

THIRTY-FIFTH DAY - FEBRUARY 28, 2014**LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION****THIRTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, February 28, 2014

PRAYER

The prayer was offered by Pastor John Nelson, Mount Olive Lutheran Church, Norfolk.

ROLL CALL

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

The roll was called and all members were present except Senators Ashford, B. Harr, Larson, and Lautenbaugh who were excused; and Senators Conrad, Kintner, and Kolowski who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fourth day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 27, 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

Benjamin, Caren
Americans United for Change
Levy, David C.
Commerce Bank (Withdrawn 02/21/2014)
McKenzie, Janis M.
Nebraska Association for the Gifted
Mueller Robak
Frenchman Cambridge Irrigation District
Reiser, Richard S.
Nebraska Trucking Association

Yost, Kurt T.
Kelley & Jerram, PC, LLO

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>

SELECT FILE

LEGISLATIVE BILL 725. ER133, found on page 471, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 725A. ER134, found on page 471, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 755. ER137, found on page 630, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 749. ER135, found on page 631, was adopted.

Advanced to Enrollment and Review for Engrossment.

ANNOUNCEMENT

The Chair announced March 1 is Senator Bolz's birthday.

SELECT FILE

LEGISLATIVE BILL 474. ER141, found on page 662, was adopted.

Senator Krist offered the following B. Harr-Krist amendment:
AM2044

(Amendments to AM1815)

- 1 1. Insert the following new sections:
- 2 Sec. 6. Section 18-2142.02, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 18-2142.02 A city may levy a general business occupation
- 5 tax upon the businesses and users of space within an enhanced
- 6 employment area for the purpose of paying all or any part
- 7 of the costs and expenses of any redevelopment project within
- 8 such enhanced employment area. ~~For purposes of the tax imposed~~
- 9 ~~under this section, the governing body may make a reasonable~~
- 10 ~~classification of businesses, users of space, or kinds of~~

11 ~~transactions.~~ After the effective date of this act, any occupation
 12 tax imposed pursuant to this section shall make a reasonable
 13 classification of businesses, users of space, or kinds of
 14 transactions for purposes of imposing such tax, except that no
 15 occupation tax shall be imposed on any transaction which is subject
 16 to tax under section 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145,
 17 66-4,146, 77-2602, or 77-4008 or which is exempt from tax under
 18 section 77-2704.24. The collection of a tax imposed pursuant to
 19 this section shall be made and enforced in such a manner as the
 20 governing body shall by ordinance determine to produce the required
 21 revenue. The governing body may provide that failure to pay the
 22 tax imposed pursuant to this section shall constitute a violation
 1 of the ordinance and subject the violator to a fine or other
 2 punishment as provided by ordinance. Any such occupation tax agreed
 3 to by the authority and the city shall remain in effect so long as
 4 the authority has bonds outstanding which have been issued stating
 5 such occupation tax as an available source for payment.
 6 Sec. 7. Section 18-2142.04, Reissue Revised Statutes of
 7 Nebraska, is amended to read:
 8 18-2142.04 (1) For purposes of this section:
 9 (a) Authorized work means the performance of any one or
 10 more of the following purposes within an enhanced employment area
 11 designated pursuant to this section:
 12 (i) The acquisition, construction, maintenance, and
 13 operation of public offstreet parking facilities for the benefit
 14 of the enhanced employment area;
 15 (ii) Improvement of any public place or facility in
 16 the enhanced employment area, including landscaping, physical
 17 improvements for decoration or security purposes, and plantings;
 18 (iii) Construction or installation of pedestrian shopping
 19 malls or plazas, sidewalks or moving sidewalks, parks, meeting
 20 and display facilities, bus stop shelters, lighting, benches or
 21 other seating furniture, sculptures, trash receptacles, shelters,
 22 fountains, skywalks, and pedestrian and vehicular overpasses and
 23 underpasses, and any useful or necessary public improvements;
 24 (iv) Leasing, acquiring, constructing, reconstructing,
 25 extending, maintaining, or repairing parking lots or parking
 26 garages, both above and below ground, or other facilities for
 27 the parking of vehicles, including the power to install such
 1 facilities in public areas, whether such areas are owned in fee or
 2 by easement, in the enhanced employment area;
 3 (v) Creation and implementation of a plan for improving
 4 the general architectural design of public areas in the enhanced
 5 employment area;
 6 (vi) The development of any public activities and
 7 promotion of public events, including the management, promotion,
 8 and advocacy of retail trade activities or other promotional
 9 activities, in the enhanced employment area;
 10 (vii) Maintenance, repair, and reconstruction of any

11 improvements or facilities authorized by the Community Development
12 Law;

13 (viii) Any other project or undertaking for the
14 betterment of the public facilities in the enhanced employment
15 area, whether the project is capital or noncapital in nature;

16 (ix) Enforcement of parking regulations and the provision
17 of security within the enhanced employment area; or

18 (x) Employing or contracting for personnel, including
19 administrators for any improvement program under the Community
20 Development Law, and providing for any service as may be necessary
21 or proper to carry out the purposes of the Community Development
22 Law;

23 (b) Employee means a person employed at a business
24 located within an enhanced employment area; and

25 (c) Number of new employees means the number of
26 equivalent employees that are employed at a business located within
27 an enhanced employment area designated pursuant to this section
1 during a year that are in excess of the number of equivalent
2 employees during the year immediately prior to the year the
3 enhanced employment area was designated pursuant to this section.

4 (2) If an area is not blighted or substandard, a city
5 may designate an area as an enhanced employment area if the
6 governing body determines that new investment within such enhanced
7 employment area will result in at least (a) two new employees
8 and new investment of one hundred twenty-five thousand dollars in
9 counties with fewer than fifteen thousand inhabitants, (b) five
10 new employees and new investment of two hundred fifty thousand
11 dollars in counties with at least fifteen thousand inhabitants but
12 fewer than twenty-five thousand inhabitants, (c) ten new employees
13 and new investment of five hundred thousand dollars in counties
14 with at least twenty-five thousand inhabitants but fewer than fifty
15 thousand inhabitants, (d) fifteen new employees and new investment
16 of one million dollars in counties with at least fifty thousand
17 inhabitants but fewer than one hundred thousand inhabitants, (e)
18 twenty new employees and new investment of one million five hundred
19 thousand dollars in counties with at least one hundred thousand
20 inhabitants but fewer than two hundred thousand inhabitants, (f)
21 twenty-five new employees and new investment of two million dollars
22 in counties with at least two hundred thousand inhabitants but
23 fewer than four hundred thousand inhabitants, or (g) thirty new
24 employees and new investment of three million dollars in counties
25 with at least four hundred thousand inhabitants. Any business
26 that has one hundred thirty-five thousand square feet or more and
27 annual gross sales of ten million dollars or more shall provide an
1 employer-provided health benefit of at least three thousand dollars
2 annually to all new employees who are working thirty hours per week
3 or more on average and have been employed at least six months. In
4 making such determination, the governing body may rely upon written
5 undertakings provided by any owner of property within such area.

6 (3) Upon designation of an enhanced employment area
7 under this section, a city may levy a general business occupation
8 tax upon the businesses and users of space within such enhanced
9 employment area for the purpose of paying all or any part of
10 the costs and expenses of authorized work within such enhanced
11 employment area. ~~For purposes of the tax imposed under this~~
12 ~~section, the governing body may make a reasonable classification~~
13 ~~of businesses, users of space, or kinds of transactions. After the~~
14 ~~effective date of this act, any occupation tax imposed pursuant to~~
15 this section shall make a reasonable classification of businesses,
16 users of space, or kinds of transactions for purposes of imposing
17 such tax, except that no occupation tax shall be imposed on any
18 transaction which is subject to tax under section 53-160, 66-489,
19 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008 or
20 which is exempt from tax under section 77-2704.24. The collection
21 of a tax imposed pursuant to this section shall be made and
22 enforced in such a manner as the governing body shall by ordinance
23 determine to produce the required revenue. The governing body
24 may provide that failure to pay the tax imposed pursuant to
25 this section shall constitute a violation of the ordinance and
26 subject the violator to a fine or other punishment as provided by
27 ordinance. Any occupation tax levied by the city under this section
1 shall remain in effect so long as the city has bonds outstanding
2 which have been issued under the authority of this section and are
3 secured by such occupation tax or that state such occupation tax
4 as an available source for payment. The total amount of occupation
5 taxes levied shall not exceed the total costs and expenses of
6 the authorized work including the total debt service requirements
7 of any bonds the proceeds of which are expended for or allocated
8 to such authorized work. The assessments or taxes levied must be
9 specified by ordinance and the proceeds shall not be used for any
10 purpose other than the making of such improvements and for the
11 repayment of bonds issued in whole or in part for the financing
12 of such improvements. The authority to levy the general business
13 occupation tax contained in this section and the authority to issue
14 bonds secured by or payable from such occupation tax shall be
15 independent of and separate from any occupation tax referenced in
16 section 18-2103.

17 (4) A city may issue revenue bonds for the purpose of
18 defraying the cost of authorized work and to secure the payment
19 of such bonds with the occupation tax revenue described in this
20 section. Such revenue bonds may be issued in one or more series
21 or issues where deemed advisable, and each such series or issue
22 may contain different maturity dates, interest rates, priorities
23 on revenue available for payment of such bonds and priorities on
24 securities available for guaranteeing payment thereof, and such
25 other differing terms and conditions as are deemed necessary. The
26 following shall apply to any such bonds:

27 (a) Such bonds shall be limited obligations of the city.

1 Bonds and interest on such bonds, issued under the authority of
 2 this section, shall not constitute nor give rise to a pecuniary
 3 liability of the city or a charge against its general credit or
 4 taxing powers. Such limitation shall be plainly stated upon the
 5 face of each of such bonds;

6 (b) Such bonds may (i) be executed and delivered at any
 7 time and from time to time, (ii) be in such form and denominations,
 8 (iii) be of such tenor, (iv) be payable in such installments and
 9 at such time or times not exceeding twenty years from their date,
 10 (v) be payable at such place or places, (vi) bear interest at such
 11 rate or rates, payable at such place or places, and evidenced in
 12 such manner, (vii) be redeemable prior to maturity, with or without
 13 premium, and (viii) contain such provisions as shall be deemed in
 14 the best interest of the city and provided for in the proceedings
 15 of the governing body under which the bonds shall be authorized to
 16 be issued;

17 (c) The authorization, terms, issuance, execution, or
 18 delivery of such bonds shall not be subject to sections 10-101 to
 19 10-126; and

20 (d) Such bonds may be sold at public or private sale
 21 in such manner and at such time or times as may be determined
 22 by the governing body to be most advantageous. The city may
 23 pay all expenses, premiums, and commissions which the governing
 24 body may deem necessary or advantageous in connection with the
 25 authorization, sale, and issuance thereof from the proceeds or
 26 the sale of the bonds or from the revenue of the occupation tax
 27 described in this section.

1 Sec. 8. Section 19-4018, Reissue Revised Statutes of
 2 Nebraska, is amended to read:

3 19-4018 Pursuant to ~~sections 19-4015 to 19-4038~~ the
 4 Business Improvement District Act, cities of the metropolitan,
 5 primary, first, or second class may impose (1) a special assessment
 6 upon the property within a business improvement district in
 7 the city or (2) a general business ~~license and~~ occupation tax
 8 on businesses and users of space within a business improvement
 9 district. After the effective date of this act, any occupation
 10 tax imposed pursuant to this section shall make a reasonable
 11 classification of businesses, users of space, or kinds of
 12 transactions for purposes of imposing such tax, except that no
 13 occupation tax shall be imposed on any transaction which is subject
 14 to tax under section 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145,
 15 66-4,146, 77-2602, or 77-4008 or which is exempt from tax under
 16 section 77-2704.24. The proceeds or other available funds may be
 17 used for the purposes stated in section 19-4019.

18 Sec. 9. Section 19-4031, Reissue Revised Statutes of
 19 Nebraska, is amended to read:

20 19-4031 (1) In addition to or in place of the special
 21 assessments authorized by ~~sections 19-4015 to 19-4038~~, the Business
 22 Improvement District Act, a city may levy a general business

23 occupation tax upon the businesses and users of space within
 24 a district established for acquiring, constructing, maintaining
 25 or operating public offstreet parking facilities and providing
 26 in connection therewith other public improvements and facilities
 27 authorized by ~~sections 19-4015 to 19-4038, the Business Improvement~~
 1 District Act, for the purpose of paying all or any part of the
 2 total cost and expenses of any authorized improvement or facility
 3 within such district. Notice of a hearing on any such tax levied
 4 under ~~sections 19-4015 to 19-4038, the Business Improvement District~~
 5 Act shall be given to the businesses and users of space of such
 6 districts, and appeals may be taken, all in the manner provided in
 7 section 19-4030.

8 (2) ~~For the purposes of the tax to be imposed under this~~
 9 ~~section, the city council may make a reasonable classification of~~
 10 ~~businesses or users of space. After the effective date of this act,~~
 11 any occupation tax imposed pursuant to this section shall make a
 12 reasonable classification of businesses, users of space, or kinds
 13 of transactions for purposes of imposing such tax, except that no
 14 occupation tax shall be imposed on any transaction which is subject
 15 to tax under section 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145,
 16 66-4,146, 77-2602, or 77-4008 or which is exempt from tax under
 17 section 77-2704.24. The collection of a tax imposed pursuant to
 18 this section shall be made and enforced in such a manner as the
 19 city council shall by ordinance determine to produce the required
 20 revenue. The city council may provide that failure to pay the
 21 tax imposed pursuant to this section shall constitute a violation
 22 of the ordinance and subject the violator to a fine or other
 23 punishment as provided by ordinance.

24 Sec. 10. Section 19-4034, Reissue Revised Statutes of
 25 Nebraska, is amended to read:

26 19-4034 A city may levy a general business occupation
 27 tax, or a special assessment against the real estate located
 1 in a district to the extent of special benefit to such real
 2 estate, for the purpose of paying all or any part of the
 3 cost of maintenance, repair, and reconstruction, including utility
 4 costs of any improvement or facility in the district. Districts
 5 created for taxation or assessment of maintenance, repair, and
 6 reconstruction costs, including utility costs of improvements or
 7 facilities which are authorized by ~~sections 19-4015 to 19-4038,~~
 8 the Business Improvement District Act, but which were not acquired
 9 or constructed pursuant to ~~sections 19-4015 to 19-4038, the act,~~
 10 may be taxed or assessed as provided in ~~sections 19-4015 to~~
 11 ~~19-4038, the act.~~ Any occupation tax levied under this section
 12 shall be limited to those improvements and facilities authorized
 13 by section 19-4030. After the effective date of this act, any
 14 occupation tax imposed pursuant to this section shall make a
 15 reasonable classification of businesses, users of space, or kinds
 16 of transactions for purposes of imposing such tax, except that
 17 no occupation tax shall be imposed on any transaction which is

18 subject to tax under section 53-160, 66-489, 66-489.02, 66-4,140,
 19 66-4,145, 66-4,146, 77-2602, or 77-4008 or which is exempt from tax
 20 under section 77-2704.24. The city council may levy such taxes or
 21 assessments under either of the following methods:

22 (1) The city council, sitting as a board of equalization,
 23 may, not more frequently than annually, determine the costs of
 24 maintenance or repair, and reconstruction, of a facility. Such
 25 costs shall be either assessed to the real estate located in such
 26 district in accordance with the proposed method of assessment, or
 27 taxed against the businesses and users of space in the district,
 1 whichever may be applicable as determined by the ordinance creating
 2 the district. However, if the city council finds that the method
 3 of assessment proposed in the ordinance creating the district does
 4 not provide a fair and equitable method of apportioning such costs,
 5 then it may assess the costs under such method as the city council
 6 finds to be fair and equitable. At the hearing on such taxes or
 7 assessments, objections may be made to the total cost and the
 8 proposed allocation of such costs among the parcels of real estate
 9 or businesses in such district; or

10 (2) After notice is given to the owners or businesses
 11 as provided in section 19-4030 the city council may establish and
 12 may change from time to time, the percentage of such costs for
 13 maintenance, repair, and reconstruction which each parcel of real
 14 estate or each business or user of space in any district shall pay.
 15 The city council shall annually determine the total amount of such
 16 costs for each period since costs were last taxed or assessed, and
 17 shall, after a hearing, tax or assess such costs to the real estate
 18 in the district in accordance with the percentages previously
 19 established at such hearing. Notice of such hearing shall be given
 20 as provided in section 19-4030 and shall state the total costs and
 21 percentage to be taxed or assessed to each parcel of real estate.
 22 Unless objections are filed with the city clerk at least five days
 23 before the hearing, all objections to the amount of total costs and
 24 the assessment percentages should be deemed to have been waived and
 25 the assessments shall be levied as stated in such notice except
 26 that the city council may reduce any assessment percentage.

27 2. On page 1, line 17; page 4, lines 9 and 26; page 5,
 1 line 19; and page 6, line 11, after "77-4008" insert "or which is
 2 exempt from tax under section 77-2704.24".

3 3. Renumber the remaining section and correct the
 4 repealer accordingly.

The B. Harr-Krist amendment was adopted with 31 ayes, 0 nays, 13 present
 and not voting, and 5 excused and not voting.

Senator Krist offered the following amendment:

FA203

Add the Emergency Clause: "Since an emergency exists, this act takes effect
 when passed and approved according to law."

The Krist amendment was adopted with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 671. ER142, found on page 662, was adopted.

Senator Davis offered the following amendment:

AM2138

- 1 1. Strike original section 4 and all amendments thereto.
- 2 2. On page 2, lines 3, 4, 6, 7, and 15, strike the new
- 3 matter and reinstate the stricken matter; and after line 16 insert
- 4 the following new subsection:
- 5 "~~(4) A person shall not use dogs to hunt or chase~~
- 6 mountain lions.".

Senator Davis withdrew his amendment.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 402. ER92, found on page 1195, First Session, 2013, was adopted.

Senator Mello offered his amendment, AM1237, found on page 1290, First Session, 2013.

The Mello amendment was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

Senator Schilz withdrew his amendment, AM1364, found on page 1461, First Session, 2013.

Advanced to Enrollment and Review for Engrossment.

RESOLUTION

LEGISLATIVE RESOLUTION 463. Introduced by Chambers, 11.

WHEREAS, the United States Department of Agriculture is proposing a rule to allow the importation of fresh and chilled beef from fourteen specified states in Brazil.

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

1. That the Legislature urges the United States Department of Agriculture to adopt its proposed rule entitled "Importation of Beef from a Region in Brazil" and to allow the importation of fresh and chilled beef from fourteen specified states in Brazil.

2. That a copy of this resolution be sent to President Barack Obama, to United States Secretary of Agriculture Tom Vilsack, and to each member of the Nebraska congressional delegation.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR463 was referred to the Reference Committee.

AMENDMENT - Print in Journal

Senator Bolz filed the following amendment to LB901:
AM2107

(Amendments to E & R amendments, ER143)

- 1 1. Insert the following new sections:
- 2 Sec. 2. Sections 2 to 6 of this act shall be known and
- 3 may be cited as the Nebraska Mental Health First Aid Training Act.
- 4 Sec. 3. The Legislature finds that:
- 5 (1) National statistics show that one in four Americans
- 6 will face a mental illness in his or her lifetime;
- 7 (2) Mental health first aid builds an understanding
- 8 of how mental illness affects Nebraskans, provides an overview
- 9 of common treatments, and teaches basic skills for providing
- 10 assistance to a person who may be developing symptoms or
- 11 experiencing a crisis; and
- 12 (3) A mental health first aid program is an education
- 13 program recognized on the Substance Abuse and Mental Health
- 14 Services Administration's National Registry of Evidence-based
- 15 Programs and Practices.
- 16 Sec. 4. For purposes of the Nebraska Mental Health First
- 17 Aid Training Act, mental health first aid means the help provided
- 18 to a person who is experiencing a mental health or substance
- 19 abuse problem or in a mental health crisis before appropriate
- 20 professional assistance or other supports are secured.
- 21 Sec. 5. (1) The Division of Behavioral Health of the
- 22 Department of Health and Human Services shall establish a mental
- 1 health first aid training program to help the public identify
- 2 and understand the signs of a mental illness or substance abuse
- 3 problem or a mental health crisis and to provide the public with
- 4 skills to help a person who is developing or experiencing a mental
- 5 health or substance abuse problem or a mental health crisis and
- 6 to de-escalate crisis situations if needed. The training program
- 7 shall provide an interactive mental health first aid training
- 8 course administered by the state's regional behavioral health
- 9 authorities. Instructors in the training program shall be certified
- 10 by a national authority for Mental Health First Aid USA or a
- 11 similar organization. The training program shall work cooperatively

12 with local entities to provide training for individuals to become
 13 instructors.

14 (2) The mental health first aid training program shall
 15 be designed to train individuals to accomplish the following
 16 objectives as deemed appropriate considering the trainee's age:

17 (a) Help the public identify, understand, and respond to
 18 the signs of mental illness and substance abuse;

19 (b) Emphasize the need to reduce the stigma of mental
 20 illness; and

21 (c) Assist a person who is believed to be developing or
 22 has developed a mental health or substance abuse problem or who is
 23 believed to be experiencing a mental health crisis.

24 Sec. 6. The Department of Health and Human Services
 25 shall ensure that evaluative criteria are established which measure
 26 the efficacy of the training program, including trainee feedback,
 27 with the objective of helping the public identify, understand, and
 1 respond to the signs of mental illness and alcohol and substance
 2 abuse. The department shall submit an annual report electronically
 3 to the Legislature on trainee demographics and outcomes of the
 4 established criteria.

5 Sec. 7. The behavioral health regions established
 6 pursuant to section 71-807 shall offer services to and work with
 7 agencies and organizations, including, but not limited to, schools,
 8 universities, colleges, the State Department of Education, the
 9 Department of Veterans' Affairs, law enforcement agencies, and
 10 local health departments, to develop a program that offers grants
 11 to implement the Nebraska Mental Health First Aid Training Act in
 12 ways that are representative and inclusive with respect to the
 13 economic and cultural diversity of this state.

14 Sec. 8. It is the intent of the Legislature to
 15 appropriate one hundred thousand dollars annually to the Department
 16 of Health and Human Services to carry out the Nebraska Mental
 17 Health First Aid Training Act.

18 2. Renumber the remaining section accordingly.

GENERAL FILE

LEGISLATIVE BILL 132. Title read. Considered.

Committee AM1802, found on page 498, was offered.

Senator Scheer offered his amendment, AM2116, found on page 685, to the committee amendment.

Senator Karpisek moved the previous question. The question is, "Shall the debate now close?"

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

Senator Chambers requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 26:

Adams	Cook	Harms	McGill	Watermeier
Avery	Crawford	Howard	Mello	Wightman
Bolz	Dubas	Karpisek	Nordquist	
Campbell	Gloor	Kolowski	Seiler	
Coash	Haar, K.	Krist	Sullivan	
Conrad	Hadley	Lathrop	Wallman	

Voting in the negative, 18:

Bloomfield	Christensen	Johnson	Nelson	Schumacher
Brasch	Davis	Kintner	Pirsch	Smith
Carlson	Garrett	McCoy	Scheer	
Chambers	Hansen	Murante	Schilz	

Absent and not voting, 1:

Janssen

Excused and not voting, 4:

Ashford	Harr, B.	Larson	Lautenbaugh
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The motion to cease debate prevailed with 26 ayes, 18 nays, 1 absent and not voting, and 4 excused and not voting.

Senator Scheer requested a roll call vote on his amendment.

Voting in the affirmative, 18:

Bloomfield	Garrett	McCoy	Scheer	Smith
Brasch	Hansen	Murante	Schilz	Wallman
Carlson	Kintner	Nelson	Schumacher	
Christensen	Krist	Pirsch	Seiler	

Voting in the negative, 18:

Adams	Conrad	Gloor	Karpisek	Nordquist
Avery	Cook	Haar, K.	Kolowski	Sullivan
Campbell	Crawford	Howard	Lathrop	
Coash	Dubas	Johnson	McGill	

Present and not voting, 8:

Bolz	Davis	Harms	Watermeier
Chambers	Hadley	Mello	Wightman

Absent and not voting, 1:

Janssen

Excused and not voting, 4:

Ashford	Harr, B.	Larson	Lautenbaugh
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The Scheer amendment lost with 18 ayes, 18 nays, 8 present and not voting, 1 absent and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Scheer offered the following amendment to the committee amendment:

AM2141

(Amendments to Standing Committee amendments, AM1802)

- 1 1. On page 2, strike beginning with "has" in line 18
- 2 through "state" in line 20 and insert "is accompanied by a parent
- 3 or legal guardian".
- 4 2. On page 3, strike beginning with the first "a" in line
- 5 2 through "state" in line 3 and insert "being accompanied by a
- 6 parent or legal guardian".
- 7 3. On page 4, line 4, strike "a"; and strike line 5
- 8 and insert "being accompanied by the person's parent or legal
- 9 guardian".

Pending.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR463	Agriculture

(Signed) John Wightman, Chairperson
Executive Board

AMENDMENTS - Print in Journal

Senator Brasch filed the following amendment to LR42:

AM1682

- 1 1. Strike the tenth WHEREAS paragraph and insert
- 2 "WHEREAS, H.J. Res. 50 was introduced in the United
- 3 States House of Representatives during the first session of the

4 113th Congress to provide for an amendment to the Constitution
5 of the United States to prevent erosion of the enduring American
6 tradition of treating parental rights as fundamental rights, and
7 the legislation states:
8 "SECTION 1. The liberty of parents to direct the
9 upbringing, education, and care of their children is a fundamental
10 right.
11 "SECTION 2. The parental right to direct education
12 includes the right to choose public, private, religious, or home
13 schools, and the right to make reasonable choices within public
14 schools for one's child.
15 "SECTION 3. Neither the United States nor any State shall
16 infringe these rights without demonstrating that its governmental
17 interest as applied to the person is of the highest order and not
18 otherwise served.
19 "SECTION 4. This article shall not be construed to apply
20 to a parental action or decision that would end life.
21 "SECTION 5. No treaty may be adopted nor shall any source
22 of international law be employed to supersede, modify, interpret,
23 or apply to the rights guaranteed by this article."; and".

Senator Coash filed the following amendment to LB920:
AM2098 is available in the Bill Room.

VISITORS

Visitors to the Chamber were Senator Bolz's mother, Pam Eisenhower, from Sterling, aunt, Valerie Sturdy, from Palmyra, and cousin, Mikayla Roeder, from Bennet; 81 state fair poster contest winners, teachers, and sponsors from across the state; 12 twelfth-grade students and teachers from Johnson-Brock; 40 members from Leadership Scotts Bluff, Gering United Chamber, Leadership Cheyenne County, and Cheyenne County Chamber; Robert and Cynthia Milligan from Lincoln, Jennie, Jonathan, Liberty, Abigail, and Hope Milligan from Omaha; Senator K. Haar's brother and nephew, David and Tim Haar, from Omaha; Nelson Marakalu from Kenya, Mustafa Pala from Turkey, Nataliia Zadorozhna from Ukraine, Isabella Comas from Venezuela, and Lisa Lee of the Lincoln Council for International Visitors.

The Doctor of the Day was Dr. Jason Citta from North Platte.

ADJOURNMENT

At 11:53 a.m., on a motion by Senator Conrad, the Legislature adjourned until 10:00 a.m., Tuesday, March 4, 2014.

Patrick J. O'Donnell
Clerk of the Legislature