

TENTH DAY - JANUARY 22, 2014
LEGISLATIVE JOURNAL
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

TENTH DAY

Legislative Chamber, Lincoln, Nebraska
 Wednesday, January 22, 2014

PRAYER

The prayer was offered by Chaplain Perry Gauthier, Capitol Ministries, Lincoln.

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

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB972	Education
LB973	Education
LB974	Appropriations
LB975	Executive Board
LB976	Executive Board
LB977	Banking, Commerce and Insurance
LB978	Revenue
LB979	Revenue
LB980	Government, Military and Veterans Affairs
LB981	Transportation and Telecommunications
LB982	Transportation and Telecommunications
LB983	Transportation and Telecommunications
LB984	Education
LB985	Natural Resources

LR413 Agriculture

(Signed) John Wightman, Chairperson
Executive Board

MESSAGE FROM THE GOVERNOR

January 21, 2014

Mr. President, Speaker Adams
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Adams and Members of the Legislature:

Please withdraw the following individual from consideration for confirmation of appointment to the State Board of Health:

Dr. John Tennity, 5114 Deer Ridge Drive, Eagle, NE 68347

Dr. John Tennity has resigned from the State Board of Health effective February 1, 2014.

Thank you.

Sincerely,
(Signed) Dave Heineman
Governor

NOTICE OF COMMITTEE HEARINGS

Natural Resources

Room 1525

Wednesday, January 29, 2014 1:30 p.m.

LB671

(Signed) Tom Carlson, Chairperson

Government, Military and Veterans Affairs

Room 1507

Wednesday, January 29, 2014 1:30 p.m.

LB792
LB804
LB833
LB745

Thursday, January 30, 2014 1:30 p.m.

LB676
LB778
LB747

Friday, January 31, 2014 1:30 p.m.

LB726
LB742
LB743

(Signed) Bill Avery, Chairperson

MOTION - Withdraw LB957

Senator Christensen offered his motion, MO116, found on page 298, to withdraw LB957.

The Christensen motion to withdraw the bill prevailed with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 403. Senator Kintner withdrew his amendment, FA175, found on page 288.

Senator Brasch offered the following amendment:

FA176

On page 2, line 22 add "to a minor under eighteen years of age." after "lighter" so it reads "a novelty lighter to a minor under eighteen years of age."

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1013. Introduced by Murante, 49.

A BILL FOR AN ACT relating to counties; to amend section 23-187, Reissue Revised Statutes of Nebraska; to permit counties to regulate by ordinance the operation or conduct of peddlers, hawkers, or solicitors as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1014. Introduced by Murante, 49.

A BILL FOR AN ACT relating to metropolitan utilities districts; to amend sections 14-2102, 14-2103, and 32-540, Reissue Revised Statutes of Nebraska; to change provisions relating to election of the board of directors as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1015. Introduced by Kintner, 2.

A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act; to amend section 13-903, Reissue Revised Statutes of Nebraska; to include certain nonprofit volunteer fire and rescue departments under the act; and to repeal the original section.

LEGISLATIVE BILL 1016. Introduced by Krist, 10.

A BILL FOR AN ACT relating to state aircraft; to amend section 3-106, Reissue Revised Statutes of Nebraska; to direct the purchase and sale of certain aircraft for state government; to provide for operation, maintenance, and hangaring; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1017. Introduced by Krist, 10.

A BILL FOR AN ACT relating to drugs; to amend sections 28-425, 28-1437, 28-1438, 38-2810, 38-2811, 38-2819, 38-2831, 38-2833, 38-2837, 38-2843, 38-2866, 38-2870, 38-2884, 38-2887, 38-2890, 38-2892, 38-2895, 38-2899, 71-436, 71-2401, 71-2402, 71-2404, 71-2405, 71-2426, 71-2427, 71-2440, 71-2441, 71-2501, 71-2502, 71-2505, 71-2506, 71-2507, 71-2509, 71-2510, 71-2512, 71-5401.01, 71-5401.02, 71-5402, 71-5403, 71-5404, 71-5405, 71-5406, 71-5407, and 71-5409, Reissue Revised Statutes of Nebraska, sections 38-2801, 38-2802, 38-2850, 38-2867, 38-2869, 71-403, 71-448, 71-2421, 71-2453, and 71-7447, Revised Statutes Cumulative Supplement, 2012, and section 71-401, Revised Statutes Supplement, 2013; to adopt the Prescription Drug Safety Act; to transfer, provide, change, and eliminate provisions relating to poisons, medicinal substances, prescription drugs and devices, the practice of pharmacy, and the licensure of pharmacies; to name the Poison Control Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 38-2848,

71-2403, and 71-2511, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1018. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes Supplement, 2013; to change provisions relating to withholding of job application materials from the public; and to repeal the original section.

LEGISLATIVE BILL 1019. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to economic development; to amend sections 8-1108.01, 8-1111, 8-1118, and 84-612, Revised Statutes Supplement, 2013; to adopt the Development and Venture Enterprise Act; to change provisions of the Securities Act of Nebraska; to transfer funds; and to repeal the original sections.

LEGISLATIVE BILL 1020. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,104, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to licensing violations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1021. Introduced by Seiler, 33.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-2,108.03 and 43-2,108.04, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to the sealing of records; and to repeal the original sections.

LEGISLATIVE BILL 1022. Introduced by Seiler, 33.

A BILL FOR AN ACT relating to legal procedure; to amend sections 27-801 and 29-3805, Reissue Revised Statutes of Nebraska, and section 29-1207, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to hearsay and disposition of untried charges and trial within six months; and to repeal the original sections.

LEGISLATIVE BILL 1023. Introduced by Mello, 5.

A BILL FOR AN ACT relating to budgetary reports; to amend section 81-1125.01, Revised Statutes Cumulative Supplement, 2012; to change a financial reporting requirement; and to repeal the original section.

LEGISLATIVE BILL 1024. Introduced by Mello, 5.

A BILL FOR AN ACT relating to state government; to amend section 90-119, Reissue Revised Statutes of Nebraska, and section 81-3711,

Revised Statutes Cumulative Supplement, 2012; to permit the Nebraska Tourism Commission to adopt a state symbol or slogan; to repeal statutes prescribing the official state symbol and slogan and requiring its use by state agencies; to harmonize provisions; to repeal the original sections; and to outright repeal sections 90-105 and 90-106, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1025. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 79-1021, Reissue Revised Statutes of Nebraska, and section 77-27,132, Revised Statutes Cumulative Supplement, 2012; to change the distribution of sales and use tax revenue; to create a fund; to provide funding for schools; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1026. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to state funds; to amend section 77-2715.01, Revised Statutes Cumulative Supplement, 2012; to create and provide for the purpose and use of the Nebraska Educational Trust Fund; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1027. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to seized property; to amend section 29-820, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to restoration of seized firearms as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1028. Introduced by Coash, 27.

A BILL FOR AN ACT relating to courts; to amend section 43-2,119, Reissue Revised Statutes of Nebraska; to increase the number of judges of the separate juvenile court as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1029. Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,298, Revised Statutes Supplement, 2013; to change provisions relating to size, weight, and load with respect to vehicles transporting fertilizer; and to repeal the original section.

LEGISLATIVE BILL 1030. Introduced by Kintner, 2.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 2013; to prohibit cities and counties from enacting ordinances or resolutions or performing any other official act restricting the use of firearms to a greater extent than state law; to provide

that residents of Nebraska are not subject to federal laws regarding firearms as prescribed; to provide penalties as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1031. Introduced by Kintner, 2; Garrett, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.03 and 77-27,132, Revised Statutes Cumulative Supplement, 2012; to provide duties for the Department of Revenue; to provide for decreased individual income tax rates; to change the distribution of sales and use tax revenue; and to repeal the original sections.

LEGISLATIVE BILL 1032. Introduced by Kintner, 2; Garrett, 3.

A BILL FOR AN ACT relating to abortion; to amend section 71-401, Revised Statutes Supplement, 2013; to require the posting of signs regarding abortion; to provide penalties; to harmonize provisions; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 1033. Introduced by Watermeier, 1; Kintner, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Game and Parks Commission; and to state intent relating to operation and maintenance of Arbor Lodge State Historical Park.

LEGISLATIVE BILL 1034. Introduced by McGill, 26.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-311.08, 28-367.01, and 29-4003, Revised Statutes Cumulative Supplement, 2012; to change provisions and penalties relating to unlawful intrusion; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1035. Introduced by McGill, 26.

A BILL FOR AN ACT relating to handguns; to amend section 69-2409.01, Revised Statutes Cumulative Supplement, 2012; to require reports from the Nebraska State Patrol and the Department of Health and Human Services regarding the agencies' records of persons unable to purchase or possess handguns because of disqualification or disability; and to repeal the original section.

LEGISLATIVE BILL 1036. Introduced by Wallman, 30.

A BILL FOR AN ACT relating to the Industrial Relations Act; to amend section 48-816, Revised Statutes Cumulative Supplement, 2012; to provide for biennial contracts for cities of the primary class; and to repeal the original section.

LEGISLATIVE BILL 1037. Introduced by McGill, 26.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Revised Statutes Supplement, 2013; to authorize examination of certain entities formed under the Interlocal Cooperation Act; and to repeal the original section.

LEGISLATIVE BILL 1038. Introduced by Dubas, 34; Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2715.07, Revised Statutes Cumulative Supplement, 2012; to provide an income tax credit for certain property taxes paid on agricultural land and horticultural land; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1039. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-6,288 and 60-6,289, Reissue Revised Statutes of Nebraska, and sections 60-601 and 60-6,290, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to size, weight, and load for farm equipment and implements of husbandry; and to repeal the original sections.

LEGISLATIVE BILL 1040. Introduced by Karpisek, 32.

A BILL For AN ACT relating to the Low-Income Home Energy Conservation Act; to amend sections 66-1013, 66-1018, and 66-1019, Reissue Revised Statutes of Nebraska, and sections 66-1014, 66-1015 and 66-1016, Revised Statutes Cumulative Supplement, 2012; to change and eliminate grant program provisions for energy conservation improvements; to harmonize provisions; to repeal the original sections; to outright repeal section 66-1017, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1041. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend section 79-933.08, Reissue Revised Statutes of Nebraska, section 79-980, Revised Statutes Cumulative Supplement, 2012, and sections 79-987 and 79-991, Revised Statutes Supplement, 2013; to change provisions relating to service credits for school employees; to change provisions relating to the Class V School Employees Retirement Act; to change provisions relating to an annual report; to define a term; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1042. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend sections 79-902 and 79-921, Revised Statutes Supplement, 2013; to define a term; to provide for

repayments upon rejoining the school employees retirement system; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1043. Introduced by Nelson, 6; Campbell, 25; Coash, 27; Johnson, 23; Scheer, 19; Seiler, 33; Smith, 14; Watermeier, 1; Wightman, 36.

A BILL FOR AN ACT relating to the documentary stamp tax; to amend section 76-902, Revised Statutes Supplement, 2013; to exempt certain deeds from taxation; and to repeal the original section.

LEGISLATIVE BILL 1044. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to abandoned vehicles; to amend section 60-1901, Reissue Revised Statutes of Nebraska; to provide procedures for abandoned mobile homes; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1045. Introduced by B. Harr, 8.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend section 76-2317, Reissue Revised Statutes of Nebraska; to redefine the term underground facility; and to repeal the original section.

LEGISLATIVE BILL 1046. Introduced by Carlson, 38; Christensen, 44; Davis, 43; Kolowski, 31; Schilz, 47; Watermeier, 1.

A BILL FOR AN ACT relating to appropriations; to create the Water Sustainability Fund; to provide for administration of the fund; and to transfer General Funds.

LEGISLATIVE BILL 1047. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Natural Resources; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 403. The Brasch amendment, FA176, found in this day's Journal, was renewed.

PRESIDENT HEIDEMANN PRESIDING

Senator Scheer moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 6 nays, and 17 not voting.

The Brasch amendment lost with 10 ayes, 25 nays, 12 present and not voting, and 2 excused and not voting.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1048. Introduced by Murante, 49; Avery, 28; Lautenbaugh, 18; Mello, 5.

A BILL FOR AN ACT relating to political parties; to amend sections 32-613, 32-614, 32-701, 32-702, 32-703, 32-704, 32-719, and 32-720, Reissue Revised Statutes of Nebraska, and sections 32-610 and 32-707, Revised Statutes Cumulative Supplement, 2012; to change and eliminate provisions relating to statewide primary elections and political party conventions; to require delegate selection plans for national political party conventions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-706, 32-708, 32-709, and 32-711, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1049. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-202, Reissue Revised Statutes of Nebraska; to change provisions relating to actions for the recovery of title or possession of real estate or foreclosure of mortgages or deeds of trust as mortgages; and to repeal the original section.

LEGISLATIVE BILL 1050. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to child care; to amend sections 43-2618 and 71-1912, Reissue Revised Statutes of Nebraska; to change provisions relating to inspections of certain child care facilities as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 1051. Introduced by Howard, 9.

A BILL FOR AN ACT relating to community health workers; to adopt the Public Health Leadership and Development Act; and to appropriate funds to the Board of Regents of the University of Nebraska.

LEGISLATIVE BILL 1052. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-183, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to retailers; and to repeal the original section.

LEGISLATIVE BILL 1053. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-518 and 71-5314, Reissue Revised Statutes of Nebraska, and sections 77-3,119, 77-27,139.03, 81-15,147, and 83-380, Revised Statutes Cumulative Supplement, 2012; to provide state aid to municipalities, counties, and natural resources districts; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1054. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-431, Reissue Revised Statutes of Nebraska; to redefine treatment; and to repeal the original section.

LEGISLATIVE BILL 1055. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to postsecondary education; to provide for tuition-free academic credits for veterans and military personnel as prescribed.

LEGISLATIVE BILL 1056. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Revised Statutes Cumulative Supplement, 2012; to change individual income tax brackets and rates as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1057. Introduced by Davis, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Revised Statutes Cumulative Supplement, 2012; to provide duties for the Department of Revenue; to change the distribution of sales and use tax revenue; and to repeal the original section.

LEGISLATIVE BILL 1058. Introduced by Murante, 49.

A BILL FOR AN ACT relating to presidential elections; to adopt the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote.

LEGISLATIVE BILL 1059. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to learning communities; to amend sections 32-567, 79-2102, and 79-2102.01, Reissue Revised Statutes of Nebraska, and sections 32-604 and 32-1203, Revised Statutes Cumulative Supplement, 2012; to change membership of the learning community coordinating council; to harmonize provisions; to repeal the original sections; and to

outright repeal sections 32-546.01 and 32-555.01, Revised Statutes Cumulative Supplement, 2012.

LEGISLATIVE BILL 1060. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to educational service units; to amend sections 32-404, 32-567, 32-608, 32-1301, 32-1302, and 79-1208, Reissue Revised Statutes of Nebraska, sections 32-607, 32-1203, 79-1212, and 79-1217, Revised Statutes Cumulative Supplement, 2012, and section 32-606, Revised Statutes Supplement, 2013; to provide for appointment of board members; to eliminate provisions relating to election of board members; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-515 and 79-1217.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1061. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to community college areas; to amend sections 32-608, 32-1301, 32-1302, 85-1506, 85-1507, 85-1514, 85-1541, and 85-1542, Reissue Revised Statutes of Nebraska, and sections 32-604, 32-607, 32-811, 32-1203, and 77-3445, Revised Statutes Cumulative Supplement, 2012; to provide for appointment of board members; to eliminate provisions relating to election of board members; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-514, Reissue Revised Statutes of Nebraska, and section 85-1512, Revised Statutes Supplement, 2013.

LEGISLATIVE BILL 1062. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Revised Statutes Cumulative Supplement, 2012; to require presentment of an operator's license and proof of financial responsibility or evidence of insurance to a peace officer by a driver involved in an accident; to provide for impoundment of a vehicle as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1063. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to juvenile courts; to amend section 43-2,108, Reissue Revised Statutes of Nebraska; to require court approval to obtain a juvenile court proceeding transcript; and to repeal the original section.

LEGISLATIVE BILL 1064. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to education; to adopt the Teach for Nebraska Program Act.

LEGISLATIVE BILL 1065. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1413, Revised Statutes Cumulative Supplement, 2012; to eliminate provisions relating to secret ballots; and to repeal the original section.

LEGISLATIVE BILL 1066. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to county boards; to amend section 23-155, Reissue Revised Statutes of Nebraska; to require a record vote by roll call for action by the county board in certain counties; and to repeal the original section.

LEGISLATIVE BILL 1067. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5806 and 77-5905, Reissue Revised Statutes of Nebraska, and section 77-5725, Revised Statutes Supplement, 2013; to extend sunset dates for tax incentives under the Nebraska Advantage Act, the Nebraska Advantage Research and Development Act, and the Nebraska Advantage Microenterprise Tax Credit Act; and to repeal the original sections.

LEGISLATIVE BILL 1068. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to learning communities; to amend section 79-1008.02, Revised Statutes Cumulative Supplement, 2012, and sections 79-1003, 79-1022, 79-2104.01, and 79-2104.03, Revised Statutes Supplement, 2013; to redefine a term and change provisions relating to a minimum levy adjustment and distribution of funds for purposes of the Tax Equity and Educational Opportunities Support Act; to rename a committee and to change and provide duties for the committee relating to learning communities; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1069. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to education; to amend sections 1-116, 79-526, 79-535, 79-1102, and 79-1337, Reissue Revised Statutes of Nebraska, sections 79-319, 79-8,133, 79-8,137.01, and 85-2407, Revised Statutes Cumulative Supplement, 2012, and sections 79-1118.01, 85-1603, 85-1604, and 85-2405, Revised Statutes Supplement, 2013; to change provisions relating to an accrediting commission and distance education incentives; to provide authorization for expenditures as prescribed; to provide duties for the Early Childhood Training Center; to define and redefine terms relating to the Special Education Act; to change provisions relating to the Private Postsecondary Career School Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1070. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to state aid to schools; to amend sections 79-1008.02 and 79-1073, Revised Statutes Cumulative Supplement, 2012, and sections 79-1003, 79-1007.11, and 79-1022, Revised Statutes Supplement, 2013; to redefine a term and change provisions relating to calculation of formula need, a minimum levy adjustment, and distribution of funds for purposes of the Tax Equity and Educational Opportunities Support Act; to change a duty for learning community coordinating councils; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1071. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Revised Statutes Cumulative Supplement, 2012; to provide rights and responsibilities for operating a bicycle on a sidewalk or across a roadway or shoulder on a crosswalk; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1072. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to public health; to amend section 38-178, Revised Statutes Cumulative Supplement, 2012; to adopt the Prescription Monitoring and Health Information Exchange Act; to change provisions relating to grounds for disciplinary action; to eliminate provisions relating to prescription drug monitoring; to harmonize provisions; to provide an operative date; to repeal the original section; and to outright repeal section 71-2454 and 71-2455, Revised Statutes Cumulative Supplement, 2012.

LEGISLATIVE BILL 1073. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to labor; to amend section 4-114, Reissue Revised Statutes of Nebraska; to require employers to e-verify the immigration status of new employees; to eliminate obsolete provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1074. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend sections 46-706, 46-713, 46-714, 46-715, 46-720, 46-739, and 46-740, Reissue Revised Statutes of Nebraska, and section 46-753, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to overappropriation designations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1075. Introduced by B. Harr, 8.

A BILL FOR AN ACT relating to government; to prohibit the employment of certain persons by certain public entities.

LEGISLATIVE BILL 1076. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2012; to state intent; to provide for certain reimbursement rates and services as prescribed; to harmonize provisions; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1077. Introduced by Sullivan, 41; Scheer, 19.

A BILL FOR AN ACT relating to education; to amend sections 79-1007.13, 85-1904, and 85-2103, Reissue Revised Statutes of Nebraska, and sections 79-1018.01, 85-1918, 85-2104, and 85-2106, Revised Statutes Cumulative Supplement, 2012; to adopt the Shared Responsibility for Access and Success Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1078. Introduced by Nordquist, 7; Campbell, 25; Dubas, 34; McGill, 26.

A BILL FOR AN ACT relating to telehealth; to amend sections 71-8503 and 71-8508, Reissue Revised Statutes of Nebraska, sections 38-2001, 38-2301, and 38-2801, Revised Statutes Cumulative Supplement, 2012, and section 71-8506, Revised Statutes Supplement, 2013; to provide for the establishment of a patient relationship through video conferencing as prescribed; to require insurance coverage for telehealth services as prescribed; to define and redefine terms; to change provisions relating to reimbursement rates and rules and regulations under the Nebraska Telehealth Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1079. Introduced by Davis, 43.

A BILL FOR AN ACT relating to the Civic and Community Center Financing Act; to amend section 13-2706, Reissue Revised Statutes of Nebraska, and sections 13-2703, 13-2705, 13-2707, 13-2707.01, and 13-2709, Revised Statutes Supplement, 2013; to authorize grants to certain county agricultural societies; to harmonize provisions; to repeal the original sections; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 403. Senator Kintner offered the following amendment:

FA177

On page 2, line 24, strike "Class IV" and insert "Class V".

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1080. Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to the Plant Protection and Plant Pest Act; to amend section 2-1072, Revised Statutes Supplement, 2013; to provide for nonprofit nursery stock distributors under the act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1081. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the schools; to amend section 79-233, Revised Statutes Cumulative Supplement, 2012, and section 79-237, Revised Statutes Supplement, 2013; to provide a duty for the State Department of Education; to provide for reversal of a transfer decision as prescribed; to provide for eligibility for participation in certain activities as prescribed; to provide for changes in classification of schools relating to varsity athletic competition as prescribed; to harmonize provisions; to provide duties for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 1082. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,356, Reissue Revised Statutes of Nebraska; to allow all-terrain vehicles and utility-type vehicles to be operated as authorized emergency vehicles; and to repeal the original section.

LEGISLATIVE BILL 1083. Introduced by Garrett, 3.

A BILL FOR AN ACT relating to economic development; to amend section 81-1204, Reissue Revised Statutes of Nebraska, section 81-1203, Revised Statutes Cumulative Supplement, 2012, and sections 81-1201.21 and 81-1210.02, Revised Statutes Supplement, 2013; to authorize training grants for certain veterans; to change provisions relating to job training grants and grants for internships; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1084. Introduced by Garrett, 3.

A BILL FOR AN ACT relating to offices and officeholders; to amend section 32-567, Reissue Revised Statutes of Nebraska; to provide a statutory reference for the filling of certain vacancies; and to repeal the original section.

LEGISLATIVE BILL 1085. Introduced by Cook, 13.

A BILL FOR AN ACT relating to labor and employment; to require certain

employers to provide a listing of employee salaries and job titles as prescribed; and to provide an operative date.

LEGISLATIVE BILL 1086. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Supplement, 2013; to transfer funds to the Property Tax Credit Cash Fund; and to repeal the original section.

LEGISLATIVE BILL 1087. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3501, 77-3501.01, 77-3506.03, 77-3509, 77-3509.01, 77-3509.02, 77-3509.03, 77-3510, 77-3511, 77-3512, 77-3513, 77-3514, 77-3516, 77-3521, 77-3522, 77-3523, 77-3529, and 77-4212, Reissue Revised Statutes of Nebraska, and section 77-3517, Revised Statutes Cumulative Supplement, 2012; to create a homestead exemption for disabled veterans and widows and widowers as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1088. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to child care; to amend section 68-1206, Revised Statutes Supplement, 2013; to change provisions relating to assistance; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1089. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to civil procedure; to amend section 30-3839, Revised Statutes Cumulative Supplement, 2012; to state intent; to provide for disposition of residual funds in class action litigation and charitable trusts; and to repeal the original section.

LEGISLATIVE BILL 1090. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to labor; to adopt the Healthy Families and Workplaces Act; and to provide severability.

LEGISLATIVE BILL 1091. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Job Training Cash Fund; to amend section 81-1204, Reissue Revised Statutes of Nebraska, and section 84-612, Revised Statutes Supplement, 2013; to change provisions relating to job training grant limitations; to provide for a fund transfer; and to repeal the original sections.

LEGISLATIVE BILL 1092. Introduced by Dubas, 34; Davis, 43; Johnson, 23; Krist, 10; Lautenbaugh, 18; Mello, 5; Nordquist, 7; Scheer, 19; Schilz, 47; Sullivan, 41.

A BILL FOR AN ACT relating to funding for highways; to amend sections 39-2205, 39-2209, 39-2211, 39-2213, 39-2222, 39-2223, and 39-2224, Reissue Revised Statutes of Nebraska, and sections 39-2215, 39-2216, and 39-2704, Revised Statutes Cumulative Supplement, 2012; to authorize issuance of highway bonds; to change provisions of the Build Nebraska Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1093. Introduced by Brasch, 16; Coash, 27.

A BILL FOR AN ACT relating to juvenile conferencing; to amend section 43-247.01, Reissue Revised Statutes of Nebraska, and section 43-4203, Revised Statutes Supplement, 2013; to change provisions relating to facilitated conferencing and funding; to state funding intent; and to repeal the original sections.

LEGISLATIVE BILL 1094. Introduced by Davis, 43.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2013, LB199, section 7; to change a fund transfer to the Property Tax Credit Cash Fund; and to repeal the original section.

LEGISLATIVE BILL 1095. Introduced by Davis, 43.

A BILL FOR AN ACT relating to economic development; to amend sections 18-2102.01, 18-2113, 18-2116, 18-2117.01, and 81-1201.20, Reissue Revised Statutes of Nebraska, section 81-1201.07, Revised Statutes Cumulative Supplement, 2012, and sections 18-2103, 81-1201.01, and 81-1201.03, Revised Statutes Supplement, 2013; to change the Community Development Law; to create the Tax-increment Financing Division of the Department of Economic Development and provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1096. Introduced by Ashford, 20; Howard, 9; Lathrop, 12; Lautenbaugh, 18; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to the Business Improvement District Act; to amend section 19-4015, Reissue Revised Statutes of Nebraska; to provide a procedure to expand a business improvement district; and to repeal the original section.

LEGISLATIVE BILL 1097. Introduced by B. Harr, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.03 and 77-2734.02, Revised Statutes Cumulative Supplement,

2012; to change individual income tax brackets and rates and corporate income tax rates; and to repeal the original sections.

LEGISLATIVE BILL 1098. Introduced by Carlson, 38; Christensen, 44; Davis, 43; Kolowski, 31; Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Natural Resources Commission; to amend section 2-1504, Reissue Revised Statutes of Nebraska; to change the membership of and provide powers and duties for the commission; and to repeal the original section.

LEGISLATIVE BILL 1099. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to education; to state findings and intent; and to provide for a study relating to state aid to schools.

LEGISLATIVE BILL 1100. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to public power; to create the Public Power Task Force; to provide powers and duties for the task force; and to provide a termination date.

LEGISLATIVE BILL 1101. Introduced by Crawford, 45.

A BILL FOR AN ACT relating to schools; to amend sections 79-10,120, 79-10,126, and 79-2107, Reissue Revised Statutes of Nebraska, sections 70-651.04, 79-528, 79-1008.02, 79-1036, 79-1041, and 79-2111, Revised Statutes Cumulative Supplement, 2012, and sections 77-1736.06, 77-3442, 79-1007.18, 79-1022, and 79-2104, Revised Statutes Supplement, 2013; to eliminate certain taxing authority of learning communities; to change state aid calculations; to change provisions relating to transfer of territory between certain districts as prescribed; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-10,126.01, Reissue Revised Statutes of Nebraska, and sections 79-1073 and 79-1073.01, Revised Statutes Cumulative Supplement, 2012.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 401, 402, and 403 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 401, 402, and 403.

GENERAL FILE

LEGISLATIVE BILL 403. The Kintner amendment, FA177, found in this day's Journal, was renewed.

Senator Kintner requested a roll call vote on his amendment.

The Kintner amendment lost with 15 ayes, 24 nays, 7 present and not voting, and 3 excused and not voting.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1102. Introduced by Crawford, 45; Chambers, 11; Davis, 43; Garrett, 3; Wallman, 30.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-401.01, Revised Statutes Cumulative Supplement, 2012, and section 28-401, Revised Statutes Supplement, 2013; to adopt Will's Law; to redefine marijuana and authorize the medical use of hemp oil extract which contains no more than three-tenths of one percent tetrahydrocannabinols; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1103. Introduced by Education Committee: Sullivan, 41, Chairperson; Avery, 28; Cook, 13; Davis, 43; Kolowski, 31; Scheer, 19; Seiler, 33.

A BILL FOR AN ACT relating to education; to state findings and intent; to provide for a strategic planning process; to provide duties for the Education Committee of the Legislature; and to declare an emergency.

LEGISLATIVE BILL 1104. Introduced by Watermeier, 1.

A BILL FOR AN ACT relating to farm wineries; to amend section 53-123.11, Reissue Revised Statutes of Nebraska; to change provisions relating to licensees; and to repeal the original section.

LEGISLATIVE BILL 1105. Introduced by McGill, 26; Ashford, 20; Crawford, 45.

A BILL FOR AN ACT relating to courts; to amend sections 24-1301, 24-1302, and 29-2246, Reissue Revised Statutes of Nebraska; to create veterans and servicemembers court programs; to state intent; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1106. Introduced by McGill, 26; Ashford, 20; Dubas, 34.

A BILL FOR AN ACT relating to education; to amend section 79-777, Revised Statutes Cumulative Supplement, 2012; to change provisions relating to career academies; to provide for reimbursement of tuition and fees as prescribed; to create a fund; and to repeal the original section.

LEGISLATIVE BILL 1107. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-901, Revised Statutes Cumulative Supplement, 2012; to change payment provisions relating to encounters with multiple health care professionals at a federally qualified health center; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1108. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to abortion; to amend section 71-6903, Revised Statutes Cumulative Supplement, 2012; to change a standard used by a court in finding a pregnant woman sufficiently mature to decide to have an abortion; and to repeal the original section.

LEGISLATIVE BILL 1109. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to abortion; to amend sections 38-2021, 64-113, 71-6901, 71-6902, 71-6903, 71-6904, 71-6905, 71-6906, 71-6907, and 71-6908, Revised Statutes Cumulative Supplement, 2012; to change and eliminate provisions relating to consent and parental notification; to eliminate certain penalties; to repeal the original sections; and to outright repeal sections 71-6902.01, 71-6902.02, 71-6909, 71-6910, and 71-6911, Revised Statutes Cumulative Supplement, 2012.

LEGISLATIVE BILL 1110. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2436, Revised Statutes Cumulative Supplement, 2012; to change renewal provisions for members of the United States Armed Forces and their spouses; and to repeal the original section.

LEGISLATIVE BILL 1111. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-701, Reissue Revised Statutes of Nebraska; to provide duties for certain natural resources districts relating to integrated management plans as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1112. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3226.05, Reissue Revised Statutes of Nebraska; to terminate and authorize occupation taxes; and to repeal the original section.

LEGISLATIVE BILL 1113. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to irrigation; to provide powers and duties for districts, companies, and property owners relating to surface water appropriations; and to declare an emergency.

LEGISLATIVE BILL 1114. Introduced by Mello, 5; Hadley, 37.

A BILL FOR AN ACT relating to economic development; to amend section 13-208, Reissue Revised Statutes of Nebraska, and sections 81-12,154 and 81-12,167, Revised Statutes Cumulative Supplement, 2012; to change funding for certain tax credits; to state intent relating to funding; to change the termination date of the Business Innovation Act; to create a fund and provide for its use; and to repeal the original sections.

LEGISLATIVE BILL 1115. Introduced by Davis, 43; Brasch, 16; Dubas, 34; K. Haar, 21; Schilz, 47; Seiler, 33; Smith, 14; Sullivan, 41.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate additional funds to the Nebraska Power Review Board for a study; to state public policy; and to declare an emergency.

AMENDMENT - Print in Journal

Senator Krist filed the following amendment to LB660:

AM1668

1 1. Strike the original sections and insert the following
 2 new sections:
 3 Section 1. Section 68-1212, Revised Statutes Cumulative
 4 Supplement, 2012, is amended to read:
 5 68-1212 (1) Except as provided in subsection (2) of
 6 this section, by April 1, 2012, for all cases in which a
 7 court has awarded a juvenile to the care of the Department of
 8 Health and Human Services according to subsection (1) of section
 9 43-285 and for any noncourt and voluntary cases, the case manager
 10 shall be an employee of the department. Such case manager shall
 11 be responsible for and shall directly oversee: Case planning;
 12 service authorization; investigation of compliance; monitoring
 13 and evaluation of the care and services provided to children
 14 and families; and decisionmaking regarding the determination of
 15 visitation and the care, placement, medical services, psychiatric
 16 services, training, and expenditures on behalf of each juvenile
 17 under subsection (1) of section 43-285. Such case manager shall be

18 responsible for decisionmaking and direct preparation regarding the
19 proposed plan for the care, placement, services, and permanency of
20 the juvenile filed with the court required under subsection (2)
21 of section 43-285. The health and safety of the juvenile shall be
22 the paramount concern in the proposed plan in accordance with such
23 subsection.

1 (2) The department may contract with a lead agency
2 for a case management lead agency model pilot project in the
3 department's eastern service area as designated pursuant to section
4 81-3116. The department shall include in the pilot project the
5 appropriate conditions, performance outcomes, and oversight for the
6 lead agency, including, but not be limited to:

7 (a) The reporting and survey requirements of lead
8 agencies described in sections 43-4406 and 43-4407;

9 (b) Departmental monitoring and functional capacities of
10 lead agencies described in section 43-4408;

11 (c) The key areas of evaluation specified in subsection
12 (3) of section 43-4409;

13 (d) Compliance and coordination with the development of
14 the statewide strategic plan for child welfare program and service
15 reform pursuant to Laws 2012, LB821; and

16 (e) Assurance of financial accountability and reporting
17 by the lead agency.

18 (3) ~~Prior to April 1, 2013, the Health and Human Services
19 Committee of the Legislature shall review the pilot project and
20 provide to the department and the Legislature recommendations,
21 and any legislation necessary to adopt the recommendations,
22 regarding the adaptation or continuation of the pilot project. In
23 making the recommendations, the committee shall utilize: (a) The
24 evaluation completed pursuant to Legislative Bill 1160, One Hundred
25 Second Legislature, Second Session, 2012; (b) the recommendations
26 of the statewide strategic plan pursuant to Legislative Bill
27 821, One Hundred Second Legislature, Second Session, 2012; (c)
1 the department's assessment of the pilot project; and (d) any
2 additional reports, surveys, information, and data provided to
3 and requested by the committee. If the pilot project continues
4 past April 1, 2013, the Before June 30, 2014, the department may
5 extend the contract for the pilot project described in subsection
6 (2) of this section. The lead agency shall also comply with the
7 requirements of section 43-4204.~~

8 Sec. 2. If the pilot project described in section 68-1212
9 is extended by the Department of Health and Human Services,
10 the pilot project shall be evaluated by the same entity which
11 conducted the evaluation required pursuant to section 43-4409. The
12 purpose of such evaluation is to determine whether case management
13 should be a duty of the department (1) performed by employees
14 of the department and not subject to contract with a private
15 contractor or (2) performed by a private entity pursuant to a
16 contract with the department. The evaluation shall specifically

17 compare the performance of case management by a private entity
18 under contract with the department in the eastern service area of
19 the department as designated pursuant to section 81-3116 to the
20 performance of employees of the department in all other services
21 areas designated pursuant to such section. The department shall
22 provide to the evaluator in a timely and cooperative manner
23 all data and information collected by and available to the
24 department on the performance of case management by employees
25 of the department in such other services areas. The report of the
26 evaluation shall be presented concurrently to the Health and Human
27 Services Committee of the Legislature, the chief executive officer
1 of the Department of Health and Human Services, and the Nebraska
2 Families Collaborative, on or before December 31, 2014.
3 Sec. 3. Original section 68-1212, Revised Statutes
4 Cumulative Supplement, 2012, is repealed.
5 Sec. 4. Since an emergency exists, this act takes effect
6 when passed and approved according to law.

NOTICE OF COMMITTEE HEARINGS

Judiciary

Room 1113

Thursday, January 30, 2014 1:30 p.m.

LB770
LB877
LB857
LB933
LB934

(Signed) Brad Ashford, Chairperson

Revenue

Room 1524

Wednesday, January 29, 2014 1:30 p.m.

LB760
LB814
LB841

Thursday, January 30, 2014 1:30 p.m.

LB783
LB794
LB829

Friday, January 31, 2014 1:30 p.m.

LB809
LB894

(Signed) Galen Hadley, Chairperson

COMMITTEE REPORTS
Urban Affairs

LEGISLATIVE BILL 679. Placed on General File.
LEGISLATIVE BILL 802. Placed on General File.
LEGISLATIVE BILL 803. Placed on General File.

(Signed) Amanda McGill, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 417. Introduced by Mello, 5; Nordquist, 7; Wightman, 36.

WHEREAS, Hispanic Heritage Month was started in 1988 by President Ronald Reagan after he expanded National Hispanic Heritage Week, first signed into law by President Lyndon Johnson in 1968, into a full 30 days; and

WHEREAS, Hispanic Heritage Month is observed from September 15 through October 15 and covers the independence days of Costa Rica, Nicaragua, Chile, Mexico, Honduras, and El Salvador, and includes Columbus Day which is known as Día de la Raza (Day of the Race) or Día de Las Americas (Day of the Americas) in Latin-American countries; and

WHEREAS, Hispanic Heritage Month is a celebration and commemoration of Latin-American history and culture honoring how Hispanic culture has dramatically impacted American society; and

WHEREAS, the Hispanic population has not historically been a large segment of the American population, but has grown over the past two decades along with Hispanic contributions to American culture; and

WHEREAS, Hispanic men and women play an integral role in American society, and it is vitally important that we honor and celebrate their contributions to our culture and to the State of Nebraska.

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

1. That the Legislature designates September 15 through October 15, 2014, as Hispanic Heritage Month in the State of Nebraska.

2. That during that time, Nebraskans are encouraged to come together to recognize, commemorate, and celebrate the Hispanic men and women of Nebraska, past and present, who have worked tirelessly to overcome obstacles of language, culture, and tradition to positively impact American society and become an integral part of our local communities.

3. That Nebraskans are also encouraged to study Hispanic culture and history, recognize Hispanic contributions in their communities, and strive for appreciation and equality year-round in order to celebrate our past and brighten our future in the State of Nebraska.

Laid over.

LEGISLATIVE RESOLUTION 418. Introduced by Seiler, 33.

WHEREAS, Morgan Nikkila has been named a 2013 Tribland Player of the Year for girls' volleyball; and

WHEREAS, Morgan, a student at Hastings St. Cecilia High School, amassed 37 kills to lead the Hawkettes to victory over Lutheran High Northeast in the first round of the 2013 state tournament, just one kill short of a Class C-2 record; and

WHEREAS, Morgan helped her team ultimately win the 2013 Class C-2 Girls' State Volleyball Championship; 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, SECOND SESSION:

1. That the Legislature congratulates Morgan Nikkila on being named a 2013 Tribland Player of the Year for girls' volleyball.
2. That a copy of this resolution be sent to Morgan Nikkila.

Laid over.

LEGISLATIVE RESOLUTION 419. Introduced by Seiler, 33.

WHEREAS, Seyler Monroe has been named a 2013 Tribland Player of the Year for six-man football; and

WHEREAS, Seyler, quarterback for the Silver Lake High School Mustangs, led his team to their first six-man state football championship in school history with an unbeaten season record; and

WHEREAS, Seyler rushed for 207 yards, scored three touchdown runs, and passed for another touchdown to help the Mustangs beat the Hyannis High School Longhorns by a score of 47-46; 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, SECOND SESSION:

1. That the Legislature congratulates Seyler Monroe on being named a 2013 Tribland Player of the Year for six-man football.
2. That a copy of this resolution be sent to Seyler Monroe.

Laid over.

LEGISLATIVE RESOLUTION 420. Introduced by Seiler, 33.

WHEREAS, Jordan Slough has been named a 2013 Tribland Player of the Year for 11-man football; and

WHEREAS, Jordan, a senior at Doniphan-Trumbull High School, led his Cardinals to victory in the 2013 Class C-2 State Football Championship over the Aquinas Catholic High School Monarchs; and

WHEREAS, Jordan had over 100 yards rushing in the championship game and finished the season with 2,123 yards rushing and 40 touchdowns to his credit; 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, SECOND SESSION:

1. That the Legislature congratulates Jordan Slough on being named a 2013 Tribland Player of the Year for 11-man football.
2. That a copy of this resolution be sent to Jordan Slough.

Laid over.

LEGISLATIVE RESOLUTION 421CA. Introduced by Lautenbaugh, 18.

THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2014 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article XIII, section 1, and repeal Article VII, sections 2 to 4:

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except (1) for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrepealable until such debt is paid; ~~Provided, (2)~~ that if the Legislature determines by a three-fifths vote of the members elected thereto that ~~(1)~~ (a) the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and ~~(2)~~ (b) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state

revenue derived from the use of such structures; ~~and provided further, (3)~~ that the Board of Regents of the University of Nebraska, ~~and the Board of Trustees of the Nebraska State Colleges, and the State Board of Education~~ may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

Article VII, sections 2 to 4, of the Constitution of Nebraska are repealed.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to eliminate the authority of the State Board of Education to issue revenue bonds and to eliminate other constitutional references to the State Department of Education, the State Board of Education, and the Commissioner of Education.

For

Against.

LEGISLATIVE RESOLUTION 422. Introduced by Campbell, 25; Gloor, 35.

WHEREAS, eleven of Nebraska's ninety-three counties have no primary care physicians; and

WHEREAS, those 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, the availability of high-quality health care at lower costs, and greater efficiency in health care delivery; and

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

WHEREAS, health care reform requires the transformation of health care delivery into a patient-centric, high-value enterprise; and

WHEREAS, the challenge of health care reform requires a new level of cooperation between all health care partner stakeholders and policymakers in Nebraska; and

WHEREAS, state government must provide clear leadership for health care system transformation efforts that results in transparency, trust, and full participation from all partner stakeholders; and

WHEREAS, as a result of Legislative Resolution 22 (LR22) passed during the One Hundred Third Legislature, First Session, the Health and Human Services Committee, in conjunction with the Banking, Commerce and Insurance Committee, held a conference on health care in Nebraska attended by 167 stakeholders from across the state; and

WHEREAS, the LR22 stakeholders conference examined what the Nebraska health care system should look like in fifteen years and what opportunities and challenges Nebraska patients, providers, and payers will face during the period of change over the next fifteen years. This examination resulted in dialogue on population health, personal health, health care worker education and care processes, and delivery of health care and health care costs in Nebraska; and

WHEREAS, LR22 initiated the discussion, but there is opportunity for continued partnership and leadership by the Legislature in the development of a vision for transformation of the Nebraska health care system.

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

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

2. That in order to develop its policy recommendations, the Health and Human Services Committee, in cooperation with the Banking, Commerce and Insurance Committee, shall continue to 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. That with input from partner stakeholders and in cooperation with the Banking, Commerce and Insurance Committee, the Health and Human Services Committee shall continue to:

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

b. Define opportunities for expansion of health care delivery to rural and medically underserved regions and patients through telemedicine, electronic home care devices, and Internet-based care;

c. Determine the role of team-based care including the patient-centered medical home, accountable care organizations, and introduction of additional health care providers to these medical teams;

d. Assess the opportunities for loan forgiveness for service of health care providers in designated underserved counties of Nebraska;

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

f. Develop a framework for health care system transformation that meets public health, workforce, delivery, and budgetary responsibilities; and

g. Develop cooperative strategies and initiatives for the design, implementation, and accountability of services that improve care quality and value-based care while advancing the overall health of all Nebraskans.

4. That the Health and Human Services Committee will conduct additional public hearings and with the Banking, Commerce and Insurance Committee make recommendations relating to health care for all Nebraskans. The Health and Human Services Committee and the Banking, Commerce and Insurance Committee shall hold a joint hearing not later than November 14, 2014, to consider recommendations obtained pursuant to this resolution.

5. That the Health and Human Services Committee and the Banking, Commerce and Insurance Committee, along with any work groups created pursuant to this resolution, shall rely on information, data, and subject matter expertise from consultation with 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. That the funding of the activities of the Health and Human Services Committee under this resolution will be provided by existing appropriations for the committee from the Nebraska Health Care Cash Fund.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR422 was referred to the Reference Committee.

RESOLUTION

LEGISLATIVE RESOLUTION 423CA. Introduced by Nordquist, 7; B. Harr, 8; Mello, 5.

THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2014, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be

taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; ~~and~~ (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year; and (9) the Legislature may provide that residential real property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing residential real property which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of residential real property. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use

thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to permit the Legislature to classify residential real property as a separate class of property and to tax it differently than other real property so long as all residential real property is valued uniformly.

For

Against.

GENERAL FILE

LEGISLATIVE BILL 403. Senator Kintner offered the following motion:

MO117

Reconsider the vote taken on FA177.

Pending.

UNANIMOUS CONSENT - Add Cointroducers

Senators Ashford and Nordquist asked unanimous consent to add their names as cointroducers to LB987. No objections. So ordered.

Senators Howard and Krist asked unanimous consent to add their names as cointroducers to LB936. No objections. So ordered.

Senators Hansen, Janssen, Murante, Nelson, and Schilz asked unanimous consent to add their names as cointroducers to LB952. No objections. So ordered.

Senator Garrett asked unanimous consent to add his name as cointroducer to LB740. No objections. So ordered.

Senator McCoy asked unanimous consent to add his name as cointroducer to LB1097. No objections. So ordered.

Senators Carlson, Larson, and Smith asked unanimous consent to add their names as cointroducers to LB952. No objections. So ordered.

Senator Ashford asked unanimous consent to add his name as cointroducer to LB1035. No objections. So ordered.

AMENDMENTS - Print in Journal

Senator Schilz filed the following amendment to LB403:
AM1672

- 1 1. On page 2, line 22, after "lighter" insert
- 2 "manufactured on or after the effective date of this act without a
- 3 child-proof safety feature".

Senator Kintner filed the following amendment to LB403:
AM1670

- 1 1. On page 2, line 22, after "lighter" insert "unless
- 2 the manufacturer or retailer of the novelty lighter has attached
- 3 a warning label to the novelty lighter providing a warning to the
- 4 purchaser that the novelty lighter is not a toy and should not be
- 5 used by children.".

VISITOR

The Doctor of the Day was Dr. Jason Bepalec from Geneva.

ADJOURNMENT

At 11:51 a.m., on a motion by Senator Johnson, the Legislature adjourned until 9:00 a.m., Thursday, January 23, 2014.

Patrick J. O'Donnell
Clerk of the Legislature

