

FIRST DAY - JANUARY 4, 2012**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION****FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 4, 2012

PRAYER

The prayer was offered by Senator Harms.

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska Army and Air National Guard.

ROLL CALL

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Second Legislature, Second Session of the Legislature of Nebraska, assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:00 a.m., on Wednesday, January 4, 2012, and was called to order by President Sheehy.

The roll was called and the following members were present:

Adams, Greg L.	Haar, Ken	McGill, Amanda M.
Ashford, Brad	Hadley, Galen	Mello, Heath
Avery, Bill	Hansen, Thomas F.	Nelson, John E.
Bloomfield, Dave	Harms, John N.	Nordquist, Jeremy
Brasch, Lydia	Harr, Burke	Pahls, Rich
Campbell, Kathy	Heidemann, Lavon L.	Pirsch, Pete
Carlson, Tom	Howard, Gwen	Price, Scott
Christensen, Mark	Janssen, Charlie	Schilz, Ken
Coash, Colby	Karpisek, Russ	Schumacher, Paul
Cook, Tanya	Krist, Bob	Smith, Jim
Cornett, Abbie	Lambert, Paul	Sullivan, Kate
Council, Brenda J.	Langemeier, Chris	Wallman, Norman
Dubas, Annette M.	Larson, Tyson	Wightman, John
Fischer, Deb	Lathrop, Steve	
Flood, Mike	Lautenbaugh, Scott	
Fulton, Tony	Louden, LeRoy J.	
Gloor, Mike	McCoy, Beau	

The following member was excused:

Conrad, Danielle

MOTION - Adopt Temporary Rules

Senator Lautenbaugh moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the tenth legislative day.

The motion prevailed.

CERTIFICATE

State of Nebraska

United States of America,)
) ss. Department of State
 State of Nebraska)

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the One Hundred Second Legislature, Second Session, 2012.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Second Legislature, Second Session, 2012.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Fourth day of January in the year of our Lord, two thousand and twelve.

(SEAL)

(Signed) John A. Gale
 Secretary of State

DISTRICT/NAME**ELECTED**

1	Lavon L. Heidemann	November 4, 2008
2	Paul Lambert	Appointed October 7, 2011
3	Scott Price	November 4, 2008
4	Pete Pirsch	November 2, 2010
5	Heath Mello	November 4, 2008
6	John E. Nelson	November 2, 2010
7	Jeremiah Nordquist	November 4, 2008
8	Burke J. Harr	November 2, 2010

9	Gwen Howard	November 4, 2008
10	Bob Krist	November 2, 2010
11	Brenda J. Council	November 4, 2008
12	Steve Lathrop	November 2, 2010
13	Tanya Cook	November 4, 2008
14	Jim Smith	November 2, 2010
15	Charlie Janssen	November 4, 2008
16	Lydia Brasch	November 2, 2010
17	Dave Bloomfield	Appointed December 2, 2010
18	Scott Lautenbaugh	November 2, 2010
19	Mike Flood	November 4, 2008
20	Brad Ashford	November 2, 2010
21	Ken Haar	November 4, 2008
22	Paul Schumacher	November 2, 2010
23	Chris Langemeier	November 4, 2008
24	Greg L. Adams	November 2, 2010
25	Kathy Campbell	November 4, 2008
26	Amanda M. McGill	November 2, 2010
27	Colby Coash	November 4, 2008
28	Bill Avery	November 2, 2010
29	Tony Fulton	November 4, 2008
30	Norman Wallman	November 2, 2010
31	Rich Pahls	November 4, 2008
32	Russ Karpisek	November 2, 2010
33	Vacant	
34	Annette M. Dubas	November 2, 2010
35	Mike Gloor	November 4, 2008
36	John Wightman	November 2, 2010
37	Galen Hadley	November 4, 2008
38	Tom Carlson	November 2, 2010
39	Beau McCoy	November 4, 2008
40	Tyson Larson	November 2, 2010
41	Kate Sullivan	November 4, 2008
42	Thomas F. Hansen	November 2, 2010
43	Deb Fischer	November 4, 2008
44	Mark Christensen	November 2, 2010
45	Abbie Cornett	November 4, 2008
46	Danielle Conrad	November 2, 2010
47	Ken Schilz	November 4, 2008
48	John N. Harms	November 2, 2010
49	LeRoy J. Loudon	November 4, 2008

MESSAGES FROM THE GOVERNOR

November 28, 2011

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

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

Contingent upon your approval, the following individual is being
reappointed to the Game and Parks Commission:

Ron Stave, 25827 Blondo Street, Waterloo, NE 68069

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 2, 2011

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

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

Contingent upon your approval, the following individual is being
reappointed to the Nebraska Investment Council:

Richard DeFusco, 6611 South 41st Street, Lincoln, NE 68516-2909

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 7, 2011

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

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

Contingent upon your approval, the following individual is being appointed as Director of the Department of Economic Development:

Catherine D. Lang, 5932 Fieldcrest Way, Lincoln, NE 68512

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 8, 2011

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

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being reappointed to the Board of Public Roads Classifications and Standards:

Roger Figard, 5411 Glade Street, Lincoln, NE 68506
LeRoy Gerrard, 814 East 7th St, Stromsburg, NE 68666
Darold Tagge, 204 W. 15th, Holdrege, NE 68949
David Wacker, 907 N. Webster Ave., Hastings, NE 68901
Timothy Weander, 17734 Castelar Circle, Omaha, NE 68130
Edward Wootton, 804 W. Mission Ave., Bellevue, NE 68005

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 12, 2011

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

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individual is being appointed to the Coordinating Commission for Postsecondary Education:

Karen Davis, 8852 North 52nd Street, Omaha, NE 68152

Contingent upon your approval, the following individuals are being reappointed to the Coordinating Commission for Postsecondary Education:

Riko Bishop, 233 S. 13th, Ste 1400, Lincoln, NE 68508
Dr. Joyce Simmons, 220 North Hall Street, Valentine, NE 69201
Carol Zink, 1420 Broadmoore Dr., Lincoln, NE 68506

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 20, 2011

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

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individual is being appointed to the Board of Emergency Medical Services:

Dr. Thomas Deegan, 19206 Howe Circle, Omaha, NE 68130

Contingent upon your approval, the following individuals are being reappointed to the Board of Emergency Medical Services:

Linda Jensen, 16181 County Road #21, Herman, NE 68029
Joel Cerny, 1618 Denver Street, Schuyler, NE 68661
Dr. James Smith, 402 Flamingo Road, North Platte, NE 69101
Scott Wiebe, 5922 White Fish Drive, Lincoln, NE 68516

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 21, 2011

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

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

Contingent upon your approval, the following individual is being reappointed as a member of the Nebraska State Fair Board:

William Marshall III, 712 Grand Avenue, Grand Island, NE 68801

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 21, 2011

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Commission of Industrial Relations:

J. L. Spray, 3425 South 17th St., Lincoln, NE 68502

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 22, 2011

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

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being reappointed to the Commission for the Blind and Visually Impaired:

Michael Hansen, 5635 Lenox Avenue, Lincoln, NE 68510
Julie Johnson, 820 East Fifth Street, York, NE 68467
James Jirak, 3512 South 44th Ave., Omaha, NE 68105

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 22, 2011

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

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being appointed to the Nebraska Arts Council:

Dr. Jon Hinrichs, 6503 Lone Tree Drive, Lincoln, NE 68512

Pamela Price, 220 West Charles St., Grand Island, NE 68803

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

December 29, 2011

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Public Employees Retirement Board:

Stuart Simpson, 1910 William Avenue, North Platte, NE 69101

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

REPORTS

The following reports were received by the Legislature:

Auditor of Public Accounts

Management Letter of the Nebraska Lottery July 1, 2010 through June 30, 2011

Coordinating Commission for Postsecondary Education, Nebraska

LB637 Dual Enrollment and Career Academy Report

Court Appointed Special Advocates Association, Nebraska

CASA Fund Interim Report

Environmental Quality, Department of

2011 Annual Report

Health and Human Services, Nebraska Department of

2011 Nebraska Health Care Funding Act Report

Division of Behavioral Health Division of Children and Family Services
Annual Report (LB603)

Division of Medicaid and Long-Term Care, Disabled Persons and Family
Support Program FY 2011 Annual Report

Nebraska Family Helpline, Family Navigator and Right Turn Post
Adoption/Post Guardianship Services Final Evaluation Report January
1, 2010 – June 20, 2011 (LB603)

SNAP Annual Report

Investment Finance Authority, Nebraska (NIFA)

2011 Series A and 2009 Series A, Sub series A-1 Homeownership
Revenue Bonds

Housing Revenue Bonds 2011 Series 1
Single Family Housing Program Bonds

Labor, Department of

2011 Public Benefits Annual Report

Learning Community of Douglas and Sarpy Counties

Annual Report

Retirement Systems, Public Employees

Judges' Retirement System Fifty-ninth Actuarial Report for State Fiscal
Year Ending June 30, 2013 and System Plan Year Beginning July 1,
2011

School Retirement System Forty-sixth Actuarial Report for State Fiscal
Year Ending June 30, 2013 and System Plan Year Beginning July 1.
2011

State Patrol Retirement System Fifty-sixth Actuarial Report for State
Fiscal Year Ending June 30, 2013 and System Plan Year Beginning July
1, 2011

Revenue, Department of

Ethanol Production Incentive Cash Fund (EPIC) Report

Secretary of State

Non-Recourse Civil Litigation Funding Annual Report

Southeast Community College

Financial Condition of the Center, Funding Received from Nonstate
Sources, Training Conducted, and Testing and Evaluation Services
Provided

State Treasurer

Report on the 2010-2011 Distribution of Funds Mutual Finance
Assistance Act

Uniform State Laws, Nebraska Commission on

Nebraska Commission on Uniform State Laws Report

University of Nebraska

Behavioral Health Education Center of Nebraska 2009-2011 Legislative
Report (LB603)

Master Plan & Business Plan for the Nebraska Innovation Campus (NIC)
University of Nebraska-Kearney-Nebraska Safety Center 2011 Annual
Report

MOMENT OF SILENCE

A moment of silence was observed in memory of Senator Dennis Utter who
passed away December 27, 2011.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 705. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to civil procedure; to eliminate obsolete provisions relating to computer date failure actions; and to outright repeal sections 25-21,265, 25-21,266, 25-21,267, 25-21,268, and 25-21,269, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 706. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Executive Board of the Legislative Council; to repeal a section providing for an interim study; and to outright repeal section 50-444, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 707. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to Joslyn Castle; to repeal sections that are no longer needed; and to outright repeal sections 72-1801 and 72-1802, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 708. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the School Weatherization Fund; to repeal a section that is no longer needed; and to outright repeal section 81-1634, Revised Statutes Cumulative Supplement, 2010.

LEGISLATIVE BILL 709. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to zoning regulations; to amend sections 23-114, 23-114.03, and 23-114.05, Reissue Revised Statutes of Nebraska; to repeal sections governing temporary zoning regulations that expired July 1, 2001; to harmonize provisions; to repeal the original sections; and to outright repeal sections 23-115, 23-115.01, and 23-115.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 710. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the University Buildings Renovation and Land Acquisition Fund; to amend section 85-122, Revised Statutes Supplement, 2011; to repeal sections that are no longer needed; to

harmonize provisions; to repeal the original section; and to outright repeal sections 85-1,111 and 85-1,112, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 711. Introduced by Wightman, 36; Flood, 19; Langemeier, 23.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-401.01, Reissue Revised Statutes of Nebraska; to change provisions relating to membership on the Executive Board of the Legislative Council; and to repeal the original section.

LEGISLATIVE BILL 712. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to the Certified Nurse Midwifery Practice Act; to amend section 38-613, Reissue Revised Statutes of Nebraska; to change provisions relating to permitted practice; and to repeal the original section.

LEGISLATIVE BILL 713. Introduced by K. Haar, 21; Mello, 5.

A BILL FOR AN ACT relating to solar energy; to amend sections 15-201, 16-207, 17-555, 66-901, 66-902, 66-905, 66-906, 66-909, 66-912, and 66-913, Reissue Revised Statutes of Nebraska, and section 14-102, Revised Statutes Cumulative Supplement, 2010; to provide powers and duties for cities and villages; to prevent the prohibition of the installation of solar energy systems by private entities; to provide for the removal or relocation of vegetation to permit the installation of solar energy systems; to define, redefine, and transfer terms; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 714. Introduced by McCoy, 39; Langemeier, 23.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2202, 76-2213.01, 76-2228.01, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2236, 76-2241, and 76-2249, Revised Statutes Cumulative Supplement, 2010, and section 76-2223, Revised Statutes Supplement, 2011; to update references; to change provisions relating to findings; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 715. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to telecommunications regulation; to amend sections 86-103, 86-135, 86-136, 86-137, and 86-138, Reissue Revised Statutes of Nebraska, and section 86-101, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to regulation of boundaries of local exchange areas for advanced telecommunications capability service; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 716. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend section 14-219, Reissue Revised Statutes of Nebraska, and section 14-102, Revised Statutes Cumulative Supplement, 2010; to change powers relating to extraterritorial jurisdiction; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 717. Introduced by Council, 11.

A BILL FOR AN ACT relating to school boards; to amend sections 32-541, 32-542, 32-543, 32-544, 32-545, 32-546, 79-451, 79-472, 79-4,129, 79-546, 79-547, 79-548, 79-550, 79-551, 79-552, 79-565, 79-835, and 79-10,111, Reissue Revised Statutes of Nebraska, and section 79-724, Revised Statutes Supplement, 2011; to change provisions relating to membership and elections; to provide for salaries; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 718. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Department of Motor Vehicles; to amend sections 37-1284, 37-1285, 60-154, 60-166, 60-168, 60-169, 60-180, and 60-3,198, Reissue Revised Statutes of Nebraska, and section 37-1283, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to certificates of title and the distribution of titling fees; to change penalty provisions; to change provisions relating to registration fees for fleet vehicles; and to repeal the original sections.

LEGISLATIVE BILL 719. Introduced by Price, 3.

A BILL FOR AN ACT relating to government; to amend sections 44-113, 50-114.03, 52-1313.01, 60-3,161, 77-2705.04, 81-118.01, 84-712, 84-1201, 84-1202, 84-1204, 84-1205, 84-1205.01, 84-1205.02, 84-1205.03, 84-1205.05, 84-1206, 84-1207, 84-1209, 84-1212, 84-1213, 84-1214, 84-1214.01, 84-1215, 84-1216, 84-1217, 84-1218, 84-1219, 84-1222, 84-1224, and 84-1225, Reissue Revised Statutes of Nebraska, section 84-1227, Revised Statutes Cumulative Supplement, 2010, and section 9-523, Uniform Commercial Code, Reissue Revised Statutes of Nebraska; to change fee provisions relating to electronic payments; to change provisions of the Records Management Act relating to intent, the State Records Board, the network manager, the technical advisory committee, fees, reports, agency procedures, and a fund; to provide requirements for certain electronic information and services; to eliminate provisions relating to public bidding and certain public records requests; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal sections 84-1205.04, 84-1205.06, and 84-1223, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 720. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to school boards; to amend sections 32-545, 32-552, 79-4,129, 79-552, and 79-559, Reissue Revised Statutes of Nebraska, and section 32-570, Revised Statutes Cumulative Supplement, 2010; to change membership provisions and provide for salaries for school boards for Class V school districts; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 721. Introduced by Larson, 40.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-906, Reissue Revised Statutes of Nebraska, and section 28-1008, Revised Statutes Cumulative Supplement, 2010; to redefine the term police animal; and to repeal the original sections.

LEGISLATIVE BILL 722. Introduced by Coash, 27.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2206, Reissue Revised Statutes of Nebraska; to authorize fines or costs to be deducted from a defendant's cash bond; and to repeal the original section.

LEGISLATIVE BILL 723. Introduced by Bloomfield, 17.

A BILL FOR AN ACT relating to the Nebraska Safe Drinking Water Act; to amend sections 71-5301 and 71-5304.01, Reissue Revised Statutes of Nebraska; to eliminate a defined term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 724. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-4,168 and 60-6,179.01, Reissue Revised Statutes of Nebraska, and sections 60-4,144, 60-4,146, 60-4,182, and 60-601, Revised Statutes Supplement, 2011; to change provisions relating to commercial driver medical examinations; to prohibit texting while driving a commercial motor vehicle; to provide penalties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 725. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 49-801.01, Revised Statutes Supplement, 2011; to update references to the Internal Revenue Code of 1986; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 726. Introduced by Fischer, 43; Hadley, 37.

A BILL FOR AN ACT relating to the Department of Motor Vehicles; to amend sections 60-3,205, 60-486, 60-4,100, 60-4,130.03, 60-4,167,

60-4,167.01, 60-4,170, 60-4,184, 60-507, and 66-1406.02, Reissue Revised Statutes of Nebraska, and section 60-4,114, Revised Statutes Supplement, 2011; to eliminate certain certified and registered mail requirements of the department; and to repeal the original sections.

LEGISLATIVE BILL 727. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 9-226, 9-226.01, 9-228, 9-322, 9-322.02, 9-324, 9-418, 9-418.01, 9-420, 9-620, 9-622, 9-623, 9-820, 57-706, 57-1206, 66-486, 66-488, 66-489.02, 66-525, 66-6,110, 66-6,113, 66-721, 66-722, 76-908, 77-377.01, 77-3,116, 77-612, 77-802, 77-1375, 77-1780, 77-2705.03, 77-2776, 77-2779, 77-27,130, 77-27,135, 77-27,150, 77-27,152, 77-3311, 77-3906, 77-4015, 77-4016, 77-4020, and 77-4312, Reissue Revised Statutes of Nebraska, section 66-1521, Revised Statutes Cumulative Supplement, 2010, and sections 66-712, 66-738, and 77-2704.10, Revised Statutes Supplement, 2011; to change provisions relating to tax filings and notices, motor fuel taxation, sales and use taxes, and a tax study; to eliminate a committee; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 66-737, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 728. Introduced by Mello, 5; Schumacher, 22.

A BILL FOR AN ACT relating to funds; to amend section 59-1608.05, Reissue Revised Statutes of Nebraska, and section 59-1608.04, Revised Statutes Supplement, 2011; to provide for the distribution of money received by the state due to a settlement or court order or judgment as prescribed; to provide legislative review and appropriation requirements for the State Settlement Cash Fund; to change provisions relating to the use of the State Settlement Trust Fund; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 729. Introduced by Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to the Community Development Law; to amend sections 18-2103, 18-2107, and 18-2124, Reissue Revised Statutes of Nebraska; to redefine a term; to provide powers for an authority; to change provisions relating to the issuance of bonds; and to repeal the original sections.

LEGISLATIVE BILL 730. Introduced by Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-515, Reissue Revised Statutes of Nebraska; to change provisions relating to theft of services; and to repeal the original section.

LEGISLATIVE BILL 731. Introduced by Mello, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2734.03, 81-1558, and 81-1561, Reissue Revised Statutes of Nebraska, sections 81-15,160 and 81-15,165, Revised Statutes Cumulative Supplement, 2010, and sections 77-2715.07 and 77-2717, Revised Statutes Supplement, 2011; to adopt the Remanufacturing Pilot Project Act; to provide an income tax credit for recycled or composted materials; to provide a termination date; to provide funding; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 732. Introduced by Mello, 5.

A BILL FOR AN ACT relating to cities and villages; to amend sections 14-366, 15-229, 17-559, 18-1755, and 19-709, Reissue Revised Statutes of Nebraska; to provide procedures for the use of eminent domain for trails; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 733. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to the Secretary of State; to amend section 84-511, Revised Statutes Supplement, 2011; to provide for electronic transmission and filing of documents under the Nebraska Uniform Limited Liability Company Act; and to repeal the original section.

LEGISLATIVE BILL 734. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to replevin; to amend section 25-1096, Reissue Revised Statutes of Nebraska; to change provisions relating to return date of an order of delivery; and to repeal the original section.

LEGISLATIVE BILL 735. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to public meetings; to amend section 84-1411, Revised Statutes Cumulative Supplement, 2010; to provide for meetings of a community college board of governors to be held by videoconferencing or telephone conference; and to repeal the original section.

LEGISLATIVE BILL 736. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to elections; to amend sections 32-103, 32-202, 32-809, 32-813, 32-916, 32-936, 32-949, 32-950, 32-953, 32-954, 32-957, 32-1006, 32-1027, and 32-1030, Reissue Revised Statutes of Nebraska, sections 32-101, 32-816, 32-915, and 32-1002, Revised Statutes Cumulative Supplement, 2010, and section 32-947, Revised Statutes Supplement, 2011; to require secret-ballot envelopes for certain ballots; to change provisions relating to voting and counting votes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 737. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to adoption; to amend section 43-107, Revised Statutes Supplement, 2011; to provide procedures for submitting national criminal history record information checks with respect to home studies; and to repeal the original section.

LEGISLATIVE BILL 738. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-122, Reissue Revised Statutes of Nebraska; to change burial expense benefits; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 739. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-354, Revised Statutes Supplement, 2011; to authorize the commission to convey certain real estate; to prescribe conditions relating to the conveyance, operation, and maintenance of the real estate; to provide duties for the commission; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 740. Introduced by Schilz, 47; Christensen, 44.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,111, 60-6,290, and 60-6,305, Reissue Revised Statutes of Nebraska; to provide a special permit for farmers hauling hay; to change provisions relating to livestock forage vehicles; and to repeal the original sections.

LEGISLATIVE BILL 741. Introduced by Schilz, 47; Langemeier, 23.

A BILL FOR AN ACT relating to electric power generation; to amend section 70-1014, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to applications for electric generation facilities; and to repeal the original section.

LEGISLATIVE BILL 742. Introduced by Schilz, 47; Langemeier, 23.

A BILL FOR AN ACT relating to electric power generation; to amend section 70-1014.01, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to application for development of renewable energy resources; and to repeal the original section.

LEGISLATIVE BILL 743. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-707, Reissue Revised Statutes of Nebraska; to provide for a fee; and to repeal the original section.

LEGISLATIVE BILL 744. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to court fees; to amend section 24-703, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the Nebraska Retirement Fund for Judges fee; to provide a fee for use by counties; and to repeal the original section.

LEGISLATIVE BILL 745. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to cities and villages; to amend sections 15-202, 15-203, 16-205, and 17-525, Reissue Revised Statutes of Nebraska, and section 14-109, Revised Statutes Supplement, 2011; to provide requirements for imposition of an occupation tax; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 746. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,124, Reissue Revised Statutes of Nebraska; to change provisions relating to school permits; and to repeal the original section.

LEGISLATIVE BILL 747. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to railroads; to withdraw from and repeal the Midwest Interstate Passenger Rail Compact; and to outright repeal sections 74-1601, 74-1602, and 74-1603, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 748. Introduced by Fischer, 43; Hadley, 37.

A BILL FOR AN ACT relating to motor vehicles; to eliminate provisions relating to denial of a registration certificate or an operator's license to a person with an outstanding warrant for arrest; and to outright repeal sections 60-3,163 and 60-485, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 749. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Reissue Revised Statutes of Nebraska; to exempt indoor tanning services from sales and use taxes; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 750. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1371, Reissue Revised Statutes of Nebraska; to change provisions relating to comparable sales; and to repeal the original section.

LEGISLATIVE BILL 751. Introduced by Fischer, 43; Hadley, 37.

A BILL FOR AN ACT relating to motor vehicles; to amend section 75-366, Reissue Revised Statutes of Nebraska, and sections 18-1739, 60-3,113.04, 60-3,193.01, 60-462.01, 60-498.02, 60-4,118.06, 60-4,147.02, 60-6,211.05, 75-363, 75-364, and 75-393, Revised Statutes Supplement, 2011; to update certain state laws to comply with federal law; to change provisions relating to the operation of ignition-interlock-equipped motor vehicles; to change provisions relating to enforcement of certain motor carrier laws; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 752. Introduced by Avery, 28.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2734.03, Reissue Revised Statutes of Nebraska, and sections 77-2715.07 and 77-2717, Revised Statutes Supplement, 2011; to provide an income tax credit relating to grape growing and wine producing; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 753. Introduced by Avery, 28.

A BILL FOR AN ACT relating to health care funding; to amend sections 71-7605 and 77-2704.24, Reissue Revised Statutes of Nebraska; to create funds and provide funding for childhood obesity prevention measures as prescribed; to provide powers and duties of the Department of Revenue, the State Department of Education, and the Department of Health and Human Services; to provide for sales taxation of soft drinks as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 754. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1401, 49-1403, 49-1467, and 49-1469, Reissue Revised Statutes of Nebraska; to define a term; to require reporting regarding electioneering communication; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 755. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Legislature; to amend section 49-1499, Reissue Revised Statutes of Nebraska; to require reports regarding potential conflicts of interest; and to repeal the original section.

LEGISLATIVE BILL 756. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Major Oil Pipeline Siting Act; to amend section 2, Legislative Bill 1, One Hundred Second Legislature, First

Special Session, 2011; to provide requirements relating to public access to information; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 757. Introduced by Avery, 28.

A BILL FOR AN ACT relating to elections; to amend section 32-610, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to political parties and filing for office; to repeal the original section; and to outright repeal section 32-718, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 758. Introduced by Avery, 28.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend sections 9-816, 49-1419, 49-1483, 49-1490, 49-14,139, and 50-114.05, Reissue Revised Statutes of Nebraska; to redefine a term relating to gifts to Lottery Division officials, employees, and their family members; to change provisions relating to gifts given and statements filed by a lobbyist or principal as prescribed; to eliminate provisions relating to gifts of admissions to state facilities or events; to harmonize provisions; to repeal the original sections; and to outright repeal section 49-1492.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 759. Introduced by Avery, 28.

A BILL FOR AN ACT relating to petitions; to amend sections 32-628 and 32-629, Reissue Revised Statutes of Nebraska; to require petition sponsors to provide and maintain records of identification for petition circulators; to change requirements for circulators; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 760. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend section 81-1503, Reissue Revised Statutes of Nebraska; to change provisions relating to meetings of the Environmental Quality Council; and to repeal the original section.

LEGISLATIVE BILL 761. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to state government; to amend sections 81-176 and 81-1108.33, Revised Statutes Supplement, 2011; to change provisions relating to the requirements for certain acquisitions of real property, structures, or improvements; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 762. Introduced by Loudon, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section

77-1371, Reissue Revised Statutes of Nebraska; to change provisions relating to comparable sales; and to repeal the original section.

LEGISLATIVE BILL 763. Introduced by Louden, 49.

A BILL FOR AN ACT relating to schools; to amend section 79-458, Reissue Revised Statutes of Nebraska, section 79-1007.15, Revised Statutes Cumulative Supplement, 2010, and section 79-1001, Revised Statutes Supplement, 2011; to change provisions relating to freeholder petitions and the elementary site allowance; to provide duties for certain districts as prescribed; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 764. Introduced by Louden, 49; Adams, 24.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,301, Reissue Revised Statutes of Nebraska; to change provisions relating to overload exceptions; and to repeal the original section.

LEGISLATIVE BILL 765. Introduced by Krist, 10; Bloomfield, 17; Campbell, 25; Cook, 13; Dubas, 34; Gloor, 35; Howard, 9; Lambert, 2; McGill, 26; Mello, 5; Nordquist, 7; Wallman, 30.

A BILL FOR AN ACT relating to bids and bidding; to amend section 73-504, Reissue Revised Statutes of Nebraska, and section 73-507, Reissue Revised Statutes of Nebraska, as amended by section 5, Legislative Bill 4, One Hundred Second Legislature, First Special Session, 2011; to change provisions relating to an exemption as prescribed; to provide duties for the Director of Health and Human Services; and to repeal the original sections.

LEGISLATIVE BILL 766. Introduced by Price, 3; Avery, 28; Brasch, 16; Gloor, 35; McCoy, 39; Mello, 5.

A BILL FOR AN ACT relating to emergency management; to amend section 81-829.42, Reissue Revised Statutes of Nebraska; to authorize the Adjutant General to make certain emergency expenditures; and to repeal the original section.

LEGISLATIVE BILL 767. Introduced by Howard, 9.

A BILL FOR AN ACT relating to state officers and employees; to amend section 81-1307, Reissue Revised Statutes of Nebraska; to require records of dates and hours of work; and to repeal the original section.

LEGISLATIVE BILL 768. Introduced by Howard, 9.

A BILL FOR AN ACT relating to adoption; to amend sections 43-107, 43-109, and 43-146.01, Revised Statutes Supplement, 2011; to change provisions relating to access to the case file; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 769. Introduced by Fischer, 43; Hadley, 37.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-4,142, Reissue Revised Statutes of Nebraska, and sections 60-4,116 and 60-4,120, Revised Statutes Supplement, 2011; to change provisions relating to application for and issuance of operators' licenses and state identification cards; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 770. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,147.01 and 81-2,147.03, Reissue Revised Statutes of Nebraska; to change provisions of the Nebraska Seed Law; and to repeal the original sections.

LEGISLATIVE BILL 771. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend sections 81-2,239, 81-2,244.01, 81-2,257, 81-2,259, 81-2,270, 81-2,271, and 81-2,277, Reissue Revised Statutes of Nebraska; to change and eliminate food establishment and food safety provisions; to harmonize provisions; to repeal the original sections; to outright repeal sections 81-2,272.02, 81-2,272.17, and 81-2,272.36, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 772. Introduced by Smith, 14.

A BILL FOR AN ACT relating to counties; to amend section 23-1114.07, Reissue Revised Statutes of Nebraska; to change provisions relating to the payment of salaries; and to repeal the original section.

LEGISLATIVE BILL 773. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-155, Reissue Revised Statutes of Nebraska; to change provisions relating to fees; and to repeal the original section.

LEGISLATIVE BILL 774. Introduced by Howard, 9; Bloomfield, 17; Campbell, 25; Cook, 13; Dubas, 34; Gloor, 35; K. Haar, 21; B. Harr, 8; Krist, 10; McGill, 26; Mello, 5; Nordquist, 7; Sullivan, 41.

A BILL FOR AN ACT relating to health and human services; to amend sections 43-296, 43-405, 43-534, 68-1207.01, 71-825, 71-1904, and 71-3407, Reissue Revised Statutes of Nebraska; to provide duties for the Health and Human Services Committee of the Legislature and the Department of Health and Human Services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 775. Introduced by Brasch, 16.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-311, Reissue Revised Statutes of Nebraska; to change provisions relating to disclosure of information; and to repeal the original section.

LEGISLATIVE BILL 776. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-101, Revised Statutes Supplement, 2011; to prohibit the sale of alcoholic liquor and beer as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 777. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to funds; to amend sections 59-1608.04 and 81-15,174, Revised Statutes Supplement, 2011; to provide for the distribution of money received by the state due to a settlement or court order or judgment as prescribed; to provide legislative review and appropriation requirements for the State Settlement Cash Fund; to change provisions relating to the Environmental Trust Fund; and to repeal the original sections.

LEGISLATIVE BILL 778. Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Excellence in Teaching Act; to amend sections 9-812, 79-8,133, 79-8,137.01, and 79-8,137.05, Revised Statutes Supplement, 2011; to change provisions relating to loan eligibility; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 779. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to government agencies; to amend sections 81-1008, 81-1008.01, 81-1010, 81-1011, 81-1015, 81-1016, 81-1018, 81-1019, 81-1020, 81-1021, 81-1023, and 81-1025, Reissue Revised Statutes of Nebraska, and sections 81-1017 and 81-1108.17, Revised Statutes Cumulative Supplement, 2010; to define terms; to change provisions relating to state-owned vehicles; to provide for renting vehicles for state use; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 780. Introduced by Smith, 14; Coash, 27; Hadley, 37; B. Harr, 8; Karpisek, 32; Loudon, 49; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-103.05, 53-103.21, and 53-123.14, Reissue Revised Statutes of Nebraska; to redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 781. Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-160 and 53-164.01, Reissue Revised Statutes of Nebraska; to change provisions relating to the gallonage tax; and to repeal the original sections.

LEGISLATIVE BILL 782. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to state government; to amend sections 2-15,106, 2-2812, 2-4245, 2-5303, 3-801, 9-1,105, 9-809, 9-811.01, 11-203, 13-1205, 13-2114, 18-2117.01, 20-325, 23-2313, 24-704, 24-705, 24-1205, 24-1206, 25-1809, 25-2920, 29-2252.01, 35-1207, 37-327.01, 37-352, 38-1216, 39-1111, 39-1365.02, 39-1391, 39-1392, 42-930, 43-405, 43-512.11, 43-1905, 43-2412, 43-3326, 43-3342.04, 43-3402, 44-113, 44-7507, 46-1304, 46-1305, 48-1,104, 48-1,118, 48-606, 48-621, 48-1117, 48-1625, 48-2213, 48-2307, 48-2909, 49-770, 49-904, 49-1483, 49-1483.03, 49-1488, 49-1492.01, 50-114.03, 50-405, 50-413, 50-414, 50-1205, 50-1210, 50-1211, 50-1302, 54-642, 54-2428, 58-246, 58-270, 66-4,144, 66-1336, 68-959, 68-1207.01, 68-1518, 69-503, 69-2409, 69-2423, 71-219.03, 71-707, 71-810, 71-816, 71-825, 71-827, 71-830, 71-1134, 71-1628.05, 71-1628.07, 71-17,115, 71-1904, 71-2516, 71-3407, 71-4728, 71-4741, 71-51,103, 71-5206.01, 71-5210, 71-5322, 71-6226, 71-7611, 71-8313, 71-8613, 71-8804, 72-240.26, 72-813, 72-1278, 72-1710, 73-305, 76-1521, 77-385, 77-3,116, 77-4110, 77-4933, 77-5204, 77-5210, 77-5214, 77-5412, 77-5542, 77-5544, 77-5731, 79-760.03, 79-909, 79-976, 79-1905, 81-106, 81-166, 81-187, 81-638, 81-650, 81-6,116, 81-829.43, 81-829.47, 81-829.56, 81-830, 81-8,226, 81-8,239.05, 81-8,251, 81-8,300, 81-1107.05, 81-1108.15, 81-1108.22, 81-1108.31, 81-1108.41, 81-1114, 81-1114.01, 81-1114.02, 81-1117, 81-1120.15, 81-1120.16, 81-1125.01, 81-1307.01, 81-1360, 81-1376, 81-1504.01, 81-15,101, 81-15,153, 81-1606, 81-1607, 81-1637, 81-1845, 81-2004.04, 81-2023, 81-2213, 81-2233, 81-2408, 82-333, 83-111, 83-4,147, 83-908, 83-924, 83-963, 84-205, 84-304, 84-322, 84-605, 84-702, 84-907.06, 84-1205.03, 84-1205.05, 84-1219, 84-1315, 84-1617, 85-414, 85-417, 85-424, 85-1413, 85-1414, 85-1415, 85-1429, 85-1811, 86-163, 86-518, 86-530, 86-572, and 90-309, Reissue Revised Statutes of Nebraska, sections 2-111, 2-968, 2-1588, 2-3226.01, 4-113, 9-1,101, 13-1210, 20-504, 25-3309, 28-429, 43-2404.02, 68-908, 70-1003, 79-527.01, 79-2118, 81-1833, 83-1209, 84-602, 85-421, 85-1416, 85-1807, 85-2106, 86-516, and 86-5,100, Revised Statutes Cumulative Supplement, 2010, and sections 23-362, 29-2252, 37-919, 43-3720, 44-4225, 47-624, 50-417, 54-857, 61-218, 66-1345, 68-909, 68-971, 68-1017.02, 71-529, 71-7606, 77-367, 77-6309, 79-318, 79-722, 79-759, 79-760.05, 79-8,139, 79-987, 79-1007.07, 79-1022, 79-1103, 79-2104.02, 81-8,239.02, 81-1108.33, 81-1201.11, 81-1201.13, 81-12,142, 81-12,151, 81-12,166, 81-1384, 81-1505.04, 81-15,175, 84-901.01, 84-910, and 85-1412, Revised Statutes Supplement, 2011; to require that reports submitted to the Legislature, Clerk of the Legislature, Executive Board of the Legislative Council, Legislative Fiscal Analyst, members of the Legislature, committees

of the Legislature, and a task force of the Legislature be submitted electronically; to eliminate provisions involving obsolete reports, plans, a task force, and a program; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-5304, 3-806, 43-4002, 43-4003, 50-422, 71-5213, 81-12,122, and 85-1,130, Reissue Revised Statutes of Nebraska, section 71-465, Revised Statutes Cumulative Supplement, 2010, and sections 46-2,140 and 54-1916, Revised Statutes Supplement, 2011.

RESOLUTIONS

LEGISLATIVE RESOLUTION 356. Introduced by Langemeier, 23.

WHEREAS, the Aquinas Monarchs won the 2011 Class C-2 State Football Championship; and

WHEREAS, the Monarchs defeated Kearney Catholic High School by a score of 27-13 in the championship game and finished the season with a perfect 13-0 record; and

WHEREAS, the win gave the Monarchs their fifth state football championship in school history; 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 SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Aquinas Monarchs on winning the 2011 Class C-2 State Football Championship.

2. That a copy of this resolution be sent to the Monarchs and their coach, Ron Mimick.

Laid over.

LEGISLATIVE RESOLUTION 357. Introduced by Karpisek, 32.

WHEREAS, B. J. Lawrence, a member of the Doane College track and field team, has had a tremendous amount of success on the track during the 2011 season; and

WHEREAS, Mr. Lawrence's accomplishments include a number of honors earned while competing for Doane College at the NAIA Track and Field Championships, including first-place finishes in the 200 meter dash (indoor), the 200 meter dash (outdoor), and the 4x100 meter relay (outdoor), and second-place finishes in the 60 meter dash (indoor) and the 100 meter dash (outdoor); and

WHEREAS, Mr. Lawrence also ran for his home country of Saint Kitts and Nevis at the IAAF World Championships, where his team took third place in the 4x100 meter relay, and at the Pan American Games, where his team took second place in the 4x100 meter relay; and

WHEREAS, Mr. Lawrence has also broken numerous records for his outstanding track performances.

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

1. That the Legislature recognizes B. J. Lawrence for his outstanding accomplishments in track and field.

2. That a copy of this resolution be sent to B. J. Lawrence.

Laid over.

LEGISLATIVE RESOLUTION 358CA. Introduced by Carlson, 38; Adams, 24; Ashford, 20; Avery, 28; Campbell, 25; Christensen, 44; Cornett, 45; Dubas, 34; Gloor, 35; K. Haar, 21; Harms, 48; Karpisek, 32; Krist, 10; Larson, 40; Louden, 49; McGill, 26; Nelson, 6; Price, 3; Schilz, 47; Smith, 14; Wallman, 30; Wightman, 36.

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

Section 1. At the general election in November 2012 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 III, section 12:

III-12 (1) No person shall be eligible to serve as a member of the Legislature for four years next after the expiration of ~~two~~three consecutive terms regardless of the district represented.

(2) Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in subsection (1) of this section.

(3) For the purpose of this section, service in office for more than one-half of a term shall be deemed service for a term.

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 change the limit on legislative terms to three consecutive terms.

For

Against.

AMENDMENTS - Print in Journal

Senator Mello filed the following amendment to LB239:

AM1641

(Amendments to Standing Committee amendments, AM727)

1 1. Insert the following new section:

2 Sec. 13. Section 71-612, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 71-612 (1) The department, as the State Registrar, shall
5 preserve permanently and index all certificates received. The
6 department shall supply to any applicant for any proper purpose,
7 as defined by rules and regulations of the department, a certified

8 copy of the record of any birth, death, marriage, annulment, or
9 dissolution of marriage or an abstract of marriage. The department
10 shall supply a copy of a public vital record for viewing purposes
11 at its office upon an application signed by the applicant and
12 upon proof of the identity of the applicant. The application may
13 include the name, address, and telephone number of the applicant,
14 purpose for viewing each record, and other information as may be
15 prescribed by the department by rules and regulations to protect
16 the integrity of vital records and prevent their fraudulent use.
17 Except as provided in subsections (2), (3), (5), (6), ~~and (7)~~, (8),
18 and (9) of this section, the department shall be entitled to charge
19 and collect in advance a fee of eleven dollars to be paid by the
20 applicant for each certified copy or abstract of marriage supplied
21 to the applicant or for any search made at the applicant's request
22 for access to or a certified copy of any record or abstract of
1 marriage, whether or not the record or abstract is found on file
2 with the department.

3 (2) The department shall, free of charge, search for and
4 furnish a certified copy of any record or abstract of marriage on
5 file with the department upon the request of (a) the United States
6 Department of Veterans Affairs or any lawful service organization
7 empowered to represent veterans if the copy of the record or
8 abstract of marriage is to be issued, for the welfare of any member
9 or veteran of the armed forces of the United States or in the
10 interests of any member of his or her family, in connection with a
11 claim growing out of service in the armed forces of the nation or
12 (b) the Military Department.

13 (3) The department may, free of charge, search for and
14 furnish a certified copy of any record or abstract of marriage on
15 file with the department when in the opinion of the department it
16 would be a hardship for the claimant of old age, survivors, or
17 disability benefits under the federal Social Security Act to pay
18 the fee provided in this section.

19 (4) A strict account shall be kept of all funds received
20 by the department. Funds received pursuant to subsections (1),
21 (5), (6), and (8) of this section shall be remitted to the
22 State Treasurer for credit to the Health and Human Services Cash
23 Fund. Money credited to the fund pursuant to this section shall
24 be used for the purpose of administering the laws relating to
25 vital statistics and may be used to create a petty cash fund
26 administered by the department to facilitate the payment of refunds
27 to individuals who apply for copies or abstracts of records. The
1 petty cash fund shall be subject to section 81-104.01, except
2 that the amount in the petty cash fund shall not be less than
3 twenty-five dollars nor more than one thousand dollars.

4 (5) The department shall, upon request, conduct a search
5 of death certificates for stated individuals for the Nebraska
6 Medical Association or any of its allied medical societies or any
7 in-hospital staff committee pursuant to sections 71-3401 to 71-3403.

8 If such death certificate is found, the department shall provide
9 a noncertified copy. The department shall charge a fee for each
10 search or copy sufficient to cover its actual direct costs, except
11 that the fee shall not exceed two dollars per individual search or
12 copy requested.

13 (6) The department may permit use of data from vital
14 records for statistical or research purposes under section
15 71-602 or disclose data from certificates or records to federal,
16 state, county, or municipal agencies of government for use in
17 administration of their official duties and charge and collect a
18 fee that will recover the department's cost of production of the
19 data. The department may provide access to public vital records for
20 viewing purposes by electronic means, if available, under security
21 provisions which shall assure the integrity and security of the
22 records and data base and shall charge and collect a fee that shall
23 recover the department's costs.

24 (7) In addition to the fees charged under subsection
25 (1) of this section, the department shall charge and collect an
26 additional fee of one dollar for any certified copy of the record
27 of any birth or for any search made at the applicant's request
1 for access to or a certified copy of any such record, whether
2 or not the record is found on file with the department. Any
3 county containing a city of the metropolitan class which has an
4 established city-county or county health department pursuant to
5 sections 71-1626 to 71-1636 which has an established system of
6 registering births and deaths shall charge and collect in advance a
7 fee of one dollar for any certified copy of the record of any birth
8 or for any search made at the applicant's request for such record,
9 whether or not the record is found on file with the county. All
10 fees collected under this subsection shall be remitted to the State
11 Treasurer for credit to the Nebraska Child Abuse Prevention Fund.

12 (8) The department shall not charge other state agencies
13 the fees authorized under subsections (1) and (7) of this
14 section for automated review of any certificates or abstracts
15 of marriage. The department shall charge and collect a fee from
16 other state agencies for such automated review that will recover
17 the department's cost.

18 (9) The department shall, free of charge, search for and
19 furnish a certified copy of any birth record on file with the
20 department upon the request of any registered voter for purposes
21 of obtaining a government-issued photographic identification as
22 defined in section 3 of this act in order to vote under the
23 Election Act.

24 2. On page 16, line 25, strike "and 32-953" and insert
25 "32-953, and 71-612".

26 3. Renumber the remaining section accordingly.

Senator Lathrop filed the following amendment to LB239:

AM1633

(Amendments to Standing Committee amendments, AM727)

- 1 1. On page 16, line 23, strike "seven", show as stricken,
- 2 and insert "fourteen".

Senator K. Haar filed the following amendment to LB239:

AM1631

(Amendments to Standing Committee amendments, AM727)

- 1 1. Insert the following new section:
- 2 Sec. 4. Section 32-202, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 32-202 In addition to any other duties prescribed by law,
- 5 the Secretary of State shall:
 - 6 (1) Supervise the conduct of primary and general
 - 7 elections in this state;
 - 8 (2) Provide training for election commissioners, county
 - 9 clerks, and other election officials in providing for registration
 - 10 of voters and the conduct of elections;
 - 11 (3) Enforce the Election Act;
 - 12 (4) With the assistance and advice of the Attorney
 - 13 General, make uniform interpretations of the act;
 - 14 (5) Provide periodic training for the agencies and their
 - 15 agents and contractors in carrying out their duties under sections
 - 16 32-308 to 32-310;
 - 17 (6) Develop and print forms for use as required by
 - 18 sections 32-308, 32-310, 32-320, 32-329, 32-947, 32-956, and
 - 19 32-958;
 - 20 (7) Contract with the Department of Administrative
 - 21 Services for storage and distribution of the forms;
 - 22 (8) Require reporting to ensure compliance with sections
 - 1 32-308 to 32-310;
 - 2 (9) Prepare and transmit reports as required by the
 - 3 National Voter Registration Act of 1993, 42 U.S.C. 1973gg et seq.;
 - 4 (10) Develop and print a manual describing the
 - 5 requirements of the initiative and referendum process and
 - 6 distribute the manual to election commissioners and county clerks
 - 7 for distribution to the public upon request;
 - 8 (11) Develop and print pamphlets described in section
 - 9 32-1405.01;
 - 10 (12) Adopt and promulgate rules and regulations for
 - 11 elections conducted under sections 32-952 to 32-959; ~~and~~
 - 12 (13) Establish a free access system, such as a toll-free
 - 13 telephone number or an Internet web site, that any voter who casts
 - 14 a provisional ballot may access to discover whether the vote of
 - 15 that voter was counted and, if the vote was not counted, the
 - 16 reason that the vote was not counted. The Secretary of State
 - 17 shall establish and maintain reasonable procedures necessary to
 - 18 protect the security, confidentiality, and integrity of personal

19 information collected, stored, or otherwise used by the free access
 20 system. Access to information about an individual provisional
 21 ballot shall be restricted to the individual who cast the ballot;
 22 and-

23 (14) Develop informational material to assist voters
 24 with requirements to present government-issued photographic
 25 identification in order to vote and make such informational
 26 material available on the Internet web site of the Secretary of
 27 State and, within sixty days after the effective date of this act,
 1 mail such informational material to every registered voter in this
 2 state.

3 2. On page 16, line 24, after the first comma insert
 4 "32-202,".

5 3. Renumber the remaining sections accordingly.

Senator Mello filed the following amendment to LB239:
 AM1645

(Amendments to Standing Committee amendments, AM727)

1 1. Insert the following new section:

2 Sec. 13. Section 81-8,297, Reissue Revised Statutes of
 3 Nebraska, is amended to read:
 4 81-8,297 The State Claims Board shall have the power
 5 and authority to receive, investigate, and otherwise carry out its
 6 duties with regard to (1) all claims under the State Miscellaneous
 7 Claims Act, (2) all claims under sections 25-1802 to 25-1807, (3)
 8 all claims under the State Contract Claims Act, (4) all requests
 9 on behalf of any department, board, or commission of the state
 10 for waiver or cancellation of money or charges when necessary for
 11 fiscal or accounting procedures, ~~and~~ (5) all claims filed under
 12 section 66-1531, and (6) all claims filed under section 32-322. All
 13 such claims or requests and supporting documents shall be filed
 14 with the Risk Manager and shall be designated by number, name of
 15 claimant as requester, and short title. Nothing in this section
 16 shall be construed to be a waiver of the sovereign immunity of the
 17 state beyond what is otherwise provided by law.

18 The board shall adopt and promulgate such rules and
 19 regulations as are necessary to carry out the powers granted in
 20 this section. The Attorney General shall be the legal advisor
 21 to the board for purposes of this section and may authorize the
 22 assistant attorney general in charge of the Claims Division to
 1 perform any of his or her duties under this section.

2 2. On page 6, after line 26 insert the following new
 3 subsection:

4 "(3) The Legislature shall reimburse the counties for the
 5 cost of mailing acknowledgments of registration under subsection
 6 (2) of this section. If the Legislature fails to appropriate funds
 7 to fully reimburse the counties, the counties may file claims with
 8 the State Claims Board under the State Miscellaneous Claims Act for
 9 the difference between the amount of funds appropriated, if any,

10 and full reimbursement."

11 3. On page 16, line 25, strike "and 32-953" and insert
12 "32-953, and 81-8,297".

13 4. Renumber the remaining section accordingly.

Senator Council filed the following amendment to LB239:
AM1649

(Amendments to Standing Committee amendments, AM727)

1 1. Insert the following new sections:

2 Sec. 13. The Legislature shall reimburse counties for
3 the cost of issuing and counting provisional ballots for persons
4 who did not present government-issued photographic identification,
5 including the cost of verification and investigation required under
6 section 32-1002. If the Legislature fails to appropriate funds to
7 fully reimburse the counties, the counties may file claims with the
8 State Claims Board under the State Miscellaneous Claims Act for the
9 difference between the amount of funds appropriated, if any, and
10 full reimbursement.

11 Sec. 14. Section 81-8,297, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-8,297 The State Claims Board shall have the power
14 and authority to receive, investigate, and otherwise carry out its
15 duties with regard to (1) all claims under the State Miscellaneous
16 Claims Act, (2) all claims under sections 25-1802 to 25-1807, (3)
17 all claims under the State Contract Claims Act, (4) all requests
18 on behalf of any department, board, or commission of the state
19 for waiver or cancellation of money or charges when necessary for
20 fiscal or accounting procedures, ~~and~~ (5) all claims filed under
21 section 66-1531, and (6) all claims filed under section 13 of this
22 act. All such claims or requests and supporting documents shall be
1 filed with the Risk Manager and shall be designated by number, name
2 of claimant as requester, and short title. Nothing in this section
3 shall be construed to be a waiver of the sovereign immunity of the
4 state beyond what is otherwise provided by law.

5 The board shall adopt and promulgate such rules and
6 regulations as are necessary to carry out the powers granted in
7 this section. The Attorney General shall be the legal advisor
8 to the board for purposes of this section and may authorize the
9 assistant attorney general in charge of the Claims Division to
10 perform any of his or her duties under this section.

11 2. On page 1, line 5, strike "section 3" and insert
12 "sections 3 and 13".

13 3. On page 16, line 25, strike "and 32-953" and insert
14 "32-953, and 81-8,297".

15 4. Renumber the remaining section accordingly.

Senator Council filed the following amendment to LB239:
AM1667

(Amendments to Standing Committee amendments, AM727)

- 1 1. Insert the following new section:
- 2 Sec. 12. Section 32-960, Revised Statutes Cumulative
- 3 Supplement, 2010, is amended to read:
- 4 32-960 In any county, ~~with less than ten thousand~~
- 5 ~~inhabitants,~~ the county clerk may apply to the Secretary of
- 6 State to mail ballots for all elections held after approval of the
- 7 application to registered voters of any or all of the precincts
- 8 in the county in lieu of establishing polling places for such
- 9 precincts. The application shall include a written plan for the
- 10 conduct of the election, including a timetable for the conduct
- 11 of the election and provisions for the notice of election to be
- 12 published and for the application for ballots for early voting
- 13 notwithstanding other statutory provisions regarding the content
- 14 and publication of a notice of election or the application for
- 15 ballots for early voting. If the Secretary of State approves such
- 16 application for one or more precincts in the county, the county
- 17 clerk shall follow the applicable procedures in sections 32-953 to
- 18 32-959 for conducting elections by mail, except that the deadline
- 19 for receipt of the ballots shall be 8 p.m. on the day of the
- 20 election.
- 21 2. On page 16, line 26, after the third comma insert
- 22 "32-960,".
- 1 3. Renumber the remaining sections accordingly.

Senator Mello filed the following amendment to LB239:
AM1627

(Amendments to Standing Committee amendments, AM727)

- 1 1. Insert the following new section:
- 2 Sec. 13. Section 85-903, Revised Statutes Cumulative
- 3 Supplement, 2010, is amended to read:
- 4 85-903 In addition to the requirements of 20 U.S.C.
- 5 1094(a)(23), the University of Nebraska, each state college, and
- 6 each community college shall provide a photographic identification
- 7 which meets the requirements of subdivision (3) of section 3 of
- 8 this act to each student enrolled at the institution and shall
- 9 provide information furnished by the Secretary of State on early
- 10 voting prior to each statewide primary and general election to each
- 11 student enrolled in a degree or certificate program and physically
- 12 in attendance at the institution. The information shall include
- 13 instructions on early voting and an application to request a ballot
- 14 for early voting. The institution may provide the information
- 15 electronically.
- 16 2. On page 1, line 17, strike "or".
- 17 3. On page 2, line 1, strike the period and insert ";
- 18 or"; and after line 1 insert the following new subdivision:

- 19 "(3) A document issued by any other agency or political
 20 subdivision of this state which shows:
 21 (a) The name of the individual to whom the document was
 22 issued and the name conforms to the name in the voter's voter
 1 registration record;
 2 (b) A photograph of the individual to whom the document
 3 was issued; and
 4 (c) An expiration date which is not passed."
 5 4. On page 16, line 26, strike "and 32-1002" and insert
 6 "32-1002, and 85-903".
 7 5. Renumber the remaining section accordingly.

Senator Council filed the following amendment to LB239:
 AM1629

(Amendments to Standing Committee amendments, AM727)

- 1 1. Insert the following new section:
 2 Sec. 5. Section 32-316, Reissue Revised Statutes of
 3 Nebraska, is amended to read:
 4 32-316 (1) The election commissioner or county clerk may
 5 issue a certificate of registration to any registered voter who
 6 requests a certificate verifying that he or she is a registered
 7 voter in the county and pays a fee of three dollars. The
 8 certificate of registration shall include the information contained
 9 in section 32-312 and shall be issued with the seal of the election
 10 commissioner or county clerk. All fees so collected shall be
 11 reported to the county board and remitted to the county treasurer
 12 at least once each month.
 13 (2) If a registered voter requests a certificate
 14 verifying that he or she is a registered voter in the county for
 15 purposes of presenting an identification to vote in such county,
 16 the election commissioner or county clerk shall issue a certificate
 17 of registration to such voter at no cost to the voter. The
 18 certificate of registration shall include the information contained
 19 in section 32-312 and shall be issued with the seal of the election
 20 commissioner or county clerk.
 21 2. On page 1, line 17, strike "or"; after line 17 insert
 22 the following new subdivision:
 1 "(2) A certificate of registration issued under section
 2 32-316; or"; and in line 18 strike "(2)" and insert "(3)".
 3 3. On page 16, line 24, after the second comma insert
 4 "32-316,".
 5 4. Renumber the remaining sections accordingly.

Senator Mello filed the following amendment to LB239:
 AM1654

(Amendments to Standing Committee amendments, AM727)

- 1 1. Insert the following new section:
 2 Sec. 4. Qualifying photographic identification means an

3 employee identification document issued by any public or private
 4 employer which shows:

5 (1) The name of the individual to whom the document was
 6 issued and the name conforms to the name in the voter's voter
 7 registration record; and

8 (2) A photograph of the individual to whom the document
 9 was issued.

10 2. On page 1, lines 5 and 10, strike "section 3" and
 11 insert "sections 3 and 4".

12 3. On page 9, line 4, after "identification" insert ", a
 13 qualifying photographic identification.".

14 4. Renumber the remaining sections accordingly.

Senator Avery filed the following amendment to LB239:
 AM1624

1 1. Insert the following new sections:

2 Sec. 15. Section 85-903, Revised Statutes Cumulative
 3 Supplement, 2010, is amended to read:

4 85-903 In addition to the requirements of 20 U.S.C.
 5 1094(a)(23), the University of Nebraska, each state college, and
 6 each community college shall provide a photographic identification
 7 which meets the requirements of subdivision (3) of section
 8 32-110.02 to each student enrolled at the institution and shall
 9 provide information furnished by the Secretary of State on early
 10 voting prior to each statewide primary and general election to each
 11 student enrolled in a degree or certificate program and physically
 12 in attendance at the institution. The information shall include
 13 instructions on early voting and an application to request a ballot
 14 for early voting. The institution may provide the information
 15 electronically.

16 Sec. 16. Section 85-1701, Reissue Revised Statutes of
 17 Nebraska, is amended to read:

18 85-1701 Sections 85-1701 to 85-1763 and section 17 of
 19 this act shall be known and may be cited as the Nebraska
 20 Educational Finance Authority Act.

21 Section 17. In order to be eligible for assistance
 22 under the Nebraska Educational Finance Authority Act, a private
 23 institution of higher education shall provide a photographic
 1 identification which meets the requirements of subdivision (3)
 2 of section 32-110.02 to each student enrolled at the institution.

3 2. On page 2, line 14, strike "or"; in line 22 strike the
 4 period and insert "; or"; and after line 22 insert the following
 5 new subdivision:

6 "(3) A document issued by any public or private college
 7 or university which shows:

8 (a) The name of the individual to whom the document was
 9 issued and the name conforms to the name in the voter's voter
 10 registration record;

11 (b) A photograph of the individual to whom the document
12 was issued; and

13 (c) An expiration date which is not passed or which
14 passed after the date of the most recent general election."

15 3. On page 36, line 4, strike "and 60-4,181" and insert
16 "60-4,181, and 85-1701"; and in line 5 strike "and 32-1002" and
17 insert ", 32-1002, and 85-903".

18 4. Renumber the remaining sections accordingly.

Senator Council filed the following amendment to LB239:
AM1639

(Amendments to Standing Committee amendments, AM727)

1 1. Strike section 11.

2 2. On page 16, line 25, strike "32-938, and 32-953" and
3 insert "and 32-938".

4 3. Renumber the remaining sections accordingly.

VISITORS

Visitors to the Chamber were Carmen and Rod Patent.

The Doctor of the Day was Dr. Ron Klutman from Columbus.

ADJOURNMENT

At 11:18 a.m., on a motion by Speaker Flood, the Legislature adjourned
until 10:00 a.m., Thursday, January 5, 2012.

Patrick J. O'Donnell
Clerk of the Legislature

