

**FIFTY-FIFTH DAY - APRIL 3, 2012****LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE  
SECOND SESSION****FIFTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, April 3, 2012

**PRAYER**

The prayer was offered by Reverend Kevin Burkhardt, Osmond & Pierce United Methodist Churches.

**ROLL CALL**

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

The roll was called and all members were present except Senator Seiler who was excused; and Senators Conrad and B. Harr who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-fourth day was approved.

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 817.** Placed on Select File with amendment. ER274 is available in the Bill Room.

**LEGISLATIVE BILL 817A.** Placed on Select File.

**LEGISLATIVE BILL 979.** Placed on Select File.

**LEGISLATIVE BILL 793.** Placed on Select File.

**LEGISLATIVE BILL 793A.** Placed on Select File.

(Signed) Tyson Larson, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 1053A.** Senator Louden renewed his amendment, AM2621, found on page 1310.

The Louden amendment was adopted with 37 ayes, 0 nays, 10 present and

not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1020A.** Advanced to Enrollment and Review for Engrossment.

## **SPEAKER FLOOD PRESIDING**

### **BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 949.** With Emergency Clause.

A BILL FOR AN ACT relating to agency budgeting; to amend sections 81-132 and 81-1113, Reissue Revised Statutes of Nebraska; to provide duties for the Department of Health and Human Services and the budget division of the Department of Administrative Services; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Seiler

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 949A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2011, LB374, section 101; to appropriate funds to aid in carrying out the provisions of Legislative Bill 949, One Hundred Second Legislature, Second Session, 2012; to provide for transfers of funds; to provide for a reduction of appropriations as prescribed; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Seiler

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 961.** With Emergency Clause.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 68-1207 and 81-3116, Reissue Revised Statutes of Nebraska; to state intent; to change provisions relating to case management of child welfare services and designation of service areas; to provide limits on caseloads, contracts, and contract extensions as prescribed; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Seiler

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 996.**

A BILL FOR AN ACT relating to schools; to amend section 79-201, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to compulsory attendance; to provide procedures for withdrawing certain students from school; 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, 28:

Adams	Cook	Hansen	Louden	Schilz
Ashford	Council	Harms	McGill	Schumacher
Avery	Dubas	Harr, B.	Mello	Wallman
Campbell	Gloor	Howard	Nelson	Wightman
Carlson	Haar, K.	Krist	Nordquist	
Conrad	Hadley	Lathrop	Pahls	

Voting in the negative, 20:

Bloomfield	Cornett	Heidemann	Langemeier	Pirsch
Brasch	Fischer	Janssen	Larson	Price
Christensen	Flood	Karpisek	Lautenbaugh	Smith
Coash	Fulton	Lambert	McCoy	Sullivan

Excused and not voting, 1:

Seiler

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 LB1104 with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1104.**

A BILL FOR AN ACT relating to postsecondary education; to amend sections 85-1806, 85-1809, 85-1810, 85-1812, and 85-1814, Reissue Revised Statutes of Nebraska, sections 85-1801, 85-1802, 85-1804, 85-1807, and 85-1808, Revised Statutes Cumulative Supplement, 2010, sections 85-2403, 85-2405, 85-2406, 85-2408, 85-2409, 85-2412, 85-2413, 85-2414, 85-2415, 85-2416, 85-2417, and 85-2418, Revised Statutes Supplement, 2011, and sections 77-3442 and 85-1517, Revised Statutes Supplement, 2011, as amended by sections 10 and 18, respectively, Legislative Bill 946, One Hundred Second Legislature, Second Session, 2012; to change provisions relating to property tax levies for community college areas and the Nebraska educational savings plan program; to provide for recurrent authorization to operate under the Postsecondary Institution Act; to eliminate expired provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 85-2410 and 85-2411, 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, 44:

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

Voting in the negative, 0.

Present and not voting, 4:

Janssen          Lathrop          Mello          Nordquist

Excused and not voting, 1:

Seiler

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

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 949, 949A, 961, 996, and 1104.

### **SELECT FILE**

**LEGISLATIVE BILL 1155.** Senator Brasch renewed her amendment, AM2699, found on page 1274.

### **SENATOR GLOOR PRESIDING**

### **PRESIDENT SHEEHY PRESIDING**

Senator Schumacher offered the following amendment to the Brasch amendment:

FA69

Amend AM2699.

Add at the end of Page 13, line 6, before the "." ", as defined by the governing body in the authorizing ordinance".

The Schumacher amendment lost with 13 ayes, 21 nays, 14 present and not voting, and 1 excused and not voting.

Senator Brasch moved for a call of the house. The motion prevailed with 35 ayes, 0 nays, and 14 not voting.

Senator Brasch requested a roll call vote on her amendment.

Voting in the affirmative, 31:

Adams	Flood	Harr, B.	Lautenbaugh	Price
Avery	Fulton	Heidemann	Louden	Sullivan
Brasch	Gloor	Janssen	McGill	Wightman
Campbell	Haar, K.	Karpisek	Mello	
Coash	Hadley	Krist	Nelson	
Dubas	Hansen	Lambert	Nordquist	
Fischer	Harms	Lathrop	Pirsch	

Voting in the negative, 10:

Bloomfield	Christensen	Cook	Howard	Larson
Carlson	Conrad	Cornett	Langemeier	Schumacher

Present and not voting, 6:

Ashford	Pahls	Smith
McCoy	Schilz	Wallman

Absent and not voting, 1:

Council

Excused and not voting, 1:

Seiler

The Brasch amendment was adopted with 31 ayes, 10 nays, 6 present and not voting, 1 absent and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1091.** ER270, found on page 1282, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1091A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1158.** ER271, found on page 1283, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 804.** ER262, found on page 1275, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 825.** ER272, found on page 1312, was adopted.

Senator Dubas offered the following amendment:

AM2722

(Amendments to E & R amendments, ER272)

1. Strike sections 7 to 12.

The Dubas amendment was adopted with 33 ayes, 0 nays, 14 present and not

voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 825A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 872.** ER273, found on page 1317, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1063.** ER220, found on page 1037, was adopted.

Senator Cook renewed her amendment, AM2706, found on page 1318.

Senator Cook withdrew her amendment.

Senator Cook offered the following amendment:

AM2718

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Sections 1 to 5 of this act shall be known and
- 4 may be cited as the Children's Health and Treatment Act.
- 5 Sec. 2. The purpose of the Children's Health and
- 6 Treatment Act are to:
- 7 (1) Require that the guidelines and criteria that the
- 8 Department of Health and Human Services utilizes to determine
- 9 medical necessity for services under the medical assistance program
- 10 be published by the department on its web site and web sites of
- 11 its contractors for managed care and administrative services. The
- 12 treating guidelines and criteria shall be referenced specifically
- 13 to providers when utilized as a determination of medical necessity
- 14 under the medical assistance program. Treating guidelines and
- 15 criteria in effect on the effective date of this act shall be
- 16 published on such web sites within thirty days after the effective
- 17 date of this act. Notice of changes to treating guidelines and
- 18 criteria shall be given to providers and time for public comment
- 19 provided at least sixty days prior to implementation of such
- 20 changes; and
- 21 (2) Require that the department collect and report on
- 22 authorization and denial rates for behavioral health services for
- 23 children under nineteen years of age.
- 1 Sec. 3. For purposes of the Children's Health and
- 2 Treatment Act:
- 3 (1) Department means the Department of Health and Human
- 4 Services; and
- 5 (2) Medical assistance program means the program
- 6 established pursuant to section 68-903.
- 7 Sec. 4. The department shall report to the Health



8 and Human Services Committee of the Legislature on utilization  
9 controls, including, but not limited to, the rates of initial  
10 service authorizations, reauthorizations subsequent to initial  
11 service authorizations, and denials for behavioral health services  
12 for children under nineteen years of age. The first report  
13 shall be due on October 1, 2012, and shall contain such rates  
14 of initial service authorizations, reauthorizations subsequent to  
15 initial service authorizations, and denials for behavioral health  
16 services for children under nineteen years of age for the first  
17 three quarters of 2012. Thereafter, on January 1, April 1, and  
18 July 1 of each year, the department shall report such rates  
19 of initial service authorizations, reauthorizations subsequent to  
20 initial service authorizations, and denials for behavioral health  
21 services for children under nineteen years of age for the previous  
22 calendar quarter.

23 Sec. 5. The department shall adopt and promulgate rules  
24 and regulations to carry out the Children's Health and Treatment  
25 Act. On and after April 1, 2013, the department shall not apply  
26 medical necessity criteria to determine medical necessity for  
27 children under nineteen years of age that have not been adopted and  
1 promulgated as rules and regulations pursuant to the Administrative  
2 Procedure Act.

Senator Cook moved for a call of the house. The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

The Cook amendment was adopted with 34 ayes, 4 nays, 10 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Langemeier requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 26 ayes, 6 nays, 16 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1063A.** Senator Cook offered the following motion:  
MO97

Indefinitely postpone.

The Cook motion to indefinitely postpone prevailed with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

**MOTION - Return LB209 to Select File**

Senator Cornett moved to return LB209 to Select File for the following specific amendment:

AM2713

(Amendments to Final Reading copy)

- 1 1. On page 14, line 25, after the period insert "This
- 2 subsection applies beginning January 1, 2014.".

The Cornett motion to return prevailed with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 209.** The Cornett specific amendment, AM2713, found in this day's Journal, was adopted with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION - Return LB209A to Select File**

Senator Cornett moved to return LB209A to Select File for the following specific amendment:

AM2721

(Amendments to Final Reading copy)

- 1 1. On page 2, line 1, strike "\$31,406" and insert "\$-0-";
- 2 and in line 8 strike "\$19,554" and insert "\$-0-".

The Cornett motion to return prevailed with 46 ayes, 0 nays, 2 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 209A.** The Cornett specific amendment, AM2721, found in this day's Journal, was adopted with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION - Return LB950 to Select File**

Senator Christensen moved to return LB950 to Select File for the following specific amendment:

AM2714

(Amendments to Final Reading copy)

- 1 1. On page 3, line 12, strike "five" and insert "four".
- 2 2. On page 6, line 15, strike "\$2,400,000" and insert
- 3 "\$1,400,000".

The Christensen motion to return prevailed with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 950.** The Christensen specific amendment, AM2714, found in this day's Journal, was adopted with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

### COMMITTEE REPORTS

Enrollment and Review

**LEGISLATIVE BILL 357.** Placed on Final Reading.  
ST95

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Ashford amendment, AM2712, on page 2, line 16, "project" has been struck and "projects" inserted.

2. On page 1, the matter beginning with "revenue" in line 1 through line 5 and all amendments thereto have been struck and "the Local Option Revenue Act; to amend sections 77-27,142, 77-27,142.01, and 77-27,142.02, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to increases in sales and use taxes; to harmonize provisions; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 806.** Placed on Final Reading.  
ST84

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "2-1203.01" in line 1 through line 6 and all amendments thereto have been struck and "2-1203.01, 2-1215, and 2-1222, Reissue Revised Statutes of Nebraska; to authorize the State Racing Commission to license and regulate wagering on historic horseraces as prescribed; to provide for a tax on wagers; to create a fund; to provide a penalty; to change penalty provisions; to change provisions relating to the source and use of the Racing Commission's Cash Fund; to provide severability; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 806A.** Placed on Final Reading.

**LEGISLATIVE BILL 998A.** Placed on Final Reading.  
ST94

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E & R amendments, ER267, on page 1, line 2, "and" has been inserted after "drawing".

**LEGISLATIVE BILL 1020.** Placed on Final Reading.

**LEGISLATIVE BILL 1113.** Placed on Final Reading.

(Signed) Tyson Larson, Chairperson

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 3, 2012, at 9:34 a.m. were the following: LBs 949e, 949Ae, 961e, 996, and 1104.

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

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 621.** Introduced by Hadley, 37.

WHEREAS, Rod Gangwish of Shelton won the 2012 Kearney Hub Freedom Award in the Agriculture category; and

WHEREAS, Rod was nominated by family friend and neighbor Nancy Widdowson of Kenesaw; and

WHEREAS, Rod was honored for his commitment to agriculture, but also to his church and his community; and

WHEREAS, Rod became a member and eventual president of the Nebraska Corn Growers Association and worked extensively in Washington, D.C., to develop policy on the General Agreement on Tariffs and Trade, the North American Free Trade Agreement, and the Federal Agriculture Improvement and Reform Act of 1996; and

WHEREAS, Rod also worked with the agricultural advisory committees of both the Chicago Board of Trade and the United States Commodity Futures Trading Commission and with the Buffalo County Extension Board.

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

1. That the Legislature congratulates Rod Gangwish on winning the 2012 Kearney Hub Freedom Award in the Agriculture category.

2. That a copy of this resolution be sent to Rod Gangwish.

Laid over.

**LEGISLATIVE RESOLUTION 622.** Introduced by Hadley, 37.

WHEREAS, the University of Nebraska at Kearney's Department of Marketing and Management Information Systems has been selected to receive the 2012 University-wide Departmental Teaching Award (UDTA); and

WHEREAS, the UDTA originated in 1993 and is designed to recognize a department or unit within the University of Nebraska that has made unique

and significant contributions to the university's teaching efforts. The honored department is awarded \$25,000 to be used in a manner as the department sees fit; and

WHEREAS, created in 2002, the Department of Marketing and Management Information Systems offers eight programs, including marketing, management information systems, and supply chain management. At the time of its nomination, the department had eight full-time faculty members and approximately 160 student majors and 90 minors; and

WHEREAS, the department was awarded the 2010 and 2011 campus-wide departmental teaching awards. Five of the department's faculty members have received campus-wide awards for teaching, research, service, or career achievement, and four have received campus-wide awards for mentoring undergraduate students' research.

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

1. That the Legislature congratulates the University of Nebraska at Kearney's Department of Marketing and Management Information Systems on being awarded the 2012 University-wide Departmental Teaching Award.

2. That a copy of this resolution be sent to the chairperson of the department, Greg Broekemier.

Laid over.

## COMMITTEE REPORT

### Enrollment and Review

**LEGISLATIVE BILL 1082.** Placed on Select File with amendment.  
ER275

- 1 1. In the Karpisek amendment, AM2695:
- 2 a. On page 7, line 9, after "section" insert an
- 3 underscored comma;
- 4 b. On page 16, line 9; and page 20, lines 2 and 4, after
- 5 "the" insert "retirement";
- 6 c. On page 16, line 24, after "the" insert "retirement";
- 7 d. On page 18, line 10, strike "police officers" and show
- 8 as stricken;
- 9 e. On page 19, line 14, after "the" insert "federal"; and
- 10 f. On page 21, line 11, strike the comma and show as
- 11 stricken; and in line 22 after "a" insert "retirement".
- 12 2. On page 1, strike beginning with "16-1015" in line 3
- 13 through line 12 and insert "16-1016, and 16-1019, Reissue Revised
- 14 Statutes of Nebraska, section 18-1723, Revised Statutes Cumulative
- 15 Supplement, 2010, and section 16-1017, Revised Statutes Supplement,
- 16 2011; to name the Police Officers Retirement Act; to redefine
- 17 terms; to change provisions relating to employee and employer
- 18 contributions and vesting; to eliminate obsolete provisions; to

19 harmonize provisions; to repeal the original sections; and to  
 20 declare an emergency."

(Signed) Tyson Larson, Chairperson

**MOTION - Return LB950A to Select File**

Senator Christensen moved to return LB950A to Select File for the following specific amendment:  
 AM2715

(Amendments to Final Reading copy)

- 1 1. On page 2, lines 1 and 10, strike "\$2,400,000" and
- 2 insert "\$1,400,000".

The Christensen motion to return prevailed with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 950A.** The Christensen specific amendment, AM2715, found in this day's Journal, was adopted with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION - Return LB993A to Select File**

Senator Ashford moved to return LB993A to Select File for the following specific amendment:  
 AM2716

(Amendments to Final Reading copy)

- 1 1. On page 2, lines 1, 2, 7, and 9, strike "\$871,051" and
- 2 insert "\$500,000".

The Ashford motion to return prevailed with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 993A.** The Ashford specific amendment, AM2716, found in this day's Journal, was adopted with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**LEGISLATIVE BILL 817.** ER274, found in this day's Journal, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 817A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 745.** ER264, found on page 1276, was adopted.

Advanced to Enrollment and Review for Engrossment.

### **VISITOR**

Visitor to the Chamber was Carlin Daharsh from Gothenburg.

### **RECESS**

At 11:13 a.m., on a motion by Speaker Flood, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

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

### **ROLL CALL**

The roll was called and all members were present except Senator Seiler who was excused; and Senators Conrad and Janssen who were excused until they arrive.

### **MOTION - Override Line-Item Vetoes on LB1072**

Senator Lathrop renewed his motion, MO96, found on page 1333, to override the Governor's line-item vetoes contained in Section 1 of LB1072.

### **SPEAKER FLOOD PRESIDING**

Senator Lathrop moved for a call of the house. The motion prevailed with 42 ayes, 0 nays, and 7 not voting.

Senator Lathrop requested a roll call vote, in reverse order, on the motion to override the Governor's line-item vetoes.

Whereupon the President stated: "The question shall be, 'Shall that portion of the bill pass notwithstanding the line-item objections of the Governor?' "

Voting in the affirmative, 31:

Ashford	Council	Harms	McGill	Sullivan
Avery	Dubas	Harr, B.	Mello	Wallman
Bloomfield	Fischer	Howard	Nordquist	Wightman
Carlson	Gloor	Karpisek	Pahls	
Christensen	Haar, K.	Krist	Pirsch	
Conrad	Hadley	Lathrop	Schilz	
Cook	Hansen	Louden	Schumacher	

Voting in the negative, 12:

Cornett	Heidemann	Langemeier	McCoy
Flood	Janssen	Larson	Nelson
Fulton	Lambert	Lautenbaugh	Price

Present and not voting, 5:

Adams	Brasch	Campbell	Coash	Smith
-------	--------	----------	-------	-------

Excused and not voting, 1:

Seiler

Having received a constitutional three-fifths majority voting in the affirmative, that portion of the bill passed notwithstanding the line-item objections of the Governor.

### COMMUNICATION

April 3, 2012

The Honorable John Gale  
 Secretary of State  
 2300 State Capitol Building  
 Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB1072e with a certificate attached thereto signed by the President of the Legislature, certifying the passage of certain line-item vetoes as set forth on the attached certificate, notwithstanding the objections of the Governor.

Sincerely,  
 (Signed) Patrick J. O'Donnell  
 Clerk of the Legislature

PJO:jk  
 Enc.



**CERTIFICATE**

Legislative Bill 1072e, having been returned by the Governor with his signature, but with certain line-item vetoes therein, the Legislature by the constitutional majority has overridden said line-item vetoes this 3rd day of April as follows:

All line-item vetoes as contained in Section 1, Agency 65, Department of Health and Human Services, Program 536.

(Signed) Mike Flood  
President of the Legislature

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 804.** Placed on Final Reading.

**LEGISLATIVE BILL 1020A.** Placed on Final Reading.

**LEGISLATIVE BILL 1053A.** Placed on Final Reading.

ST96

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "section" in line 2 through line 5 has been struck and "sections 222 and 260, as amended by sections 61 and 65, respectively, Legislative Bill 968, One Hundred Second Legislature, Second Session, 2012; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1053, One Hundred Second Legislature, Second Session, 2012; to change and eliminate provisions relating to appropriations; to provide an operative date; to repeal the original sections; and to declare an emergency." inserted.

**LEGISLATIVE BILL 1091.** Placed on Final Reading.

ST100

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, lines 6 and 7, "an operative date" has been struck and "operative dates" inserted.

**LEGISLATIVE BILL 1091A.** Placed on Final Reading.

**LEGISLATIVE BILL 1155.** Placed on Final Reading.

ST97

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "the" in line 1 through line 6 has been struck and "motor vehicles; to amend sections 60-102, 60-135.01, 60-358.01, 60-4,108, 60-4,110, and 60-6,355, Reissue Revised Statutes of Nebraska, and sections 23-187, 60-101, 60-123, 60-301, 60-302, 60-339,

60-471, 60-501, 60-520, 60-547, 60-601, 60-605, 60-6,348, and 60-6,349, Revised Statutes Supplement, 2011; to allow operation of golf car vehicles on highways as prescribed; to provide powers for counties, cities, and villages; to change penalties relating to operating a motor vehicle while under orders not to operate a motor vehicle; to harmonize provisions; to provide operative dates; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 1158.** Placed on Final Reading.

(Signed) Tyson Larson, Chairperson

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 623.** Introduced by Lambert, 2.

WHEREAS, the Plattsmouth Blue Devils won the 2012 Class B State High School Powerlifting Championship; and

WHEREAS, the Blue Devils finished the season earning their ninth consecutive Class B state title; and

WHEREAS, the team's twenty boys and two girls earned eight first-place medals, four second-place medals, and two third-place medals; and

WHEREAS, the Blue Devils have brought great pride to their school, their school district, their communities, and their friends and families as they demonstrated discipline, efficiency, and tenacity throughout the season.

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

1. That the Legislature congratulates the Plattsmouth Blue Devils and their coaches, Keith Meisenheimer, Rita Carlsson, Kacie Sharp, and Steven Parks, on winning the 2012 Class B State High School Powerlifting Championship.

2. That a copy of this resolution be sent to the Plattsmouth Blue Devils and their coaches.

Laid over.

**LEGISLATIVE RESOLUTION 624.** Introduced by Lambert, 2.

WHEREAS, the Weeping Water school district and residents of Weeping Water, Nebraska, won the Class C-2 Sportsmanship Award at the 2012 Girls' State Basketball Tournament; and

WHEREAS, the award is co-sponsored by the Nebraska Coaches Association (NCA) and the Nebraska State Interscholastic Athletic Administrators Association (NSIAAA); and

WHEREAS, the NCA and NSIAAA created the award program in 2000 to promote sportsmanship at a statewide level; and

WHEREAS, four sportsmanship evaluators assess players, coaches, students, adults, and supervisors from each school at each tournament game; and

WHEREAS, each school begins with five points per judge, and the school earns points for positive behavior and loses points for inappropriate behavior; and

WHEREAS, in 2012 Weeping Water became the first Cass County school to win the sportsmanship award at the Girls' State Basketball Tournament and the first Cass County school to claim the award at any state event since 2001; and

WHEREAS, the outpouring of support by adults and students helped the school win the award; and

WHEREAS, winning the award was an exciting accomplishment for the Weeping Water school district and the community of Weeping Water, Nebraska.

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

1. That the Legislature congratulates the Weeping Water school district and the community of Weeping Water, Nebraska, on winning the Class C-2 Sportsmanship Award at the 2012 Girls' State Basketball Tournament.

2. That a copy of this resolution be sent to the principal of Weeping Water Public Schools, Gary Wockenfuss, to the school's athletic director, Mike Barrett, and to the mayor of Weeping Water, Nebraska, Howard Stubbendieck.

Laid over.

### **SELECT FILE**

**LEGISLATIVE BILL 727.** ER200, found on page 808, was adopted.

Senator Mello asked unanimous consent to withdraw his amendment, AM2600, found on page 1054, and replace it with his substitute amendment, AM2629, found on page 1122. No objections. So ordered.

### **SENATOR COASH PRESIDING**

Senator Mello withdrew his amendment.

Senator Ashford renewed his amendment, AM2612, found on page 1081.

The Ashford amendment lost with 6 ayes, 17 nays, 23 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**GENERAL FILE**

**LEGISLATIVE BILL 720.** Title read. Considered.

**PRESIDENT SHEEHY PRESIDING**

Committee AM1843, found on page 601, was considered.

**SENATOR COASH PRESIDING****PRESIDENT SHEEHY PRESIDING**

Pending.

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 209.** Placed on Final Reading Second.

**LEGISLATIVE BILL 209A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 825.** Placed on Final Reading.

ST98

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E & R amendments, ER272:

a. On page 1, line 11, the matter beginning with the first comma through "2012" has been struck;

b. On page 4, line 15, the matter beginning with "established" through "act" has been struck; and

c. On page 10, the matter beginning with "define" in line 7 through the first period in line 12 has been struck and "define terms; to provide requirements for staffing, services, and contracts for public assistance programs administered by the Department of Health and Human Services; and to provide reporting requirements." inserted.

**LEGISLATIVE BILL 825A.** Placed on Final Reading.

**LEGISLATIVE BILL 872.** Placed on Final Reading.

ST101

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Standing Committee amendments, AM2317, on page 5, line 20, "fees or charges (a)" has been struck and "(a) fees or charges" inserted; and in line 22 "fees or charges" has been inserted after "(b)".

**LEGISLATIVE BILL 950.** Placed on Final Reading Second.

**LEGISLATIVE BILL 950A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 993A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 1063.** Placed on Final Reading.

ST99

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Cook amendment, AM2718, on page 1, line 5, "purpose" has been struck and "purposes" inserted.

2. On page 1, the matter beginning with "amend" in line 1 through line 6 has been struck and "adopt the Children's Health and Treatment Act." inserted.

(Signed) Tyson Larson, Chairperson

### **GENERAL FILE**

**LEGISLATIVE BILL 720.** Committee AM1843, found on page 601 and considered in this day's Journal, was renewed.

Senator Council offered the following motion:

MO98

Bracket until April 12, 2012.

Senator Council moved for a call of the house. The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

The Council motion to bracket failed with 15 ayes, 23 nays, 9 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Lautenbaugh offered the following motion:

MO99

Unanimous consent to recommit to committee.

No objections. So ordered.

**LEGISLATIVE BILL 599.** Title read. Considered.

**SENATOR COASH PRESIDING**

**PRESIDENT SHEEHY PRESIDING**

Senator McCoy offered the following amendment:

AM2739

- 1 1. Insert the following new sections:
- 2 Sec. 2. Section 20-408, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 20-408 (1) A qualified patient may make decisions
- 5 regarding life-sustaining treatment so long as the patient is able
- 6 to do so.

7 (2) The Rights of the Terminally Ill Act shall not affect  
 8 the responsibility of the attending physician or other health care  
 9 provider to provide treatment, including nutrition and hydration,  
 10 for a patient's comfort care or alleviation of pain.

11 (3) Life-sustaining treatment shall not be withheld or  
 12 withdrawn pursuant to a declaration from an individual known to the  
 13 attending physician to be pregnant so long as it is probable that  
 14 the ~~fetus-unborn child~~ will develop to the point of live birth with  
 15 continued application of life-sustaining treatment.

16 Sec. 6. Section 71-4825, Revised Statutes Cumulative  
 17 Supplement, 2010, is amended to read:

18 71-4825 For purposes of the Revised Uniform Anatomical  
 19 Gift Act:

20 (1) Adult means an individual who is at least eighteen  
 21 years of age;

22 (2) Agent means an individual:

23 (A) Authorized to make health care decisions on the  
 1 principal's behalf by a power of attorney for health care; or

2 (B) Expressly authorized to make an anatomical gift on  
 3 the principal's behalf by any other record signed by the principal;

4 (3) Anatomical gift means a donation of all or part of a  
 5 human body to take effect after the donor's death for the purpose  
 6 of transplantation, therapy, research, or education;

7 (4) Decedent means a deceased individual whose body or  
 8 part is or may be the source of an anatomical gift. The term  
 9 includes a stillborn ~~infant child~~ and, subject to restrictions  
 10 imposed by law other than the Revised Uniform Anatomical Gift Act,  
 11 ~~a fetus-an unborn child~~. The term decedent does not include a  
 12 ~~blastocyst, embryo, or fetus-an unborn child~~ that is the subject of  
 13 an induced abortion;

14 (5) Disinterested witness means a witness other than  
 15 the spouse, child, parent, sibling, grandchild, grandparent, or  
 16 guardian of the individual who makes, amends, revokes, or refuses  
 17 to make an anatomical gift, or another adult who exhibited special  
 18 care and concern for the individual. The term does not include  
 19 a person to which an anatomical gift could pass under section  
 20 71-4834;

21 (6) Document of gift means a donor card or other record  
 22 used to make an anatomical gift. The term includes a statement  
 23 or symbol on a driver's license, identification card, or donor  
 24 registry;

25 (7) Donor means an individual whose body or part is the  
 26 subject of an anatomical gift;

27 (8) Donor registry means a data base that contains  
 1 records of anatomical gifts and amendments to or revocations of  
 2 anatomical gifts;

3 (9) Driver's license means a license or permit issued by  
 4 the Department of Motor Vehicles to operate a vehicle, whether or  
 5 not conditions are attached to the license or permit;

- 6 (10) Eye bank means a person that is licensed,  
7 accredited, or regulated under federal or state law to engage  
8 in the recovery, screening, testing, processing, storage, or  
9 distribution of human eyes or portions of human eyes;
- 10 (11) Guardian means a person appointed by a court to  
11 make decisions regarding the support, care, education, health, or  
12 welfare of an individual. The term does not include a guardian ad  
13 litem;
- 14 (12) Hospital means a facility licensed as a hospital  
15 under the law of any state or a facility operated as a hospital by  
16 the United States, a state, or a subdivision of a state;
- 17 (13) Identification card means a state identification  
18 card issued by the Department of Motor Vehicles;
- 19 (14) Know means to have actual knowledge;
- 20 (15) Minor means an individual who is under eighteen  
21 years of age;
- 22 (16) Organ procurement organization means a person  
23 designated by the Secretary of the United States Department of  
24 Health and Human Services as an organ procurement organization;
- 25 (17) Parent means a parent whose parental rights have not  
26 been terminated;
- 27 (18) Part means an organ, an eye, or tissue of a human  
1 being. The term does not include the whole body;
- 2 (19) Person means an individual, corporation, business  
3 trust, estate, trust, partnership, limited liability company,  
4 association, joint venture, public corporation, government or  
5 governmental subdivision, agency, or instrumentality, or any other  
6 legal or commercial entity;
- 7 (20) Physician means an individual authorized to practice  
8 medicine or osteopathy under the law of any state;
- 9 (21) Procurement organization means an eye bank, organ  
10 procurement organization, or tissue bank;
- 11 (22) Prospective donor means an individual who is dead or  
12 near death and has been determined by a procurement organization to  
13 have a part that could be medically suitable for transplantation,  
14 therapy, research, or education. The term does not include an  
15 individual who has made a refusal;
- 16 (23) Reasonably available means able to be contacted by a  
17 procurement organization without undue effort and willing and able  
18 to act in a timely manner consistent with existing medical criteria  
19 necessary for the making of an anatomical gift;
- 20 (24) Recipient means an individual into whose body a  
21 decedent's part has been or is intended to be transplanted;
- 22 (25) Record means information that is inscribed on a  
23 tangible medium or that is stored in an electronic or other medium  
24 and is retrievable in perceivable form;
- 25 (26) Refusal means a record created under section 71-4830  
26 that expressly states an intent to bar other persons from making an  
27 anatomical gift of an individual's body or part;

- 1 (27) Sign means, with the present intent to authenticate  
2 or adopt a record:  
3 (A) To execute or adopt a tangible symbol; or  
4 (B) To attach to or logically associate with the record  
5 an electronic symbol, sound, or process;  
6 (28) State means a state of the United States, the  
7 District of Columbia, Puerto Rico, the United States Virgin  
8 Islands, or any territory or insular possession subject to the  
9 jurisdiction of the United States;  
10 (29) Technician means an individual determined to be  
11 qualified to remove or process parts by an appropriate organization  
12 that is licensed, accredited, or regulated under federal or state  
13 law. The term includes an enucleator;  
14 (30) Tissue means a portion of the human body other than  
15 an organ or an eye. The term does not include blood unless the  
16 blood is donated for the purpose of research or education;  
17 (31) Tissue bank means a person that is licensed,  
18 accredited, or regulated under federal or state law to engage  
19 in the recovery, screening, testing, processing, storage, or  
20 distribution of tissue; and  
21 (32) Transplant hospital means a hospital that furnishes  
22 organ transplants and other medical and surgical specialty services  
23 required for the care of transplant patients.

24 Sec. 7. Section 71-7606, Revised Statutes Supplement,  
25 2011, is amended to read:

26 71-7606 (1) The purpose of the Nebraska Health Care  
27 Funding Act is to provide for the use of dedicated revenue for  
1 health-care-related expenditures and administration and enforcement  
2 of the Master Settlement Agreement as defined in section 69-2702.

3 (2) Any funds appropriated or distributed under the act  
4 shall not be considered ongoing entitlements or obligations on the  
5 part of the State of Nebraska and shall not be used to replace  
6 existing funding for existing programs.

7 (3) No funds appropriated or distributed under the act  
8 shall be used for abortion, abortion counseling, referral for  
9 abortion, or research or activity of any kind involving the use  
10 of ~~human fetal~~ tissue of an unborn child obtained in connection  
11 with the performance of an induced abortion or involving the use of  
12 ~~human embryonic~~ stem cells of an unborn child or for the purpose of  
13 obtaining other funding for such use.

14 (4) The Department of Health and Human Services shall  
15 report annually to the Legislature and the Governor regarding the  
16 use of funds appropriated under the act and the outcomes achieved  
17 from such use.

18 Sec. 8. Section 71-8802, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 71-8802 For purposes of the Stem Cell Research Act:

21 (1) Committee means the Stem Cell Research Advisory  
22 Committee;



23 (2) Human embryo means the developing ~~human organism~~  
 24 unborn child from the time of fertilization until the end of  
 25 the eighth week of gestation and includes ~~an embryo or a~~  
 26 developing ~~human organism-unborn child~~ created by somatic cell  
 27 nuclear transfer; and

1 (3) Somatic cell nuclear transfer means a technique in  
 2 which the nucleus of an oocyte is replaced with the nucleus of a  
 3 somatic cell.

4 Sec. 9. Section 71-8806, Reissue Revised Statutes of  
 5 Nebraska, is amended to read:

6 71-8806 No state facilities, no state funds, fees, or  
 7 charges, and no investment income on state funds shall be used to  
 8 destroy ~~human embryos-unborn children~~ for the purpose of research.  
 9 In no case shall state facilities, state funds, fees, or charges,  
 10 or investment income on state funds be used to create ~~a human~~  
 11 embryo-an unborn child by somatic cell nuclear transfer for any  
 12 purpose.

13 2. Renumber the remaining sections and correct internal  
 14 references and the repealer section accordingly.

Senator B. Harr requested a ruling of the Chair on whether the McCoy amendment is germane to the bill.

The Chair ruled the McCoy amendment is not germane to the bill.

Senator Mello moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

Senator Campbell moved for a call of the house. The motion prevailed with 43 ayes, 1 nay, and 5 not voting.

Senator Campbell requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 30:

Adams	Coash	Flood	Howard	Mello
Ashford	Conrad	Gloor	Karpisek	Nordquist
Avery	Cook	Haar, K.	Krist	Schumacher
Campbell	Cornett	Hadley	Lathrop	Sullivan
Carlson	Council	Harms	Louden	Wallman
Christensen	Dubas	Harr, B.	McGill	Wightman

Voting in the negative, 16:

Bloomfield	Hansen	Langemeier	Nelson
Brasch	Heidemann	Larson	Price
Fischer	Janssen	Lautenbaugh	Schilz
Fulton	Lambert	McCoy	Smith

Present and not voting, 1:

Pirsch

Absent and not voting, 1:

Pahls

Excused and not voting, 1:

Seiler

Advanced to Enrollment and Review Initial with 30 ayes, 16 nays, 1 present and not voting, 1 absent and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 599A.** Title read. Considered.

Senator Campbell offered the following amendment:

AM2741

1 1. Strike the original sections and insert the following  
2 new sections:

3 Section 1. There is hereby appropriated (1) \$96,745 from  
4 the General Fund and \$225,085 from federal funds for FY2012-13 and  
5 (2) \$84,149 from the General Fund and \$187,561 from federal funds  
6 for FY2013-14 to the Department of Health and Human Services, for  
7 Program 33, to aid in carrying out the provisions of Legislative  
8 Bill 599, One Hundred Second Legislature, Second Session, 2012.

9 Total expenditures for permanent and temporary salaries  
10 and per diems from funds appropriated in this section shall not  
11 exceed \$170,007 for FY2012-13 or \$170,007 for FY2013-14.

12 Sec. 2. There is hereby appropriated (1) \$773,381 from  
13 the General Fund and \$1,723,814 from federal funds for FY2012-13  
14 and (2) \$781,368 from the General Fund and \$1,741,616 from  
15 federal funds for FY2013-14 to the Department of Health and Human  
16 Services, for Program 344, to aid in carrying out the provisions  
17 of Legislative Bill 599, One Hundred Second Legislature, Second  
18 Session, 2012.

19 No expenditures for permanent and temporary salaries and  
20 per diems for state employees shall be made from funds appropriated  
21 in this section.

22 Sec. 3. Laws 2011, LB374, section 158, is amended to  
23 read:

1 Sec. 158. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL  
2 SERVICES

3 Program No. 200 - Operations

4

FY2011-12

FY2012-13

5	<u>GENERAL FUND</u>	<u>156,031,016</u>	<u>156,987,929</u>
6	<u>GENERAL FUND</u>	<u>156,031,016</u>	<u>156,772,429</u>
7	CASH FUND	1,741,500	1,741,500
8	FEDERAL FUND est.	1,732,408	1,738,680
9	REVOLVING FUND est.	18,229,738	18,309,400
10	<del>PROGRAM TOTAL</del>	<del>177,734,662</del>	<del>178,777,509</del>
11	<u>PROGRAM TOTAL</u>	<u>177,734,662</u>	<u>178,562,009</u>
12	<u>SALARY LIMIT</u>	<u>89,564,114</u>	<u>90,331,214</u>

13 The unexpended General Fund and Cash Fund appropriation  
 14 balances existing on June 30, 2011, are hereby reappropriated.

15 Included in the salary limitations provided by this  
 16 section is \$3,441,193 for FY2011-12 and \$3,441,193 for FY2012-13  
 17 for Revolving Fund salaries for program classifications 390 and  
 18 563, that shall not be limited to the amounts shown.

19 The Department of Administrative Services shall monitor  
 20 the appropriations and expenditures for this program according to  
 21 the following program classifications:

- 22 No. 260 - Nebraska Correctional Youth Facility
- 23 No. 300 - Tecumseh Correctional Center
- 24 No. 368 - Lincoln Community Corrections Center
- 25 No. 369 - Omaha Community Corrections Center
- 26 No. 370 - Central Office
- 27 No. 372 - Nebraska State Penitentiary
- 1 No. 373 - Nebraska Center for Women - York
- 2 No. 375 - Diagnostic and Evaluation Center
- 3 No. 376 - Lincoln Correctional Center
- 4 No. 377 - Omaha Correctional Center
- 5 No. 386 - McCook Incarceration Work Camp
- 6 No. 389 - Adult Parole Administration
- 7 No. 390 - Federal Surplus Property
- 8 No. 495 - Department Central Warehouse
- 9 No. 563 - Correctional Industries

10 Revolving Fund expenditures shall not be limited to the  
 11 amounts shown.

12 It is intended that the Department of Correctional  
 13 Services shall maintain a Department Contingency Fund and a  
 14 Department Equipment Fund.

15 Sec. 4. Original Laws 2011, LB374, section 158, is  
 16 repealed.

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

Senator Campbell requested a roll call vote, in reverse order, on her amendment.

Voting in the affirmative, 33:

Adams	Conrad	Haar, K.	Krist	Pirsch
Ashford	Cook	Hadley	Langemeier	Schumacher
Avery	Cornett	Harms	Lathrop	Sullivan
Campbell	Dubas	Harr, B.	Louden	Wallman
Carlson	Flood	Heidemann	McGill	Wightman
Christensen	Fulton	Howard	Mello	
Coash	Gloor	Karpisek	Nordquist	

Voting in the negative, 9:

Bloomfield	Janssen	Lautenbaugh	Nelson	Smith
Hansen	Lambert	McCoy	Schilz	

Present and not voting, 5:

Brasch	Council	Fischer	Larson	Price
--------	---------	---------	--------	-------

Absent and not voting, 1:

Pahls

Excused and not voting, 1:

Seiler

The Campbell amendment was adopted with 33 ayes, 9 nays, 5 present and not voting, 1 absent and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 4 nays, 12 present and not voting, and 1 excused and not voting.

### COMMITTEE REPORTS

Enrollment and Review

**LEGISLATIVE BILL 727.** Placed on Final Reading.

**LEGISLATIVE BILL 745.** Placed on Final Reading.

**LEGISLATIVE BILL 817.** Placed on Final Reading.

**LEGISLATIVE BILL 817A.** Placed on Final Reading.

(Signed) Tyson Larson, Chairperson

### UNANIMOUS CONSENT - Add Cointroducers

Senator Janssen asked unanimous consent to add his name as cointroducer to LB745. No objections. So ordered.

Senator Schumacher asked unanimous consent to add his name as cointroducer to LB357. No objections. So ordered.

**VISITORS**

Visitors to the Chamber were 39 fourth-grade students, teachers, and sponsors from Centura Public School, Cairo; Jeff and Becky Gerhart from Newman Grove; 50 fourth-grade students and teachers from Standing Bear Elementary, Omaha; and Fatih Yildiz, Consul General of Republic of Turkey and a group accompanying him.

The Doctor of the Day was Dr. Hal Pumphrey from Lincoln.

**ADJOURNMENT**

At 10:11 p.m., on a motion by Speaker Flood, the Legislature adjourned until 9:00 a.m., Wednesday, April 4, 2012.

Patrick J. O'Donnell  
Clerk of the Legislature

