

TWENTY-THIRD DAY - FEBRUARY 7, 2012**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION****TWENTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 7, 2012

PRAYER

The prayer was offered by Pastor Dorothy Smith, Waterloo United Methodist Church, Waterloo.

ROLL CALL

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

The roll was called and all members were present except Senators Conrad and Heidemann who were excused; and Senator Cornett who was excused until she arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-second day was approved.

ANNOUNCEMENT

Senator Hadley designates LB1118 as his priority bill.

NOTICE OF COMMITTEE HEARING

Executive Board

Room 2102

Tuesday, February 14, 2012 12:00 p.m.

LB1007
LB1133
LB711

(Signed) John Wightman, Chairperson

AMENDMENTS - Print in Journal

Senator Lautenbaugh filed the following amendment to LB190:
AM1815

(Amendments to E & R amendments, ER144)

- 1 1. On page 2, lines 14 and 18, strike "seven" and insert
- 2 "twelve".

Senator Harms filed the following amendment to LB507:
AM1837

(Amendments to E & R amendments, ER161)

- 1 1. Strike section 6 and insert the following new section:
- 2 Sec. 6. Sections 2 to 5 of this act terminate on December
- 3 31, 2016.
- 4 2. On page 2, line 15, strike "Act" and insert "program".

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 646. Placed on Select File.

(Signed) Tyson Larson, Chairperson

COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 963. Placed on General File.

LEGISLATIVE BILL 613. Placed on General File with amendment.
AM1749

- 1 1. Insert the following new sections:
- 2 Sec. 2. Section 76-825, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 76-825 Sections 76-825 to 76-894 and section 4 of this
- 5 act shall be known and may be cited as the Nebraska Condominium
- 6 Act.
- 7 Sec. 4. (a) An association may require a person who
- 8 purchases a unit on or after the effective date of this act to
- 9 make payments into an escrow account established by the association
- 10 until the balance in the escrow account for that unit is in an
- 11 amount equal to six months of assessments.
- 12 (b) All payments made under subsection (a) of this
- 13 section and received after the effective date of this act shall
- 14 be held in a non-interest-bearing checking account in a bank,
- 15 savings bank, building and loan association, or savings and loan
- 16 association in this state under terms that place such payments
- 17 beyond the claim of creditors of the association. Upon request
- 18 by a unit owner, the association shall disclose the name of the
- 19 financial institution and the account number where the payments

20 made under subsection (a) of this section are being held. An
21 association may maintain a single escrow account to hold payments
22 made under subsection (a) of this section from all of the unit
23 owners. If a single escrow account is maintained, the association
24 shall maintain separate accounting records for each unit owner.

25 (c) The association shall return the payments made under
26 subsection (a) of this section to the unit owner when the owner
27 sells the unit and has fully paid all assessments. The association
28 may use the balance in the account attributable to a unit owner
29 to offset any assessments remaining unpaid by such owner. To the
30 extent that the escrow deposit or any part thereof is applied to
31 offset any unpaid assessments of a unit owner, the association may
32 require such owner to replenish the escrow deposit.

33 (d) The payments made under this section may be used
34 by the association to cover up to six months of the assessments
35 attributable to an owner of a unit for which assessment payments
36 have not been made.

37 (e) Nothing in this section shall prohibit an association
38 from establishing escrow deposit requirements in excess of the
39 amounts authorized under this section pursuant to provisions in the
40 association's declaration.

41 2. On page 3, after line 23, insert the following new
42 subsection:

43 "(8)(a) A homeowners' association may require a person
44 who purchases real estate on or after the effective date of this
45 act to make payments into an escrow account established by the
46 homeowners' association until the balance in the escrow account
47 for that real estate is in an amount not to exceed six months of
48 assessments.

49 (b) All payments made under subdivision (a) of this
50 subsection and received after the effective date of this act shall
51 be held in a non-interest-bearing checking account in a bank,
52 savings bank, building and loan association, or savings and loan
53 association in this state under terms that place such payments
54 beyond the claim of creditors of the association. Upon request by
55 an owner of real estate, the homeowners' association shall disclose
56 the name of the financial institution and the account number
57 where the payments made under subdivision (a) of this subsection
58 are being held. A homeowners' association may maintain a single
59 escrow account to hold payments made under subdivision (a) of this
60 subsection from all of the owners of real estate. If a single
61 escrow account is maintained, the homeowners' association shall
62 maintain separate accounting records for each owner of real estate.

63 (c) The homeowners' association shall return the payments
64 made under subdivision (a) of this subsection to the owner of real
65 estate when the owner sells the real estate and has fully paid
66 all assessments. The homeowners' association may use the balance in
67 the account attributable to an owner of real estate to offset any
68 assessments remaining unpaid by such owner. To the extent that the

19 escrow deposit or any part thereof is applied to offset any unpaid
 20 assessments of an owner of real estate, the homeowners' association
 21 may require such owner to replenish the escrow deposit.

22 (d) The payments made under this subsection may be
 23 used by the homeowners' association to satisfy any assessments
 24 attributable to an owner of real estate for which assessment
 25 payments have become delinquent.

26 (e) Nothing in this subsection shall prohibit
 27 a homeowners' association from establishing escrow deposit
 1 requirements in excess of the amounts authorized under this
 2 subsection pursuant to provisions in the homeowners' association's
 3 declaration."; and in line 24 strike "(8)", show as stricken, and
 4 insert "(9)".

5 3. On page 5, line 19, strike "(1)" and insert "(a)".

(Signed) Rich Pahls, Chairperson

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR386 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR386.

GENERAL FILE

LEGISLATIVE BILL 540. Senator Fulton renewed his amendment, AM1859, found on page 447, to the committee amendment.

The Fulton amendment was adopted with 25 ayes, 8 nays, 10 present and not voting, and 6 excused and not voting.

Committee AM1719, found on page 322 and considered on page 447, as amended, was renewed.

The committee amendment, as amended, was adopted with 29 ayes, 1 nay, 14 present and not voting, and 5 excused and not voting.

Pending.

COMMITTEE REPORTS

Urban Affairs

LEGISLATIVE BILL 729. Placed on General File.

LEGISLATIVE BILL 863. Placed on General File.

(Signed) Amanda McGill, Chairperson

General Affairs

LEGISLATIVE RESOLUTION 375CA. Indefinitely postponed.

(Signed) Russ Karpisek, Chairperson

COMMITTEE REPORT

General Affairs

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

Jon Hinrichs - Nebraska Arts Council
Pamela Price - Nebraska Arts Council

Aye: 8 Bloomfield, Brasch, Coash, Karpisek, Krist, Lambert, Larson, McGill. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Russ Karpisek, Chairperson

NOTICE OF COMMITTEE HEARINGS

Judiciary

Room 1113

Wednesday, February 15, 2012 1:30 p.m.

LB1113
LB728
LB777
LB1029
LB1134

Room 1113

Thursday, February 16, 2012 1:30 p.m.

LB937
LB941
LB1046
LB1127
LB1145

(Signed) Brad Ashford, Chairperson

RESOLUTIONS**LEGISLATIVE RESOLUTION 393.** Introduced by Brasch, 16.

WHEREAS, Alex Ott, Troop 143, son of Timothy and Annette Ott, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Alex has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Alex built two retaining walls along a creek at Camp Fontanelle to prevent a nearby trail from washing out; and

WHEREAS, only five percent of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Alex, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Alex Ott on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Alex Ott.

Laid over.

LEGISLATIVE RESOLUTION 394. Introduced by Brasch, 16.

WHEREAS, Troop 143 of the Boy Scouts of America in Blair will celebrate its eightieth anniversary with a ceremony on February 23, 2012; and

WHEREAS, the Boy Scouts of America was formed to provide an educational program for boys and young adults to build character, train in the responsibilities of participating citizenship, and develop personal fitness; and

WHEREAS, the Legislature recognizes the importance of the Boy Scouts of America and its members' contributions to the communities of Nebraska.

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

1. That the Legislature congratulates Troop 143 in Blair on the celebration of its eightieth anniversary.
2. That a copy of this resolution be sent to the members of Troop 143.

Laid over.

LEGISLATIVE RESOLUTION 395. Introduced by Brasch, 16.

WHEREAS, Brooks Mayo, Troop 143, son of Robert and Kathy Mayo, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Brooks has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Brooks built a prefabricated storage shed at Camp Fontanelle for the storage of archery and other equipment; and

WHEREAS, only five percent of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Brooks, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Brooks Mayo on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Brooks Mayo.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 540. Senator B. Harr offered the following amendment:
AM1903

(Amendments to Standing Committee amendments, AM1719)

- 1 1. Strike amendment 1 and all amendments thereto and
- 2 insert the following new amendment:
- 3 1. On page 4, line 7, strike "2011" and insert "2012";
- 4 and in line 13 after the period insert "No funds appropriated or

5 distributed under the waiver shall be used for abortion, abortion
6 counseling, or a referral for abortion or any operational costs
7 of a facility that provides abortion, abortion counseling, or a
8 referral for abortion."

The B. Harr amendment lost with 11 ayes, 19 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 5 nays, 12 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 886. Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 890. Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 854. Title read. Considered.

SENATOR GLOOR PRESIDING

Committee AM1685, found on page 337, was considered.

PRESIDENT SHEEHY PRESIDING

The committee amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 911. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 942. Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT

Government, Military and Veterans Affairs

LEGISLATIVE BILL 1070. Placed on General File.

(Signed) Bill Avery, Chairperson

AMENDMENT - Print in Journal

Senator Pirsch filed the following amendment to LB612:
AM1896

(Amendments to E & R amendments, ER155)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Notwithstanding any other provision of law,
- 4 actions for an injury or injuries suffered by a plaintiff when
- 5 the plaintiff was a victim of a violation of section 28-319.01
- 6 or 28-320.01 can only be brought within twelve years after
- 7 the plaintiff's twenty-first birthday. Criminal prosecution of
- 8 a defendant under section 28-319.01 or 28-320.01 is not required to
- 9 maintain a civil action for violation of such sections.
- 10 Sec. 2. The Revisor of Statutes shall assign section 1 of
- 11 this act within Chapter 25, article 2.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 705.

A BILL FOR AN ACT relating to civil procedure; to eliminate obsolete provisions relating to computer date failure actions; and to outright repeal sections 25-21,265, 25-21,266, 25-21,267, 25-21,268, and 25-21,269, Reissue Revised Statutes of Nebraska.

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	Cook	Hadley	Larson	Pirsch
Ashford	Cornett	Hansen	Lathrop	Price
Avery	Council	Harms	Lautenbaugh	Schilz
Bloomfield	Dubas	Howard	McCoy	Schumacher
Brasch	Fischer	Janssen	McGill	Seiler
Campbell	Flood	Karpisek	Mello	Smith
Carlson	Fulton	Krist	Nelson	Sullivan
Christensen	Gloor	Lambert	Nordquist	Wallman
Coash	Haar, K.	Langemeier	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 2:

Harr, B. Louden

Excused and not voting, 2:

Conrad Heidemann

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

LEGISLATIVE BILL 706.

A BILL FOR AN ACT relating to the Executive Board of the Legislative Council; to repeal a section providing for an interim study; and to outright repeal section 50-444, Reissue Revised Statutes of Nebraska.

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	Cook	Hadley	Larson	Pirsch
Ashford	Cornett	Hansen	Lathrop	Price
Avery	Council	Harms	Lautenbaugh	Schilz
Bloomfield	Dubas	Howard	McCoy	Schumacher
Brasch	Fischer	Janssen	McGill	Seiler
Campbell	Flood	Karpisek	Mello	Smith
Carlson	Fulton	Krist	Nelson	Sullivan
Christensen	Gloor	Lambert	Nordquist	Wallman
Coash	Haar, K.	Langemeier	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 2:

Harr, B. Louden

Excused and not voting, 2:

Conrad Heidemann

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

LEGISLATIVE BILL 707.

A BILL FOR AN ACT relating to Joslyn Castle; to repeal sections that are no longer needed; and to outright repeal sections 72-1801 and 72-1802, Reissue Revised Statutes of Nebraska.

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	Cook	Hadley	Larson	Pirsch
Ashford	Cornett	Hansen	Lathrop	Price
Avery	Council	Harms	Lautenbaugh	Schilz
Bloomfield	Dubas	Howard	McCoy	Schumacher
Brasch	Fischer	Janssen	McGill	Seiler
Campbell	Flood	Karpisek	Mello	Smith
Carlson	Fulton	Krist	Nelson	Sullivan
Christensen	Gloor	Lambert	Nordquist	Wallman
Coash	Haar, K.	Langemeier	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 2:

Harr, B. Louden

Excused and not voting, 2:

Conrad Heidemann

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

LEGISLATIVE BILL 708.

A BILL FOR AN ACT relating to the School Weatherization Fund; to repeal a section that is no longer needed; and to outright repeal section 81-1634, Revised Statutes Cumulative Supplement, 2010.

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	Cook	Hadley	Larson	Pirsch
Ashford	Cornett	Hansen	Lathrop	Price
Avery	Council	Harms	Lautenbaugh	Schilz
Bloomfield	Dubas	Howard	McCoy	Schumacher
Brasch	Fischer	Janssen	McGill	Seiler
Campbell	Flood	Karpisek	Mello	Smith
Carlson	Fulton	Krist	Nelson	Sullivan
Christensen	Gloor	Lambert	Nordquist	Wallman
Coash	Haar, K.	Langemeier	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 2:

Harr, B. Louden

Excused and not voting, 2:

Conrad Heidemann

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

LEGISLATIVE BILL 709.

A BILL FOR AN ACT relating to zoning regulations; to amend sections 23-114, 23-114.03, and 23-114.05, Reissue Revised Statutes of Nebraska; to repeal sections governing temporary zoning regulations that expired July 1, 2001; to harmonize provisions; to repeal the original sections; and to outright repeal sections 23-115, 23-115.01, and 23-115.02, Reissue Revised Statutes of Nebraska.

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	Cook	Hadley	Larson	Pirsch
Ashford	Cornett	Hansen	Lathrop	Price
Avery	Council	Harms	Lautenbaugh	Schilz
Bloomfield	Dubas	Howard	McCoy	Schumacher
Brasch	Fischer	Janssen	McGill	Seiler
Campbell	Flood	Karpisek	Mello	Smith
Carlson	Fulton	Krist	Nelson	Sullivan
Christensen	Gloor	Lambert	Nordquist	Wallman
Coash	Haar, K.	Langemeier	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 1:

Harr, B.

Excused and not voting, 3:

Conrad Heidemann Louden

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

LEGISLATIVE BILL 710.

A BILL FOR AN ACT relating to the University Buildings Renovation and Land Acquisition Fund; to amend section 85-122, Revised Statutes Supplement, 2011; to repeal sections that are no longer needed; to harmonize provisions; to repeal the original section; and to outright repeal sections 85-1,111 and 85-1,112, Reissue Revised Statutes of Nebraska.

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	Cook	Hadley	Larson	Pirsch
Ashford	Cornett	Hansen	Lathrop	Price
Avery	Council	Harms	Lautenbaugh	Schilz
Bloomfield	Dubas	Howard	McCoy	Schumacher
Brasch	Fischer	Janssen	McGill	Seiler
Campbell	Flood	Karpisek	Mello	Smith
Carlson	Fulton	Krist	Nelson	Sullivan
Christensen	Gloor	Lambert	Nordquist	Wallman
Coash	Haar, K.	Langemeier	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 1:

Harr, B.

Excused and not voting, 3:

Conrad Heidemann Louden

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 LB946 with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 946. With Emergency Clause.

A BILL FOR AN ACT relating to universities and colleges; to amend sections 48-621, 85-1501.01, 85-1520, 85-1521, 85-1539, and 85-1540, Reissue Revised Statutes of Nebraska, sections 85-1402 and 85-1511, Revised Statutes Cumulative Supplement, 2010, and sections 13-518, 77-3442, 81-1201.21, 85-1412, 85-1418, 85-1503, 85-1517, 85-1535, and 90-517, Revised Statutes Supplement, 2011; to adopt the Community College Aid Act; to rename and eliminate funds; to rename a committee; to change provisions relating to state aid, tax levies, fees, grants, and revenue bonds; to provide and change powers and duties; to eliminate obsolete provisions; to eliminate the Community College Foundation and Equalization Aid Act; to harmonize provisions; to repeal the original sections; to outright repeal sections 85-2201, 85-2202, 85-2203, 85-2204, 85-2205, 85-2206, 85-2207, 85-2208, 85-2209, 85-2210, 85-2211, 85-2212, 85-2213, 85-2215, 85-2216, 85-2217, 85-2218, 85-2220, 85-2221, 85-2222, 85-2223, 85-2224, 85-2225, 85-2227, 85-2228, and 85-2229, Reissue Revised Statutes of Nebraska, and section 85-2230, Revised Statutes Cumulative Supplement, 2010; 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, 46:

Adams	Cornett	Harms	Louden	Schumacher
Ashford	Council	Howard	McCoy	Seiler
Avery	Dubas	Janssen	McGill	Smith
Bloomfield	Fischer	Karpisek	Mello	Sullivan
Brasch	Flood	Krist	Nelson	Wallman
Campbell	Fulton	Lambert	Nordquist	Wightman
Carlson	Gloor	Langemeier	Pahls	
Christensen	Haar, K.	Larson	Pirsch	
Coash	Hadley	Lathrop	Price	
Cook	Hansen	Lautenbaugh	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harr, B.

Excused and not voting, 2:

Conrad Heidemann

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 415.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-913, Reissue Revised Statutes of Nebraska; to change provisions relating to introducing contraband within a detention facility or providing an inmate with contraband; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Cornett	Harms	Louden	Schumacher
Ashford	Council	Howard	McCoy	Seiler
Avery	Dubas	Janssen	McGill	Smith
Bloomfield	Fischer	Karpisek	Mello	Sullivan
Brasch	Flood	Krist	Nelson	Wallman
Campbell	Fulton	Lambert	Nordquist	Wightman
Carlson	Gloor	Langemeier	Pahls	
Christensen	Haar, K.	Larson	Pirsch	
Coash	Hadley	Lathrop	Price	
Cook	Hansen	Lautenbaugh	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harr, B.

Excused and not voting, 2:

Conrad Heidemann

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

LEGISLATIVE BILL 503.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-623 and 32-627, Reissue Revised Statutes of Nebraska; to change provisions relating to filling a vacancy of a ballot; and to repeal the original sections.

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

Voting in the affirmative, 47:

Adams	Cornett	Harms	Lautenbaugh	Schilz
Ashford	Council	Harr, B.	Louden	Schumacher
Avery	Dubas	Howard	McCoy	Seiler
Bloomfield	Fischer	Janssen	McGill	Smith
Brasch	Flood	Karpisek	Mello	Sullivan
Campbell	Fulton	Krist	Nelson	Wallman
Carlson	Gloor	Lambert	Nordquist	Wightman
Christensen	Haar, K.	Langemeier	Pahls	
Coash	Hadley	Larson	Pirsch	
Cook	Hansen	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 2:

Conrad Heidemann

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 705, 706, 707, 708, 709, 710, 946, 415, and 503.

UNANIMOUS CONSENT - Add Cointroducers

Senators Avery, Council, Fulton, Lathrop, McGill, and Nordquist asked unanimous consent to add their names as cointroducers to LB1130. No objections. So ordered.

Senator Fischer asked unanimous consent to add her name as cointroducer to LB863. No objections. So ordered.

Senators Cook, McGill, and Nordquist asked unanimous consent to add their names as cointroducers to LB863. No objections. So ordered.

Senator Smith asked unanimous consent to add his name as cointroducer to LB1144. No objections. So ordered.

Senators Campbell, K. Haar, Lambert, Mello, and Smith asked unanimous consent to add their names as cointroducers to LB1130. No objections. So ordered.

VISITORS

Visitors to the Chamber were 40 retired NSEA members; and 13 fourth-grade students, teacher, and sponsors from Immanuel Lutheran School, Columbus.

The Doctor of the Day was Dr. Randy Kohl from Firth.

ADJOURNMENT

At 11:48 a.m., on a motion by Speaker Flood, the Legislature adjourned until 9:00 a.m., Wednesday, February 8, 2012.

Patrick J. O'Donnell
Clerk of the Legislature

