilot program; to change provisions relating to medical assistance coverage and telehealth transmission requirements; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 42:

Adams	Conrad	Harms	Lathrop	Schumacher
Ashford	Cook	Harr, B.	McCoy	Smith
Bolz	Crawford	Howard	McGill	Sullivan
Brasch	Davis	Johnson	Mello	Wallman
Campbell	Dubas	Karpisek	Murante	Watermeier
Carlson	Gloor	Kintner	Nelson	Wightman
Chambers	Haar, K.	Kolowski	Nordquist	
Christensen	Hadley	Krist	Pirsch	
Coash	Hansen	Larson	Scheer	

Voting in the negative, 0.

Present and not voting, 3:

Bloomfield	Janssen	Schilz
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Excused and not voting, 4:

Avery	Lautenbaugh	Price	Seiler
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendment to LB556A**

Senator Chambers withdrew his amendment, FA134, found on page 1585, to LB556A.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 556A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 556, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 42:

Adams	Coash	Hansen	Larson	Schilz
Ashford	Conrad	Harms	Lathrop	Schumacher
Bloomfield	Cook	Harr, B.	McCoy	Sullivan
Bolz	Crawford	Howard	McGill	Wallman
Brasch	Davis	Johnson	Mello	Watermeier
Campbell	Dubas	Karpisek	Murante	Wightman
Carlson	Gloor	Kintner	Nordquist	
Chambers	Haar, K.	Kolowski	Pirsch	
Christensen	Hadley	Krist	Scheer	

Voting in the negative, 0.

Present and not voting, 3:

Janssen	Nelson	Smith
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Excused and not voting, 4:

Avery	Lautenbaugh	Price	Seiler
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Amendments to LB561**

Senator Chambers withdrew his amendments, FA121 and FA148, found on pages 1584 and 1619, to LB561.



**BILLS ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB561 with 38 ayes, 3 nays, 4 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 561.** With Emergency Clause.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-2257, 43-247, 43-251, 43-260.01, 43-260.04, 43-260.05, 43-260.07, 43-279.01, 43-281, 43-284, 43-284.01, 43-404, 43-406, 43-407, 43-408, 43-410, 43-413, 43-414, 43-417, 43-418, 43-419, 43-420, 43-421, 43-422, 43-423, 43-1411.01, 43-2402, 43-2404, 43-2404.01, 43-2411, 43-2930, 43-3503, 81-1417, 83-4,124, 83-4,125, 83-4,132, and 83-4,134, Reissue Revised Statutes of Nebraska, and sections 28-726, 29-2204, 29-2258, 42-364, 43-245, 43-251.01, 43-254, 43-258, 43-272.01, 43-285, 43-286, 43-2,108.05, 43-2,129, 43-405, 43-412, 43-415, 43-416, 43-2404.02, 43-2412, 43-4203, 43-4314, 43-4318, 43-4320, 43-4321, 43-4324, 81-8,245, 83-4,126, 83-4,131, and 83-4,133, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to the Department of Health and Human Services, the Office of Juvenile Services, the Office of Probation Administration, probation officers, and juvenile detention, pretrial diversion, evaluation, placement, treatment, parole, and discharge; to change provisions relating to sealed records, parenting plans, custody, termination of parental rights, juvenile facilities, and the Commission Grant Program; to rename and change provisions of the County Juvenile Services Aid Program; to change membership and powers and duties of the Nebraska Coalition for Juvenile Justice; to create the positions of Director of the Community-based Juvenile Services Aid Program and Director of Juvenile Diversion Programs; to create the Community and Family Reentry Process; to state intent regarding the Nebraska Juvenile Service Delivery Project and appropriations; to change duties of the Nebraska Children's Commission; to change powers and duties of the Office of the Inspector General of Nebraska Child Welfare; to provide powers and duties for the Public Counsel; to add a member to the Nebraska Commission on Law Enforcement and Criminal Justice; to provide for applicability of minimum jail standards for staff secure juvenile facilities; to define and redefine terms; to provide for a model alternative response for child abuse or neglect reports; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 44:

Adams	Coash	Hansen	Larson	Scheer
Ashford	Conrad	Harms	Lathrop	Schilz
Bloomfield	Cook	Harr, B.	McCoy	Schumacher
Bolz	Crawford	Howard	McGill	Smith
Brasch	Davis	Janssen	Mello	Sullivan
Campbell	Dubas	Johnson	Murante	Wallman
Carlson	Gloor	Kintner	Nelson	Watermeier
Chambers	Haar, K.	Kolowski	Nordquist	Wightman
Christensen	Hadley	Krist	Pirsch	

Voting in the negative, 1:

Karpisek

Excused and not voting, 4:

Avery	Lautenbaugh	Price	Seiler
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB561A with 40 ayes, 2 nays, 3 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 561A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend sections 93, 100, and 106, Legislative Bill 195, One Hundred Third Legislature, First Session, 2013; to appropriate funds to aid in carrying out the provisions of Legislative Bill 561, One Hundred Third Legislature, First Session, 2013; to provide for transfers of funds; to change appropriations; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Adams	Coash	Hansen	Larson	Pirsch
Ashford	Conrad	Harms	Lathrop	Scheer
Bloomfield	Cook	Harr, B.	Lautenbaugh	Schilz
Bolz	Crawford	Howard	McCoy	Schumacher
Brasch	Davis	Janssen	McGill	Smith
Campbell	Dubas	Johnson	Mello	Sullivan
Carlson	Gloor	Kintner	Murante	Wallman
Chambers	Haar, K.	Kolowski	Nelson	Watermeier
Christensen	Hadley	Krist	Nordquist	Wightman

Voting in the negative, 1:

Karpisek

Excused and not voting, 3:

Avery            Price            Seiler

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **MOTION - Return LB573 to Select File**

Senator Chambers moved to return LB573 to Select File for the following specific amendment:

FA150

Strike the enacting clause.

Senator Chambers withdrew his motion to return.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 573.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.08, Reissue Revised Statutes of Nebraska; to change provisions relating to an adjustment to income for certain capital gains and extraordinary dividends; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Adams	Conrad	Harr, B.	Lautenbaugh	Schumacher
Ashford	Cook	Howard	McCoy	Smith
Bloomfield	Crawford	Janssen	McGill	Sullivan
Bolz	Davis	Johnson	Mello	Wallman
Brasch	Dubas	Karpisek	Murante	Watermeier
Campbell	Gloor	Kintner	Nelson	Wightman
Carlson	Haar, K.	Kolowski	Nordquist	
Chambers	Hadley	Krist	Pirsch	
Christensen	Hansen	Larson	Scheer	
Coash	Harms	Lathrop	Schilz	

Voting in the negative, 0.

Excused and not voting, 3:

Avery                      Price                      Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **WITHDRAW - Amendment to LB579**

Senator Chambers withdrew his amendment, FA135, found on page 1585, to LB579.

#### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 579.**

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-117, Reissue Revised Statutes of Nebraska; to provide a duty for the Nebraska Liquor Control Commission regarding administration and enforcement of the act; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Adams	Cook	Harr, B.	Lautenbaugh	Schumacher
Ashford	Crawford	Howard	McCoy	Smith
Bloomfield	Davis	Janssen	McGill	Sullivan
Bolz	Dubas	Johnson	Mello	Wallman
Campbell	Gloor	Karpisek	Nelson	Watermeier
Carlson	Haar, K.	Kintner	Nordquist	Wightman
Chambers	Hadley	Kolowski	Pirsch	
Christensen	Hansen	Krist	Scheer	
Conrad	Harms	Lathrop	Schilz	

Voting in the negative, 1:

Larson

Present and not voting, 3:

Brasch            Coash            Murante

Excused and not voting, 3:

Avery            Price            Seiler

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB579A**

Senator Chambers withdrew his amendment, FA136, found on page 1585, to LB579A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 579A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 579, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Adams	Cook	Harr, B.	Lautenbaugh	Smith
Ashford	Crawford	Howard	McCoy	Sullivan
Bloomfield	Davis	Janssen	McGill	Wallman
Bolz	Dubas	Johnson	Mello	Watermeier
Campbell	Gloor	Karpisek	Nordquist	Wightman
Carlson	Haar, K.	Kintner	Pirsch	
Chambers	Hadley	Kolowski	Scheer	
Christensen	Hansen	Krist	Schilz	
Conrad	Harms	Lathrop	Schumacher	

Voting in the negative, 1:

Larson

Present and not voting, 4:

Brasch	Coash	Murante	Nelson
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Excused and not voting, 3:

Avery	Price	Seiler
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB583**

Senator Chambers withdrew his amendment, FA137, found on page 1585, to LB583.

### **MOTION - Return LB583 to Select File**

Senator Larson moved to return LB583 to Select File for the following specific amendment:

AM1502

(Amendments to Final Reading copy)

1. On page 3, line 7, after the semicolon insert "and";
- 2 strike lines 8 through 18; and in line 19 strike "(11)" and insert
- 3 "(10)".

Senator Larson requested a roll call vote, in reverse order, on his motion to return.

Voting in the affirmative, 13:

Bloomfield	Hansen	Larson	Murante	Smith
Brasch	Janssen	Lautenbaugh	Nelson	
Christensen	Kintner	McCoy	Schilz	

Voting in the negative, 31:

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

Present and not voting, 1:

Pirsch

Excused and not voting, 4:

Avery	Price	Seiler	Watermeier
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The Larson motion to return failed with 13 ayes, 31 nays, 1 present and not voting, and 4 excused and not voting.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 583.**

A BILL FOR AN ACT relating to the Climate Assessment Response Committee; to amend section 2-4902, Reissue Revised Statutes of Nebraska; to provide duties for the Climate Assessment Response Committee; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 32:

Adams	Cook	Hansen	Krist	Smith
Ashford	Crawford	Harms	Lathrop	Sullivan
Bolz	Davis	Harr, B.	McGill	Wallman
Campbell	Dubas	Howard	Mello	Wightman
Carlson	Gloor	Johnson	Nordquist	
Chambers	Haar, K.	Karpisek	Scheer	
Conrad	Hadley	Kolowski	Schumacher	

Voting in the negative, 12:

Bloomfield	Coash	Larson	Murante
Brasch	Janssen	Lautenbaugh	Nelson
Christensen	Kintner	McCoy	Pirsch

Present and not voting, 1:

Schilz

Excused and not voting, 4:

Avery	Price	Seiler	Watermeier
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB583A**

Senator Chambers withdrew his amendment, FA138, found on page 1585, to LB583A.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 583A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 583, One Hundred Third Legislature, First Session, 2013.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 33:

Adams	Cook	Hansen	Krist	Scheer
Ashford	Crawford	Harms	Lathrop	Schumacher
Bolz	Davis	Harr, B.	McGill	Sullivan
Campbell	Dubas	Howard	Mello	Wallman
Carlson	Gloor	Johnson	Murante	Wightman
Chambers	Haar, K.	Karpisek	Nelson	
Conrad	Hadley	Kolowski	Nordquist	

Voting in the negative, 7:

Brasch	Janssen	Lautenbaugh	Pirsch
Coash	Larson	McCoy	

Present and not voting, 5:



Bloomfield Christensen Kintner Schilz Smith

Excused and not voting, 4:

Avery Price Seiler Watermeier

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **WITHDRAW - Amendment to LB634**

Senator Chambers withdrew his amendment, FA122, found on page 1584, to LB634.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 634.** With Emergency Clause.

A BILL FOR AN ACT relating to wildfires; to adopt the Wildfire Control Act of 2013; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Adams	Coash	Hansen	Krist	Nordquist
Ashford	Conrad	Harms	Larson	Pirsch
Bloomfield	Cook	Harr, B.	Lathrop	Scheer
Bolz	Crawford	Howard	Lautenbaugh	Schilz
Brasch	Davis	Janssen	McCoy	Schumacher
Campbell	Dubas	Johnson	McGill	Smith
Carlson	Gloor	Karpisek	Mello	Sullivan
Chambers	Haar, K.	Kintner	Murante	Wallman
Christensen	Hadley	Kolowski	Nelson	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Avery Price Seiler Watermeier

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Amendment to LB634A**

Senator Chambers withdrew his amendment, FA123, found on page 1584, to LB634A.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 634A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 634, One Hundred Third Legislature, First Session, 2013; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 44:

Adams	Coash	Hansen	Krist	Pirsch
Ashford	Conrad	Harms	Larson	Scheer
Bloomfield	Cook	Harr, B.	Lathrop	Schilz
Bolz	Crawford	Howard	Lautenbaugh	Schumacher
Brasch	Davis	Janssen	McCoy	Smith
Campbell	Dubas	Johnson	Mello	Sullivan
Carlson	Gloor	Karpisek	Murante	Wallman
Chambers	Haar, K.	Kintner	Nelson	Wightman
Christensen	Hadley	Kolowski	Nordquist	

Voting in the negative, 0.

Present and not voting, 1:

McGill

Excused and not voting, 4:

Avery	Price	Seiler	Watermeier
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**SPEAKER ADAMS PRESIDING**

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 366, 366A, 429, 429A, 483, 483A, 507, 507A, 517, 517A, 530, 530A, 556, 556A, 561, 561A, 573, 579, 579A, 583, 583A, 634, and 634A.

**SENATOR KRIST PRESIDING****SELECT FILE**

**LEGISLATIVE BILL 255.** ER112, found on page 1613, was adopted.

Senator McGill offered her amendment, AM1536, found on page 1616.

Senator Pirsch offered the following amendment to the McGill amendment:  
FA149

Amend AM1536

Insert on page 3, line 24, after the word "was" the following words: "at the time of the alleged offense";

To insert on page 5, line 20, after the word "was" the following words: "at the time of the alleged offense."

The Pirsch amendment lost with 2 ayes, 17 nays, 24 present and not voting, and 6 excused and not voting.

The McGill amendment was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 90.** Senator Smith offered the following amendment:

FA151

Strike the enacting clause.

Senator Wallman moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Smith moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

The Smith amendment lost with 12 ayes, 26 nays, 8 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

**LEGISLATIVE BILL 224.** ER113, found on page 1617, was adopted.

Senator Mello withdrew his amendment, AM1447, found on page 1418.

Senator Janssen offered the following amendment:

AM1540

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new section:
- 3 Section 1. (1) When a state contract is to be awarded to
- 4 the lowest responsible bidder, a resident disabled veteran shall be
- 5 allowed a preference over any other resident or nonresident bidder
- 6 if all other factors are equal.
- 7 (2) For purposes of this section, resident disabled
- 8 veteran means an individual (a) who resides in the State of
- 9 Nebraska, who served in the United States Armed Forces, including
- 10 any reserve component or the National Guard, who was discharged or
- 11 otherwise separated with a characterization of honorable or general
- 12 (under honorable conditions), and who possesses a disability
- 13 rating letter issued by the United States Department of Veterans
- 14 Affairs establishing a service-connected disability or a disability
- 15 determination from the United States Department of Defense and
- 16 (b) who owns and controls a business (i) not less than fifty-one
- 17 percent of which is owned by one or more individuals described in
- 18 subdivision (a) of this subsection or, in the case of a publicly
- 19 owned business, not less than fifty-one percent of the stock of
- 20 which is owned by one or more individuals described in subdivision
- 21 (a) of this subsection and (ii) the management and daily business
- 22 operations of which are controlled by one or more individuals
- 23 described in subdivision (a) of this subsection.

Senator Mello offered the following amendment to the Janssen amendment:  
AM1544

(Amendments to AM1540)

- 1 1. On page 1, line 4, after "veteran" insert "or
- 2 a business located in a designated enterprise zone under the
- 3 Enterprise Zone Act".

The Mello amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Senator Chambers offered the following amendment to the Janssen amendment:

FA152

Amend AM1540

On page 1, in lines 16-18 strike, "(i) not less than fifty-one percent of which is owned by one or more individuals described in subdivision (a) of this subsection".

Pending.

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 363.** Introduced by Mello, 5; Ashford, 20; Howard, 9; Nordquist, 7.

WHEREAS, Inclusive Communities was originally founded in 1938 as the Midlands chapter of the National Conference for Community and Justice by prominent Omahans, including Otto Swanson, W. Dale Clark, Milton Livingston, and Ralph Svoboda; and

WHEREAS, the mission of Inclusive Communities is to confront prejudice, bigotry, and discrimination by promoting genuine respect, understanding, and appreciation of diversity in appearance, class, culture, faith, and ability; and

WHEREAS, Inclusive Communities holds human resource and leadership programs which work with middle school and high school students through the IncluCity series and Service Learning Internship Program, as well as with businesses and members of the community through Omaha Table Talk and Customized Business Solutions, to educate and empower individuals to make their communities more accepting, understanding, and ultimately more productive; and

WHEREAS, in addition to educational programs, Inclusive Communities collaborates with other organizations and coalitions to advocate for equality for all people; and

WHEREAS, Inclusive Communities will celebrate its 75th anniversary at the 2013 Humanitarian Dinner on May 30, 2013.

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

1. That the Legislature recognizes Inclusive Communities for its work to strengthen Nebraska communities through education and promotion of diversity and congratulates Inclusive Communities on celebrating its 75th anniversary.

2. That a copy of this resolution be sent to Inclusive Communities.

Laid over.

**LEGISLATIVE RESOLUTION 364.** Introduced by Wightman, 36.

WHEREAS, Superintendent John Grinde of Cozad Public Schools is retiring after 21 years of distinguished service and leadership to the school district; and

WHEREAS, Superintendent Grinde has spent 59 years in education as a student, teacher, and administrator; and

WHEREAS, Superintendent Grinde developed a culture of listening, gathering ideas, and bringing people together to make better decisions for the growth and education of students; and

WHEREAS, Superintendent Grinde leaves an enduring legacy of cooperation and partnership with the school district, hospital, and the city of Cozad which has helped build the entire community.

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

1. That the Legislature congratulates Superintendent John Grinde on his retirement and recognizes his passion for education and his many years of dedicated service to his community.

2. That a copy of this resolution be sent to Superintendent John Grinde.

Laid over.

**LEGISLATIVE RESOLUTION 365.** Introduced by Larson, 40.

WHEREAS, the O'Neill St. Mary's Lady Cardinals won the 2013 Class D Girls State Track Championship; and

WHEREAS, the O'Neill St. Mary's Lady Cardinals sent twelve athletes to the state meet who competed in fifteen events; 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 O'Neill St. Mary's Lady Cardinals track team on winning the 2013 Class D Girls State Track Championship.

2. That a copy of this resolution be sent to the O'Neill St. Mary's Lady Cardinals track team and to coaches Mary Kersenbrock, Janae Chochon, Terry Viterna, M. J. Kersenbrock, and Kami Sholes.

Laid over.

**LEGISLATIVE RESOLUTION 366.** Introduced by McCoy, 39.

WHEREAS, Aaron and Erin Ruskamp of Waverly, Nebraska, are expecting the birth of their third son, Jude James Aaron Ruskamp; and

WHEREAS, the Ruskamps celebrate Jude's life and welcome him as a brother to Kyson and Gavin Ruskamp; and

WHEREAS, the Ruskamp family has started Prayers for Jude Ruskamp and 100 Miles for Jude on Facebook to encourage people to walk, bike, run, or skate in Jude's name to raise awareness about anencephaly.

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

1. That the Legislature recognizes Aaron and Erin Ruskamp and their family for their courageous efforts to raise awareness of anencephaly and celebrate the life of their son, Jude.

2. That a copy of this resolution be sent to Aaron and Erin Ruskamp.

Laid over.

**LEGISLATIVE RESOLUTION 367.** Introduced by Conrad, 46; Ashford, 20; Howard, 9; Mello, 5.

WHEREAS, Legal Aid of Nebraska is a nonprofit poverty law firm first founded as the Legal Aid Society of Omaha in 1963 for the purpose of providing free legal assistance in civil cases for those who could not afford an attorney in Omaha and northeast Nebraska; and

WHEREAS, Southeast Nebraska Legal Services was founded in 1964 in Lincoln, and Western Nebraska Legal Services was founded in 1965 in Grand Island and Scottsbluff, both for the purpose of providing free legal assistance in civil cases for those who could not afford an attorney in Lincoln and in central and western Nebraska; and

WHEREAS, the Rural Response Hotline was formed in 1984 as part of the Legal Aid Society of Omaha to provide assistance to farmers and ranchers in crisis; and

WHEREAS, the three regional legal aid programs merged in 2000 to form one statewide legal aid program known first as Nebraska Legal Services and then as Legal Aid of Nebraska; and

WHEREAS, Legal Aid of Nebraska operates a statewide legal phone and Internet-based hotline providing free legal advice to 15,000 low-income Nebraskans each year; and

WHEREAS, Legal Aid of Nebraska provides free extended legal assistance to 1,800 low-income Nebraskans each year in housing, domestic relations, public benefits, consumer law, and other areas of poverty law; and

WHEREAS, Legal Aid of Nebraska operates a statewide elder hotline providing free legal advice to hundreds of elderly Nebraskans each year regardless of income; and

WHEREAS, Legal Aid of Nebraska provides free legal assistance to hundreds of Native Americans each year in Nebraska's four tribal courts; and

WHEREAS, Legal Aid of Nebraska represents hundreds of domestic violence victims in civil courts in areas including permanent restraining orders, child custody, and child support; and

WHEREAS, Legal Aid of Nebraska has full-time offices in Omaha, Lincoln, Bancroft, Norfolk, Grand Island, North Platte, and Scottsbluff and one part-time office in Lexington; and

WHEREAS, Legal Aid of Nebraska's mission is to provide dignity, hope, self-sufficiency, and justice through quality civil legal aid for those who have nowhere else to turn.

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

1. That the Legislature extends special recognition to Legal Aid of Nebraska on the observance of its 50th anniversary of incorporation.

2. That a copy of this resolution be sent to Executive Director Dave Pantos at Legal Aid of Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 368.** Introduced by Mello, 5; Nordquist, 7.

WHEREAS, the South Omaha Neighborhood Alliance (SONA) recently named the recipients of its 2013 Project of the Year Award, 2013 Volunteer of the Year Award, and 2013 Outstanding Volunteer Awards; and

WHEREAS, these awards are annually presented to recognize service and contributions to the South Omaha community; and

WHEREAS, the winner of the SONA 2013 Project of the Year Award is the South Omaha Biker Crew for their annual S.O.B. Parking Lot Party, which has raised over \$30,000 during the past five years in support of Omaha's graffiti ban; and

WHEREAS, the winner of the SONA 2013 Volunteer of the Year Award is Mike Battershell for his contributions as president of SONA and the Hanscom Park Neighborhood Association; and

WHEREAS, the winners of the SONA 2013 Outstanding Volunteer Awards are Daisy Gomez and Francisco Guzman Jemenez, seniors at Omaha Bryan High School, and Maria Maldonado and Danielle Valadez, seniors at Omaha South High School; and

WHEREAS, these awards will be presented and the winners recognized at the 2013 SONA Banquet on June 6, 2013.

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

1. That the Legislature congratulates the South Omaha Biker Crew, Mike Battershell, Daisy Gomez, Francisco Guzman Jemenez, Maria Maldonado, and Danielle Valadez on receiving their 2013 South Omaha Neighborhood Alliance awards.

2. That a copy of this resolution be sent to the South Omaha Biker Crew, Mike Battershell, Daisy Gomez, Francisco Guzman Jemenez, Maria Maldonado, and Danielle Valadez.

Laid over.

### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 29, 2013, at 3:36 p.m. were the following: LBs 366e, 366Ae, 429, 429A, 483, 483A, 507e, 507Ae, 517e, 517Ae, 530e, 530A, 556, 556A, 561e, 561Ae, 573, 579, 579A, 583, 583A, 634e, and 634A.

(Signed) Jamie Kruse  
Clerk of the Legislature's Office



**MESSAGE FROM THE GOVERNOR**

May 29, 2013

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 561e and 561Ae were received, signed, and delivered to the Secretary of State on May 29, 2013.

Sincerely,  
(Signed) Dave Heineman  
Governor

**AMENDMENTS - Print in Journal**

Senator Chambers filed the following amendment to LB224:  
FA153

Amend AM1540

Add a new section: "Section 2. Any contract entered into without compliance with section 1 shall be null and void."

Senator B. Harr filed the following amendment to LB568:  
AM1545

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Sections 1 to 8 of this act shall be known
- 4 and may be cited as the Health Insurance Exchange Navigator
- 5 Registration Act.
- 6 Sec. 2. For purposes of the Health Insurance Exchange
- 7 Navigator Registration Act:
- 8 (1) Director means the Director of Insurance;
- 9 (2) Exchange means any health insurance exchange
- 10 established or operating in this state, including any exchange
- 11 established or operated by the United States Department of Health
- 12 and Human Services; and
- 13 (3) Navigator means any individual or entity, other than
- 14 an insurance producer or consultant, that receives any funding,
- 15 directly or indirectly, from an exchange, the state, or the
- 16 federal government to perform the duties identified in 42 U.S.C.
- 17 18031(i)(3), as such section existed on January 1, 2013.
- 18 Sec. 3. (1) No individual or entity shall perform, offer
- 19 to perform, or advertise any service as a navigator in this state
- 20 unless registered as a navigator by the director.
- 21 (2) A navigator shall not:

- 22 (a) Engage in any activities that would require an  
 23 insurance producer license;  
 1 (b) Violate section 44-4050;  
 2 (c) Recommend or endorse a particular health plan;  
 3 (d) Accept any compensation or consideration from an  
 4 insurance company, broker, or consultant that is dependent, in  
 5 whole or in part, on whether a person enrolls in or purchases a  
 6 qualified health plan; or  
 7 (e) Fail to respond to any written inquiry from the  
 8 director regarding the navigator's duties as a navigator or fail  
 9 to request additional reasonable time to respond within fifteen  
 10 working days.

11 Sec. 4. (1) An individual applying for an individual  
 12 navigator registration shall make application to the director on a  
 13 form developed by the director which, unless preempted by federal  
 14 law, is accompanied by the initial individual registration fee in  
 15 an amount not to exceed twenty-five dollars as established by the  
 16 director. The individual shall declare in the application under  
 17 penalty of refusal, suspension, or revocation of the registration  
 18 that the statements made in the application are true, correct,  
 19 and complete to the best of the individual's knowledge and belief.  
 20 Before approving the application, the director shall find that the  
 21 individual:

- 22 (a) Is at least eighteen years of age;  
 23 (b) Has successfully passed an examination prescribed by  
 24 an exchange established or operating in this state and has been  
 25 authorized to act as a navigator; and  
 26 (c) Has identified any entity navigator with which he or  
 27 she is affiliated and supervised.

1 (2) An entity applying for an entity navigator  
 2 registration shall make application on a form developed by the  
 3 director and which contains the information prescribed by the  
 4 director and which, unless preempted by federal law, is accompanied  
 5 by the initial entity registration fee in an amount not to exceed  
 6 fifty dollars as established by the director.

7 (3) The director may require any documents deemed  
 8 necessary to verify the information contained in an application  
 9 submitted in accordance with subsections (1) and (2) of this  
 10 section.

11 (4) A registered navigator shall, in a manner prescribed  
 12 by the director, notify the director within thirty days of  
 13 any federal action that restricts or terminates the navigator's  
 14 authorization to act as a navigator.

15 (5) A registered entity navigator shall, in a manner  
 16 prescribed by the director, provide the director with a list of all  
 17 individual navigators that it employs, supervises, or is affiliated  
 18 with.

19 Sec. 5. (1) Individual and entity registrations shall  
 20 expire one year after the date of issuance.

21 (2) An individual navigator may file an application for  
22 renewal of a registration on a form developed by the director  
23 and, unless preempted by federal law, shall pay the renewal fee  
24 in an amount not to exceed twenty-five dollars as established by  
25 the director, and an entity navigator may file an application for  
26 renewal of a registration on a form developed by the director  
27 and, unless preempted by federal law, shall pay the renewal fee  
1 in an amount not to exceed fifty dollars as established by the  
2 director. An individual navigator who fails to file prior to the  
3 expiration of the current registration for registration renewal,  
4 unless preempted by federal law, shall pay a late fee in an amount  
5 not to exceed fifty dollars as established by the director, and an  
6 entity navigator that fails to file prior to the expiration of the  
7 current registration for registration renewal, unless preempted by  
8 federal law, shall pay a late fee in an amount not to exceed fifty  
9 dollars as established by the director.

10 (3) Any failure to fulfill the federal ongoing training  
11 and continuing education requirements shall result in the  
12 expiration of the registration.

13 Sec. 6. On contact with an individual who acknowledges  
14 having existing health insurance coverage obtained through a  
15 licensed insurance producer, a navigator shall make a reasonable  
16 effort to inform the individual that he or she may, but is  
17 not required to, seek further assistance from that producer or  
18 another licensed producer for information, assistance, and any  
19 other services and that tax credits may not be available to  
20 offset the premium cost of plans that are marketed outside of the  
21 exchange.

22 Sec. 7. (1) The director, after notice and hearing, may  
23 place on probation, suspend, revoke, or refuse to issue, renew,  
24 or reinstate a navigator registration for violation of the Health  
25 Insurance Exchange Navigator Registration Act.

26 (2) Except as otherwise provided by law, the director  
27 may examine and investigate the business affairs and records  
1 of any navigator as such business affairs and records regard  
2 the navigator's duties as a navigator to determine whether the  
3 navigator has engaged or is engaging in any violation of the act.

4 (3) An entity navigator registration may be suspended  
5 or revoked or renewal or reinstatement thereof may be refused if  
6 the director finds, after notice and hearing, that an individual  
7 navigator's violation was known by the employing or supervising  
8 entity navigator and the violation was not reported to the director  
9 and no corrective action was undertaken.

10 Sec. 8. The director may adopt and promulgate rules and  
11 regulations to carry out the Health Insurance Exchange Navigator  
12 Registration Act.

13 Sec. 9. If any section in this act or any part of any  
14 section is declared invalid or unconstitutional, the declaration  
15 shall not affect the validity or constitutionality of the remaining

16 portions.

17 Sec. 10. Since an emergency exists, this act takes effect  
18 when passed and approved according to law.

Senator Murante filed the following amendment to LB224:

FA154

Amend AM1540

On line 19, strike "not less than fifty-one percent." and replace with "more than fifty percent."

Senator Chambers filed the following amendment to LB224:

FA155

Amend AM1540

1. On page 1, in line 8, strike "an individual" and insert "any person";
2. In lines 17, 20 and 22 strike "individuals" and insert "persons".

### **VISITORS**

Visitors to the Chamber were Jessica Murphy from Lincoln; and Jan Schmeits from Columbus.

The Doctor of the Day was Dr. Ryan Becker from Omaha.

### **ADJOURNMENT**

At 5:29 p.m., on a motion by Speaker Adams, the Legislature adjourned until 9:00 a.m., Thursday, May 30, 2013.

Patrick J. O'Donnell  
Clerk of the Legislature