

EIGHTY-SEVENTH DAY - MAY 31, 2013**LEGISLATIVE JOURNAL****ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION****EIGHTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, May 31, 2013

PRAYER

The prayer was offered by Senator Sullivan.

ROLL CALL

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

The roll was called and all members were present except Senators Bolz, Larson, McCoy, and Price who were excused; and Senators Ashford, Coash, Cook, K. Haar, Kolowski, Lautenbaugh, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1708, line 27, strike "290e" and insert "298e".
The Journal for the eighty-sixth day was approved as corrected.

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 613. Placed on Final Reading.
ST34

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

1. On page 1, the matter beginning with "revenue" in line 1 through line 3 and all amendments thereto have been struck and "the Legislature; to amend sections 50-406 and 50-407, Reissue Revised Statutes of Nebraska; to change powers of the Legislative Council and committees of the Legislature; to provide for litigation and appeals; to change provisions relating to court jurisdiction; to repeal the original sections; and to declare an emergency." inserted.

(Signed) John Murante, Chairperson

COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR22.

(Signed) John Murante, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 22. Introduced by Campbell, 25; Gloor, 35.

WHEREAS, spending on health care in the United States has grown faster than the gross domestic product (GDP), the rate of inflation, and the rate of population growth for most of the last four decades; and

WHEREAS, the share of GDP devoted to health care in the United States has risen from 5.2% in 1960 to 17.6% in 2009; and

WHEREAS, the total public and private health care expenditure in Nebraska in 2009 was \$12,649,000,000; and

WHEREAS, since 2000 real hourly wage growth, net of health benefits, has stagnated while inflation-adjusted family health insurance premiums have increased 58%; and

WHEREAS, the average employer-based health insurance annual premium cost in Nebraska in 2011 was \$13,776; and

WHEREAS, eleven of Nebraska's ninety-three counties have no primary care physicians, and observers believe the lack of primary care physicians will become more acute as more people enter the health care system as a result of the federal Affordable Care Act; and

WHEREAS, officials estimate that, under current demand, Nebraska will be short approximately three hundred primary care physicians by 2014. The number of physicians older than sixty-five years of age has jumped by 78% in the past five years; and

WHEREAS, it is anticipated by the University of Nebraska Medical Center that by 2014 the state will need at least 1,685 primary care physicians, 314 primary care nurse practitioners, and 350 primary care physician assistants to meet the increased demand from the newly insured resulting from health care reform; and

WHEREAS, Nebraska's uninsured rate for persons younger than sixty-five years of age is 14.9% (more than 232,000), which is an increase of 67.4% since 2000; and

WHEREAS, Nebraska counties with uninsured rates of 21% or greater exist only in rural areas; and

WHEREAS, Nebraska's future economic and fiscal success requires a healthy population, high quality health care at lower cost, and greater efficiency; and

WHEREAS, Nebraska's families and small businesses are faced with increasing and unsustainable health care costs; and

WHEREAS, successful transformation of Nebraska's health care system is essential to the state's economic well-being and the quality of care provided to Nebraskans; and

WHEREAS, health care reform is not only a matter of coverage or increasing access. True reform is total system transformation into a patient-centric, high-value enterprise; and

WHEREAS, understanding the challenge of health care reform and solving Nebraska's health care system crisis requires a new level of cooperation between all health care partner stakeholders and policymakers in Nebraska; and

WHEREAS, state government must provide clear leadership and accountability to health care system transformation efforts and must do so in a way that demands transparency, trust, and full participation from all partner stakeholders.

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

1. That the Health and Human Services Committee of the Legislature, in cooperation with the Banking, Commerce and Insurance Committee of the Legislature, be designated to develop policy recommendations towards transformation of Nebraska's health care system.

2. In order to develop its policy recommendations, the Health and Human Services Committee of the Legislature, in cooperation with the Banking, Commerce and Insurance Committee of the Legislature, shall bring together through information-gathering meetings and work groups partner stakeholders at all levels, including state and local governments, public and private insurers, health care delivery organizations, employers, specialty societies, consumer groups, patients, consumers, and all other interested parties, to work together with the shared objectives of controlling health care costs and improving health care quality.

3. With input from partner stakeholders and in conjunction with the Banking, Commerce and Insurance Committee of the Legislature, the Health and Human Services Committee of the Legislature shall:

a. Provide a comprehensive review of Nebraska's health care delivery, cost, and coverage demands;

b. Engage stakeholders in dialogue, roundtable discussions, and public policy discourse;

c. Develop a framework for health care system transformation to meet public health, workforce, delivery, and budgetary responsibilities; and

d. Develop cooperative strategies and initiatives for the design, implementation, and accountability of services to improve care, quality, and value while advancing the overall health of Nebraskans.

4. The Health and Human Services Committee of the Legislature may conduct public hearings and, with the Banking, Commerce and Insurance Committee of the Legislature, make recommendations relating to health care for Nebraskans. The Health and Human Services Committee of the Legislature and the Banking, Commerce and Insurance Committee of the Legislature shall hold a joint hearing by November 1, 2013, to discuss the information obtained pursuant to this resolution.

5. The Health and Human Services Committee of the Legislature and the Banking, Commerce and Insurance Committee of the Legislature, along with any work groups created pursuant to this resolution, shall rely on information, data, and subject matter expertise and consultation from a wide range of entities, including the Division of Medicaid and Long-Term Care and the Division of Public Health of the Department of Health and Human Services, the Department of Insurance, and any other agencies the committees identify, to provide collaboration with the committees and any such work groups to attain the goals for health care system transformation.

6. The funding of the activities of the Health and Human Services Committee of the Legislature under this resolution will be provided from existing appropriations for the committee from the Nebraska Health Care Cash Fund.

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:
<http://www.nebraskalegislature.gov/agencies/view.php>

SELECT FILE

LEGISLATIVE BILL 568. ER103, found on page 1447, was adopted.

Senator B. Harr offered his amendment, AM1545, found on page 1693.

Senator Gloor moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 5 nays, and 18 not voting.

The B. Harr amendment was adopted with 34 ayes, 1 nay, 9 present and not voting, and 5 excused and not voting.

Pending.

REFERENCE COMMITTEE REPORT

2013 Resolution calling for an Interim Study

LR369	Interim study to conduct an analysis of guidance principles for pension divestment policy decisions	Nebraska Retirement Systems
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(Signed) John Wightman, Chairperson
 Executive Board

COMMITTEE REPORT
Judiciary

LEGISLATIVE BILL 392. Placed on General File.

(Signed) Brad Ashford, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 373. Introduced by Brasch, 16.

WHEREAS, Lucas Wiechman, a student at Wisner-Pilger High School, won the gold medal in the Class C finals of the 300 meter hurdles at the 2013 Boys State Track and Field Championship; and

WHEREAS, Lucas won first place with a time of 40.03 seconds; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Lucas Wiechman on his outstanding performance at the 2013 Class C Boys State Track and Field Championship.

2. That a copy of this resolution be sent to Lucas Wiechman.

Laid over.

LEGISLATIVE RESOLUTION 374. Introduced by Brasch, 16.

WHEREAS, Colten Vahle, a student at Wisner-Pilger High School, won the gold medal in the Class C high jump at the 2013 Boys State Track and Field Championship; and

WHEREAS, Colten won first place with a jump height of 6 feet, 8 inches; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Colten Vahle on his outstanding performance at the 2013 Class C Boys State Track and Field Championship.

2. That a copy of this resolution be sent to Colten Vahle.

Laid over.

LEGISLATIVE RESOLUTION 375. Introduced by Brasch, 16.

WHEREAS, Samantha Liermann, a student at Wisner-Pilger High School, won the gold medal in the Class C shot put at the 2013 Girls State Track and Field Championship; and

WHEREAS, Samantha won first place with a throw distance of 45 feet, 3 inches; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Samantha Liermann on her outstanding performance at the 2013 Class C Girls State Track and Field Championship.

2. That a copy of this resolution be sent to Samantha Liermann.

Laid over.

LEGISLATIVE RESOLUTION 376. Introduced by Brasch, 16.

WHEREAS, Jerrica Tietz, a student at Bancroft-Rosalie High School, is a first place winner in the 2013 Congressional Art Competition sponsored by the Congressional Institute; and

WHEREAS, Jerrica's winning entry was a pencil drawing of her late niece and godchild, Faith Hallien; and

WHEREAS, as a first place winner, Jerrica will travel to Washington, D.C., in June where her artwork will be hung and displayed for a full year at the United States Capitol; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Jerrica Tietz for becoming a first place winner in the 2013 Congressional Art Competition.

2. That a copy of this resolution be sent to Jerrica Tietz.

Laid over.

AMENDMENTS - Print in Journal

Senator Avery filed the following amendments to LB57:

AM1533

(Amendments to E & R amendments, ER36)

- 1 1. On page 5, line 20, strike "three", show as stricken,
- 2 and insert "six".

AM1532

(Amendments to E & R amendments, ER36)

- 1 1. On page 5, line 11, strike "a numeric", show as
- 2 stricken, and insert "an alphanumeric".

AM1531

(Amendments to E & R amendments, ER36)

- 1 1. On page 5, line 9, after "Act" insert "and sections
- 2 84-712 to 84-712.09".

AM1530

(Amendments to E & R amendments, ER36)

- 1 1. On page 4, lines 16 and 21, strike "July", show as
- 2 stricken, and insert "January".

AM1529

(Amendments to E & R amendments, ER36)

- 1 1. On page 3, strike beginning with "remitted" in line
- 2 13 through line 17, show as stricken, and insert "appropriated for
- 3 fiscal year 2013-14 to the Department of Natural Resources, for
- 4 Program 334, to aid in carrying out the provisions of Legislative
- 5 Bill 517, One Hundred Third Legislature, First Session, 2013.".

SELECT FILE

LEGISLATIVE BILL 568. Senator Chambers offered the following motion:

MO101

Bracket until June 3, 2013.

SENATOR GLOOR PRESIDING

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

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

Voting in the affirmative, 1:

Bloomfield

Voting in the negative, 35:

Adams	Crawford	Howard	Lathrop	Schumacher
Avery	Davis	Janssen	Mello	Seiler
Brasch	Dubas	Johnson	Murante	Smith
Campbell	Gloor	Karpisek	Nelson	Sullivan
Carlson	Haar, K.	Kintner	Pirsch	Wallman
Christensen	Hadley	Kolowski	Scheer	Watermeier
Conrad	Harr, B.	Krist	Schilz	Wightman

Present and not voting, 1:

Chambers

Absent and not voting, 1:

McGill

Excused and not voting, 11:

Ashford	Cook	Larson	Nordquist
Bolz	Hansen	Lautenbaugh	Price
Coash	Harms	McCoy	

The Chambers motion to bracket failed with 1 aye, 35 nays, 1 present and not voting, 1 absent and not voting, and 11 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO102

Reconsider the vote to bracket.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 568A. Advanced to Enrollment and Review for Engrossment.

RESOLUTION

LEGISLATIVE RESOLUTION 40. Read. Considered.

SPEAKER ADAMS PRESIDING

LR40 was adopted with 25 ayes, 0 nays, 10 present and not voting, and 14 excused and not voting.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 155, 22, and 40.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 568. Placed on Final Reading.

ST35

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

1. In the E & R amendments, ER103, on page 1, line 12, "Licensure" has been struck and "Registration" inserted.

LEGISLATIVE BILL 568A. Placed on Final Reading.

(Signed) John Murante, Chairperson

ADJOURNMENT

At 1:01 p.m., on a motion by Senator Kolowski, the Legislature adjourned until 10:00 a.m., Monday, June 3, 2013.

Patrick J. O'Donnell
Clerk of the Legislature

