

SEVENTH DAY - JANUARY 16, 2014
LEGISLATIVE JOURNAL
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 16, 2014

PRAYER

The prayer was offered by Reverend Jack Sample, Retired Pastor of Wood River Church, now residing in Grand Island.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Heidemann presiding.

The roll was called and all members were present except Senator Coash who was excused; and Senators Ashford, Christensen, Conrad, Kolowski, Krist, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

MESSAGE FROM THE GOVERNOR

January 15, 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 Board of Trustees of the Nebraska State Colleges:

Jess D. Zeiss, 1517 S. 109 Street, Omaha, NE 68144

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

GENERAL FILE

LEGISLATIVE BILL 399. Title read. Considered.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 933. Introduced by McGill, 26.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-830 and 28-831, Revised Statutes Supplement, 2013; to change provisions and redefine terms relating to labor trafficking and sex trafficking; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 934. Introduced by McGill, 26.

A BILL FOR AN ACT relating to human trafficking; to amend section 81-1431, Revised Statutes Cumulative Supplement, 2012, and section 81-1430, Revised Statutes Supplement, 2013; to change provisions relating to a task force and provide a termination date; to establish within the Nebraska Commission on Law Enforcement and Criminal Justice the position of Coordinator of Human Trafficking Prevention; to provide duties for the coordinator and powers and duties for the executive director of the commission; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 935. Introduced by Gloor, 35; Dubas, 34; Sullivan, 41.

A BILL FOR AN ACT relating to state government; to require legislative approval to move state services between jurisdictions.

LEGISLATIVE BILL 936. Introduced by Bolz, 29; Campbell, 25; Lathrop, 12.

A BILL FOR AN ACT relating to state wards; to create and provide duties for the State Ward Permanency Pilot Project; to provide for collection of data and reports; to provide for termination; and to state intent relating to fund transfers and appropriations.

LEGISLATIVE BILL 937. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to counties; to amend section 23-277, Reissue Revised Statutes of Nebraska; to change a quorum requirement; and to repeal the original section.

LEGISLATIVE BILL 938. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2012; to provide an income tax credit to individuals who pay a federal penalty relating to health insurance; to provide an operative date; and to repeal the original section.

COMMITTEE REPORT

Urban Affairs

LEGISLATIVE BILL 404. Placed on General File with amendment. AM1642 is available in the Bill Room.

(Signed) Amanda McGill, Chairperson

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

Room 1507

Monday, January 27, 2014 1:30 p.m.

LB815
LB819
LB717
LB684
LB685

Tuesday, January 28, 2014 1:30 p.m.

LB755
LB700
LB715
LB688
LB799

(Signed) Mike Gloor, Chairperson

GENERAL FILE

LEGISLATIVE BILL 399. Senator Chambers offered the following amendment:

FA163

Page 3, line 3, place a period after "department" and strike remaining matter.

SENATOR GLOOR PRESIDING

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

The Chambers amendment was adopted with 30 ayes, 9 nays, 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 939. Introduced by Wallman, 30.

A BILL FOR AN ACT relating to the Motor Vehicle Safety Responsibility Act; to amend sections 60-524 and 60-569, Reissue Revised Statutes of Nebraska; to create the offense of false presentation; to provide a penalty; to require proof of financial responsibility as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 940. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Supplement, 2013; to create a fund; to transfer funds; and to repeal the original section.

LEGISLATIVE BILL 941. Introduced by Schilz, 47; Brasch, 16; Davis, 43; Johnson, 23; Watermeier, 1.

A BILL FOR AN ACT relating to agriculture; to amend section 54-857, Revised Statutes Cumulative Supplement, 2012; to provide for a dairy growth study and funding for the study; and to repeal the original section.

LEGISLATIVE BILL 942. Introduced by Schilz, 47; Watermeier, 1.

A BILL FOR AN ACT relating to agriculture; to amend sections 54-2604, 54-2605, and 54-2606, Reissue Revised Statutes of Nebraska; to change provisions relating to packers under the Competitive Livestock Markets Act;

to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 943. Introduced by Nordquist, 7; Ashford, 20; Chambers, 11; Conrad, 46; Cook, 13; Crawford, 45; Dubas, 34; K. Haar, 21; B. Harr, 8; Howard, 9; Kolowski, 31; Lathrop, 12; Mello, 5; Wallman, 30.

A BILL FOR AN ACT relating to labor; to amend section 48-1203, Reissue Revised Statutes of Nebraska; to change the minimum wage rate; and to repeal the original section.

LEGISLATIVE BILL 944. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to state intent relating to funding for an early childhood program and consultation services as prescribed; and to harmonize provisions.

LEGISLATIVE BILL 945. Introduced by Davis, 43; Avery, 28; Scheer, 19; Wallman, 30.

A BILL FOR AN ACT relating to the Governor's Emergency Program; to amend section 81-829.42, Revised Statutes Cumulative Supplement, 2012; to provide additional procedures for aid for political subdivisions; and to repeal the original section.

LEGISLATIVE BILL 946. Introduced by Murante, 49.

A BILL FOR AN ACT relating to elections; to amend sections 10-703.01, 32-209, 32-210, 32-405, 32-608, 32-953, 32-956, 32-957, and 32-1202, Reissue Revised Statutes of Nebraska, and section 32-208, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to wages paid to counting board members, election commissioners, chief deputy election commissioners, special elections, filing fees, special elections by mail, and election expenses chargeable to political subdivisions; and to repeal the original sections.

LEGISLATIVE BILL 947. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to labor; to amend sections 48-1203 and 48-1205, Reissue Revised Statutes of Nebraska; to change the minimum wage for persons compensated by way of gratuities; to provide duties for the Commissioner of Labor; and to repeal the original sections.

GENERAL FILE

LEGISLATIVE BILL 399. Senator Schumacher offered the following amendment:

FA164

Strike the new language and in its place insert "or (h) any motor vehicle when operated by a registered volunteer member of a public safety or crime

prevention organization which has been authorized to use such light or lights under such terms and conditions and within such area as determined by the county attorney of the county where the use occurs. A registered volunteer member is a person approved by a majority of the membership of the organization and who registers with the county attorney."

SENATOR HOWARD PRESIDING

Senator Chambers offered the following amendment to the Schumacher amendment:

FA166

Amend FA164

In line 1 after "operated" insert "lawfully."

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 948. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-124.12, Revised Statutes Cumulative Supplement, 2012; to change a fee for catering licenses; and to repeal the original section.

LEGISLATIVE BILL 949. Introduced by Business and Labor Committee: Lathrop, 12, Chairperson; Ashford, 20; B. Harr, 8; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

LEGISLATIVE BILL 950. Introduced by Business and Labor Committee: Lathrop, 12, Chairperson; Ashford, 2 ; B. Harr, 8; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

LEGISLATIVE BILL 951. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-139, Reissue Revised Statutes of Nebraska; to change provisions relating to lump-sum settlements; and to repeal the original section.

LEGISLATIVE BILL 952. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to schools; to adopt the Working to Improve Nebraska Schools Act; and to provide severability.

LEGISLATIVE BILL 953. Introduced by Howard, 9.

A BILL FOR AN ACT relating to insurance; to amend section 77-912, Revised Statutes Cumulative Supplement, 2012; to adopt the Health Information Initiative Act; to provide funding; to provide operative dates; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 954. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,230, Reissue Revised Statutes of Nebraska; to change rotating or flashing light provisions; and to repeal the original section.

LEGISLATIVE BILL 955. Introduced by Dubas, 34; Conrad, 46; Cook, 13; Howard, 9; McGill, 26; Nordquist, 7.

A BILL FOR AN ACT relating to employment; to adopt the Paid Family Medical Leave Act; and to provide an operative date.

LEGISLATIVE BILL 956. Introduced by Conrad, 46; Cook, 13; Dubas, 34; Howard, 9; Lathrop, 12; McGill, 26; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2012; to increase the earned income tax credit; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 957. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to oil and gas leases; to amend section 57-218, Reissue Revised Statutes of Nebraska; to make certain exploration findings a public record; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 958. Introduced by Cook, 13.

A BILL FOR AN ACT relating to education; to provide for appointment of a student achievement coordinator; and to provide duties.

RESOLUTION

LEGISLATIVE RESOLUTION 408. Introduced by Schilz, 47; Brasch, 16; Janssen, 15; Larson, 40; Lautenbaugh, 18; Murante, 49; Smith, 14.

WHEREAS, Melvin Meierhenry of Lincoln, Nebraska, celebrated his 83rd birthday on September 28, 2013; and

WHEREAS, the celebration of this milestone is worthy of recognition by the Legislature.

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

1. That the Legislature congratulates Melvin Meierhenry on the occasion of his 83rd birthday.
2. That a copy of this resolution be sent to Melvin Meierhenry.

Laid over.

UNANIMOUS CONSENT - Add Cointroducers

Senator Mello asked unanimous consent to add his name as cointroducer to LB867 and LB932. No objections. So ordered.

Senator Watermeier asked unanimous consent to add his name as cointroducer to LB845. No objections. So ordered.

Senator Hadley asked unanimous consent to add his name as cointroducer to LB829. No objections. So ordered.

Senators Ashford and Cook asked unanimous consent to add their names as cointroducers to LB932. No objections. So ordered.

RECESS

At 11:53 a.m., on a motion by Speaker Adams, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senator Coash who was excused; and Senators Ashford, Avery, Campbell, Conrad, Davis, Dubas, Karpisek, Krist, McGill, and Sullivan who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB902	Revenue
LB903	Business and Labor
LB904	Appropriations
LB905	Appropriations
LB906	Appropriations
LB907	Judiciary
LB908	Judiciary
LB909	Executive Board
LB910	Transportation and Telecommunications
LB911	Transportation and Telecommunications
LB912	Revenue
LB913	Revenue
LB914	General Affairs
LB915	Urban Affairs
LB916	Health and Human Services
LB917	Executive Board
LB918	Nebraska Retirement Systems
LB919	Government, Military and Veterans Affairs
LB920	Judiciary
LB921	Judiciary
LB922	Revenue
LB923	Education
LB924	Urban Affairs
LB925	Transportation and Telecommunications
LB926	Banking, Commerce and Insurance
LB927	Judiciary
LB928	Judiciary
LB929	Nebraska Retirement Systems
LB930	Transportation and Telecommunications
LB931	Health and Human Services
LB932	Business and Labor

(Signed) John Wightman, Chairperson
Executive Board

GENERAL FILE

LEGISLATIVE BILL 399. The Chambers amendment, FA166, found in this day's Journal, to the Schumacher amendment, was renewed.

Senator Chambers moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

The Chambers amendment lost with 6 ayes, 21 nays, 14 present and not

voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO112

Reconsider the vote taken on FA166.

Senator Chambers moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Chambers requested a roll call vote on his motion to reconsider.

Voting in the affirmative, 11:

Ashford	Conrad	Harr, B.	Sullivan
Chambers	Cook	Kintner	Wallman
Christensen	Haar, K.	Lathrop	

Voting in the negative, 34:

Adams	Crawford	Harms	Lautenbaugh	Scheer
Avery	Davis	Howard	McCoy	Schilz
Bloomfield	Dubas	Janssen	Mello	Schumacher
Bolz	Garrett	Johnson	Murante	Seiler
Brasch	Gloor	Karpisek	Nelson	Smith
Campbell	Hadley	Kolowski	Nordquist	Wightman
Carlson	Hansen	Krist	Pirsch	

Excused and not voting, 4:

Coash	Larson	McGill	Watermeier
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The Chambers motion to reconsider failed with 11 ayes, 34 nays, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the Schumacher amendment:

FA167

Amend FA164

In line 1, after "operated" insert "unlawfully".

Senator Chambers moved for a call of the house. The motion prevailed with 25 ayes, 1 nay, and 23 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 32:

Adams	Crawford	Harms	Lautenbaugh	Seiler
Avery	Davis	Janssen	McCoy	Smith
Brasch	Dubas	Johnson	Murante	Sullivan
Campbell	Garrett	Karpisek	Nelson	Wightman
Carlson	Gloor	Kintner	Pirsch	
Christensen	Hadley	Krist	Scheer	
Cook	Hansen	Lathrop	Schumacher	

Present and not voting, 10:

Ashford	Bolz	Conrad	Harr, B.	Kolowski
Bloomfield	Chambers	Haar, K.	Howard	Wallman

Excused and not voting, 7:

Coash	McGill	Nordquist	Watermeier
Larson	Mello	Schilz	

The Chambers amendment lost with 0 ayes, 32 nays, 10 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 959. Introduced by Carlson, 38; Brasch, 16; Christensen, 44; Schilz, 47.

A BILL FOR AN ACT relating to water storage reservoirs; to amend sections 46-241, 46-242, and 46-2,119, Reissue Revised Statutes of Nebraska; to provide a permit application exemption; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 960. Introduced by Carlson, 38; Christensen, 44.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2005, 77-2006, and 77-2040, Reissue Revised Statutes of Nebraska; to change inheritance tax rates; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 961. Introduced by Cook, 13.

A BILL FOR AN ACT relating to workers' compensation; to amend sections 48-103, 48-127, and 48-148, Reissue Revised Statutes of Nebraska; to waive workers' compensation as the exclusive remedy if an employer is willfully negligent; and to repeal the original sections.

LEGISLATIVE BILL 962. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1556, Reissue Revised Statutes of Nebraska; to change provisions relating to personal property exemptions in cases of attachment, execution, or sale; and to repeal the original section.

LEGISLATIVE BILL 963. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1552, Reissue Revised Statutes of Nebraska; to change provisions relating to personal property exemptions in cases of forced sale on execution; and to repeal the original section.

LEGISLATIVE BILL 964. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to homesteads; to amend section 40-102, Revised Statutes Cumulative Supplement, 2012; to provide a homestead exemption for claimants under sixty-five years of age and not married; and to repeal the original section.

SENATOR KRIST PRESIDING

GENERAL FILE

LEGISLATIVE BILL 399. Senator Schumacher withdrew his amendment, FA164, found in this day's Journal.

Senator Chambers offered the following amendment:

FA165

Page 3, line 2, after the comma insert "or".

Senator Chambers moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The Chambers amendment was adopted with 39 ayes, 0 nays, 2 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 965. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to power districts and corporations; to amend section 70-1501, Reissue Revised Statutes of Nebraska, and sections 70-1001 and 70-1014, Revised Statutes Cumulative Supplement, 2012; to change declarations of public policy relating to the provision of electric service; to define a term; to change required findings by the Nebraska Power Review Board; and to repeal the original sections.

LEGISLATIVE BILL 966. Introduced by Davis, 43; Avery, 28; Scheer, 19; Smith, 14; Wallman, 30.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1007.18, Revised Statutes Supplement, 2013; to change provisions relating to the averaging adjustment; and to repeal the original section.

LEGISLATIVE BILL 967. Introduced by Education Committee: Sullivan, 41, Chairperson; Avery, 28; Cook, 13; Davis, 43; K. Haar, 21; Kolowski, 31; Scheer, 19; Seiler, 33.

A BILL FOR AN ACT relating to schools; to amend section 79-1101, Reissue Revised Statutes of Nebraska, sections 79-1011 and 79-1012, Revised Statutes Cumulative Supplement, 2012, and sections 9-812, 79-1003, 79-1007.11, 79-1007.23, 79-1007.25, 79-1017.01, 79-1028.01, and 79-2306, Revised Statutes Supplement, 2013; to change allocations from the Education Innovation Fund; to change provisions relating to certain allowances pursuant to the Tax Equity and Educational Opportunities Support Act; to provide for support payments relating to consolidations; to change provisions relating to local system formula resources and intent relating to early childhood education programs; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 968. Introduced by Scheer, 19.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-727, Reissue Revised Statutes of Nebraska; to provide additional powers for certain districts subject to municipal approval; and to repeal the original section.

RESOLUTIONS

LEGISLATIVE RESOLUTION 409. Introduced by Carlson, 38.

WHEREAS, America's electric energy is generated by thousands of individual power plants connected to a complex electrical grid consisting of over 5 million miles of transmission and distribution lines that deliver energy to homes, businesses, hospitals, churches, and schools throughout the country; and

WHEREAS, the nationwide electrical grid must be maintained and operated 24 hours a day, 7 days a week, and 365 days a year despite inclement weather, hurricanes, tornadoes, floods, and other hazards; and

WHEREAS, Nebraska's lineworkers have demonstrated outstanding skill and dedication and have won numerous awards by participating in various lineworker competitions, most notably the annual Nebraska Lineworkers' Rodeo at the Nebraska State Fair; and

WHEREAS, the hardworking men and women of Nebraska who risk their lives daily in extremely dangerous situations to ensure the reliable delivery of electric energy to all citizens of the state are deserving of our respect, gratitude, and honor.

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

1. That the Legislature expresses its appreciation to all of Nebraska's hard-working lineworkers.
2. That the Legislature recognizes August 26, 2014, as "Lineworker Appreciation Day" in Nebraska.

Laid over.

LEGISLATIVE RESOLUTION 410. Introduced by Carlson, 38; Brasch, 16; Christensen, 44; Dubas, 34; Johnson, 23; Kolowski, 31; Schilz, 47.

WHEREAS, Ron Bishop served as the general manager of the Central Platte Natural Resources District (NRD) since the formation of the NRDs in 1972 and until his retirement in June 2013; and

WHEREAS, Ron played a critical role in developing the role of the NRDs and the importance of natural resources conservation locally, state-wide, and nationally; and

WHEREAS, Ron provided leadership for the Central Platte NRD to build thirty flood control structures, clear over 500 miles of streams, and plant over 3.4 million trees; and

WHEREAS, Ron started the first ground water quality management program which reduced the nitrate contamination in the Central Platte NRD and is now a model used nationally; and

WHEREAS, Ron developed the first integrated water management plan in Nebraska to provide water for all users, sustain the state's water resources, and protect the local economy; and

WHEREAS, Ron provided the leadership for the first NRD to receive instream flow rights for fish and wildlife in Nebraska; and

WHEREAS, Ron's efforts have been instrumental to the success of the Central Platte NRD and Nebraska's NRDs to manage, conserve, and sustain our natural resources for future generations; and

WHEREAS, Ron was awarded numerous state and national awards for his leadership in soil, water, and wildlife conservation; and

WHEREAS, Ron Bishop passed away on January 13, 2014.

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

1. That the Legislature extends its sympathy to the family of Ron Bishop, and recognizes Ron's dedicated years of service to the State of Nebraska in protecting our natural resources.

2. That a copy of this resolution be sent to the family of Ron Bishop.

Laid over.

LEGISLATIVE RESOLUTION 411CA. Introduced by Karpisek, 32.

THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2014 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 6 to Article XI, and repeal Article XI, sections 2 to 5:

XI-6 Municipalities and counties are granted the power and authority, not inconsistent with the laws of this state, to determine their own local affairs and government. The Legislature shall determine which matters are those of statewide concern.

The Legislature may by law delegate its power so that matters of local concern are handled by municipalities and counties without the necessity of further action by the Legislature. The rule or proposition of law that a municipality or county possesses and can exercise only those powers granted in express words is not part of the law of this state.

Article XI, sections 2 to 5, of the Constitution of Nebraska are repealed.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to authorize municipalities and counties to exercise greater powers in matters of local concern, with the Legislature to determine which matters are of statewide concern, and to eliminate home rule charters.

For

Against.

NOTICE OF COMMITTEE HEARING

Revenue

Room 1524

Thursday, January 23, 2014 1:30 p.m.

LB697

LB733

LB867

(Signed) Galen Hadley, Chairperson

GENERAL FILE**LEGISLATIVE BILL 399.** Senator Lautenbaugh offered the following amendment:

FA170

On page 3 line 2 strike "such".

Senator Lautenbaugh withdrew his amendment.

Senator Lautenbaugh offered the following amendment:

FA169

On page 3 line 1 strike "such".

Senator Lautenbaugh withdrew his amendment.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 969. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to appropriations; to amend section 79-1145, Reissue Revised Statutes of Nebraska; to change a limitation on appropriations for special education programs and support services; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 970. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to public records; to amend section 84-712.01, Reissue Revised Statutes of Nebraska; to provide that certain votes of public officials are public record; and to repeal the original section.

LEGISLATIVE BILL 971. Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to insurance; to amend sections 44-6410 and 44-6411, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to stacking of coverage; and to repeal the original sections.

RESOLUTION**LEGISLATIVE RESOLUTION 412.** Introduced by Hansen, 42.

WHEREAS, November 2014 is National Family Caregivers Month; and

WHEREAS, about 250,000 people in Nebraska, 14 percent of the state's population, are 65 years of age and older, and that number is expected to increase in the next 20 years to 417,000 people, or 20 percent of the state's population in 2030; and

WHEREAS, an estimated 40,000 people in Nebraska, 2 percent of the state's population, are 85 years of age and older, and that number is expected to increase in the next 20 years to about 50,000 people, or 2.4 percent of the state's population in 2030; and

WHEREAS, it is estimated that 37,000 people in Nebraska have Alzheimer's disease, and this number is expected to increase to 44,000 people by 2025 with an expected 70 percent of the people with Alzheimer's disease and other forms of dementia living at home; and

WHEREAS, at least 20 percent of those persons 65 years of age and older need some level of assistance with the activities of daily living, and there are an estimated 220,000 adults in Nebraska providing paid and unpaid care to adult relatives or friends; and

WHEREAS, both unpaid family caregivers and paid caregivers work together to serve the daily living needs of seniors who live in their own homes; and

WHEREAS, the longer a senior is able to provide for his or her own care, the less the burden that is placed on public assistance offered by the state and federal governments.

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

1. That the Legislature recognizes the importance of caregiving and the caregiving profession and supports the private home health care industry and the efforts of family caregivers throughout Nebraska by encouraging individuals to provide care to family, friends, and neighbors.

2. That the Legislature encourages accessible and affordable care for seniors and supports the continuing review of state policies and current state programs which address the needs of seniors and their family caregivers.

3. That the Legislature encourages the Department of Health and Human Services to continue working to educate people in Nebraska on the impact of aging and the importance of knowing the options available to seniors when they need care to meet their personal needs.

4. That the Legislature recognizes November 2014 as Nebraska Caregivers Month and encourages citizens to participate in activities related to National Family Caregivers Month.

5. That a copy of this resolution be sent to the Department of Health and Human Services.

Laid over.

AMENDMENT - Print in Journal

Senator Schilz filed the following amendment to LB215:
AM1631

(Amendments to Standing Committee amendments, AM156)

- 1 1. Insert the following new amendment:
- 2 2. On page 2, line 22, after "facilities" insert
- 3 "or, with the advice of the visitors committee, make grants to
- 4 organizations to promote, encourage, and attract visitors to the
- 5 county to use the county's travel and tourism facilities, except
- 6 that no proceeds shall be granted to an organization to promote
- 7 parimutuel wagering".

GENERAL FILE

LEGISLATIVE BILL 399. Senator Lautenbaugh offered the following amendment:

FA171

Strike the new language and in its place insert "or (h)any motor vehicle when operated by a "volunteer member" of a public safety or crime prevention organization which has been authorized to use such light or lights under such terms and conditions and within such area as determined by the county attorney of the county where the use occurs. Such "volunteer members" shall be registered and authorized by the county attorney in the county where the use occurs, before they are allowed to display such lights.

Senator Lautenbaugh moved for a call of the house. The motion prevailed with 24 ayes, 0 nays, and 25 not voting.

Senator Lautenbaugh requested a roll call vote on his amendment.

Voting in the affirmative, 34:

Adams	Christensen	Haar, K.	Kintner	Pirsch
Ashford	Cook	Hadley	Kolowski	Scheer
Avery	Crawford	Hansen	Krist	Schilz
Bloomfield	Davis	Harms	Lautenbaugh	Seiler
Bolz	Dubas	Howard	McCoy	Smith
Brasch	Garrett	Johnson	Murante	Wightman
Carlson	Gloor	Karpisek	Nelson	

Voting in the negative, 0.

Present and not voting, 7:

Campbell Chambers	Conrad Lathrop	Schumacher Sullivan	Wallman
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Excused and not voting, 8:

Coash Harr, B.	Janssen Larson	McGill Mello	Nordquist Watermeier
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The Lautenbaugh amendment was adopted with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO113

Reconsider the vote taken on FA171.

The Chambers motion to reconsider failed with 2 ayes, 20 nays, 15 present and not voting, and 12 excused and not voting.

Pending.

NOTICE OF COMMITTEE HEARING
Health and Human Services

Room 1510

Wednesday, January 29, 2014 1:30 p.m.

LB887

(Signed) Kathy Campbell, Chairperson

COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 427. Placed on General File with amendment.
AM1587 is available in the Bill Room.

(Signed) Kathy Campbell, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Watermeier asked unanimous consent to add his name as cointroducer to LB826. No objections. So ordered.

Senator Smith asked unanimous consent to add his name as cointroducer to LR410. No objections. So ordered.

Senator Brasch asked unanimous consent to add her name as cointroducer to LB945. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. Dale Michels from Lincoln.

ADJOURNMENT

At 4:54 p.m., on a motion by Senator Sullivan, the Legislature adjourned until 9:00 a.m., Friday, January 17, 2014.

Patrick J. O'Donnell
Clerk of the Legislature