

SIXTIETH DAY - APRIL 17, 2014

LEGISLATIVE JOURNAL

**ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION**

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 17, 2014

PRAYER

The prayer was offered by Pastor Jonathan Sloan, First Presbyterian Church, Omaha.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:30 a.m., President Heidemann presiding.

The roll was called and all members were present except Senator Garrett who was excused; and Senator Lautenbaugh who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-ninth day was approved.

MESSAGES FROM THE GOVERNOR

April 15, 2014

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 464, 464Ae, 565, 719, 994e, and 994Ae were received in my office on April 9, 2014.

These bills were signed and delivered to the Secretary of State on April 15, 2014.

Sincerely,
(Signed) Dave Heineman
Governor

April 16, 2014

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 191, 191A, 907e, 907Ae, 961, 999, 999A, 1042e, 1042Ae, 1076, 1098e, 1098A, 1115e, and 1115Ae were received in my office on April 10, 2014.

These bills were signed and delivered to the Secretary of State on April 16, 2014.

Sincerely,
(Signed) Dave Heineman
Governor

COMMITTEE REPORT
Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR413.

(Signed) John Murante, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 413. Introduced by Davis, 43.

WHEREAS, the Nebraska cattle industry is vital to the economic and social well-being of the state; and

WHEREAS, foot-and-mouth disease (FMD) is one of the most contagious diseases known to cloven-hooved animals including cattle, hogs, and sheep, and an outbreak of FMD could significantly harm Nebraska livestock producers and the state's economy; and

WHEREAS, the United States has not had an outbreak of FMD since 1929 when the disease was inadvertently introduced into California via contaminated animal products imported from Argentina; and

WHEREAS, the United States has successfully prevented any further reintroductions of FMD by strictly prohibiting the importation of livestock and fresh and chilled meat originating in countries where FMD has not been eradicated and where a risk of outbreaks persists; and

WHEREAS, the United States Department of Agriculture (USDA) is proposing a rule to allow the importation of fresh and chilled beef from fourteen states in Brazil, including states where widespread outbreaks of

FMD occurred as recently as 2005 and 2006, where vaccination is attempted to control FMD, and which states are geographically adjacent to Paraguay which had an outbreak of FMD as recently as 2011; and

WHEREAS, the USDA admits there is an increased risk of introducing FMD into the United States under its proposed rule by acknowledging that "as long as FMD is endemic in the overall region in South America, there is a risk of reintroduction from adjacent areas into the proposed exporting region"; and

WHEREAS, the USDA further admits that reintroduction of FMD into the United States would reduce financial returns to cattle producers and beef processors, the result of which would also harm rural communities and the entire Nebraska economy.

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

1. That the Legislature requests that the United States Department of Agriculture immediately withdraw its proposed rule entitled "Importation of Beef from a Region in Brazil" and not allow the importation of fresh and chilled beef from fourteen states in Brazil.

2. That the Legislature further requests the United States Department of Agriculture to not expand the exceptions to the prohibition against the importation of any ruminant or swine or any fresh (chilled or frozen) meat of ruminants and swine pursuant to 9 C.F.R. 94.1 to allow the importation of fresh and chilled beef from the country of Brazil or any region of Brazil until the United States Secretary of Agriculture certifies to Congress that every region of Brazil is free of foot-and-mouth disease without vaccination.

3. 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.

COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR427.

(Signed) John Murante, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 427. Introduced by Carlson, 38; Christensen, 44; Davis, 43; Dubas, 34; Janssen, 15; Johnson, 23; Larson, 40; Schilz, 47; Sullivan, 41; Wallman, 30; Adams, 24; Avery, 28; Campbell, 25; Conrad, 46; Cook, 13; Garrett, 3; Bloomfield, 17; Brasch, 16; K. Haar, 21; Harms, 48; Howard, 9; Kolowski, 31; Crawford, 45; Gloor, 35; Hadley, 37; Pirsch, 4; B. Harr, 8; Kintner, 2; Scheer, 19; Seiler, 33; Smith, 14; Karpisek, 32; McGill, 26; Mello, 5; Nordquist, 7; Wightman, 36; Bolz, 29; Schumacher, 22.

WHEREAS, in accordance with the federal Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007, the United States has demonstrated its commitment to the long-term policy of increasing the production of clean renewable fuels according to the federal Renewable Fuel Standard (RFS) by enabling the increased domestic production and use of renewable fuels, which include renewable biofuels such as ethanol, biodiesel, cellulosic, and advanced biofuels; and

WHEREAS, the RFS provides the foundation for reducing dependence on foreign sources of oil, decreasing the price of transportation fuels, reducing transportation fuel emissions, increasing rural incomes, encouraging the development and expansion of new advanced biofuels, and consequently promoting economic growth; and

WHEREAS, the RFS assists in bringing new technologies to farmers and consumers, and points the United States in the direction of energy independence; and

WHEREAS, international turmoil has repeatedly caused increased oil price spikes and increased transportation costs for consumers, including increased costs attributable to the transportation of food and other goods; and

WHEREAS, the United States Environmental Protection Agency (EPA) is responsible for establishing and implementing the RFS, including the requirement that certain volumes of various types of biofuels be blended in transportation fuels each year; and

WHEREAS, the EPA recently proposed reducing the volume levels for ethanol and biodiesel in the RFS, in direct conflict with the federal statute; and

WHEREAS, the EPA proposal is projected to cause job losses in the biofuels sector and related job sectors, reduce the price of corn below the cost of production, cause a negative economic effect on Midwest farm families and on agribusinesses, substantially reduce long-term investment in biofuels infrastructure, reduce investments in further energy innovation for ethanol, biodiesel, advanced biofuels, and cellulosic biofuels, and harm rural economies; and

WHEREAS, biofuels reduce greenhouse gas emissions, and the Nebraska biofuels industry adds over \$5 billion to Nebraska's economy annually and generates more than \$276 million annually in labor income impacts; and

WHEREAS, more than 46,000 Nebraska farmers and ranchers support their families and reinvigorate rural communities through innovative and high-tech agricultural production.

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 Government to maintain and reaffirm its commitment to realizing the goals of the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007 for rural economic development, energy security, and diversity of our nation's energy portfolio, to lessen pressure on fuel prices, to stimulate investment in development and commercial deployment of advanced renewable fuel

systems, and to encourage clean air, other environmental benefits, and a robust and sustainable renewable fuels industry by adhering to the schedule of renewable fuel volume requirements set forth in the current Renewable Fuel Standard.

2. That a copy of this resolution be sent to President Barack Obama, United States Environmental Protection Agency Administrator Gina McCarthy, United States Secretary of Agriculture Tom Vilsack, and to each member of Nebraska's congressional delegation.

EXPLANATION OF VOTE

Had I been present, I would have voted "nay" on the adoption of LR399.

(Signed) Lydia Brasch

REFERENCE COMMITTEE REPORT

2014 Resolution calling for an Interim Study

LR628	Interim study to examine the role of Nebraska state government in establishing and implementing standards of performance for existing carbon dioxide emissions from public power plants within the state	Natural Resources
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(Signed) John Wightman, Chairperson
Executive Board

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 16, 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

Pappas, James E.
League of Human Dignity

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>

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 38, 395, 413, 427, 399, 440, and 482.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 615, 616, 617, 619, 620, 621, 622, 623, 625, 626, and 627 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 615, 616, 617, 619, 620, 621, 622, 623, 625, 626, and 627.

MOTION - Return LB254 to Select File

Senator Chambers moved to return LB254 to Select File for the following specific amendment:

AM2941

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 37-452, Revised Statutes Cumulative
- 4 Supplement, 2012, is amended to read:
- 5 37-452 (1) No person shall hunt antelope, elk, or
- 6 mountain sheep, ~~or mountain lions~~ unless such person is at least
- 7 twelve years of age, and any person who is twelve through fifteen
- 8 years of age shall only hunt antelope, elk, or mountain sheep, ~~or~~
- 9 ~~mountain lions~~ when supervised by a person nineteen years of age or
- 10 older having a valid hunting permit.
- 11 (2) No person shall hunt deer unless such person is at
- 12 least ten years of age, and any person who is ten through fifteen
- 13 years of age shall only hunt deer when supervised by a person
- 14 nineteen years of age or older having a valid hunting permit.
- 15 (3) A person nineteen years of age or older having a
- 16 valid hunting permit shall not supervise more than two persons
- 17 while hunting deer, antelope, elk, or mountain sheep, ~~or mountain~~
- 18 ~~lions~~ at the same time.
- 19 Sec. 2. Original section 37-452, Revised Statutes
- 20 Cumulative Supplement, 2012, is repealed.
- 21 Sec. 3. The following section is outright repealed:
- 22 Section 37-473, Revised Statutes Cumulative Supplement, 2012.

Senator Chambers withdrew his motion to return.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 254. With Emergency Clause.

A BILL FOR AN ACT relating to public health and welfare; to amend section 44-7,104, Revised Statutes Cumulative Supplement, 2012; to eliminate a termination date relating to insurance coverage for certain anticancer medications; to provide requirements for insurance coverage for autism spectrum disorder; to provide for the establishment of a program for the distribution of funds for amino acid-based elemental formulas; to appropriate funds; to provide operative dates; 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	Schilz
Ashford	Conrad	Harr, B.	Lautenbaugh	Schumacher
Avery	Cook	Howard	McCoy	Seiler
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	Scheer	

Voting in the negative, 0.

Excused and not voting, 1:

Garrett

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 LB276 to Select File

Senator Chambers moved to return LB276 to Select File for the following specific amendment:

AM2942

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:

3 Section 1. Section 37-452, Revised Statutes Cumulative
 4 Supplement, 2012, is amended to read:
 5 37-452 (1) No person shall hunt antelope, elk, or
 6 mountain sheep, ~~or mountain lions~~ unless such person is at least
 7 twelve years of age, and any person who is twelve through fifteen
 8 years of age shall only hunt antelope, elk, ~~or mountain sheep, or~~
 9 ~~mountain lions~~ when supervised by a person nineteen years of age or
 10 older having a valid hunting permit.
 11 (2) No person shall hunt deer unless such person is at
 12 least ten years of age, and any person who is ten through fifteen
 13 years of age shall only hunt deer when supervised by a person
 14 nineteen years of age or older having a valid hunting permit.
 15 (3) A person nineteen years of age or older having a
 16 valid hunting permit shall not supervise more than two persons
 17 while hunting deer, antelope, elk, ~~or mountain sheep, or mountain~~
 18 ~~lions~~ at the same time.
 19 Sec. 2. Original section 37-452, Revised Statutes
 20 Cumulative Supplement, 2012, is repealed.
 21 Sec. 3. The following section is outright repealed:
 22 Section 37-473, Revised Statutes Cumulative Supplement, 2012.

Senator Chambers withdrew his motion to return.

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 LB276 with 41 ayes, 3 nays, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 276.

A BILL FOR AN ACT relating to medicaid; to amend sections 43-2511, 43-2513, 43-2515, 79-1119, and 79-1145, Reissue Revised Statutes of Nebraska, section 79-1018.01, Revised Statutes Cumulative Supplement, 2012, and section 68-911, Revised Statutes Supplement, 2013; to change provisions relating to the statewide billing system and funding for services under the Early Intervention Act; to provide for a state plan amendment under the Medical Assistance Act for certain services provided by school districts; to change local system formula resources under the Tax Equity and Educational Opportunities Support Act; to change the amount of appropriations for and requirements for reimbursement under the Special Education Act; 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, 48:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	Lautenbaugh	Schumacher
Avery	Cook	Howard	McCoy	Seiler
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	Scheer	

Voting in the negative, 0.

Excused and not voting, 1:

Garrett

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

MOTION - Return LB276A to Select File

Senator Chambers moved to return LB276A to Select File for the following specific amendment:

AM2943

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 37-452, Revised Statutes Cumulative
- 4 Supplement, 2012, is amended to read:
- 5 37-452 (1) No person shall hunt antelope, elk, or
- 6 mountain sheep, ~~or mountain lions~~ unless such person is at least
- 7 twelve years of age, and any person who is twelve through fifteen
- 8 years of age shall only hunt antelope, elk, or mountain sheep, ~~or~~
- 9 ~~mountain lions~~ when supervised by a person nineteen years of age or
- 10 older having a valid hunting permit.
- 11 (2) No person shall hunt deer unless such person is at
- 12 least ten years of age, and any person who is ten through fifteen
- 13 years of age shall only hunt deer when supervised by a person
- 14 nineteen years of age or older having a valid hunting permit.
- 15 (3) A person nineteen years of age or older having a
- 16 valid hunting permit shall not supervise more than two persons
- 17 while hunting deer, antelope, elk, or mountain sheep, ~~or mountain~~
- 18 ~~lions~~ at the same time.
- 19 Sec. 2. Original section 37-452, Revised Statutes
- 20 Cumulative Supplement, 2012, is repealed.

- 21 Sec. 3. The following section is outright repealed:
 22 Section 37-473, Revised Statutes Cumulative Supplement, 2012.

Senator Chambers withdrew his motion to return.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 276A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 276, One Hundred Third Legislature, Second Session, 2014.

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	Seiler
Ashford	Conrad	Harr, B.	McCoy	Smith
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	Scheer	
Christensen	Hansen	Larson	Schumacher	

Voting in the negative, 0.

Present and not voting, 2:

Lautenbaugh Schilz

Excused and not voting, 1:

Garrett

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 254, 276, and 276A.

VISITORS

Visitors to the Chamber were Senator Scheer's wife, Kris, daughter, and grandson, Keeli and Miller Vrbicky; 39 fourth- through sixth-grade students, teachers, and sponsors from Ansley; 40 fourth-grade students and teachers from Hayward Elementary, Nebraska City; Matt Williams from Gothenburg; 21 fourth-grade students, teacher, and sponsors from Emmanuel-Faith Lutheran School, York; Senator Wallman's wife, Pat, from Cortland, daughter, son-in-law, and grandchildren, Amy, Jason, Layniy and Tommy Madden, from Des Moines, IA; and 41 fourth-grade students, teachers, and sponsor from North Bend.

RECESS

At 12:10 p.m., on a motion by Senator Cook, 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 Garrett who was excused; and Senators Ashford and Lautenbaugh who were excused until they arrive.

PRESIDENT HEIDEMANN PRESIDING**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 17, 2014, at 12:16 p.m. were the following: LBs 254e, 276, and 276A.

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

MOTION - Return LB383 to Select File

Senator Chambers moved to return LB383 to Select File for the following specific amendment:

AM2944

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 37-452, Revised Statutes Cumulative
- 4 Supplement, 2012, is amended to read:
- 5 37-452 (1) No person shall hunt antelope, elk, or
- 6 mountain sheep, ~~or mountain lions~~ unless such person is at least

7 twelve years of age, and any person who is twelve through fifteen
8 years of age shall only hunt antelope, elk, ~~or mountain sheep, or~~
9 ~~mountain lions~~ when supervised by a person nineteen years of age or
10 older having a valid hunting permit.

11 (2) No person shall hunt deer unless such person is at
12 least ten years of age, and any person who is ten through fifteen
13 years of age shall only hunt deer when supervised by a person
14 nineteen years of age or older having a valid hunting permit.

15 (3) A person nineteen years of age or older having a
16 valid hunting permit shall not supervise more than two persons
17 while hunting deer, antelope, elk, ~~or mountain sheep, or mountain~~
18 ~~lions~~ at the same time.

19 Sec. 2. Original section 37-452, Revised Statutes
20 Cumulative Supplement, 2012, is repealed.

21 Sec. 3. The following section is outright repealed:

22 Section 37-473, Revised Statutes Cumulative Supplement, 2012.

Senator Chambers withdrew his motion to return.

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 LB383 with 36 ayes, 3 nays, 7 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 383.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,123 and 60-3,125, Reissue Revised Statutes of Nebraska, sections 60-301, 60-393, 60-395, 60-396, and 60-3,104, Revised Statutes Cumulative Supplement, 2012, and sections 60-3,130.04 and 80-414, Revised Statutes Supplement, 2013; to provide for Military Honor Plates; to change fee provisions relating to prisoner-of-war and Purple Heart license plates; 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, 48:

Adams	Coash	Harms	Lathrop	Schilz
Ashford	Conrad	Harr, B.	Lautenbaugh	Schumacher
Avery	Cook	Howard	McCoy	Seiler
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	Scheer	

Voting in the negative, 0.

Excused and not voting, 1:

Garrett

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

MOTION - Return LB383A to Select File

Senator Chambers moved to return LB383A to Select File for the following specific amendment:

AM2945

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 37-452, Revised Statutes Cumulative
- 4 Supplement, 2012, is amended to read:
- 5 37-452 (1) No person shall hunt antelope, elk, or
- 6 mountain sheep, ~~or mountain lions~~ unless such person is at least
- 7 twelve years of age, and any person who is twelve through fifteen
- 8 years of age shall only hunt antelope, elk, or mountain sheep, ~~or~~
- 9 ~~mountain lions~~ when supervised by a person nineteen years of age or
- 10 older having a valid hunting permit.
- 11 (2) No person shall hunt deer unless such person is at
- 12 least ten years of age, and any person who is ten through fifteen
- 13 years of age shall only hunt deer when supervised by a person
- 14 nineteen years of age or older having a valid hunting permit.
- 15 (3) A person nineteen years of age or older having a
- 16 valid hunting permit shall not supervise more than two persons
- 17 while hunting deer, antelope, elk, or mountain sheep, ~~or mountain~~
- 18 ~~lions~~ at the same time.
- 19 Sec. 2. Original section 37-452, Revised Statutes
- 20 Cumulative Supplement, 2012, is repealed.
- 21 Sec. 3. The following section is outright repealed:
- 22 Section 37-473, Revised Statutes Cumulative Supplement, 2012.

SPEAKER ADAMS PRESIDING

Senator Chambers withdrew his motion to return.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 383A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 383, One Hundred Third Legislature, Second Session, 2014.

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

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 2:

Garrett Larson

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

PRESIDENT HEIDEMANN PRESIDING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB390 with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 390.

A BILL FOR AN ACT relating to public safety; to amend section 81-829.40, Reissue Revised Statutes of Nebraska, and sections 28-1204.04 and 81-829.42, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to unlawful possession of a firearm at a school; to change the Governor's powers relating to firearms and increase the authorized expenditure amount for aerial fire suppression or hazardous material response under the Emergency Management Act; 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, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Cook

Excused and not voting, 3:

Chambers Garrett Larson

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

The following bill was read and put upon final passage:

LEGISLATIVE BILL 526.

A BILL FOR AN ACT relating to the Optometry Practice Act; to amend sections 38-2604 and 38-2614, Reissue Revised Statutes of Nebraska, and section 38-2605, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to use of pharmaceutical agents; 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, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Ashford

Excused and not voting, 3:

Chambers Garrett Larson

A constitutional majority having voted in the affirmative, the bill was declared passed 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 LB700 with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 700.

A BILL FOR AN ACT relating to insurance; to amend sections 12-1109,

44-165, 44-3524, 44-3719, and 44-5702, Reissue Revised Statutes of Nebraska, and sections 44-6008 and 44-6016, Revised Statutes Supplement, 2013; to adopt the Risk Management and Own Risk and Solvency Assessment Act; to provide requirements for certain health care sharing ministries; to change provisions regarding rules and regulations and cease and desist orders of the Director of Insurance; to redefine insurer; to change provisions relating to the Insurers and Health Organizations Risk-Based Capital Act; 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, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Chambers Garrett Larson

A constitutional majority having voted in the affirmative, the bill was declared passed 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 LB788 with 35 ayes, 1 nay, 10 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 788.

A BILL FOR AN ACT relating to law; to amend sections 8-162.02, 8-1401, 8-1402, 8-1403, 27-803, and 76-238.01, Reissue Revised Statutes of Nebraska, and sections 30-2201 and 76-1002, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to the enforcement and

servicing of real estate loans, fiduciary accounts controlled by trust departments, disclosure of confidential information pertaining to property of a decedent, hearsay exception for certain business information, and securing future advances under a mortgage or trust deed; to provide for access to a decedent's safe deposit box as prescribed; to provide a duty for the Revisor of Statutes; 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, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Avery

Excused and not voting, 3:

Chambers Garrett Larson

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

WITHDRAW - Amendments to LB811

Senator Chambers withdrew his amendment, AM2862, found on page 1482, to LB811.

Senator Lathrop withdrew his amendment, FA324, found on page 1442, to LB811.

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 LB811 with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 811.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-413, 28-415, 28-418, 28-445, 28-1437, 28-1438.01, 28-1439, 38-2870, and 71-2417, Reissue Revised Statutes of Nebraska, sections 28-115, 28-401.01, 28-414, 28-929, 28-929.01, 28-930, 28-931, 28-931.01, 28-934, and 28-1351, Revised Statutes Cumulative Supplement, 2012, and sections 28-401, 28-405, and 28-1354, Revised Statutes Supplement, 2013; to change provisions relating to assault on an officer or health care professional and assault with a bodily fluid against a public safety officer; to define and redefine terms; to change and transfer provisions relating to prescriptions and controlled substances; to change penalties; 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	Seiler
Ashford	Cook	Howard	McGill	Smith
Avery	Crawford	Janssen	Mello	Sullivan
Bloomfield	Davis	Johnson	Murante	Wallman
Bolz	Dubas	Karpisek	Nelson	Watermeier
Brasch	Gloor	Kintner	Nordquist	Wightman
Campbell	Haar, K.	Kolowski	Pirsch	
Carlson	Hadley	Krist	Scheer	
Christensen	Hansen	Lathrop	Schilz	
Coash	Harms	Lautenbaugh	Schumacher	

Voting in the negative, 0.

Excused and not voting, 3:

Chambers Garrett Larson

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 916.

A BILL FOR AN ACT relating to nurses; to amend sections 38-206, 38-2302, 38-2310, 38-2322, and 38-2323, Reissue Revised Statutes of Nebraska, section 38-2301, Revised Statutes Cumulative Supplement, 2012, and section 38-2315, Revised Statutes Supplement, 2013; to eliminate requirements for integrated practice agreements for nurse practitioners; to provide for transition-to-practice agreements; to change provisions relating to credentialing and regulation; 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:

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

Voting in the negative, 0.

Present and not voting, 3:

Avery Bloomfield Kintner

Excused and not voting, 3:

Chambers Garrett Larson

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

LEGISLATIVE BILL 923.

A BILL FOR AN ACT relating to schools; to amend section 71-9104, Revised Statutes Cumulative Supplement, 2012; to provide for the position of state school security director; to require assessment of and training on school security; to require training on suicide awareness and prevention as prescribed; to require establishment of tornado preparedness standards; to provide duties for the State Department of Education; to require schools to

establish a return to learn protocol for students who have sustained a concussion; 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, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Bloomfield

Excused and not voting, 3:

Chambers Garrett Larson

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

LEGISLATIVE BILL 923A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 923, One Hundred Third Legislature, Second Session, 2014.

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

Voting in the negative, 1:

Kintner

Present and not voting, 1:

Seiler

Excused and not voting, 3:

Chambers Garrett Larson

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 383, 383A, 390, 526, 700, 788, 811, 916, 923, and 923A.

MOTION - Notify Governor

Senator Wightman moved that a committee of five be appointed to notify the Governor that the One Hundred Third Legislature, Second Session of the Nebraska Legislature, is about to complete its work, and to return with any message the Governor may have for the Legislature.

The motion prevailed.

The Chair appointed Senators Avery, Hansen, Harms, Dubas, and Nelson to serve on said committee.

The committee returned and escorted Governor Dave Heineman to the rostrum where he delivered a message to the members.

The committee escorted Governor Dave Heineman from the Chamber.

MOTION - Presentation of Service Awards

Senator Christensen moved that we proceed to the presentation of the Legislative service awards.

The motion prevailed.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 17, 2014, at 4:15 p.m. were the following: LBs 383, 383A, 390, 526, 700, 788, 811, 916, 923, and 923A.

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

EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 383A, 390, 526, 700, 788, 811, 916, 923, and 923A.

(Signed) Tyson Larson

MOTION - Disposition of Bills

Senator Karpisek moved that all bills not otherwise disposed of, excluding bills on Final Reading and vetoed or line-item vetoed bills on this date, be indefinitely postponed.

The motion prevailed.

MOTION - Committee Records

Senator Carlson moved that the chairpersons of all standing committees file with the Clerk of the Legislature all standing committee records so that a proper record may be made of the final disposition of all bills.

The motion prevailed.

MOTION - Printing of Journal, Session Laws, and Indexes

Senator Conrad moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell.

The motion prevailed.

MOTION - Delivery of Journal and Session Laws

Senator McGill moved that the Clerk of the Legislature be directed to send to each member of the Legislature a copy of the permanent Legislative Journal and Session Laws.

The motion prevailed.

MOTION - Sixtieth Day Journal

Senator Lathrop moved that the Journal for the Sixtieth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

VISITORS

Visitors to the Chamber were Senator Wightman's wife, Jan, and granddaughters Emalie and Margaret, from Omaha; Senator Conrad's husband and daughter, Tom and Caroline, from Lincoln, parents, Dan and Stephanie Nantkes, from Seward, Ron and Ev Conrad, from Lincoln, and brother-in-law Ryan Conrad, from Lincoln; 25 fourth-grade students, teacher, and sponsors from Concordia Elementary, Omaha; 41 fourth-grade students, teachers, and sponsors from Cedar Hollow, Grand Island; and Jake Kawamoto from Omaha.

MOTION - Adjourn Sine Die

Senator Ashford moved that the One Hundred Third Legislature, Second Session of the Nebraska Legislature, having finished all business before it, now at 5:36 p.m., adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell
Clerk of the Legislature