

**SIXTEENTH DAY - JANUARY 31, 2008****LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE  
SECOND SESSION****SIXTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 31, 2008

**PRAYER**

The prayer was offered by Senator Wallman.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senator Johnson who was excused; and Senators Aguilar, Cornett, Dubas, Heidemann, McDonald, and White who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifteenth day was approved.

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 196.** Placed on Final Reading.

**LEGISLATIVE BILL 465.** Placed on Final Reading.

**LEGISLATIVE BILL 480.** Placed on Final Reading.

**LEGISLATIVE BILL 621.** Placed on Final Reading.

**LEGISLATIVE BILL 632.** Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

**MOTIONS - Approve Appointments**

Senator Raikes moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 414:

Coordinating Commission for Postsecondary Education

Riko Bishop

Carol Zink

Voting in the affirmative, 33:

Adams	Fischer	Howard	McGill	Rogert
Burling	Flood	Hudkins	Nantkes	Schimek
Carlson	Friend	Karpisek	Pahls	Synowiecki
Christensen	Fulton	Kopplin	Pankonin	Wallman
Dierks	Gay	Kruse	Pedersen	Wightman
Engel	Hansen	Lathrop	Pirsch	
Erdman	Harms	Louden	Raikes	

Voting in the negative, 0.

Present and not voting, 9:

Ashford	Chambers	Langemeier	Nelson	Stuthman
Avery	Janssen	Lautenbaugh	Preister	

Excused and not voting, 7:

Aguilar	Dubas	Johnson	White
Cornett	Heidemann	McDonald	

The appointments were confirmed with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

Senator Erdman moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 435:

Beginning Farmer Board

Todd Reed  
 Mark Graff  
 Melvin Valasek  
 Donald Anthony  
 Darrell Mark

Voting in the affirmative, 34:

Adams	Erdman	Harms	Lathrop	Raikes
Aguilar	Fischer	Howard	Lautenbaugh	Schimek
Ashford	Flood	Hudkins	Louden	Stuthman
Carlson	Friend	Karpisek	McGill	Synowiecki
Christensen	Fulton	Kopplin	Nantkes	Wallman
Dierks	Gay	Kruse	Pankonin	Wightman
Engel	Hansen	Langemeier	Pirsch	

Voting in the negative, 0.

Present and not voting, 10:

Avery	Chambers	Nelson	Pedersen	Rogert
Burling	Janssen	Pahls	Preister	White

Excused and not voting, 5:

Cornett            Dubas            Heidemann       Johnson            McDonald

The appointments were confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

## COMMITTEE REPORTS

### Agriculture

**LEGISLATIVE BILL 788.** Placed on General File with amendment.  
AM1689

- 1     1. On page 4, strike lines 7 through 12 and insert the  
2 following new subdivision:  
3     "(3) The department may provide state funds for certain  
4 program activities or any portion thereof in connection with  
5 the implementation of the act to or on behalf of affected herd  
6 owners if funds for such activities or any portion thereof have  
7 been appropriated and are available. The department shall develop  
8 statewide priorities for the expenditure of state funds available  
9 for program activities."
- 10    2. On page 5, line 20, after the period insert "An  
11 animal or animals under quarantine may be relocated as directed by  
12 the State Veterinarian to avoid or lessen exposure to pathogenic  
13 agents. Quarantine restrictions imposed by the State Veterinarian  
14 as applied to the movement and disposition of an individual  
15 animal or a group of animals within an affected herd may vary as  
16 appropriate according to risk of exposure to pathogenic agents."
- 17    3. On page 8, line 14, after "(1)" insert "The owner  
18 or custodian of an affected herd or affected premises shall be  
19 responsible to pay for costs related to: (a) The quarantine,  
20 testing, or vaccination of an affected herd; (b) the disinfection  
21 or cleaning of the premises of an affected herd; and (c) any other  
22 costs associated with the control of anthrax in such herd.  
23 (2)"; and in line 17 strike "(2)" and insert "(3)".
- 1     4. On page 9, line 7, strike "(3)" and insert "(4)"; and  
2 in line 10 strike "(4)" and insert "(5)".

(Signed) Philip Erdman, Chairperson

Education

**LEGISLATIVE BILL 850.** Placed on General File with amendment.  
AM1703

- 1     1. Strike the original sections and insert the following  
2 new sections:  
3     Section 1. The school board or board of education of any  
4 Class I, II, III, IV, V, or VI school district may permit its

5 members to participate in the school district's hospitalization,  
 6 medical, surgical, accident, sickness, or term life insurance  
 7 coverage or any one or more of such coverages. A board member  
 8 electing to participate in the insurance program of the school  
 9 district shall pay both the employee and the employer portions of  
 10 the premium for such coverage.

11 A school board or board of education which opts to permit  
 12 its members to participate in insurance coverage under this section  
 13 shall report quarterly at a board meeting the board members who  
 14 have elected such coverage. Such a report shall be made available  
 15 in the school district office for review by the public upon  
 16 request.

17 Sec. 2. A learning community coordinating council may  
 18 permit members of such council to participate in the learning  
 19 community's hospitalization, medical, surgical, accident, sickness,  
 20 or term life insurance coverage or any one or more of such  
 21 coverages. A learning community coordinating council member  
 22 electing to participate in the insurance program of the learning  
 23 community shall pay both the employee and the employer portions of  
 1 the premium for such coverage.

2 A learning community coordinating council which opts to  
 3 permit its members to participate in insurance coverage under this  
 4 section shall report quarterly at a council meeting the council  
 5 members who have elected such coverage. Such a report shall be made  
 6 available in the learning community office for review by the public  
 7 upon request.

8 Sec. 3. Section 79-1232, Reissue Revised Statutes of  
 9 Nebraska, is amended to read:

10 79-1232 The board of any educational service unit may  
 11 ~~provide its members with~~ permit its members to participate in  
 12 the educational service unit's hospitalization, medical, surgical,  
 13 accident, sickness, or term life insurance coverage or any one or  
 14 more of such coverages. A board member electing to participate in  
 15 the insurance program of the educational service unit shall pay  
 16 both the employee and the employer portions of the premium for such  
 17 coverage.

18 An educational service unit board which opts to permit  
 19 its members to participate in insurance coverage under this section  
 20 shall report quarterly at a board meeting the board members who  
 21 have elected such coverage. Such a report shall be made available  
 22 in the educational service unit office for review by the public  
 23 upon request.

24 Sec. 4. Original section 79-1232, Reissue Revised  
 25 Statutes of Nebraska, is repealed.

26 Sec. 5. The following section is outright repealed:  
 27 Section 79-502, Reissue Revised Statutes of Nebraska.

(Signed) Ron Raikes, Chairperson

**NOTICE OF COMMITTEE HEARING**  
Education

Room 1525

Thursday, March 06, 2008 8:00 a.m.

Hodges, Timothy - Coordinating Commission for Postsecondary Education  
Lauritzen, Mary - Coordinating Commission for Postsecondary Education  
Uhing, Richard - Coordinating Commission for Postsecondary Education

(Signed) Ron Raikes, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 157.** ER8131, found on page 310, was adopted.

Senator Pirsch withdrew his amendment, FA160, found on page 316.

Senator Pirsch renewed the Pirsch et al. amendment, AM1696, found on page 437.

The Pirsch et al. amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

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

Advanced to Enrollment and Review for Engrossment with 32 ayes, 1 nay, 13 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 235.** Senator Langemeier renewed his amendment, AM1702, found on page 438.

Senator Langemeier renewed his amendment, AM1711, found on page 444, to his amendment.

Senator Langemeier withdrew his amendment, AM1711.

Senator Langemeier offered the following amendment to his amendment:  
AM1740

(Amendments to AM1702)

- 1 1. Strike amendment 5 and all amendments thereto and
- 2 insert the following new amendment:
- 3 "5. On page 4, lines 10 and 15, strike "rebate" and
- 4 insert "income tax credit"; and strike lines 17 through 27 and
- 5 insert:
- 6 (5) The Film Office shall approve or disapprove all
- 7 claims for income tax credits. If a claim is approved, the office
- 8 shall issue nontransferable income tax credit certificates equal to

9 the amount of income tax credits the production company qualifies  
 10 for except as provided in subsection (6) of this section. For any  
 11 income tax credit allowable to a partnership, a limited liability  
 12 company, a subchapter S corporation, a cooperative, including a  
 13 cooperative exempt under section 521 of the Internal Revenue Code  
 14 of 1986, as amended, a limited cooperative association, or an  
 15 estate or trust, the nontransferable income tax credit certificates  
 16 shall be issued to the partners, members, shareholders, patrons, or  
 17 beneficiaries in the same manner as income is distributed for use  
 18 against their income tax liabilities.

19 The Film Office shall also certify to the Department  
 20 of Revenue any production company, partner, member, shareholder,  
 21 patron, or beneficiary that has been issued nontransferable income  
 22 tax credit certificates, the amount of the certificate that  
 1 the production company, partner, member shareholder, patron, or  
 2 beneficiary qualified for, and the date that the certificate was  
 3 issued. When the production company or its partners, members,  
 4 shareholders, patrons, or beneficiaries use the nontransferable  
 5 income tax credit certificates to offset Nebraska income taxes,  
 6 the taxpayer shall attach the nontransferable income tax credit  
 7 certificate or certificates to the return claiming the credit.  
 8 Upon receipt of the nontransferable income tax certificates with  
 9 a tax return, the Department of Revenue shall immediately inform  
 10 the Film Office which certificate or certificates have been used  
 11 and the amount that was used. If the total amount of the income  
 12 tax liability of the taxpayer is insufficient to use the entire  
 13 nontransferable income tax credit certificate, the office shall  
 14 issue a new certificate for the unused balance and certify the new  
 15 certificate and its amount to the Department of Revenue. The new  
 16 certificate shall bear the same date as the certificate that was  
 17 used.

18 (6) No more than five million dollars of income tax  
 19 credit certificates shall be issued, unexpired, and unused at  
 20 any one time. If there are qualifying claims for income tax  
 21 credits that would cause the outstanding balance to be greater  
 22 than five million dollars, the claim shall be deferred until  
 23 enough certificates have been used to enable the certificate or  
 24 certificates to be issued."

The Langemeier amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Senator Wightman offered the following amendment to the Langemeier amendment:

AM1734

(Amendments to AM1702)

- 1 1. On page 4, line 20, strike "nonrefundable".
- 2 2. On page 5, line 17; page 6, line 13; and page 11,
- 3 lines 5 and 6, strike "A nonrefundable" and insert "An".

4 3. On page 10, lines 23 and 24, strike "a nonrefundable"  
 5 and insert "an".  
 6 4. On page 11, line 18, after the period insert "The  
 7 income tax credit shall be nonrefundable, except that a portion  
 8 of the income tax credit not used in a tax year equal to forty  
 9 percent of the amount of income tax credit used in the tax year  
 10 shall be refundable."; and in line 19 after "unused" insert "and  
 11 unrefunded".

### SENATOR PEDERSEN PRESIDING

Senator Wightman withdrew his amendment.

The Langemeier amendment, AM1702, found on page 438 and considered in this day's Journal, as amended, was renewed.

Senator Chambers moved for a call of the house. The motion prevailed with 39 ayes, 0 nays, and 10 not voting.

Senator Langemeier requested a roll call vote on his amendment, as amended.

Voting in the affirmative, 19:

Adams	Christensen	Hansen	Langemeier	Raikes
Avery	Dubas	Hudkins	Louden	Stuthman
Burling	Erdman	Janssen	McDonald	Wallman
Chambers	Friend	Karpisek	Pankonin	

Voting in the negative, 27:

Aguilar	Flood	Kruse	Pahls	Synowiecki
Carlson	Fulton	Lathrop	Pedersen	White
Cornett	Gay	Lautenbaugh	Pirsch	Wightman
Dierks	Harms	McGill	Preister	
Engel	Howard	Nantkes	Rogert	
Fischer	Kopplin	Nelson	Schimek	

Excused and not voting, 3:

Ashford	Heidemann	Johnson
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The Langemeier amendment, as amended, lost with 19 ayes, 27 nays, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

**NOTICE OF COMMITTEE HEARINGS**

Judiciary

Room 1113

Thursday, February 7, 2008 1:30 p.m.

LB1097 (cancel)

Thursday, February 21, 2008 1:30 p.m.

LB1097 (reschedule)

Thursday, February 7, 2008 1:30 p.m.

LB1130 (cancel)

Thursday, February 14, 2008 1:30 p.m.

LB1130 (reschedule)

(Signed) Brad Ashford, Chairperson

Natural Resources

Room 1525

Thursday, February 07, 2008 1:30 p.m.

LB924

LB975

LB1041

(Signed) LeRoy Louden, Chairperson

Government, Military and Veterans Affairs

Room 1507

Thursday, February 07, 2008 1:30 p.m.

Osborn, Gregory - State Personnel Board

Nelson, Richard - Nebraska Accountability and Disclosure Commission

LB838

LB858

LB878

LB1030

LB1067

Wednesday, February 13, 2008 1:30 p.m.

Deiml, Keith - State Emergency Response Commission

LB884  
LB962  
LB869

Thursday, February 14, 2008 1:30 p.m.

Virgil, Steven - State Emergency Response Commission

LB927  
LB889  
LB745  
LB1112

Wednesday, February 20, 2008 1:30 p.m.

LB1043  
LB1047  
LB1136

(Signed) Ray Aguilar, Chairperson

Transportation and Telecommunications

Room 1113

Monday, February 11, 2008 1:30 p.m.

Landis, Frank - Nebraska Railway Council  
Rasmussen, Gary - Nebraska Railway Council  
Rebensdorf, John - Nebraska Railway Council  
Books, Ronald - State Highway Commission  
Fagerland, Jerome - State Highway Commission  
Reiser, Richard - State Highway Commission

LB874  
LB712  
LB780  
LB1051

Tuesday, February 12, 2008 1:30 p.m.

LB812  
LB1092

Tuesday, February 19, 2008 1:30 p.m.

LB1129

LR232

Monday, February 25, 2008 1:30 p.m.

LB1068

LB1091

LB908

LB941

LB1064

Tuesday, February 26, 2008 1:30 p.m.

LB786

LB1069

(Signed) Deb Fischer, Chairperson

### COMMITTEE REPORTS

Natural Resources

**LEGISLATIVE BILL 805.** Placed on General File.

(Signed) LeRoy Louden, Chairperson

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 268.** Placed on General File with amendment.

AM1515

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

3 Sec. 2. Section 32-528, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 32-528 (1) In counties having a county board of three  
6 commissioners, two commissioners shall be elected at the statewide  
7 general election in 1994 and each four years thereafter, and one

8 commissioner shall be elected at the statewide general election  
9 in 1996 and each four years thereafter. In counties having a

10 county board of five commissioners, three commissioners shall be  
11 elected at the statewide general election in 1994 and each four

12 years thereafter, and two commissioners shall be elected at the  
13 statewide general election in 1996 and each four years thereafter.

14 In counties having a county board of seven or more commissioners,  
15 one commissioner shall be elected in each odd-numbered commissioner

16 district at the statewide general election in 1994 and each  
17 four years thereafter, and one commissioner shall be elected in

18 each even-numbered commissioner district at the statewide general

19 election in 1996 and each four years thereafter.

20 (2) Except for commissioners first elected after the  
21 county adopts the commissioner form of government or has increased  
22 the number of commissioners, the term of each county commissioner  
23 shall be four years or until his or her successor is elected  
1 and qualified. At the first election held to choose the board of  
2 commissioners in any county having three commissioners, the person  
3 having the highest number of votes shall serve for four years and  
4 the two receiving the next highest number of votes shall serve  
5 for two years, and if any three or more persons have the same  
6 number of votes, their terms of office shall be determined by the  
7 county canvassing board. The county commissioners shall meet the  
8 qualifications found in section 23-150. Nothing in this section  
9 shall be construed to prohibit the reelection of a commissioner  
10 holding office if the commissioner is reelected to represent his or  
11 her respective district. The county commissioners shall be elected  
12 on the partisan ballot.

13 (3)(a) In counties having not more than ~~three hundred~~  
14 one hundred fifty thousand inhabitants, one commissioner shall be  
15 nominated and elected from each district by the registered voters  
16 of the district.

17 (b) Until 2010, except that in counties having a  
18 population of more than one hundred fifty thousand but not more  
19 than three hundred thousand inhabitants, one commissioner shall  
20 be nominated from each district by the registered voters of the  
21 district and shall be elected by the registered voters of the  
22 entire county. Beginning in ~~1992 in 2010~~ in counties having a  
23 population of more than one hundred fifty thousand but not more  
24 than three hundred thousand inhabitants, one commissioner shall be  
25 nominated and elected from each district by the registered voters  
26 of the district as provided in subsection (5) of this section.

27 (c) In counties having more than three hundred thousand  
1 inhabitants, one commissioner shall be nominated and elected from  
2 each district by the registered voters of the district.

3 (4) In counties in which a majority has voted to have  
4 five commissioners as provided in section 23-148, the three  
5 commissioners of such county whose terms of office will expire  
6 after the election shall continue in office until the expiration of  
7 the terms for which they were elected and until their successors  
8 are elected and qualified. Two commissioners shall be appointed  
9 pursuant to section 32-567 to serve until the first Thursday after  
10 the first Tuesday in January following the next statewide general  
11 election. At the next statewide general election, commissioners  
12 shall be elected to fill the positions of any commissioners  
13 appointed under this section. At the first primary election after  
14 such appointments, filings shall be accepted for terms of two years  
15 and for terms of four years so that two commissioners will be  
16 elected to four-year terms at one election and three commissioners  
17 will be elected to four-year terms at the next election.

18 (5) In counties having more than one hundred fifty  
 19 thousand but not more than three hundred thousand inhabitants  
 20 which are changing from nominating by district and electing  
 21 at large to nominating and electing by district as provided  
 22 in subdivision (3)(b) of this section, the three commissioners  
 23 ~~whose terms of office will expire in 1995~~ shall continue in  
 24 office until the expiration of the terms for which they were  
 25 elected and until their successors are elected and qualified.  
 26 At the primary election in ~~1992, 2010~~, one commissioner in such  
 27 counties shall be nominated from each odd-numbered district. At  
 1 the ensuing general election, one commissioner shall be elected  
 2 from each odd-numbered district. At the primary election in ~~1994,~~  
 3 2012, one commissioner in such counties shall be nominated from  
 4 each even-numbered district. At the ensuing general election, one  
 5 commissioner shall be elected from each even-numbered district.  
 6 ~~Beginning in 1992, each commissioner in such counties shall hold~~  
 7 ~~office for four years or until his or her successor is elected~~  
 8 ~~and qualified. Nothing in this subsection shall be construed to~~  
 9 ~~prohibit the reelection of a commissioner holding office in 1992 or~~  
 10 ~~1994 if such commissioner is reelected to represent the district in~~  
 11 ~~which he or she resides.~~

**LEGISLATIVE BILL 746.** Placed on General File with amendment.  
 AM1675

1 1. Insert the following new section:  
 2 Sec. 2. Section 85-505.01, Revised Statutes Cumulative  
 3 Supplement, 2006, is amended to read:  
 4 85-505.01 (1) The tuition assistance program prescribed  
 5 in sections 85-505 to 85-508 shall not be available to:  
 6 (a) More than one thousand two hundred members during any  
 7 fiscal year;  
 8 (b) Commissioned and warrant officers who have a  
 9 baccalaureate degree or are eligible for any other equivalent  
 10 federal benefits;  
 11 (c) Enlisted personnel entitled to any equivalent federal  
 12 educational benefits, except that this subdivision shall not apply  
 13 to personnel receiving assistance from the federal Educational  
 14 Assistance Program for Members of the Selected Reserve, as it  
 15 existed on September 1, 2001; and  
 16 (d) Enlisted personnel who have a baccalaureate degree.  
 17 (2) The tuition assistance program prescribed in sections  
 18 85-505 to 85-508 shall be available to members of the Nebraska  
 19 National Guard for a period of ten years, as provided in section  
 20 85-505, from the date of initial membership.  
 21 (3) Any member of the Nebraska National Guard receiving  
 22 tuition assistance under sections 85-505 to 85-508 may obtain only  
 23 one undergraduate degree under such tuition assistance program.  
 1 Only credit-bearing courses which meet degree requirements shall be  
 2 approved for tuition assistance. Members shall not receive tuition

3 assistance for any noncredit courses.  
 4 (4) If a member of the Nebraska National Guard  
 5 voluntarily withdraws from a course for which he or she is  
 6 receiving tuition assistance, the member shall be liable for all  
 7 costs relating to such withdrawal, including, but not limited to,  
 8 all of the costs billed by the educational institution to the  
 9 Nebraska National Guard. Reimbursement shall be in accordance with  
 10 section 72-1601.

11 (5) Any member of the Nebraska National Guard who  
 12 receives tuition assistance shall agree in writing to serve in  
 13 the Nebraska National Guard for three years after the completion  
 14 of the courses for which tuition assistance was given. Any member  
 15 who receives tuition assistance may be asked to reimburse the State  
 16 of Nebraska if any such member leaves the Nebraska National Guard  
 17 during such three-year period. Reimbursement shall be in accordance  
 18 with section 72-1601.

19 (6) The Military Department shall retain the  
 20 responsibility and authority to establish any limitations  
 21 and controls it deems necessary to ensure maximum fiscal efficiency  
 22 and productivity of the tuition assistance program prescribed in  
 23 sections 85-505 to 85-508.

24 2. On page 2, line 19, strike "eighty" and insert  
 25 "twenty".

26 3. Amend the repealer and renumber the remaining sections  
 27 accordingly.

(Signed) Ray Aguilar, Chairperson

Revenue

**LEGISLATIVE BILL 1004.** Placed on General File.

**LEGISLATIVE BILL 754.** Placed on General File with amendment.  
 AM1732

1 1. Insert the following new section:

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

(Signed) Ray Janssen, Chairperson

Transportation and Telecommunications

**LEGISLATIVE BILL 755.** Placed on General File with amendment.  
 AM1707 is available in the Bill Room.

**LEGISLATIVE BILL 823.** Placed on General File with amendment.  
 AM1614

1 1. On page 3, line 14, strike ", including requiring" and  
 2 insert "and may require".

- 3 2. On page 4, line 10, after "report" insert "their";  
 4 strike beginning with "about" in line 10 through "assets" in line  
 5 11 and insert "technology plans"; and in line 12 strike "this  
 6 information" and insert "such plans".  
 7 3. On page 8, line 8, strike "a program, including the  
 8 establishment of"; and in line 9 strike the comma.

**LEGISLATIVE BILL 276.** Indefinitely postponed.

**LEGISLATIVE BILL 676.** Indefinitely postponed.

**LEGISLATIVE BILL 910.** Indefinitely postponed.

(Signed) Deb Fischer, Chairperson

Revenue

**LEGISLATIVE BILL 893.** Placed on General File.

(Signed) Ray Janssen, Chairperson

### ANNOUNCEMENT

The Legislative Performance Audit Committee designates LB823 as its priority bill.

### RESOLUTION

**LEGISLATIVE RESOLUTION 236.** Introduced by McGill, 26.

WHEREAS, less than four percent of the boys in the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Matthew Scott has demonstrated a strong commitment to the community of Lincoln, Nebraska, through service projects and volunteer hours; and

WHEREAS, Matthew has demonstrated diligence in this pursuit to attain the honorary status of Eagle Scout; and

WHEREAS, Matthew has earned and deserves the honor of being named "An Eagle Scout".

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

1. That the Legislature commends Matthew Scott for his outstanding accomplishment of becoming an Eagle Scout.

2. That a copy of this resolution be sent to Matthew Scott.

Laid over.

**COMMITTEE REPORT**  
Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Lynn Berggren - Nebraska Game and Parks Commission

Aye: 7 Senators Carlson, Christensen, Dubas, Hudkins, Kopplin, Louden, Wallman. Nay: 0. Absent: 1 Senator Fischer.

(Signed) LeRoy Louden, Chairperson

**AMENDMENTS - Print in Journal**

Senator Nantkes filed the following amendment to LB235:  
AM1721

- 1 1. In AM1644, on page 1, lines 10, 15, 18, and 20 strike
- 2 "five million" and insert "two million five hundred thousand".
- 3 2. In ER8140, on page 4, line 22, strike "five million"
- 4 and insert "two million five hundred thousand".

Senator Nantkes filed the following amendment to LB235:  
AM1719

(Amendments to E & R amendments, ER8140)

- 1 1. Insert the following new sections:
- 2 Sec. 6. The Film Office of the Department of Economic
- 3 Development shall provide a report to the Legislature by July 1,
- 4 2011, that includes:
- 5 (1) A cost-benefit analysis of the film production
- 6 incentive program;
- 7 (2) The amount of incentives paid pursuant to the
- 8 program;
- 9 (3) The nature of films produced in Nebraska during the
- 10 time the program was providing incentives;
- 11 (4) An estimate of the economic activity generated by the
- 12 production of such films;
- 13 (5) Data as to the amount spent on film production in
- 14 Nebraska before and after the enactment of the program; and
- 15 (6) Any other information the office may deem relevant in
- 16 assessing the effectiveness of the program.
- 17 Sec. 7. Sections 1 to 5 of this act terminate on December
- 18 31, 2010. Sections 6 and 7 of this act terminate on July 1, 2011.
- 19 2. On page 1, line 3, strike "5" and insert "7"; and
- 20 strike beginning with "which" in line 12 through the first comma in
- 21 line 13.
- 22 3. On page 4, line 19, after the period insert "The
- 1 office shall not approve claims for rebate for a proposed project

- 2 if the office determines the film to be:  
 3 (a) Pornography or other obscene material;  
 4 (b) Material that promotes bias or prejudice toward a  
 5 particular race, color, culture, nationality, gender, religion,  
 6 sexual orientation, or other social category;  
 7 (c) Material created for the purpose of influencing  
 8 public opinion with respect to a particular political candidate or  
 9 issue; or  
 10 (d) Material that portrays the State of Nebraska, its  
 11 citizens, or its institutions in a negative light.  
 12 (6)".

Senator Pirsch filed the following amendment to LB619:  
 AM1652

(Amendments to E & R amendments, ER8144)

- 1 1. On page 1, lines 9, 10, 11, 13, 14, 17, and 22,  
 2 reinstate the stricken matter and strike the new matter.  
 3 2. On page 2, line 1, reinstate the stricken matter and  
 4 strike the new matter.  
 5 3. On page 3, strike beginning with "General" in line 1  
 6 through "debt" in line 3 and insert "State Treasurer Administrative  
 7 Fund".

Senator Pirsch filed the following amendment to LB620:  
 AM1715

(Amendments to E & R Amendments, ER8145)

- 1 1. On page 2, strike beginning with "(1)" in line 17  
 2 through line 24 and insert  
 3 "(1) The State Treasurer, with state agency approval,  
 4 may electronically collect a bad debt and a fee from a debtor  
 5 of the state agency equal to the cost of processing any payments  
 6 for returned check charges or charges for electronic payments not  
 7 accepted, except that the fee shall not exceed thirty dollars. The  
 8 fee shall be remitted to the State Treasurer Administrative Fund.".

Senator Lathrop filed the following amendment to LB586:  
 AM1742

(Amendments to E & R amendments, ER8143)

- 1 1. On page 1, line 16, after "under" insert "private"; in  
 2 line 17 after "another" insert "private"; in line 18 after "the"  
 3 insert "contracted"; and in line 20 after the period insert "The  
 4 measure of damages for medical expenses in personal injury claims  
 5 shall be the private party rate, not the discounted amount.".

### UNANIMOUS CONSENT - Add Cointroducers

Senator Wallman asked unanimous consent to add his name as cointroducer to LB575. No objections. So ordered.

Senators Howard and Kopplin asked unanimous consent to add their names as cointroducers to LB1100. No objections. So ordered.

Senator Schimek asked unanimous consent to add her name as cointroducer to LR223. No objections. So ordered.

### **VISITORS**

Visitors to the Chamber were Senator Erdman's brother, Nick Erdman, from Kearney; and Senator Nantkes' mother, Stephanie Nantkes, from Seward.

The Doctor of the Day was Dr. Randy Kohl from Firth.

### **ADJOURNMENT**

At 12:02 p.m., on a motion by Senator Preister, the Legislature adjourned until 9:00 a.m., Friday, February 1, 2008.

Patrick J. O'Donnell  
Clerk of the Legislature

