

**FORTY-FIRST DAY - MARCH 8, 2012****LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE  
SECOND SESSION****FORTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, March 8, 2012

**PRAYER**

The prayer was offered by Pastor Adam White, Lutheran Center-UNL Campus.

**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 Senator Ashford who was excused; and Senators Conrad, Larson, and Lautenbaugh who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fortieth day was approved.

**NOTICE OF COMMITTEE HEARING**  
Health and Human Services

Room 1510

Tuesday, March 20, 2012 1:00 p.m.

Linda Jensen - Board of Emergency Medical Services

(Signed) Kathy Campbell, Chairperson

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 7, 2012, 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

O'Hara Lindsay & Associates, Inc.  
 Friends of Nebraska Racing Inc.  
 Schuller, Lynne  
 Friends of Nebraska Racing Inc.

### ANNOUNCEMENT

The Chair announced March 10 is Senator Seiler's birthday.

### COMMITTEE REPORTS

Business and Labor

**LEGISLATIVE BILL 738.** Placed on General File.

**LEGISLATIVE BILL 1072.** Placed on General File with amendment.  
 AM2358

- 1 1. Insert the following new section:
- 2 Section 1. The following sums of money, or so much
- 3 thereof as may be required, are hereby appropriated from the
- 4 General Fund or from other funds as indicated in the state
- 5 treasury, not otherwise appropriated, for the payment of claims
- 6 arising out of miscellaneous items of indebtedness owing by the
- 7 State of Nebraska.
- 8 \$72,325.05 for Miscellaneous Claim Number 2011-11204,
- 9 against the Department of Health and Human Services, pay to Better
- 10 Living Counseling Services, Inc., Attn: Mary Hewitt, Attorney at
- 11 Law, 11404 West Dodge Road, Suite 500, Omaha, NE 68154, out of the
- 12 General Fund.
- 13 \$77,275.62 for Miscellaneous Claim Number 2012-11510,
- 14 against the Department of Health and Human Services, pay to
- 15 R&F Hobbies, Inc., dba. Prince of the Road, Attn: Michael E.
- 16 Kelley/Kenneth F. George, Attorneys at Law, P.O. Box 1685, Kearney,
- 17 NE 68848-1685, out of the General Fund.
- 18 \$108,588.53 for Miscellaneous Claim Number 2012-11679,
- 19 against the Department of Health and Human Services, pay to
- 20 Pathfinder Support Services, Inc., Attn: Brian Essen, 751 North
- 21 Lincoln Avenue, Fremont, NE 68025, out of the General Fund.
- 22 \$11,522.72 for Miscellaneous Claim Number 2012-11744,
- 23 against the Department of Health and Human Services, pay to Wesley
- 1 Center Crisis Nursery, Attn: Tracey Olson, 500 West Philip Avenue,
- 2 Norfolk, NE 68701, out of the General Fund.
- 3 \$1,232.33 for Miscellaneous Claim Number 2012-11745,
- 4 against the Department of Health and Human Services, pay to
- 5 Apex Therapy Services, Attn: Eric Snitchler, Ph.D., P.O. Box 1163,
- 6 Norfolk, NE 68702-1163, out of the General Fund.
- 7 \$12,193.14 for Miscellaneous Claim Number 2012-11746,
- 8 against the Department of Health and Human Services, pay to
- 9 Beneficial Behavioral Health Services, Inc., Attn: Steven Taylor,

- 10 4732 South 131st Street, Omaha, NE 68137-1822, out of the General  
11 Fund.  
12 \$102,725.94 for Miscellaneous Claim Number 2012-11747,  
13 against the Department of Health and Human Services, pay to Epworth  
14 Village, Attn: Thomas G. McBride, P.O. Box 530, York, NE 68467, out  
15 of the General Fund.  
16 \$33,748.45 for Miscellaneous Claim Number 2012-11748,  
17 against the Department of Health and Human Services, pay to  
18 Panhandle Mental Health Center, Attn: Laura Richards, 4110 Avenue  
19 D, Scottsbluff, NE 69361, out of the General Fund.  
20 \$27,232.13 for Miscellaneous Claim Number 2012-11749,  
21 against the Department of Health and Human Services, pay to  
22 NorthStar Services, Attn: Kirby Hall, 1202 East 14th Street, P.O.  
23 Box 280, Wayne, NE 68787, out of the General Fund.  
24 \$5,133.82 for Miscellaneous Claim Number 2012-11750,  
25 against the Department of Health and Human Services, pay to  
26 Family Resources, Inc., Attn: Kathleen Haas, P.O. Box 222, McCook,  
27 NE 69001, out of the General Fund.  
1 \$35,483.53 for Miscellaneous Claim Number 2012-11752,  
2 against the Department of Health and Human Services, pay to  
3 Compass, Attn: Michael E. Kelley/Kenneth F. George, Attorneys at  
4 Law, P.O. Box 1685, Kearney, NE 68848-1685, out of the General  
5 Fund.  
6 \$109,761.13 for Miscellaneous Claim Number 2012-11753,  
7 against the Department of Health and Human Services, pay to Good  
8 Life Counseling and Support, L.L.C., Attn: Laurie Millard, P.O. Box  
9 2315, 200 North 34th Street, Norfolk, NE 68702-2315, out of the  
10 General Fund.  
11 \$14,278.75 for Miscellaneous Claim Number 2012-11754,  
12 against the Department of Health and Human Services, pay to Good  
13 Life Counseling and Support, L.L.C., Attn: Laurie Millard, P.O. Box  
14 2315, 200 North 34th Street, Norfolk, NE 68702-2315, out of the  
15 General Fund.  
16 \$88,800.53 for Miscellaneous Claim Number 2012-11755,  
17 against the Department of Health and Human Services, pay to  
18 Mid-Plains Center for Behavioral Healthcare Services, Inc., Attn:  
19 Michael E. Kelley/Kenneth F. George, Attorneys at Law, P.O. Box  
20 1685, Kearney, NE 68848-1685, out of the General Fund.  
21 \$182,716.98 for Miscellaneous Claim Number 2012-11756,  
22 against the Department of Health and Human Services, pay to South  
23 Central Behavioral Services, Attn: Michael E. Kelley/Kenneth F.  
24 George, Attorneys at Law, P.O. Box 1685, Kearney, NE 68848-1685,  
25 out of the General Fund.  
26 \$19,366.25 for Miscellaneous Claim Number 2012-11757,  
27 against the Department of Health and Human Services, pay to Better  
1 Living Counseling Services, Inc., Attn: Mary Hewitt, Attorney at  
2 Law, 11404 West Dodge Road, Suite 500, Omaha, NE 68154, out of the  
3 General Fund.

- 4 \$36,929.04 for Miscellaneous Claim Number 2012-11758,  
5 against the Department of Health and Human Services, pay to Grace  
6 Children's Home, Attn: Charles Patrie, Executive Director, P.O. Box  
7 519, Henderson, NE 68371-0519, out of the General Fund.  
8 \$77,546.76 for Miscellaneous Claim Number 2012-11759,  
9 against the Department of Health and Human Services, pay to  
10 Christian Heritage Children's Home, Attn: Gregg Nicklas, 14880 Old  
11 Cheney Road, Walton, NE 68461, out of the General Fund.  
12 \$25,896.51 for Miscellaneous Claim Number 2012-11760,  
13 against the Department of Health and Human Services, pay to  
14 Nebraska Foster and Adoptive Parent Association, Attn: Pamela  
15 Allen, 2431 Fairfield Street, Suite C, Lincoln, NE 68521, out of  
16 the General Fund.  
17 \$257,795.95 for Miscellaneous Claim Number 2012-11763,  
18 against the Department of Health and Human Services, pay to Family  
19 Skill Building Services, L.L.C., 403 East C Street, North Platte,  
20 NE 69101, out of the General Fund.  
21 \$16,659.01 for Miscellaneous Claim Number 2012-11764,  
22 against the Department of Health and Human Services, pay to Midwest  
23 Special Services, Attn: Lannie Roblee, P.O. Box 82, Curtis, NE  
24 69025, out of the General Fund.  
25 \$421.07 for Miscellaneous Claim Number 2012-11767,  
26 against the Department of Health and Human Services, pay to  
27 Nebraska Children's Home Society, 4939 South 118th Street, Omaha,  
1 NE 68137, out of the General Fund.  
2 \$5,815.15 for Miscellaneous Claim Number 2012-11768,  
3 against the Department of Health and Human Services, pay to  
4 Cedars Youth Services, Attn: Cindy Rudolph, 6601 Pioneers Blvd.,  
5 Suite 1, Lincoln, NE 68506, out of the General Fund.  
6 \$17,863.48 for Miscellaneous Claim Number 2012-11769,  
7 against the Department of Health and Human Services, pay to Indiana  
8 Developmental Training Center of Lafayette L.L.C., Attn: Monica  
9 Ansay, P.O. Box 78729, Milwaukee, WI 53278, out of the General  
10 Fund.  
11 \$68,951.38 for Miscellaneous Claim Number 2012-11770,  
12 against the Department of Health and Human Services, pay to  
13 Building Blocks for Community Enrichment, Attn: Traci S. Taylor,  
14 C.F.O., 101 East Wilson Avenue, Norfolk, NE 68701, out of the  
15 General Fund.  
16 \$20,645.45 for Miscellaneous Claim Number 2012-11771,  
17 against the Department of Health and Human Services, pay to Mark of  
18 Honor Youth Lodge, Inc., Attn: Mark Bazemore, P.O. Box 309, Macy,  
19 NE 68039, out of the General Fund.  
20 \$16,704.36 for Miscellaneous Claim Number 2012-11772,  
21 against the Department of Health and Human Services, pay to Mosaic,  
22 Attn: Kris D'Ann Maples, Esq., Vice President of Legal Supports,  
23 4980 South 118th Street, Omaha, NE 68137, out of the General Fund.  
24 \$87,270.30 for Miscellaneous Claim Number 2012-11782,  
25 against the Department of Health and Human Services, pay to Norfolk

- 26 Group Home, Inc., Attn: Sandra McGrath and Shelly McGrath, 201  
27 North 12th Street, Norfolk, NE 68701, out of the General Fund.  
1 \$8,187.76 for Miscellaneous Claim Number 2012-11783,  
2 against the Department of Health and Human Services, pay to  
3 Children's Square USA, Attn: Carol D. Wood, P.O. Box 8-C, Council  
4 Bluffs, IA 51502-3008, out of the General Fund.  
5 \$37,163.72 for Miscellaneous Claim Number 2012-11794,  
6 against the Department of Health and Human Services, pay to  
7 Behavioral Health Specialists, Inc., Attn: Connie Barnes, 900 West  
8 Norfolk Avenue, Suite 200, Norfolk, NE 68701, out of the General  
9 Fund.  
10 \$5,885.57 for Miscellaneous Claim Number 2012-11797,  
11 against the Department of Health and Human Services, pay to  
12 Heartland Boys Home, L.L.C., Attn: Mark Billingsley, 1225 Golden  
13 Gate Drive, Papillion, NE 68046, out of the General Fund.  
14 \$1,689.97 for Miscellaneous Claim Number 2012-11798,  
15 against the Department of Health and Human Services, pay to  
16 Harvest Haven Group Homes, L.L.C., Attn: Mark Billingsley, 1225  
17 Golden Gate Drive, Papillion, NE 68046, out of the General Fund.  
18 \$16,986.79 for Miscellaneous Claim Number 2012-11828,  
19 against the Department of Health and Human Services, pay to Human  
20 Services, Inc., Attn: Colleen S. Hood, Assistant Director, 419 West  
21 25th Street, Alliance, NE 69301, out of the General Fund.  
22 \$899.75 for Miscellaneous Claim Number 2012-11830,  
23 against the Department of Health and Human Services, pay to Mercy  
24 Medical Center, Attn: Judy Pfeifer, 1000 4th Street SW, Mason City,  
25 IA 50401, out of the General Fund.  
26 \$63,735.00 for Miscellaneous Claim Number 2012-11842,  
27 against the Department of Health and Human Services, pay to OMNI  
1 Behavioral Health, Attn: Morgan Kelly, General Counsel, 5115 F  
2 Street, Omaha, NE 68117, out of the General Fund.  
3 \$12,416.61 for Miscellaneous Claim Number 2012-11854,  
4 against the Department of Health and Human Services, pay to Apex  
5 Foster Care, Inc., Attn: Alicia Zuger, 9945 Maple Street, Omaha, NE  
6 68134-5550, out of the General Fund.  
7 \$6,933.14 for Miscellaneous Claim Number 2012-11863,  
8 against the Department of Health and Human Services, pay to  
9 St. Monica's Home, Attn: Jennifer Ekeler, 120 Wedgewood Drive,  
10 Lincoln, NE 68510, out of the General Fund.  
11 \$402,019.17 for Miscellaneous Claim Number 2012-11882,  
12 against the Department of Health and Human Services, pay to BSM  
13 Inc., dba McConaughy Discovery Center, Attn: Jeannine Lane, P.O.  
14 Box 299, Ogallala, NE 69153, out of the General Fund.  
15 \$5,302.03 for Miscellaneous Claim Number 2012-11895,  
16 against the Department of Health and Human Services, pay to Central  
17 Mediation Center, Attn: Denise Haupt, P.O. Box 838, Kearney, NE  
18 68848-0838, out of the General Fund.  
19 \$1,224.00 for Miscellaneous Claim Number 2012-11896,  
20 against the Department of Health and Human Services, pay to

- 21 Women In Community Service - WICS Residence for Girls, Attn: Tauni  
 22 Waddington, 1935 D Street, Lincoln, NE 68502, out of the General  
 23 Fund.  
 24 \$4,948.65 for Miscellaneous Claim Number 2012-11897,  
 25 against the Department of Health and Human Services, pay to  
 26 Child Saving Institute, Attn: Susan Baumert, 4545 Dodge Street,  
 27 Omaha, NE 68132, out of the General Fund.  
 1 \$17,883.32 for Miscellaneous Claim Number 2012-11898,  
 2 against the Department of Health and Human Services, pay to  
 3 Community Action Partnership of Western Nebraska, Attn: Scott  
 4 Stockwell, 3350 10th Street, Gering, NE 69341, out of the General  
 5 Fund.  
 6 \$114.10 for Miscellaneous Claim Number 2012-11899,  
 7 against the Department of Health and Human Services, pay to Myhanh  
 8 Che, 1333 North 161st Street, Omaha, NE 68118, out of the General  
 9 Fund.  
 10 \$136,258.51 for Miscellaneous Claim Number 2012-11900,  
 11 against the Department of Health and Human Services, pay to  
 12 Heartland Family Service, Attn: John Jeanetta, 2101 South 42nd  
 13 Street, Omaha, NE 68105, out of the General Fund.  
 14 \$65,671.18 for Miscellaneous Claim Number 2012-11901,  
 15 against the Department of Health and Human Services, pay to Father  
 16 Flanagan's Boys' Home, Attn: James L. Fees, P.O. Box 145, Boys  
 17 Town, NE 68010, out of the General Fund.  
 18 \$161,541.19 for Miscellaneous Claim Number 2012-11902,  
 19 against the Department of Health and Human Services, pay to Father  
 20 Flanagan's Boys' Home, Attn: James L. Fees, P.O. Box 145, Boys  
 21 Town, NE 68010, out of the General Fund.  
 22 \$994.25 for Miscellaneous Claim Number 2012-11910,  
 23 against the Department of Health and Human Services, pay to Donald  
 24 Tuggle, 108 South Willow Street, North Platte, NE 69101, out of  
 25 the General Fund.  
 26 \$952.96 for Miscellaneous Claim Number 2012-11911,  
 27 against the Department of Health and Human Services, pay to Donald  
 1 Tuggle, 108 South Willow Street, North Platte, NE 69101, out of  
 2 the General Fund.  
 3 \$810.26 for Miscellaneous Claim Number 2012-11946,  
 4 against the Department of Health and Human Services, pay to Rick  
 5 Michaelsen, 405 West Q Street, McCook, NE 69001, out of the General  
 6 Fund.  
 7 \$8,146.69 for Miscellaneous Claim Number 2012-11947,  
 8 against the Department of Health and Human Services, pay to  
 9 Northeast Nebraska Juvenile Services, Attn: Mark Benne, P.O. Box  
 10 50, Madison, NE 68748, out of the General Fund.  
 11 \$4,695.00 for Miscellaneous Claim Number 2012-11948,  
 12 against the Department of Health and Human Services, pay to Dr.  
 13 John Meidlinger, 207 North Pine Street, Suite 100, Grand Island, NE  
 14 68801, out of the General Fund.

15 The claims included in this section shall be paid through  
 16 Program 536 in Agency 65.

17 For informational purposes only, the appropriations  
 18 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
20 <u>GENERAL FUND</u>	<u>\$2,499,342.98</u>
21 <u>CASH FUND</u>	<u>\$-0-</u>
22 <u>REVOLVING FUND</u>	<u>\$-0-</u>
23 <u>TOTAL</u>	<u>\$2,499,342.98</u>

24 2. On page 3, line 3, strike "2004-00646" and insert  
 25 "TC04-646-1".

26 3. Renumber the remaining sections accordingly.

(Signed) Steve Lathrop, Chairperson

Health and Human Services

**LEGISLATIVE BILL 1142.** Placed on General File with amendment.  
 AM2240

1 1. Insert the following section:

2 Sec. 5. Since an emergency exists, this act takes effect  
 3 when passed and approved according to law.

4 2. On page 3, line 5, after "of" insert "hospitals;

5 (c) At least one representative of physicians;

6 (d) At least one other representative of"; in line 6

7 strike "(c)" and insert "(e)"; in line 9 strike "(d)" and insert

8 "(f)"; in line 12 strike "(e)" and insert "(g)"; in line 16 strike

9 "(f)" and insert "(h)" and strike "and"; in line 17 strike "(g)"

10 and insert "(i)"; in line 19 after "Nebraskans" insert "; and

11 (j) At least one representative of local public health

12 departments".

13 3. On page 4, after line 3 insert:

14 "(4) The members of the Health Care Data Base Advisory

15 Committee appointed pursuant to subsection (2) of this section

16 shall serve without compensation and shall not be reimbursed

17 for expenses incurred in the performance of their duties on the

18 committee".

19 4. On page 5, line 20, strike the second "and"; and in

20 line 22 after "purposes" insert "; and

21 (m) Include whether the advisory committee should

22 continue to exist and provide recommendations to the Department of

23 Insurance regarding the Nebraska Health Care Data Base after the

1 report required in subsection (2) of this section is completed".

(Signed) Kathy Campbell, Chairperson

**WITHDRAW - Amendment to LB473**

Senator B. Harr withdrew his amendment, FA37, found on page 745, to LB473.

**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 LB473 with 38 ayes, 1 nay, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 473.**

A BILL FOR AN ACT relating to prairie dogs; to amend section 81-2,236, Reissue Revised Statutes of Nebraska; to adopt the Black-Tailed Prairie Dog Management Act; to harmonize provisions; 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, 32:

Adams	Cornett	Heidemann	Louden	Schumacher
Avery	Fischer	Janssen	McCoy	Seiler
Bloomfield	Flood	Karpisek	Nelson	Wallman
Brasch	Gloor	Krist	Nordquist	Wightman
Campbell	Hadley	Lambert	Pirsch	
Carlson	Hansen	Langemeier	Price	
Christensen	Harms	Lathrop	Schilz	

Voting in the negative, 11:

Coash	Fulton	Howard	Smith
Cook	Haar, K.	McGill	Sullivan
Dubas	Harr, B.	Pahls	

Present and not voting, 2:

Council	Mello
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Excused and not voting, 4:

Ashford	Conrad	Larson	Lautenbaugh
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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 LB446 with 41 ayes, 3 nays, 2 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 446.**

A BILL FOR AN ACT relating to educational service units; to amend section 79-1225, Reissue Revised Statutes of Nebraska, and sections 79-1217, 79-1241.03, and 79-1242, Revised Statutes Cumulative Supplement, 2010; to provide for participation in statewide projects as prescribed; to change a tax levy limitation; to change provisions relating to distribution and use of funds; 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	Council	Harr, B.	Louden	Schumacher
Avery	Dubas	Heidemann	McCoy	Seiler
Bloomfield	Fischer	Howard	McGill	Smith
Brasch	Flood	Janssen	Mello	Sullivan
Campbell	Fulton	Karpisek	Nelson	Wallman
Carlson	Gloor	Krist	Nordquist	Wightman
Christensen	Haar, K.	Lambert	Pahls	
Coash	Hadley	Langemeier	Pirsch	
Cook	Hansen	Larson	Price	
Cornett	Harms	Lathrop	Schilz	

Voting in the negative, 0.

Excused and not voting, 3:

Ashford	Conrad	Lautenbaugh
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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 526.** With Emergency Clause.

A BILL FOR AN ACT relating to water; to amend section 46-294, Reissue Revised Statutes of Nebraska; to change provisions relating to water transfers; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 733.**

A BILL FOR AN ACT relating to the Secretary of State; to amend section 84-511, Revised Statutes Supplement, 2011; to provide for electronic transmission and filing of documents under the Nebraska Uniform Limited Liability Company Act; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 739.** With Emergency Clause.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-354, Revised Statutes Supplement, 2011; to authorize the commission to convey certain real estate; to prescribe conditions relating to the conveyance, operation, and maintenance of the real estate; to provide duties for the commission; to harmonize provisions; 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, 45:

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

Voting in the negative, 0.

Present and not voting, 2:

Cornett Council

Excused and not voting, 2:

Ashford Lautenbaugh

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

**LEGISLATIVE BILL 759.**

A BILL FOR AN ACT relating to petitions; to amend sections 32-628 and 32-629, Reissue Revised Statutes of Nebraska; to change requirements for circulators; 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, 41:

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

Voting in the negative, 2:

Janssen Larson

Present and not voting, 4:

Adams Hansen Nelson Pirsch

Excused and not voting, 2:

Ashford Lautenbaugh

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

**LEGISLATIVE BILL 760.**

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend section 81-1503, Reissue Revised Statutes of Nebraska; to change

provisions relating to meetings of the Environmental Quality Council and grants; 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	Lathrop	Schilz
Avery	Council	Harr, B.	Louden	Schumacher
Bloomfield	Dubas	Heidemann	McCoy	Smith
Brasch	Fischer	Howard	McGill	Sullivan
Campbell	Flood	Janssen	Mello	Wallman
Carlson	Fulton	Karpisek	Nelson	Wightman
Christensen	Gloor	Krist	Nordquist	
Coash	Haar, K.	Lambert	Pahls	
Conrad	Hadley	Langemeier	Pirsch	
Cook	Hansen	Larson	Price	

Voting in the negative, 0.

Present and not voting, 1:

Seiler

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 780.**

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-103.05, 53-103.21, and 53-123.14, Reissue Revised Statutes of Nebraska; to redefine terms; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 786.** With Emergency Clause.

A BILL FOR AN ACT relating to cities; to amend section 19-613, Reissue Revised Statutes of Nebraska; to change provisions relating to forfeiture of office as a member of a city council; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 790.** With Emergency Clause.

A BILL FOR AN ACT relating to courts; to amend section 24-503, Reissue Revised Statutes of Nebraska; to change the number of judges in certain county judge judicial districts; to provide an operative date; 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, 38:

Adams	Cornett	Hansen	Langemeier	Price
Avery	Council	Harms	Lathrop	Schumacher
Brasch	Dubas	Harr, B.	Louden	Seiler
Campbell	Flood	Heidemann	McCoy	Smith
Christensen	Fulton	Howard	McGill	Wallman
Coash	Gloor	Janssen	Mello	Wightman
Conrad	Haar, K.	Krist	Nordquist	
Cook	Hadley	Lambert	Pahls	

Voting in the negative, 8:

Bloomfield	Fischer	Larson	Schilz
Carlson	Karpisek	Nelson	Sullivan

Present and not voting, 1:

Pirsch

Excused and not voting, 2:

Ashford      Lautenbaugh

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB801 with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 801.**

A BILL FOR AN ACT relating to county officials; to amend sections 37-1214, 37-1215, 37-1216, 37-1217, 37-1218, 37-1219, 37-1223, 37-1226, 37-1227, 37-1278, 37-1280, 37-1284, 37-1285, 37-1286, 37-1289, 37-1291, 37-1293, 37-1296, 60-142.03, 60-146, 60-147, 60-148, 60-149, 60-150, 60-152, 60-162, 60-163, 60-164, 60-166, 60-168, 60-168.01, 60-169, 60-170, 60-173, 60-175, 60-178, 60-180, 60-181, 60-184, 60-189, 60-371, 60-372, 60-382, 60-384, 60-385, 60-388, 60-391, 60-396, 60-397, 60-398, 60-3,104.01, 60-3,109, 60-3,111, 60-3,112, 60-3,114, 60-3,115, 60-3,116, 60-3,119, 60-3,120, 60-3,121, 60-3,122.02, 60-3,128, 60-3,140, 60-3,141, 60-3,142, 60-3,144, 60-3,147, 60-3,148, 60-3,156, 60-3,157, 60-3,158, 60-3,159, 60-3,163, 60-3,166, 60-3,186, 60-3,189, 60-3,202, 60-3,209, 60-3,217, 60-1803, 60-1807, 77-1501, and 77-3445, Reissue Revised Statutes of Nebraska, sections 37-1279, 37-1282, and 37-1283, Revised Statutes Cumulative Supplement, 2010, and sections 18-1214, 18-1738, 18-1738.01, 18-1738.02, 18-1739, 37-1287, 60-144, 60-153, 60-161, 60-386, 60-395, 60-3,190, 77-2703, and 77-2708, Revised Statutes Supplement, 2011; to eliminate obsolete references to designated county officials; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-111, 60-162.01, and 60-320, Reissue Revised Statutes of Nebraska, section 37-1280.01, Revised Statutes Cumulative Supplement, 2010, and section 23-186, Revised Statutes Supplement, 2011.

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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 811.**

A BILL FOR AN ACT relating to finance; to amend section 8-1401, Reissue Revised Statutes of Nebraska; to change provisions relating to disclosure of confidential information; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 841.** With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,298, Revised Statutes Supplement, 2011; to change provisions relating to permits for exceeding size and weight limitations; 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, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Bloomfield

Excused and not voting, 2:

Ashford      Lautenbaugh

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

### **LEGISLATIVE BILL 860.**

A BILL FOR AN ACT relating to truth and deception examiners; to amend sections 81-1917 and 81-1918, Reissue Revised Statutes of Nebraska; to change qualification and training requirements regarding voice stress analysis; 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	Lathrop	Schilz
Avery	Council	Harr, B.	Louden	Schumacher
Bloomfield	Dubas	Heidemann	McCoy	Seiler
Brasch	Fischer	Howard	McGill	Smith
Campbell	Flood	Janssen	Mello	Sullivan
Carlson	Fulton	Karpisek	Nelson	Wallman
Christensen	Gloor	Krist	Nordquist	Wightman
Coash	Haar, K.	Lambert	Pahls	
Conrad	Hadley	Langemeier	Pirsch	
Cook	Hansen	Larson	Price	

Voting in the negative, 0.

Excused and not voting, 2:

Ashford           Lautenbaugh

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 LB878 with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 878.**

A BILL FOR AN ACT relating to elections; to amend sections 32-206, 32-568, and 32-809, Reissue Revised Statutes of Nebraska, section 32-570, Revised Statutes Cumulative Supplement, 2010, and section 32-811, Revised Statutes Supplement, 2011; to change provisions relating to publication of the official election calendar, filling vacancies, automatic nomination of candidates for reclamation districts, and placement of names on ballots; to eliminate provisions relating to custodians and training for vote counting devices; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-1044 and 32-1045, 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford           Lautenbaugh

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 1031.**

A BILL FOR AN ACT relating to secured transactions; to amend section 9-503, Uniform Commercial Code, Revised Statutes Supplement, 2011; to change provisions relating to name of debtor; to provide an operative date; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 686.**

A BILL FOR AN ACT relating to the Veterinary Medicine and Surgery Practice Act; to amend section 38-3321, Revised Statutes Cumulative Supplement, 2010; to provide exceptions for transplantation of bovine embryos; 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, 43:

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

Voting in the negative, 2:

Karpisek      Seiler

Present and not voting, 2:

Avery              Council

Excused and not voting, 2:

Ashford          Lautenbaugh

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

### **LEGISLATIVE BILL 723.**

A BILL FOR AN ACT relating to the Nebraska Safe Drinking Water Act; to amend sections 71-5301 and 71-5304.01, Reissue Revised Statutes of Nebraska; to eliminate a defined term; 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	Cornett	Harr, B.	Louden	Schumacher
Avery	Council	Heidemann	McCoy	Seiler
Bloomfield	Dubas	Howard	McGill	Smith
Brasch	Fischer	Janssen	Mello	Sullivan
Campbell	Flood	Karpisek	Nelson	Wallman
Carlson	Fulton	Krist	Nordquist	Wightman
Christensen	Haar, K.	Lambert	Pahls	
Coash	Hadley	Langemeier	Pirsch	
Conrad	Hansen	Larson	Price	
Cook	Harms	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Gloor

Excused and not voting, 2:

Ashford      Lautenbaugh

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

### **LEGISLATIVE BILL 773.**

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-155, Reissue Revised Statutes of Nebraska; to change provisions relating to fees; 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	Lathrop	Schilz
Avery	Council	Harr, B.	Louden	Schumacher
Bloomfield	Dubas	Heidemann	McCoy	Seiler
Brasch	Fischer	Howard	McGill	Smith
Campbell	Flood	Janssen	Mello	Sullivan
Carlson	Fulton	Karpisek	Nelson	Wightman
Christensen	Gloor	Krist	Nordquist	
Coash	Haar, K.	Lambert	Pahls	
Conrad	Hadley	Langemeier	Pirsch	
Cook	Hansen	Larson	Price	

Voting in the negative, 0.

Present and not voting, 1:

Wallman

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 794.**

A BILL FOR AN ACT relating to the Radiation Control Act; to amend section 71-3503, Reissue Revised Statutes of Nebraska; to redefine a term; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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 LB831 with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 831.**

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-186, Reissue Revised Statutes of Nebraska, and sections 38-101 and 38-121, Revised Statutes Cumulative Supplement, 2010; to adopt the Genetic Counseling Practice 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, 46:

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

Voting in the negative, 1:

Bloomfield

Excused and not voting, 2:

Ashford      Lautenbaugh

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 849.** With Emergency Clause.

A BILL FOR AN ACT relating to recreation areas; to authorize the Game and Parks Commission to convey certain real estate; to prescribe conditions relating to the operation and maintenance of the real estate; to provide duties for the Lower Loup Natural Resources District; 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	Lathrop	Schilz
Avery	Council	Harr, B.	Louden	Schumacher
Bloomfield	Dubas	Heidemann	McCoy	Seiler
Brasch	Fischer	Howard	McGill	Smith
Campbell	Flood	Janssen	Mello	Sullivan
Carlson	Fulton	Karpisek	Nelson	Wightman
Christensen	Gloor	Krist	Nordquist	
Coash	Haar, K.	Lambert	Pahls	
Conrad	Hadley	Langemeier	Pirsch	
Cook	Hansen	Larson	Price	

Voting in the negative, 0.

Present and not voting, 1:

Wallman

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 871.**

A BILL FOR AN ACT relating to the Nebraska Behavioral Health Services Act; to amend sections 71-806, 71-809, and 83-368, Reissue Revised Statutes of Nebraska; to provide for policies relating to financial eligibility of consumers and schedules of fees and copays; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 904.**

A BILL FOR AN ACT relating to the Vital Statistics Act; to amend section 71-615, Reissue Revised Statutes of Nebraska; to change provisions relating to the reporting of annulments and dissolutions of marriage by the clerk of the district court; 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
Avery	Council	Harr, B.	McCoy	Seiler
Bloomfield	Dubas	Heidemann	McGill	Smith
Brasch	Fischer	Howard	Mello	Sullivan
Campbell	Flood	Janssen	Nelson	Wallman
Carlson	Fulton	Krist	Nordquist	Wightman
Christensen	Gloor	Lambert	Pahls	
Coash	Haar, K.	Langemeier	Pirsch	
Conrad	Hadley	Larson	Price	
Cook	Hansen	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Karpisek

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 943.**

A BILL FOR AN ACT relating to insurance; to adopt the Insured Homeowners Protection Act; and to provide a duty for the Revisor of Statutes.

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Lautenbaugh

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

**LEGISLATIVE BILL 1064.**

A BILL FOR AN ACT relating to the Surplus Lines Insurance Act; to amend section 44-5510, Revised Statutes Supplement, 2011; to permit the procurement of certain disability insurance from a nonadmitted insurer; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Ashford          Lautenbaugh

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 473, 446, 526, 733, 739, 759, 760, 780, 786, 790, 801, 811, 841, 860, 878, 1031, 686, 723, 773, 794, 831, 849, 871, 904, 943, and 1064.

### **MOTION - Return LB536 to Select File**

Senator Seiler moved to return LB536 to Select File for his specific amendment, AM2232, found on page 697.

The Seiler motion to return prevailed with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

### **SELECT FILE**

**LEGISLATIVE BILL 536.** The Seiler specific amendment, AM2232, found on page 697, was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**LEGISLATIVE BILL 861.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 735.** ER188, found on page 613, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 209.** Senator Cornett renewed her amendment, AM2193, found on page 662.

The Cornett amendment was adopted with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

Senator Krist withdrew his amendment, AM2235, found on page 759.

Senator Cornett offered the following amendment:

AM2277

- 1 1. On page 2, strike lines 10 through 16 and all  
 2 amendments thereto and insert:  
 3 "(2)(a) Deductions for a refund made pursuant to section  
 4 77-4105 or 77-5725 shall be delayed for one year after the refund  
 5 has been made to the taxpayer. The Department of Revenue shall  
 6 notify the municipality liable for the refund of the pending  
 7 refund, the amount of the refund, and the month in which the  
 8 deduction will be made or begin, except:  
 9 (b) If the amount of a refund claimed under  
 10 section 77-4105 or 77-5725 exceeds twenty-five percent of the  
 11 municipality's total sales and use tax receipts, net of any refunds  
 12 or sales tax collection fees, for the municipality's prior fiscal  
 13 year, the department shall deduct the refund over the period of  
 14 one year in equal monthly amounts beginning after the one-year  
 15 notification period required by subdivision (2)(a) of this section.  
 16 (c) This subsection applies to refunds owed by cities of  
 17 the first class, cities of the second class, and villages."

Senator Krist offered the following amendment to the Cornett amendment:

AM2370

(Amendments to AM2277)

- 1 1. On page 1, line 13, after "year" insert "or one  
 2 million dollars, whichever is less"; and strike beginning with line  
 3 16 through the underscored period in line 17.

Pending.

### PRESENTED TO THE GOVERNOR

Presented to the Governor on March 8, 2012, at 10:36 a.m. were the following: LBs 473, 446, 526e, 733, 739e, 759, 760, 780, 786e, 790e, 801, 811, 841e, 860, 878, 1031, 686, 723, 773, 794, 831, 849e, 871, 904, 943, and 1064.

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

### EXPLANATION OF VOTE

Had I been present, I would have voted "nay" on final passage of LB473.

(Signed) Danielle Conrad

**NOTICE OF COMMITTEE HEARING**  
Health and Human Services

Room 1510

Thursday, March 15, 2012 1:00 p.m.

Diane Muelleman - Commission for the Deaf and Hard of Hearing

(Signed) Kathy Campbell, Chairperson

**COMMITTEE REPORTS**  
Natural Resources

**LEGISLATIVE BILL 1087.** Placed on General File with amendment.  
AM2364

- 1     1. Strike the original sections and insert the following  
2 new section:  
3     Section 1. (1) The Natural Gas Fuel Board is hereby  
4 established to advise the State Energy Office regarding the  
5 promotion of natural gas as a motor vehicle fuel in Nebraska.  
6 The board shall provide recommendations relating to:  
7     (a) Distribution, infrastructure, and workforce  
8 development for natural gas to be used as a motor vehicle fuel;  
9     (b) Loans, grants, and tax incentives to encourage the  
10 use of natural gas as a motor vehicle fuel for individuals and  
11 public and private fleets; and  
12     (c) Such other matters as it deems appropriate.  
13     (2) The board shall consist of eight members appointed by  
14 the Governor. The Governor shall make the initial appointments by  
15 October 1, 2012. The board shall include:  
16     (a) One member representing a jurisdictional utility as  
17 defined in section 66-1802;  
18     (b) One member representing a metropolitan utilities  
19 district;  
20     (c) One member representing the interests of the  
21 transportation industry in this state;  
22     (d) One member representing the interests of the business  
23 community in this state, specifically fueling station owners or  
1 operators;  
2     (e) One member representing natural gas marketers or  
3 pipelines in the state;  
4     (f) One member representing automobile dealerships or  
5 repair businesses in the state;  
6     (g) One member representing labor interests in the state;  
7 and  
8     (h) One member representing environmental interests in  
9 the state, specifically air quality.

10 (3) All appointments shall be subject to the approval of  
 11 a majority of the members of the Legislature if the Legislature  
 12 is in session, and if the Legislature is not in session, any  
 13 appointment to fill a vacancy shall be temporary until the next  
 14 session of the Legislature, at which time a majority of the members  
 15 of the Legislature may approve or disapprove such appointment.

16 (4) Members shall be appointed for terms of four years,  
 17 except that of the initial appointees the terms of the member  
 18 representing a jurisdictional utility and a metropolitan utilities  
 19 district shall expire on September 30, 2015, the terms of the  
 20 members representing the transportation industry, the business  
 21 community, natural gas marketers or pipelines, and automobile  
 22 dealerships or repair businesses shall expire on September 30,  
 23 2014, and the terms of the members representing labor and  
 24 environmental interests shall expire on September 30, 2013. Members  
 25 may be reappointed. A member shall serve until a successor is  
 26 appointed and qualified.

27 (5) A vacancy on the board shall exist in the event of  
 1 death, disability, resignation, or removal for cause of a member.  
 2 Any vacancy on the board arising other than from the expiration of  
 3 a term shall be filled by appointment for the unexpired portion of  
 4 the term. An appointment to fill a vacancy shall be made by the  
 5 Governor with the approval of a majority of the Legislature, and  
 6 any person so appointed shall have the same qualifications as the  
 7 person whom he or she succeeds.

8 (6) The board shall meet at least once annually.

9 (7) The members shall not be reimbursed for expenses  
 10 associated with carrying out their duties as members.

11 (8) The State Energy Office shall provide administrative  
 12 support to the board as necessary so that the board may carry out  
 13 its duties.

(Signed) Chris Langemeier, Chairperson

Urban Affairs

**LEGISLATIVE BILL 1137.** Placed on General File with amendment.  
 AM2205 is available in the Bill Room.

(Signed) Amanda McGill, Chairperson

### **AMENDMENTS - Print in Journal**

Senator Cornett filed the following amendment to LB131:  
 FA44  
 Strike section 2.

Senator Cornett filed the following amendment to LB131:  
 FA45  
 Amend AM2098  
 Strike section 2.

Senator Cornett filed the following amendment to LB968:  
 FA46  
 Strike section 2.

Senator Cornett filed the following amendment to LB968:  
 FA47  
 Amend AM2123  
 Strike section 2.

Senator Council filed the following amendment to LR40CA:  
 FA48  
 Strike the enacting clause.

Senator McGill filed the following amendment to LB310:  
 AM2259

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and insert the following
- 2 sections:
- 3 Section 1. Section 28-311.09, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 28-311.09 (1) Any victim who has been harassed as
- 6 defined by section 28-311.02 may file a petition and affidavit
- 7 for a harassment protection order as provided in subsection
- 8 (3) of this section. Upon the filing of such a petition and
- 9 affidavit in support thereof, the ~~judge or~~ court may issue a
- 10 harassment protection order without bond enjoining the respondent
- 11 from (a) imposing any restraint upon the person or liberty of
- 12 the petitioner, (b) harassing, threatening, assaulting, molesting,
- 13 attacking, or otherwise disturbing the peace of the petitioner, or
- 14 (c) telephoning, contacting, or otherwise communicating with the
- 15 petitioner.
- 16 (2) The petition for a harassment protection order shall
- 17 state the events and dates of acts constituting the alleged
- 18 harassment.
- 19 (3) A petition for a harassment protection order shall be
- 20 filed with the clerk of the district court, and the proceeding may
- 21 be heard by the county court or the district court as provided in
- 22 section 25-2740.
- 1 (4) A petition for a harassment protection order filed
- 2 pursuant to subsection (1) of this section may not be withdrawn
- 3 except upon order of the court. An order issued pursuant to
- 4 subsection (1) of this section shall specify that it is effective
- 5 for a period of one year unless otherwise dismissed or modified
- 6 by the court. Any person who knowingly violates an order issued



7 pursuant to subsection (1) of this section after service or notice  
 8 as described in subdivision (8)(b) of this section shall be guilty  
 9 of a Class II misdemeanor.

10 (5)(a) Fees to cover costs associated with the filing of  
 11 a petition for a harassment protection order or the issuance or  
 12 service of a harassment protection order seeking only the relief  
 13 provided by this section shall not be charged, except that a court  
 14 may assess such fees and costs if the court finds, by clear and  
 15 convincing evidence, that the statements contained in the petition  
 16 were false and that the harassment protection order was sought in  
 17 bad faith.

18 (b) A court may also assess costs associated with the  
 19 filing of a petition for a harassment protection order or the  
 20 issuance or service of a harassment protection order seeking only  
 21 the relief ~~sought in the harassment protection order provided by~~  
 22 this section against the respondent.

23 (6) The clerk of the district court shall make available  
 24 standard application and affidavit forms for a harassment  
 25 protection order with instructions for completion to be used by a  
 26 petitioner. The clerk and his or her employees shall not provide  
 27 assistance in completing the forms. The State Court Administrator  
 1 shall adopt and promulgate the standard application and affidavit  
 2 forms provided for in this section as well as the standard  
 3 temporary and final harassment protection order forms and provide  
 4 a copy of such forms to all clerks of the district courts in this  
 5 state. These standard temporary and final harassment protection  
 6 order forms shall be the only such forms used in this state.

7 (7) Any order issued under subsection (1) of this section  
 8 may be issued ex parte without notice to the respondent if it  
 9 reasonably appears from the specific facts shown by affidavit of  
 10 the petitioner that irreparable harm, loss, or damage will result  
 11 before the matter can be heard on notice. If the specific facts  
 12 included in the affidavit (a) do not show that the petitioner will  
 13 suffer irreparable harm, loss, or damage or (b) show that, for any  
 14 other compelling reason, an ex parte order should not be issued,  
 15 the court ~~or judge~~ may forthwith cause notice of the application  
 16 to be given to the ~~adverse party respondent~~ stating that he or she  
 17 may show cause, not more than fourteen days after service, ~~upon him~~  
 18 ~~or her~~, why such order should not be entered. If such ex parte  
 19 order is issued without notice to the respondent, the court shall  
 20 forthwith cause notice of the petition and order and a form with  
 21 which to request a show-cause hearing to be given the respondent  
 22 stating that, upon service on the respondent, the order shall  
 23 remain in effect for a period of one year unless the respondent  
 24 shows cause why the order should not remain in effect for a period  
 25 of one year. ~~The court shall also cause to be served upon the~~  
 26 ~~respondent a form with which to request a show-cause hearing.~~ If  
 27 the respondent wishes to appear and show cause why the order should  
 1 not remain in effect for a period of one year, he or she shall

2 affix his or her current address, telephone number, and signature  
3 to the form and return it to the clerk of the district court  
4 within five days after service upon him or her. Upon receipt of  
5 the request for a show-cause hearing, the court shall immediately  
6 schedule a show-cause hearing to be held within thirty days after  
7 the receipt of the request for a show-cause hearing and shall  
8 notify the petitioner and respondent of the hearing date.

9 ~~(8)-(8)(a)~~ Upon the issuance of any harassment protection  
10 order, ~~under this section,~~ the clerk of the court shall forthwith  
11 provide the petitioner, without charge, with two certified copies  
12 of such order. The clerk of the court shall also forthwith provide  
13 the local police department or local law enforcement agency and  
14 the local sheriff's office, without charge, with one copy each  
15 of such order and one copy each of the sheriff's return thereon.  
16 The clerk of the court shall also forthwith provide a copy of  
17 the harassment protection order to the sheriff's office in the  
18 county where the respondent may be personally served together  
19 with instructions for service. Upon receipt of the order and  
20 instructions for service, such sheriff's office shall forthwith  
21 serve the harassment protection order upon the respondent and file  
22 its return thereon with the clerk of the court which issued the  
23 harassment protection order within fourteen days of the issuance  
24 of the harassment protection order. If any harassment protection  
25 order is dismissed or modified by the court, the clerk of the court  
26 shall forthwith provide the local police department or local law  
27 enforcement agency and the local sheriff's office, without charge,  
1 with one copy each of the order of dismissal or modification.

2 (b) If the respondent is present at a hearing convened  
3 pursuant to this section and the harassment protection order is not  
4 dismissed, such respondent shall be deemed to have notice by the  
5 court at such hearing that the protection order will be granted and  
6 remain in effect and further service of such notice described in  
7 this subsection shall not be required for purposes of prosecution  
8 under this section. If the respondent has been properly served  
9 with the ex parte order and fails to appear at the hearing, the  
10 temporary order shall be deemed to be granted and remain in effect  
11 and the service of the ex parte order will serve as notice required  
12 under this section.

13 (9) A peace officer may, with or without a warrant,  
14 arrest a person if (a) the officer has probable cause to believe  
15 that the person has committed a violation of ~~an~~ a harassment  
16 protection order issued pursuant to this section or a violation  
17 of a valid foreign harassment protection order recognized pursuant  
18 to section 28-311.10 and (b) a petitioner under this section  
19 provides the peace officer with a copy of a harassment protection  
20 order or the peace officer determines that such an order exists  
21 after communicating with the local law enforcement agency or a  
22 person protected under a valid foreign harassment protection order

23 recognized pursuant to section 28-311.10 provides the peace officer  
 24 with a copy of a ~~valid foreign harassment protection~~ such order.

25 (10) A peace officer making an arrest pursuant to  
 26 subsection (9) of this section shall take such person into custody  
 27 and take such person before a ~~judge of the county court or~~  
 1 the court which issued the harassment protection order within  
 2 a reasonable time. At such time the court shall establish the  
 3 conditions of such person's release from custody, including the  
 4 determination of bond or recognizance, as the case may be. The  
 5 court shall issue an order directing that such person shall have no  
 6 contact with the alleged victim of the harassment.

7 Sec. 2. Section 42-903, Reissue Revised Statutes of  
 8 Nebraska, is amended to read:

9 42-903 For purposes of the Protection from Domestic Abuse  
 10 Act, unless the context otherwise requires:

11 (1) Abuse means the occurrence of one or more of the  
 12 following acts between household members:

13 (a) Attempting to cause or intentionally and knowingly  
 14 causing bodily injury with or without a dangerous instrument;

15 (b) Placing, by ~~physical menace,~~ means of credible  
 16 threat, another person in fear of ~~imminent~~ bodily injury. For  
 17 purposes of this subdivision, credible threat means a verbal or  
 18 written threat, including a threat performed through the use of an  
 19 electronic communication device, or a threat implied by a pattern  
 20 of conduct or a combination of verbal, written, or electronically  
 21 communicated statements and conduct that is made by a person with  
 22 the apparent ability to carry out the threat so as to cause the  
 23 person who is the target of the threat to reasonably fear for  
 24 his or her safety or the safety of his or her family. It is not  
 25 necessary to prove that the person making the threat had the intent  
 26 to actually carry out the threat. The present incarceration of the  
 27 person making the threat shall not prevent the threat from being  
 1 deemed a credible threat under this section; or

2 (c) Engaging in sexual contact or sexual penetration  
 3 without consent as defined in section 28-318;

4 (2) Department means the Department of Health and Human  
 5 Services;

6 (3) Family or household members includes spouses or  
 7 former spouses, children, persons who are presently residing  
 8 together or who have resided together in the past, persons who  
 9 have a child in common whether or not they have been married  
 10 or have lived together at any time, other persons related  
 11 by consanguinity or affinity, and persons who are presently  
 12 involved in a dating relationship with each other or who have  
 13 been involved in a dating relationship with each other. For  
 14 purposes of this subdivision, dating relationship means frequent,  
 15 intimate associations primarily characterized by the expectation  
 16 of affectional or sexual involvement, but does not include a

17 casual relationship or an ordinary association between persons in a  
18 business or social context; and

19 (4) Law enforcement agency means the police department  
20 or town marshal in incorporated municipalities, the office of the  
21 sheriff in unincorporated areas, and the Nebraska State Patrol.

22 Sec. 3. Section 42-924, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24 42-924 (1) Any victim of domestic abuse may file a  
25 petition and affidavit for a protection order as provided in  
26 subsection (2) of this section. Upon the filing of such a petition  
27 and affidavit in support thereof, the ~~judge or~~ court may issue a

1 protection order without bond granting the following relief:

2 (a) Enjoining the respondent from imposing any restraint  
3 upon the petitioner or upon the liberty of the petitioner;

4 (b) Enjoining the respondent from threatening,  
5 assaulting, molesting, attacking, or otherwise disturbing the peace  
6 of the petitioner;

7 (c) Enjoining the respondent from telephoning,  
8 contacting, or otherwise communicating with the petitioner;

9 (d) Removing and excluding the respondent from the  
10 residence of the petitioner, regardless of the ownership of the  
11 residence;

12 (e) Ordering the respondent to stay away from any place  
13 specified by the court;

14 (f) Awarding the petitioner temporary custody of any  
15 minor children not to exceed ninety days; ~~or~~

16 (g) Enjoining the respondent from possessing or  
17 purchasing a firearm as defined in section 28-1201; or

18 ~~(g)-(h)~~ (h) Ordering such other relief deemed necessary to  
19 provide for the safety and welfare of the petitioner and any  
20 designated family or household member.

21 (2) Petitions for protection orders shall be filed with  
22 the clerk of the district court, and the proceeding may be heard  
23 by the county court or the district court as provided in section  
24 25-2740.

25 (3) A petition filed pursuant to subsection (1) of this  
26 section may not be withdrawn except upon order of the court. An  
27 order issued pursuant to subsection (1) of this section shall  
1 specify that it is effective for a period of one year and, if  
2 the order grants temporary custody, the number of days of custody  
3 granted to the petitioner unless otherwise modified by the court.

4 (4) Any person who knowingly violates ~~an~~ a protection  
5 order issued pursuant to subsection (1) of this section or section  
6 42-931 after service or notice as described in subsection (2)  
7 of section 42-926 shall be guilty of a Class ~~II~~ misdemeanor,  
8 except that ~~(a)~~ any person convicted of violating such order who  
9 has a prior conviction for violating a protection order shall be  
10 guilty of a Class I misdemeanor and ~~(b) any person convicted of~~  
11 ~~violating such order who has a prior conviction for violating the~~

12 ~~same protection order or a protection order granted to the same~~  
13 ~~petitioner shall be guilty of a Class IV felony.~~

14 (4)-(5) If there is any conflict between sections 42-924  
15 to 42-926 and any other provision of law, sections 42-924 to 42-926  
16 shall govern.

17 Sec. 4. Section 42-925, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 42-925 (1) An order issued under subsection (1) of  
20 section 42-924 may be issued ex parte to the respondent if  
21 it reasonably appears from the specific facts included in the  
22 affidavit that the petitioner will be in immediate danger of abuse  
23 before the matter can be heard on notice. If an order is issued  
24 ex parte, ~~such order is a temporary order and the court shall~~  
25 ~~immediately schedule an evidentiary hearing to be held within~~  
26 ~~thirty days after service of such order, and the court shall~~  
27 ~~cause notice of the hearing to be given to the petitioner and the~~  
1 ~~respondent, forthwith cause notice of the petition and order to~~  
2 ~~be given to the respondent. The court shall also cause a form to~~  
3 ~~request a show-cause hearing to be served upon the respondent. If~~  
4 ~~the respondent wishes to appear and show cause why the order should~~  
5 ~~not remain in effect, he or she shall affix his or her current~~  
6 ~~address, telephone number, and signature to the form and return it~~  
7 ~~to the clerk of the district court within five days after service~~  
8 ~~upon him or her. Upon receipt of the request for a show-cause~~  
9 ~~hearing, the request of the petitioner, or upon the court's own~~  
10 ~~motion, the court shall immediately schedule a show-cause hearing~~  
11 ~~to be held within thirty days after the receipt of the request for~~  
12 ~~a show-cause hearing and shall notify the petitioner and respondent~~  
13 ~~of the hearing date. If the respondent appears at the hearing and~~  
14 ~~shows cause why such order should not remain in effect, the court~~  
15 ~~shall rescind the temporary order. If the respondent does not so~~  
16 ~~appear and show cause, the temporary order shall be affirmed and~~  
17 ~~shall be deemed the final protection order. If the respondent has~~  
18 ~~been properly served with the ex parte order and fails to appear at~~  
19 ~~the hearing, the temporary order shall be affirmed and the service~~  
20 ~~of the ex parte order shall be notice of the final protection order~~  
21 ~~for purposes of prosecution under subsection (4) of section 42-924.~~

22 (2) If an order under subsection (1) of section 42-924  
23 is not issued ex parte, the court shall immediately schedule an  
24 evidentiary hearing to be held within fourteen days after the  
25 filing of the petition, and the court shall cause notice of the  
26 hearing to be given to the petitioner and the respondent. If the  
27 respondent does not appear at the hearing and show cause why such  
1 order should not be issued, the court shall issue ~~such a final~~  
2 ~~protection~~ order.

3 (3) The court may by rule or order refer or assign all  
4 matters regarding orders issued under subsection (1) of section  
5 42-924 to a referee for findings and recommendations.

6 (4) An order issued under subsection (1) of section  
 7 42-924 shall remain in effect for a period of one year from the  
 8 date of issuance, unless ~~vacated, dismissed or modified~~ by the court  
 9 prior to such date. If the order grants temporary custody, such  
 10 custody shall not exceed the number of days specified by the court  
 11 unless the respondent shows cause why the order should not remain  
 12 in effect.

13 (5) The court shall also cause the notice created under  
 14 section 29-2291 to be served upon the respondent notifying the  
 15 respondent that it may be unlawful under federal law for a person  
 16 who is subject to a protection order to possess or receive any  
 17 firearm or ammunition.

18 Sec. 5. Section 42-926, Reissue Revised Statutes of  
 19 Nebraska, is amended to read:

20 42-926 (1) Upon the issuance of ~~any~~ a temporary or final  
 21 protection order under section 42-925, the clerk of the court  
 22 shall forthwith provide the petitioner, without charge, with two  
 23 certified copies of such order. The clerk of the court shall  
 24 also forthwith provide the local police department or local law  
 25 enforcement agency and the local sheriff's office, without charge,  
 26 with one copy each of such order and one copy each of the sheriff's  
 27 return thereon. The clerk of the court shall also forthwith provide  
 1 a copy of the protection order to the sheriff's office in the  
 2 county where the respondent may be personally served together  
 3 with instructions for service. Upon receipt of the order and  
 4 instructions for service, such sheriff's office shall forthwith  
 5 serve the protection order upon the respondent and file its return  
 6 thereon with the clerk of the court which issued the protection  
 7 order within fourteen days of the issuance of the protection  
 8 order. If any protection order is dismissed or modified by the  
 9 court, the clerk of the court shall forthwith provide the local  
 10 police department or local law enforcement agency and the local  
 11 sheriff's office, without charge, with one copy each of the order  
 12 of dismissal or modification. If the respondent has notice as  
 13 described in subsection (2) of this section, further service under  
 14 this subsection is unnecessary.

15 (2) If the respondent was present at a hearing convened  
 16 pursuant to section 42-925 and the protection order was not  
 17 dismissed, the respondent shall be deemed to have notice by the  
 18 court at such hearing that the protection order will be granted  
 19 and remain in effect and further service of notice described in  
 20 subsection (1) of this section is not required for purposes of  
 21 prosecution under subsection (4) of section 42-924.

22 Sec. 6. Original sections 28-311.09, 42-903, 42-924,  
 23 42-925, and 42-926, Reissue Revised Statutes of Nebraska, are  
 24 repealed.

25 2. On page 1, strike beginning with "domestic" in  
 26 line 1 through line 5 and insert "court procedure; to amend  
 27 sections 28-311.09, 42-903, 42-924, and 42-925, Reissue Revised

- 1 Statutes of Nebraska; to change provisions relating to harassment
- 2 protection orders and domestic abuse protection orders, petitions,
- 3 definitions, and penalties; to harmonize provisions; and to repeal
- 4 the original sections."

**SELECT FILE**

**LEGISLATIVE BILL 209.** The Krist amendment, AM2370, found in this day's Journal, to the Cornett amendment, was renewed.

The Krist amendment lost with 10 ayes, 22 nays, 13 present and not voting, and 4 excused and not voting.

Senator Cornett renewed her amendment, AM2277, found in this day's Journal.

The Cornett amendment was adopted with 39 ayes, 1 nay, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 996.** Senator Wightman renewed the Wightman-Seiler amendment, AM2333, found on page 830.

Senator Adams offered the following amendment to the Wightman-Seiler amendment:

AM2374

(Amendments to AM2333)

- 1 1. On page 2, strike lines 19 through 21 and insert
- 2 "(b) The child is aware of any alternative educational
- 3 opportunities, including vocational courses of study, that are
- 4 available in the school district."

Pending.

**AMENDMENTS - Print in Journal**

Senator Schilz filed the following amendment to LB882:  
AM2353

- 1 1. Insert the following new section:
- 2 Sec. 2. This act becomes operative on January 1, 2013.
- 3 2. On page 2, strike beginning with "cancer" in line
- 4 8 through line 13 and insert "orally administered anticancer
- 5 medication used to kill or slow the growth of cancerous cells
- 6 shall not charge a copayment for such medication in excess of two
- 7 hundred percent of the lowest copayment required by the policy,
- 8 certificate, contract, or plan for brand-name medications in the
- 9 policy's, certificate's, contract's, or plan's formulary."; strike
- 10 beginning with "such" in line 16 through line 19 and insert "the

11 policy, certificate, contract, or plan authorizes the dispensation  
 12 of such medication for any reason pursuant to this subsection,  
 13 the copayment requirement of subsection (1) of this section shall  
 14 apply."; and strike lines 20 through 25 and insert the following  
 15 new subsection:

16 "(3) Nothing in this section shall be construed to  
 17 require a policy, certificate, contract, or plan to provide  
 18 coverage for any additional medication not otherwise required  
 19 by existing law."

20 3. On page 3, strike lines 1 through 5; in line 6 strike  
 21 "(5)" and insert "(4)"; and in line 8 strike "effective" and insert  
 22 "operative".

Senator Harms filed the following amendment to LB985A:  
 AM2366

(Amendments to AM2189)

- 1 1. On page 1, lines 9 and 10, strike "\$7,151,179"
- 2 and insert "\$8,408,817"; in line 16 strike both occurrences
- 3 of "\$584,535" and insert "\$895,612"; and in line 23 strike
- 4 "28,785,875" and insert "27,528,237".
- 5 2. On page 2, line 4, strike "30,584,078" and insert
- 6 "29,326,440".

Senator Langemeier filed the following amendment to LB806:  
 FA49

Strike the enacting clause.

## VISITORS

Visitors to the Chamber were Jim and Rebecca Hiatt from Spencer; Doris Earnest from North Loup; members from Region V Prevention Coalition from across the state; 32 fourth-grade students from St. Michael's, Hastings; and 20 fourth-grade students from St. John Lutheran, Seward.

The Doctor of the Day was Dr. Dorothy Zink from Omaha.

## ADJOURNMENT

At 11:59 a.m., on a motion by Senator Wallman, the Legislature adjourned until 10:00 a.m., Tuesday, March 13, 2012.

Patrick J. O'Donnell  
 Clerk of the Legislature