

EIGHTY-NINTH DAY - JUNE 4, 2013
LEGISLATIVE JOURNAL
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION

EIGHTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, June 4, 2013

PRAYER

The prayer was offered by Senator Nelson.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Adams presiding.

The roll was called and all members were present.

CORRECTIONS FOR THE JOURNAL

Page 1722, line 7, after "289" insert "342" and line 8, after "443" insert "504".
The Journal for the eighty-eighth day was approved as corrected.

MESSAGE FROM THE GOVERNOR

June 4, 2013

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 93, 93A, 97, 211e, 211Ae, 269e, 269Ae, 298e, 326, 331e, 363, 363A, 366e, 366Ae, 429, 429A, 479, 483, 483A, 507e, 507Ae, 517e, 517Ae, 530e, 530A, 556, 556A, 579, 579A, 583, and 583A were received in my office on May 29, 2013.

Engrossed Legislative Bills 34 and 545 were received in my office on May 30, 2013.

These bills were signed and delivered to the Secretary of State on June 4, 2013.

Sincerely,
(Signed) Dave Heineman
Governor

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 90.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to sales and use taxes on the furnishing of electricity service; 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, 41:

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

Voting in the negative, 7:

Coash	Larson	Murante	Smith
Janssen	Lautenbaugh	Schilz	

Present and not voting, 1:

Watermeier

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

LEGISLATIVE BILL 224.

A BILL FOR AN ACT relating to state contracts; to require a preference for awarding state contracts to resident disabled veterans and certain businesses as prescribed.

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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

LEGISLATIVE BILL 568. With Emergency Clause.

A BILL FOR AN ACT relating to insurance; to adopt the Health Insurance Exchange Navigator Registration Act; to provide severability; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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 568A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 568, One Hundred Third Legislature, First Session, 2013; 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, 49:

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

Voting in the negative, 0.

Not voting, 0.

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

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 90, 224, 568, and 568A.

RESOLUTION

LEGISLATIVE RESOLUTION 171. Read. Considered.

SENATOR KRIST PRESIDING

SPEAKER ADAMS PRESIDING

Senator Chambers requested a record vote on the adoption of the resolution.

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 2:

Davis Harr, B.

Excused and not voting, 1:

Watermeier

LR171 was adopted with 46 ayes, 0 nays, 2 present and not voting, and 1 excused and not voting.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR171.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 356, 357, and 358 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 356, 357, and 358.

EASE

The Legislature was at ease from 10:46 a.m. until 10:58 a.m.

SENATOR GLOOR PRESIDING

PRESENTED TO THE GOVERNOR

Presented to the Governor on June 4, 2013, at 10:31 a.m. were the following: LBs 90, 224, 568e, and 568Ae.

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

RESOLUTIONS

LEGISLATIVE RESOLUTION 385. Introduced by Hansen, 42; Schilz, 47.

WHEREAS, Nebraska's beef industry has long provided a foundation for the state's economy and culture; and

WHEREAS, the Nebraska Stock Growers Association originated 125 years ago to provide vision in representing ranchers' interests for the strength of their families and beef production; and

WHEREAS, the Nebraska Livestock Feeders Association and the Nebraska Feedlot Council merged with the Nebraska Stock Growers Association in 1988 to form the Nebraska Cattlemen as a strong and powerful voice working for the betterment of Nebraska policy creation at all levels; and

WHEREAS, Nebraska's cow-calf and cattle feeding businesses help Nebraska to rank in the top three states nationally in virtually all beef categories of production annually and provide employment and tax revenue which support state and local programs; and

WHEREAS, beef producers share common goals as members of the Nebraska Cattlemen with the primary focus to make Nebraska the beef epicenter; and

WHEREAS, the Nebraska Cattlemen is a strong and well-respected association that nurtures profitability for Nebraska beef producers and provides leadership to the cattle industry in Nebraska, across the United States, and around the world.

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

1. That the Legislature recognizes the importance of Nebraska's beef cattle industry and thanks the Nebraska Cattlemen for their leadership.

2. That a copy of this resolution be sent to Michael Kelsey, executive director of the Nebraska Cattlemen.

Laid over.

LEGISLATIVE RESOLUTION 386. Introduced by Davis, 43; Avery, 28; Bloomfield, 17; Christensen, 44; Coash, 27; Conrad, 46; K. Haar, 21; Hadley, 37; Hansen, 42; Harms, 48; Johnson, 23; Kintner, 2; Mello, 5; Nordquist, 7; Price, 3; Scheer, 19; Schumacher, 22; Seiler, 33; Smith, 14; Wallman, 30; Wightman, 36.

WHEREAS, Cody, Nebraska, is located in Cherry County which, at 6,048 square miles, is the largest of Nebraska's counties and one of the largest counties in the nation; and

WHEREAS, Cody had been without a grocery store for over 14 years, and since before 1999 residents of Cody have changed time zones and traveled 38 miles one way to buy groceries; and

WHEREAS, because parents moved their children to schools in the towns where they could do their grocery shopping, the Cody-Kilgore Unified Schools system saw declining enrollment; and

WHEREAS, the Cody grocery store project was based on an idea generated by teachers Stacey Adamson and Tracee Ford, and supported by the residents of Cody, the school board, and the village board, and assisted by a Rural Economic Development Grant and stimulus funds from the United States Department of Agriculture, the Nebraska Game and Parks Commission, the University of Nebraska at Kearney Students in Free Enterprise team, the Catholic Campaign for Human Development, the Sherwood Foundation, Scotty's Ranchland Foods in Valentine, and many others; and

WHEREAS, the Circle C Market was started in 2009, the new straw bale building was completed in the fall of 2012, and the grand opening was held during Memorial Day weekend in 2013.

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

1. That the Legislature extends its congratulations to the residents and elected officials of Cody, Nebraska, and the students, staff, and administration of the Cody-Kilgore Unified Schools, the Cowboy G.R.I.T. Student Steering Committee, and teachers Stacey Adamson and Tracee Ford for envisioning and developing the Circle C Market.

2. That a copy of this resolution be sent to the Cody Village Board of Trustees and to Cody-Kilgore Unified Schools Superintendent and Principal Todd Chessmore.

Laid over.

VISITORS

Visitors to the Chamber were 38 fourth-grade students and teachers from Wilson Focus School, Omaha.

ADJOURNMENT

At 11:00 a.m., on a motion by Senator Ashford, the Legislature adjourned until 10:00 a.m., Wednesday, June 5, 2013.

Patrick J. O'Donnell
Clerk of the Legislature

