

TWELFTH DAY - JANUARY 24, 2014
LEGISLATIVE JOURNAL
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 24, 2014

PRAYER

The prayer was offered by Pastor Bob Lawrence, South Auburn Church of Christ, York.

ROLL CALL

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

The roll was called and all members were present except Senators Harms and Lautenbaugh who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eleventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1013	Government, Military and Veterans Affairs
LB1014	Urban Affairs
LB1015	Judiciary
LB1016	Executive Board
LB1017	Health and Human Services
LB1018	Government, Military and Veterans Affairs
LB1019	Appropriations
LB1020	General Affairs
LB1021	Judiciary
LB1022	Judiciary
LB1023	Appropriations
LB1024	Government, Military and Veterans Affairs
LB1025	Revenue
LB1026	Appropriations
LB1027	Judiciary

LB1028	Judiciary
LB1029	Transportation and Telecommunications
LB1030	Judiciary
LB1031	Revenue
LB1032	Judiciary
LB1033	Appropriations
LB1034	Judiciary
LB1035	Judiciary
LB1036	Business and Labor
LB1037	Government, Military and Veterans Affairs
LB1038	Revenue
LB1039	Transportation and Telecommunications
LB1040	Natural Resources
LB1041	Nebraska Retirement Systems
LB1042	Nebraska Retirement Systems
LB1043	Revenue
LB1044	Judiciary
LB1045	Transportation and Telecommunications
LB1046	Appropriations
LB1047	Appropriations
LB1048	Government, Military and Veterans Affairs
LB1049	Judiciary
LB1050	Health and Human Services
LB1051	Appropriations
LB1052	General Affairs
LB1053	Revenue
LB1054	Health and Human Services
LB1055	Education
LB1056	Revenue
LB1057	Revenue
LB1058	Government, Military and Veterans Affairs
LB1059	Education
LB1060	Education
LB1061	Education
LB1062	Judiciary
LB1063	Judiciary
LB1064	Education
LB1065	Government, Military and Veterans Affairs
LB1066	Government, Military and Veterans Affairs
LB1067	Revenue
LB1068	Education
LB1069	Education
LB1070	Education
LB1071	Transportation and Telecommunications
LB1072	Health and Human Services
LB1073	Business and Labor
LB1074	Natural Resources
LB1075	Government, Military and Veterans Affairs
LB1076	Health and Human Services

LB1077 Education
LB1078 Health and Human Services
LB1079 Revenue
LB1080 Agriculture
LB1081 Education
LB1082 Transportation and Telecommunications
LB1083 Business and Labor
LB1084 Government, Military and Veterans Affairs
LB1085 Business and Labor
LB1086 Appropriations
LB1087 Revenue
LB1088 Health and Human Services
LB1089 Judiciary
LB1090 Business and Labor
LB1091 Appropriations
LB1092 Revenue
LB1093 Judiciary
LB1094 Appropriations
LB1095 Urban Affairs
LB1096 Urban Affairs
LB1097 Revenue
LB1098 Natural Resources
LB1099 Education
LB1100 Natural Resources
LB1101 Education
LB1102 Judiciary
LB1103 Education
LB1104 General Affairs
LB1105 Judiciary
LB1106 Education
LB1107 Health and Human Services
LB1108 Judiciary
LB1109 Judiciary
LB1110 Judiciary
LB1111 Natural Resources
LB1112 Natural Resources
LB1113 Natural Resources
LB1114 Appropriations
LB1115 Natural Resources
LR421CA Education
LR422 Health and Human Services
LR423CA Revenue

Frerichs, Regina "Gina" - Commission for the Deaf and Hard of Hearing -
Health and Human Services

Galyen, Jeffrey - State Racing Commission - General Affairs

Grennan, Dennis E. - Nebraska Power Review Board - Natural Resources

Hogue, John - Commission for the Deaf and Hard of Hearing - Health and
Human Services

Lauritzen, Mary - Coordinating Commission for Postsecondary Education - Education
 Lee, Dennis - State Racing Commission - General Affairs
 Lomicky, Carol - Commission for the Deaf and Hard of Hearing - Health and Human Services
 Probyn, Dwayne - Coordinating Commission for Postsecondary Education - Education
 Warner, Lori L. - Coordinating Commission for Postsecondary Education - Education
 Wilson, William "Scott" - Coordinating Commission for Postsecondary Education - Education

(Signed) John Wightman, Chairperson
 Executive Board

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 23, 2014, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Adair, Peggy
 League of Women Voters of Greater Omaha
 Brenner, Becki
 ACLU Nebraska (Withdrawn 01/22/2014)
 Goodman, Joshua
 Pew Charitable Trusts, The
 Hilton, Kevin
 North Central States Regional Council of Carpenters
 Jorgensen, Jennifer
 Nebraska Association of School Boards
 Kelley Governmental Relations, LLC
 Wal-Mart Stores, Inc.
 Kulesher Jarecke, Kate
 Brain Injury Association of Nebraska
 Mueller Robak
 Nebraska Machinery Company
 O'Hara Lindsay & Associates, Inc.
 Nebraska Humanities Council
 Peterson, Chris
 American Coalition for Clean Coal Electricity
 Radcliffe, Walter H. of Radcliffe and Associates
 Kissel/E&S Associates, LLC
 Wright, Lee
 Farmers Group, Inc.
 Zahradnik, Robert
 Pew Charitable Trusts, The

REPORTS

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

MESSAGES FROM THE GOVERNOR

January 23, 2014

Mr. President, Speaker Adams
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Adams and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Public Employees Retirement Board:

Dennis W. Leonard, 3828 Rochdale Circle, Grand Island, NE 68803

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

January 17, 2014

Mr. President, Speaker Adams
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Adams and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Information Technology Commission:

Dan Shundoff, 2611 Country Club Lane, Kearney, NE 68843

Also, contingent upon your approval, the following individuals are being appointed to the Nebraska Information Technology Commission:

Dorest Harvey, 5208 Woodlane Drive, Papillion, NE 68133

Walter Weir, 6900 Beaver Creek Lane, Lincoln, NE 68516
Gerald (Gary) Warren, 1910 O Street, Aurora, NE 68818
Randy Meininger, 3401 Avenue H, Scottsbluff, NE 69361

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

COMMITTEE REPORT

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs 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.

Daryl L. Bohac - Adjutant General, Military Department

Aye: 7 Avery, Bloomfield, Garrett, Karpisek, Murante, Scheer, Wallman.
Nay: 0. Absent: 1 Lautenbaugh. Present and not voting: 0.

(Signed) Bill Avery, Chairperson

GENERAL FILE

LEGISLATIVE BILL 313. Considered.

Senator Chambers offered the following motion:
MO118
Bracket.

Senator Krist offered the following motion:
MO119
Bracket until March 4, 2014.

The Krist motion to bracket prevailed with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

ANNOUNCEMENT

The Enrollment and Review Committee selected Senators Coash, Howard, McGill, Nordquist, Pirsch, and Scheer as Vice Chairpersons.

NOTICE OF COMMITTEE HEARINGS

Appropriations

Room 1524

Monday, February 3, 2014 1:30 p.m.

LB905

LB906

Agency 65 - Administrative Services, Department of

Agency 18 - Agriculture, Department of

Agency 19 - Banking, Department of

Agency 29 - Natural Resources, Department of

LB837

LB704

LB797

(Signed) Heath Mello, Chairperson

Business and Labor

Room 2102

Monday, February 3, 2014 1:30 p.m.

LB800

LB765

LB903

LB943

LB947

LB1085

(Signed) Steve Lathrop, Chairperson

Agriculture

Room 2102

Tuesday, February 4, 2014 1:30 p.m.

LB673

LB882

Tuesday, February 11, 2014 1:30 p.m.

LB696

LB768

LB846

(Signed) Ken Schilz, Chairperson

COMMITTEE REPORTS

Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Robert P. Goodwin - Nebraska Oil and Gas Conservation Commission
Tim Wistrom - Nebraska Oil and Gas Conservation Commission

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

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Chuck D. Haase - Nebraska Power Review Board

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

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Rick Morehouse - Nebraska Power Review Board

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

(Signed) Tom Carlson, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Bischoff, Joyce - Stem Cell Research Advisory Committee - Health and Human Services

Harvey, Dorest - Nebraska Information Technology Commission - Transportation and Telecommunications

Leonard, Dennis W. - Public Employees Retirement Board - Nebraska Retirement Systems

Meininger, Randy - Nebraska Information Technology Commission - Transportation and Telecommunications

Shundoff, Dan - Nebraska Information Technology Commission - Transportation and Telecommunications

Warren, Gerald (Gary) - Nebraska Information Technology Commission - Transportation and Telecommunications

Weir, Walter - Nebraska Information Technology Commission -
Transportation and Telecommunications

LR424 Executive Board

(Signed) John Wightman, Chairperson
Executive Board

AMENDMENT - Print in Journal

Senator Krist filed the following amendment to LB665:
AM1704

- 1 1. Strike section 44.
- 2 2. On page 3, line 4, strike "37, and 44" and insert "and
- 3 37".
- 4 3. On page 28, line 10, strike "in accordance with the
- 5 act" and insert "by the licensee or under the licensee's control".
- 6 4. On page 29, strike lines 2 through 6.
- 7 5. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 278. Title read. Considered.

SENATOR COASH PRESIDING

Advanced to Enrollment and Review Initial with 27 ayes, 2 nays, 17 present
and not voting, and 3 excused and not voting.

COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 656. Placed on Select File with amendment.
ER124

- 1 1. On page 1, line 5, before the semicolon insert
- 2 "and Stenberg v. Omaha Exposition and Racing, Inc., 263 Neb. 991
- 3 (2002)".

LEGISLATIVE BILL 657. Placed on Select File.

LEGISLATIVE BILL 658. Placed on Select File.

LEGISLATIVE BILL 659. Placed on Select File.

(Signed) John Murante, Chairperson

GENERAL FILE

LEGISLATIVE BILL 588. Title read. Considered.

Committee AM646, found on page 735, First Session, 2013, was offered.

Senator Watermeier offered his amendment, AM1576, found on page 142, to the committee amendment.

The Watermeier amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 96. Title read. Considered.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARINGS

Education

Room 1525

Monday, February 3, 2014 1:30 p.m.

J. Richard Shoemaker - Nebraska Educational Telecommunications
Commission

Kenneth Bird - Nebraska Educational Telecommunications Commission
Frederik Ohles - Nebraska Educational Telecommunications Commission
LB692
LB703
LB835
LB729

Tuesday, February 4, 2014 1:30 p.m.

LB992
LB864
LB984
LB967
LB1069

(Signed) Kate Sullivan, Chairperson

Executive Board

Room 2102

Friday, January 31, 2014 12:00 p.m.

LB975
LB989
LB1016

Thursday, February 6, 2014 12:00 p.m.

LB720
LB909
LB996

Friday, February 7, 2014 12:00 p.m.

LB970
LR397CA
LB976

(Signed) John Wightman, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Cook asked unanimous consent to add her name as cointroducer to LB916. No objections. So ordered.

Senators Coash and McGill asked unanimous consent to add their names as cointroducers to LR424. No objections. So ordered.

Senator Dubas asked unanimous consent to add her name as cointroducer to LB485. No objections. So ordered.

Senator Mello asked unanimous consent to add his name as cointroducer to LB474. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. Jeff Harrison from Papillion.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Hansen, the Legislature adjourned until 10:00 a.m., Monday, January 27, 2014.

Patrick J. O'Donnell
Clerk of the Legislature

