

**CARRYOVER
LEGISLATION**

**Bill Titles, Resolutions, and
Subject and Section Indexes
Introduced in the
One Hundred First Legislature, First Session, 2009,
and Pending Before the
One Hundred First Legislature, Second Session, 2010**

January 6, 2010

STATUS OF CARRYOVER

BILLS

AND

RESOLUTIONS

**Introduced in the
One Hundred First Legislature, First Session, 2009
and pending before the
One Hundred First Legislature, Second Session, 2010**

General File (59): 42 43 83 261 522 669 669A 72 72A 254 307 512 544 544A
325 526 341 183 73 73A 197 550 657 297 107 411 205 357 405 405A 235 388
502 210 234 26 280 280A 674 139 475 279 304 373 306 267 552 421 216 147
181 190 638 635 281 25 525 573 579

Select File (7): 44 45 41 88 622 571 542

Final Reading (8): (112 159 159A 420e 489 489A 633 633A)

BILLS HELD BY COMMITTEES:

Agriculture (9): 130 516 581 584 585 593 641 646 667

Appropriations (26): 12 37 96 124 169 178 182 193 236 256 269 289 298 317
359 369 454 459 468 492 569 572 608 636 648 680

Bank., Com. & Ins. (7): 149 176 378 428 431 493 637

Business & Labor (8): 194 243 453 554 556 557 563 564

Education (12): 21 240 257 364 391 393 397 399 413 473 546 597

Executive Board (0):

General Affairs (9): 262 266 443 478 576 600 605 664 LR6CA

Gov., Mil. & Vet. Afrs. (29): 17 33 66 86 115 125 126 191 295 321 324 337 349
350 362 363 382 410 465 486 509 527 529 574 575 639 645 662 678

Hlth. & Human Serv. (31): 68 141 146 214 223 230 247 268 291 310 319 370
395 406 417 435 444 448 452 457 481 519 541 590 592 609 610 619 621 656
661

Judiciary (51): 4 15 19 34 38 40 46 78 79 82 118 148 153 226 244 252 253 258
265 276 284 332 333 344 351 352 353 383 409 423 433 442 496 499 506 507
508 510 513 518 589 594 595 596 625 659 660 676 LR9 LR26 LR223

Natural Resources (19): 14 437 438 439 482 490 491 504 535 565 567 582 591
624 643 644 651 663 666

Nebr. Ret. Sys. (7): 140 242 365 366 426 427 612

Revenue (20): 13 57 58 65 67 69 70 212 213 248 308 418 419 455 520 553 559
580 583 615

Trans. & Telecom. (15): 6 106 109 114 200 217 229 245 255 330 334 401 416
650 652

Urban Affairs (4): 174 381 470 523

(Totals in parentheses include bills, A bills, and resolutions of each section.)

TITLES TO BILLS

LEGISLATIVE BILL 4. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to jury compensation; to amend section 33-138, Reissue Revised Statutes of Nebraska; to change the rate of jury compensation to minimum wage; and to repeal the original section.

LEGISLATIVE BILL 6. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-4,124, Revised Statutes Cumulative Supplement, 2008; to authorize school permitholders to drive motor vehicles to work; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 12. Introduced by Langemeier, 23; Giese, 17.

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

LEGISLATIVE BILL 13. Introduced by White, 8; Mello, 5.

A BILL FOR AN ACT relating to the Property Tax Credit Act; to amend sections 77-4209, 77-4210, 77-4211, and 77-4212, Revised Statutes Cumulative Supplement, 2008; to rename the act; to change the property tax credit; to provide property tax relief; to create a fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 14. Introduced by White, 8.

A BILL FOR AN ACT relating to energy conservation; to provide energy conservation standards for certain state buildings; and to provide duties for certain state agencies.

LEGISLATIVE BILL 15. Introduced by White, 8.

A BILL FOR AN ACT relating to the Sex Offender Registration Act; to amend section 29-4006, Reissue Revised Statutes of Nebraska; to require driver's license and Internet address information as part of the registration information; and to repeal the original section.

LEGISLATIVE BILL 17. Introduced by White, 8; Mello, 5; Nordquist, 7; McCoy, 39.

A BILL FOR AN ACT relating to veterans; to provide for a waiver of tuition for combat-injured and disabled veterans.

LEGISLATIVE BILL 19. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to marriage licenses; to amend section 33-110, Reissue Revised Statutes of Nebraska, and section 71-614, Revised Statutes

Cumulative Supplement, 2008; to change provisions relating to fees for marriage licenses as prescribed; to provide requirements for optional marriage education; to provide duties for county clerks; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 21. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Nebraska Scholarship Act; to amend sections 9-812, 9-836.01, 71-5715, 85-1412, 85-1901, 85-1902, 85-1907, 85-1908, 85-1911, 85-1912, 85-1913, 85-1914, 85-1915, 85-1917, 85-1918, 85-1919, and 85-1920, Reissue Revised Statutes of Nebraska; to rename the act and the Nebraska Scholarship Fund; to change provisions relating to student eligibility; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 25. Introduced by Friend, 10.

A BILL FOR AN ACT relating to children; to amend sections 68-908, 68-911, 68-1202, 71-401, 71-403, and 71-415, Revised Statutes Cumulative Supplement, 2008; to include children's day health services in assistance provided under the Medical Assistance Act and the social services program; to require rules and regulations; to define a term; to require licensure of children's day health services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 26. Introduced by Friend, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 14-557, 15-725, 15-733, 15-735, 15-821, 15-822, 16-708.01, 77-208, 77-209, 77-1322, and 77-1917.01, Reissue Revised Statutes of Nebraska; to change priority of special assessment liens; and to repeal the original sections.

LEGISLATIVE BILL 33. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to zoning; to amend section 23-174.01, Reissue Revised Statutes of Nebraska; to provide for the transfer of development rights as prescribed; and to repeal the original section.

LEGISLATIVE BILL 34. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to employment; to adopt the Nebraska Fair and Legal Employment Act; to provide contracting duties for the state and political subdivisions; and to provide penalties.

LEGISLATIVE BILL 37. Introduced by Flood, 19.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Board of Regents of the University of Nebraska.

LEGISLATIVE BILL 38. Introduced by Flood, 19; Howard, 9.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-309, 28-929, 28-930, 28-931, 28-931.01, 28-932, and 28-933, Reissue Revised Statutes of Nebraska; to change provisions relating to assault, assault on an officer, and offenses by a confined person; and to repeal the original sections.

LEGISLATIVE BILL 40. Introduced by Flood, 19.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1144 and 27-1201, Reissue Revised Statutes of Nebraska; to correct internal references to certain statutory provisions; and to repeal the original sections.

LEGISLATIVE BILL 41. Introduced by Flood, 19.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-4004, Reissue Revised Statutes of Nebraska; to clarify references to the county sheriff; and to repeal the original section.

LEGISLATIVE BILL 42. Introduced by Flood, 19.

A BILL FOR AN ACT relating to natural resources; to amend section 46-1011, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to rural water districts; and to repeal the original section.

LEGISLATIVE BILL 43. Introduced by Flood, 19.

A BILL FOR AN ACT relating to natural resources; to eliminate a fund that terminated; and to outright repeal section 61-217, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 44. Introduced by Flood, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1624 and 77-5903, Revised Statutes Cumulative Supplement, 2008; to eliminate an obsolete reference; to correct a definition; and to repeal the original sections.

LEGISLATIVE BILL 45. Introduced by Flood, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-5601, Revised Statutes Cumulative Supplement, 2008; to eliminate references to a fund that terminated; and to repeal the original section.

LEGISLATIVE BILL 46. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-2485 and 30-2487, Reissue Revised Statutes of Nebraska; to provide for costs and expenses of administration of estates; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 57. Introduced by Louden, 49; Carlson, 38; Christensen, 44; Fischer, 43; Harms, 48; Heidemann, 1; Stuthman, 22; Sullivan, 41; Wallman, 30.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2708.01, Reissue Revised Statutes of Nebraska, and section 77-2704.36, Revised Statutes Cumulative Supplement, 2008; to exempt repairs and parts for agricultural machinery or equipment from sales and use tax; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 58. Introduced by Louden, 49; Carlson, 38; Harms, 48; Howard, 9; Wallman, 30.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2008; to provide a sales and use tax exemption for heating oil and propane used for residential heating purposes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 65. Introduced by Dubas, 34; Carlson, 38; Dierks, 40; Fischer, 43; Karpisek, 32; Rogert, 16; Schilz, 47; Stuthman, 22; Wallman, 30.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2708.01, Reissue Revised Statutes of Nebraska, and section 77-2704.36, Revised Statutes Cumulative Supplement, 2008; to exempt repair or replacement parts for commercial agricultural machinery and equipment from sales and use tax; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 66. Introduced by Rogert, 16; Friend, 10.

A BILL FOR AN ACT relating to Nebraska Political Accountability and Disclosure Act; to amend sections 49-1415, 49-1471, 49-1472, and 49-1490, Reissue Revised Statutes of Nebraska, and sections 49-1446.03 and 49-1447, Revised Statutes Cumulative Supplement, 2008; to change the limit on certain contributions and gifts; and to repeal the original sections.

LEGISLATIVE BILL 67. Introduced by Friend, 10; Fulton, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07 and 77-2734.03, Revised Statutes Cumulative Supplement, 2008; to adopt the Elementary and Secondary Education Opportunity Act; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 68. Introduced by Wallman, 30; Adams, 24; Avery, 28; Cornett, 45; Harms, 48; Karpisek, 32; Lathrop, 12; Louden, 49; Stuthman, 22; Coash, 27.

A BILL FOR AN ACT relating to developmental disabilities; to amend section 83-1201, Reissue Revised Statutes of Nebraska; to provide procedures for

closure of certain facilities; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 69. Introduced by Cornett, 45; Avery, 28; Gay, 14; Karpisek, 32; Price, 3; Wallman, 30; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2008; to exclude military retirement benefits from income taxation; and to repeal the original section.

LEGISLATIVE BILL 70. Introduced by Cornett, 45; Avery, 28; Gay, 14; Karpisek, 32; Price, 3; Wallman, 30; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2008; to exclude military retirement benefits from income taxation; and to repeal the original section.

LEGISLATIVE BILL 72. Introduced by Cornett, 45; Avery, 28; Dubas, 34.

A BILL FOR AN ACT relating to education; to provide for policy guidelines for management of students and children with life-threatening allergies; and to provide duties for the State Department of Education, the Department of Health and Human Services, schools, and early childhood education programs.

LEGISLATIVE BILL 72A. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 72, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 73. Introduced by Cornett, 45; Avery, 28; Karpisek, 32.

A BILL FOR AN ACT relating to education; to ratify the Interstate Compact on Educational Opportunity for Military Children on behalf of the State of Nebraska with any other state legally joining thereon; to create the State Council on Educational Opportunity for Military Children and the positions of compact commissioner and military family education liaison within the Department of Veterans' Affairs as prescribed.

LEGISLATIVE BILL 73A. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 73, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 78. Introduced by Gay, 14.

A BILL FOR AN ACT relating to the Victim's Compensation Fund; to amend sections 81-1835 and 83-183, Reissue Revised Statutes of Nebraska; to provide for a percentage of wages earned by inmates in a work release program to be

deposited in the fund as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 79. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to child support; to amend section 43-512.15, Reissue Revised Statutes of Nebraska; to change provisions relating to when a child support order modification complaint is to be filed; and to repeal the original section.

LEGISLATIVE BILL 82. Introduced by Howard, 9; Dierks, 40; Harms, 48; Nantkes, 46.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-285, Reissue Revised Statutes of Nebraska; to require notification of change in case managers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 83. Introduced by McGill, 26.

A BILL FOR AN ACT relating to protection orders; to amend section 42-924, Reissue Revised Statutes of Nebraska; to provide for the care of and protect from harm domestic animals as prescribed; and to repeal the original section.

LEGISLATIVE BILL 86. Introduced by Wallman, 30.

A BILL FOR AN ACT relating to the Nebraska Capitol Commission; to amend section 81-1108.38, Reissue Revised Statutes of Nebraska; to change provisions relating to the Capitol Landscape Restoration Master Plan; to provide duties for the commission; and to repeal the original section.

LEGISLATIVE BILL 88. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banking; to amend section 8-113, Reissue Revised Statutes of Nebraska; to change provisions relating to the unauthorized use of the word bank; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 96. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the State Energy Office Cash Fund; to eliminate obsolete provisions; and to outright repeal section 81-1623, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 106. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,268, Reissue Revised Statutes of Nebraska; to eliminate the requirements that occupant protection system laws be enforced as a secondary action; to outright section 60-6,271, Reissue Revised Statutes of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 107. Introduced by Haar, 21.

A BILL FOR AN ACT relating to labor; to require an employer to provide employee a reason for termination as prescribed; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 109. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-471, 60-501, 60-520, 60-547, 60-6,357, 60-6,358, 60-6,359, 60-6,360, and 60-6,361, Reissue Revised Statutes of Nebraska, and sections 60-462, 60-463, 60-6,355, and 60-6,356, Revised Statutes Cumulative Supplement, 2008; to authorize the operation of low-speed vehicles on highways as prescribed; to require certain equipment for such vehicles; to prohibit certain modifications; to provide for an exemption; to provide accident reporting as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 112. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2008; to exclude certain health education loan repayments from income taxation as prescribed; and to repeal the original section.

LEGISLATIVE BILL 114. Introduced by Louden, 49.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Revised Statutes Cumulative Supplement, 2008; to provide for operation of minitrucks on certain highways as prescribed; to provide penalties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 115. Introduced by Louden, 49.

A BILL FOR AN ACT relating to the State Veteran Cemetery System; to amend section 12-1301, Reissue Revised Statutes of Nebraska; to eliminate the Nebraska Veterans Cemetery Advisory Board; and to repeal the original section.

LEGISLATIVE BILL 118. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-24,125 and 30-24,129, Reissue Revised Statutes of Nebraska; to change provisions relating to collection of personal property by affidavit and succession to real property by affidavit; and to repeal the original sections.

LEGISLATIVE BILL 124. Introduced by Hansen, 42; McCoy, 39; Nordquist, 7; Pahls, 31.

A BILL FOR AN ACT relating to the Job Training Cash Fund; to amend section 81-1201.21, Reissue Revised Statutes of Nebraska; to extend deadlines for transfers to the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 125. Introduced by Avery, 28; Nantkes, 46.

A BILL FOR AN ACT relating to elections; to amend sections 32-101, 32-107, 32-108, 32-114, 32-115, 32-221, 32-302, 32-306, 32-307, 32-308, 32-310, 32-311.01, 32-314, 32-321, 32-325, 32-807, 32-813, 32-816, 32-901, 32-902, 32-904, 32-906, 32-907, 32-910, 32-912, 32-913, 32-914, 32-915, 32-916, 32-917, 32-918, 32-919, 32-920, 32-921, 32-922, 32-923, 32-925, 32-927, 32-929, 32-933, 32-934, 32-935, 32-936, 32-937, 32-938, 32-940, 32-941, 32-945, 32-952, 32-1001, 32-1002, 32-1041, 32-1302, 32-1307, 32-1403, 32-1502, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519, 32-1528, 32-1530, 32-1531, and 32-1532, Reissue Revised Statutes of Nebraska; to provide for voter registration on election day as prescribed; to change provisions relating to registration and voting; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 126. Introduced by Avery, 28.

A BILL FOR AN ACT relating to constitutional officers; to amend sections 49-1401 and 49-1463.01, Revised Statutes Cumulative Supplement, 2008; to require financial disclosure reports; to provide a late filing fee; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 130. Introduced by Dubas, 34; Harms, 48.

A BILL FOR AN ACT relating to agriculture; to create the Farm to School Program Task Force; to provide duties and for termination; and to declare an emergency.

LEGISLATIVE BILL 139. Introduced by Avery, 28; Howard, 9.

A BILL FOR AN ACT relating to the Commission on Mexican-Americans; to amend sections 81-8,262, 81-8,265, 81-8,270, and 81-8,271.01, Reissue Revised Statutes of Nebraska; to rename the commission and a fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 140. Introduced by Avery, 28; Nantkes, 46; Nordquist, 7.

A BILL FOR AN ACT relating to state funds; to amend sections 72-1260 and 84-1309.01, Reissue Revised Statutes of Nebraska; to provide duties and responsibilities relating to public funds invested in Sudan-related companies; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 141. Introduced by Rogert, 16; Avery, 28; Coash, 27; Fulton, 29; Pankonin, 2; McCoy, 39.

A BILL FOR AN ACT relating to veterans; to adopt the Brain Injury Act.

LEGISLATIVE BILL 146. Introduced by Howard, 9; Wightman, 36.

A BILL FOR AN ACT relating to pharmacy; to amend sections 38-2801, 38-2802, and 38-2850, Reissue Revised Statutes of Nebraska, and sections 71-401, 71-403, and 71-425, Revised Statutes Cumulative Supplement, 2008; to provide for simulated pharmacies; to define and redefine terms; to provide for special licensure; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 147. Introduced by Pirsch, 4; Nordquist, 7.

A BILL FOR AN ACT relating to change of name; to amend sections 25-21,271, 28-718, and 29-4004, Reissue Revised Statutes of Nebraska; to provide name-change court orders to update the central register of child protection cases and the central registry of sex offenders; and to repeal the original sections.

LEGISLATIVE BILL 148. Introduced by Pirsch, 4; Howard, 9; Nordquist, 7.

A BILL FOR AN ACT relating to motor vehicle homicide; to amend sections 28-306 and 28-394, Reissue Revised Statutes of Nebraska; to change penalty provisions; and to repeal the original sections.

LEGISLATIVE BILL 149. Introduced by Pankonin, 2; McCoy, 39; Nelson, 6; Pirsch, 4.

A BILL FOR AN ACT relating to insurance; to require coverage for prosthetics; and to define a term.

LEGISLATIVE BILL 153. Introduced by Lautenbaugh, 18; Schilz, 47; Flood, 19; Louden, 49; Hansen, 42; Sullivan, 41; Coash, 27.

A BILL FOR AN ACT relating to recreation; to amend sections 37-729, 37-730, 37-731, 37-732, 37-733, 37-734, 37-735, and 37-736, Reissue Revised Statutes of Nebraska; to name the Tourism Liability Act; to define and redefine terms; to change provisions relating to owner liability for recreation and tourism activities; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 159. Introduced by Gay, 14; Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2008; to allow an income tax credit for certain long-term care insurance policy premiums; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 159A. Introduced by Gay, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 159, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 169. Introduced by Hadley, 37; Gloor, 35; Wallman, 30.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Department of Health and Human Services for the medical assistance program.

LEGISLATIVE BILL 174. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend section 14-109, Reissue Revised Statutes of Nebraska; to change provisions relating to vehicle registration and fees as prescribed; and to repeal the original section.

LEGISLATIVE BILL 176. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to insurance; to prohibit the use of credit information and discriminatory practices as prescribed; to define terms; to eliminate the Model Act Regarding Use of Credit Information in Personal Insurance; to provide an operative date; and to outright repeal sections 44-7701, 44-7702, 44-7703, 44-7704, 44-7705, 44-7706, 44-7707, 44-7708, 44-7709, 44-7710, 44-7711, and 44-7712, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 178. Introduced by Lathrop, 12; Wallman, 30.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Department of Health and Human Services for developmental disability aid.

LEGISLATIVE BILL 181. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Nebraska Telecommunications Regulation Act; to amend section 86-101, Reissue Revised Statutes of Nebraska; to provide requirements for wire-crossing agreements between railroad carriers and telecommunications carriers as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 182. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development.

LEGISLATIVE BILL 183. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Nebraska Telecommunications Regulation Act; to amend section 86-101, Reissue Revised Statutes of Nebraska; to provide requirements for the sale of an exchange by a telecommunications company; to provide powers and duties for the Public Service Commission; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 190. Introduced by Avery, 28; Giese, 17; Karpisek, 32; Pirsch, 4.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend sections 29-4102, 29-4103, and 29-4106, Reissue Revised Statutes of Nebraska; to provide for the collection of DNA samples from individuals convicted of felony offenses; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 191. Introduced by Fulton, 29; Avery, 28; Coash, 27; Karpisek, 32; McCoy, 39; Rogert, 16; Schilz, 47.

A BILL FOR AN ACT relating to small businesses; to provide for the waiver of a fine or penalty for an information collection requirement as prescribed.

LEGISLATIVE BILL 193. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2602.04, Revised Statutes Cumulative Supplement, 2008; to change a restriction on use of cigarette tax proceeds; and to repeal the original section.

LEGISLATIVE BILL 194. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to workers' compensation; to amend sections 48-138, 48-139, 48-140, and 48-141, Reissue Revised Statutes of Nebraska; to change provisions relating to lump-sum settlements; and to repeal the original sections.

LEGISLATIVE BILL 197. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend sections 85-1803 and 85-1807, Reissue Revised Statutes of Nebraska; to create a fund and provide for its use; to authorize fund transfers, and to repeal the original sections.

LEGISLATIVE BILL 200. Introduced by Janssen, 15; Stuthman, 22; Nantkes, 46; Rogert, 16; Giese, 17.

A BILL FOR AN ACT relating to motorcycles; to amend section 60-6,279, Reissue Revised Statutes of Nebraska; to change helmet provisions; to require eye protection; and to repeal the original section.

LEGISLATIVE BILL 205. Introduced by Nordquist, 7; Lathrop, 12; Mello, 5; Nelson, 6; Pirsch, 4.

A BILL FOR AN ACT relating to retirement; to amend sections 14-567, 15-1017, 16-1017, 16-1037, and 19-3501, Reissue Revised Statutes of Nebraska; to require educational and ethics training for board members of certain retirement systems as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 210. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,137.02, Revised Statutes Cumulative Supplement, 2008; to change

provisions relating to aid to natural resources districts; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 212. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5001, 77-5005, and 77-5016, Revised Statutes Cumulative Supplement, 2008; to authorize hearings by a single commissioner of the Tax Equalization and Review Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 213. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5001, 77-5004, 77-5005, 77-5013, 77-5017, 77-5022, and 77-5024.01, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to the Tax Equalization and Review Commission; to authorize intervention in actions before the commission; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 214. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to nail technology; to amend section 38-1035, Reissue Revised Statutes of Nebraska; to redefine nail technology; and to repeal the original section.

LEGISLATIVE BILL 216. Introduced by Wallman, 30.

A BILL FOR AN ACT relating to civil liability; to eliminate motor vehicle and aircraft guest statutes; to harmonize provisions; and to outright repeal sections 3-129.01, 25-21,237, and 25-21,238, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 217. Introduced by Loudon, 49; Karpisek, 32; Schilz, 47; Stuthman, 22.

A BILL FOR AN ACT relating to railroad rights-of-way; to amend section 70-306, Reissue Revised Statutes of Nebraska; to provide requirements for electrical entities placing wires across rights-of-way as prescribed; to provide powers and duties; to define a term; and to repeal the original section.

LEGISLATIVE BILL 223. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to swimming pools; to amend sections 71-4301 and 71-4307, Reissue Revised Statutes of Nebraska, and sections 71-4305 and 71-4306, Revised Statutes Cumulative Supplement, 2008; to classify swimming pools; to provide certified operator requirements; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 226. Introduced by Rogert, 16; Friend, 10.

A BILL FOR AN ACT relating to the age of majority; to amend sections 9-230.01, 9-241.06, 9-241.08, 9-255.06, 9-255.09, 9-334, 9-345, 9-430, 9-633, 9-826, 20-403, 21-1724, 21-1750, 21-1781, 23-1824, 25-1601, 25-1628, 25-21,271, 28-319, 28-319.01, 28-320.01, 28-457, 28-833, 29-401, 29-2270, 29-4016, 30-2209, 30-2326, 30-2329, 30-2412, 30-2603, 30-3402, 30-3502, 32-602, 38-129, 38-165, 38-1060, 38-10,165, 38-10,171, 38-1221, 38-1612, 38-1710, 38-2421, 38-2885, 38-2890, 38-3122, 42-371.01, 43-104.09, 43-117, 43-245, 43-247, 43-289, 43-290, 43-294, 43-2,113, 43-412, 43-504, 43-2101, 43-2404.02, 43-2922, 43-3703, 43-3709, 43-3902, 43-3910, 44-5238, 48-122.01, 48-124, 71-20,120, 71-4808, 79-267, 79-296, 81-885.13, 81-1916, 81-1917, 81-1936, 81-2026, and 81-2036, Reissue Revised Statutes of Nebraska, and sections 49-801, 64-101, 68-1724, 71-629, 71-812, 71-1903, 71-6039.01, 71-6502, 71-6726, 76-2228.01, 76-2229.01, 76-2230, 76-2231.01, and 76-2232, Revised Statutes Cumulative Supplement, 2008; to change the age of majority from nineteen to eighteen years of age and certain age requirements as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 229. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-487, 60-4,114, and 60-4,121, Reissue Revised Statutes of Nebraska, and sections 60-462, 60-479, 60-479.01, 60-484, 60-4,120, 60-4,122, 60-4,144, and 60-4,181, Revised Statutes Cumulative Supplement, 2008; to adopt certain federal regulations; to provide powers and duties for the Department of Motor Vehicles regarding the design, production, issuance, and renewal of and payment for operators' licenses and state identification cards; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 230. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to nurse practitioners; to amend sections 38-206, 38-2301, 38-2315, and 38-2322, Reissue Revised Statutes of Nebraska; to eliminate a requirement for integrated practice agreements; to eliminate a definition; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 38-2310 and 38-2323, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 234. Introduced by Adams, 24.

A BILL FOR AN ACT relating to sales and use taxes; to amend section 77-2704.13, Reissue Revised Statutes of Nebraska; to change provisions relating to a sales and use tax exemption; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 235. Introduced by Adams, 24; Howard, 9.

A BILL FOR AN ACT relating to school lands; to provide powers to the Board of Educational Lands and Funds.

LEGISLATIVE BILL 236. Introduced by Lathrop, 12; Cornett, 45; Harms, 48; Stuthman, 22; Wallman, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

LEGISLATIVE BILL 240. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to schools; to require a minimum level of expenditures for direct classroom instruction; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 242. Introduced by Karpisek, 32; Wallman, 30.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend section 81-2025, Reissue Revised Statutes of Nebraska; to change the mandatory retirement age to sixty-five years of age; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 243. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-121, Revised Statutes Cumulative Supplement, 2008; to provide for annual adjustments for total disability income benefits; and to repeal the original section.

LEGISLATIVE BILL 244. Introduced by Coash, 27.

A BILL FOR AN ACT relating to controlled substances; to amend sections 28-405, 28-448, and 28-454, Reissue Revised Statutes of Nebraska; to change a schedule as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 245. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to railroads; to amend sections 74-1310 and 74-1323, Reissue Revised Statutes of Nebraska, and section 75-109.01, Revised Statutes Cumulative Supplement, 2008; to provide a penalty and procedure for unlawful obstruction of railroad crossings; to change and provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 247. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to health and human services; to state findings; to define a term; to require accreditation of the Division of Children and Family Services as provided; to require a plan; and to provide for appropriation of funds.

LEGISLATIVE BILL 248. Introduced by Dubas, 34; Cornett, 45.

A BILL FOR AN ACT relating to relating to income tax; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to income tax credits; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 252. Introduced by Cornett, 45; Cook, 13; Lautenbaugh, 18.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101, 28-1006, 28-1007, and 28-1019, Reissue Revised Statutes of Nebraska; to prohibit the possession of animal fighting paraphernalia; to provide a penalty; to provide for seizure of property; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 253. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to children; to amend sections 23-1201, 24-313, 24-519, 25-1901, 25-2728, 25-2908, 28-377, 28-718, 28-719, 28-720, 28-720.01, 28-721, 28-722, 28-723, 28-724, 28-725, 28-726, 28-727, 28-728, 28-729, 28-730, 28-731, 28-732, 29-401, 29-1816, 29-1926, 29-2246, 29-2252.01, 29-2258, 29-2260, 29-2260.01, 29-3918, 29-4304, 30-2614, 42-364, 42-371, 43-101, 43-104, 43-104.08, 43-104.11, 43-106.01, 43-107, 43-296, 43-2,108, 43-2,109, 43-2,110, 43-2,113, 43-2,125, 43-413, 43-512, 43-512.03, 43-903, 43-1002, 43-1230, 43-1303, 43-1304, 43-1307, 43-1308, 43-1309, 43-1310, 43-1314.01, 43-1314.02, 43-1321, 43-2922, 43-2932, 43-2939, 43-3502, 43-3709, 43-3710, 71-3404, 71-3407, 79-215, 81-3126, 83-108.04, and 83-170, Reissue Revised Statutes of Nebraska, and sections 71-448, 71-1919, 71-6039, 71-6039.01, 71-6039.03, 71-6039.05, 71-6502, and 71-6906, Revised Statutes Cumulative Supplement, 2008; to transfer or repeal provisions of the Nebraska Juvenile Code and adopt a new Nebraska Juvenile Code; to change and eliminate child abuse reporting and registry provisions; to provide child relinquishment provisions; to change and eliminate provisions of and rename the Foster Care Review Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to outright repeal sections 28-710, 28-711, 28-713, 28-713.01, 28-714, 28-715, 28-716, 28-717, 28-733, 43-245, 43-246, 43-247, 43-247.01, 43-248, 43-248.01, 43-249, 43-250, 43-251, 43-251.01, 43-252, 43-253, 43-254, 43-254.01, 43-254.02, 43-255, 43-256, 43-257, 43-258, 43-259, 43-260, 43-260.01, 43-260.02, 43-260.03, 43-260.04, 43-260.05, 43-260.06, 43-260.07, 43-262, 43-263, 43-264, 43-265, 43-266, 43-267, 43-268, 43-269, 43-270, 43-271, 43-272, 43-272.01, 43-272.02, 43-273, 43-274, 43-275, 43-276, 43-277, 43-278, 43-279, 43-279.01, 43-280, 43-281, 43-282, 43-283, 43-283.01, 43-284, 43-284.01, 43-284.02, 43-285, 43-286, 43-287.01, 43-287.02, 43-287.03, 43-287.04, 43-287.05, 43-287.06, 43-288, 43-289, 43-290, 43-291, 43-292, 43-292.01, 43-292.02, 43-292.03, 43-293, 43-294, 43-295, 43-297, 43-298, 43-299, 43-2,100, 43-2,101, 43-2,102, 43-2,103, 43-2,104, 43-2,105, 43-2,106, 43-2,106.01, 43-2,106.02, 43-2,106.03, 43-2,107, 43-2,123.01, 43-2,128, 43-2,129, 43-408, 43-903, 43-905, 43-1301, 43-1301.01, 43-1311, 43-1312, 43-1313, 43-1314, 43-1315, 43-1316, and 43-1318, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 254. Introduced by Dubas, 34; Rogert, 16.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-2622, 2-2626, and 2-2646, Reissue Revised Statutes of Nebraska; to require Nebraska aerial pesticide business licenses for aerial pesticide application; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 255. Introduced by Harms, 48; Howard, 9.

A BILL FOR AN ACT relating to school buses; to amend sections 79-601 and 79-609, Reissue Revised Statutes of Nebraska; to require lap-shoulder belts as prescribed; to require instruction regarding use of certain belts; to require the use of certain belts; to state intent regarding liability; and to repeal the original sections.

LEGISLATIVE BILL 256. Introduced by Harms, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Game and Parks Commission; and to declare an emergency.

LEGISLATIVE BILL 257. Introduced by Harms, 48.

A BILL FOR AN ACT relating to public schools; to repeal the Seamless Delivery System Pilot Project; and to outright repeal sections 79-11,136, 79-11,137, 79-11,138, 79-11,139, 79-11,140, and 79-11,141, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 258. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-180.05, Reissue Revised Statutes of Nebraska, and section 53-101, Revised Statutes Cumulative Supplement, 2008; to change and provide penalties for minors in possession of alcoholic liquor; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 261. Introduced by Rogert, 16; McGill, 26.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,111.01, Reissue Revised Statutes of Nebraska; to provide for use of machine-readable information encoded on an operator's license or a state identification card; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 262. Introduced by Rogert, 16; Nordquist, 7.

A BILL FOR AN ACT relating to alcoholic liquor sales; to amend sections 9-647 and 53-179, Reissue Revised Statutes of Nebraska; to change provisions relating to time for sales of alcoholic liquor and conduct of lotteries under the Nebraska County and City Lottery Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 265. Introduced by Giese, 17.

A BILL FOR AN ACT relating to the Sexual Predator Residency Restriction Act; to amend sections 29-4016 and 29-4017, Reissue Revised Statutes of Nebraska; to authorize certain residency restrictions near parks; and to repeal the original sections.

LEGISLATIVE BILL 266. Introduced by Karpisek, 32; Fischer, 43.

A BILL FOR AN ACT relating to gaming; to amend sections 2-1201, 2-1201.01, 2-1202, 2-1203, 2-1203.01, 2-1204, 2-1205, 2-1206, 2-1209, 2-1213, and 2-1219, Reissue Revised Statutes of Nebraska; to adopt the Racetrack Gaming Act; to provide for regulation of racetrack gaming; to create funds; to provide civil penalties; to change provisions relating to the State Racing Commission and horseracing; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 267. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to state employees; to prohibit mandatory overtime for certain employees as prescribed.

LEGISLATIVE BILL 268. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Child Care Licensing Act; to amend section 71-1908, Revised Statutes Cumulative Supplement, 2008; to require liability insurance as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 269. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to state funds; to amend sections 71-7608, 71-7611, and 71-8805, Revised Statutes Cumulative Supplement, 2008; to change and provide for transfers of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 276. Introduced by Nordquist, 7; Ashford, 20; Cornett, 45; Giese, 17; McGill, 26; Mello, 5; Nantkes, 46; Howard, 9.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101 and 28-519, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to criminal mischief; to prohibit defacement as prescribed; to provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 279. Introduced by Avery, 28; Cornett, 45; Price, 3; Rogert, 16.

A BILL FOR AN ACT relating to land-use planning; to amend sections 14-407, 15-1103, and 19-923, Reissue Revised Statutes of Nebraska; to require notification of military installations regarding development of real property; and to repeal the original sections.

LEGISLATIVE BILL 280. Introduced by Avery, 28; Cornett, 45; Price, 3; Rogert, 16.

A BILL FOR AN ACT relating to military bases; to create the Commission on Military Affairs; and to provide for membership, terms, expenses, and powers and duties.

LEGISLATIVE BILL 280A. Introduced by Avery, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 280, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 281. Introduced by Mello, 5; Cornett, 45.

A BILL FOR AN ACT relating to educational service units; to amend sections 32-515, 79-1212, 79-1217, and 79-1217.01, Reissue Revised Statutes of Nebraska; to change provisions relating to membership on certain reorganized boards as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 284. Introduced by Fulton, 29; Friend, 10; Hansen, 42; McCoy, 39; Schilz, 47.

A BILL FOR AN ACT relating to the Sexual Predator Residency Restriction Act; to amend sections 29-4015, 29-4016, and 29-4017, Reissue Revised Statutes of Nebraska; to rename the act; to authorize certain employment restrictions; and to repeal the original sections.

LEGISLATIVE BILL 289. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Game and Parks Commission; and to declare an emergency.

LEGISLATIVE BILL 291. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Developmental Disabilities Services Act; to amend sections 83-1209 and 83-1226, Reissue Revised Statutes of Nebraska; to provide duties regarding ensuring the maximum quality of services; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 295. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the register of deeds; to amend sections 23-1503.01 and 23-1510, Reissue Revised Statutes of Nebraska; to provide and change requirements for instruments to be recorded in the office of the register of deeds; to provide a fee; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 297. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to finance; to adopt the Nebraska Beginning Farmer and Small Business Linked Deposit Loan Act; and to provide an operative date.

LEGISLATIVE BILL 298. Introduced by Harms, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development.

LEGISLATIVE BILL 304. Introduced by Council, 11; Cook, 13.

A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act; to amend sections 13-919 and 13-920, Reissue Revised Statutes of Nebraska; to change limitation of action provisions; and to repeal the original sections.

LEGISLATIVE BILL 306. Introduced by Council, 11; Nantkes, 46; Cook, 13; Coash, 27.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 23-3406, 24-1106, 25-1140.09, 28-104, 28-105, 28-303, 29-1602, 29-1603, 29-1822, 29-2004, 29-2005, 29-2006, 29-2020, 29-2027, 29-2204, 29-2261, 29-2282, 29-2407, 29-2801, 29-3205, 29-3920, 29-3922, 29-3928, 29-3929, 29-3930, 55-480, 83-1,110.02, and 83-4,143, Reissue Revised Statutes of Nebraska; to change a penalty from death to life imprisonment without possibility of parole as prescribed; to eliminate capital punishment provisions; to provide for retroactive applicability of such penalty change; to change provisions relating to restitution; to harmonize provisions; to repeal the original sections; and to outright repeal sections 24-1105, 28-105.01, 29-2519, 29-2520, 29-2521, 29-2521.01, 29-2521.02, 29-2521.03, 29-2521.04, 29-2521.05, 29-2522, 29-2523, 29-2524, 29-2524.01, 29-2524.02, 29-2525, 29-2527, 29-2528, 29-2532, 29-2533, 29-2534, 29-2535, 29-2536, 29-2537, 29-2538, 29-2539, 29-2540, 29-2541, 29-2542, 29-2543, 29-2544, 29-2545, 29-2546, 29-2811, 83-1,105.01, and 83-1,132, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 307. Introduced by Council, 11; Haar, 21; Nantkes, 46; Campbell, 25.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101 and 28-105, Reissue Revised Statutes of Nebraska; to change sentencing requirements with respect to certain minors; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 308. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-2809, 35-508, 35-509, 35-514.02, 35-517, and 77-3443, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 77-3444, Revised Statutes Cumulative Supplement, 2008; to change levy provisions for rural and suburban fire protection districts; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 310. Introduced by Haar, 21; Avery, 28.

A BILL FOR AN ACT relating to deaf and hard of hearing persons; to amend sections 20-150, 20-151, 20-153, and 20-156, Reissue Revised Statutes of Nebraska; to state intent; to define and redefine terms; to require places of public accommodation to appoint licensed interpreters; to require video remote interpreting companies to use licensed interpreters; to change and provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 317. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Reissue Revised Statutes of Nebraska; to provide for transfers; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 319. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to infants; to amend section 43-536, Reissue Revised Statutes of Nebraska; to change provisions relating to child care reimbursement; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 321. Introduced by Avery, 28.

A BILL FOR AN ACT relating to state government; to amend section 81-1302, Reissue Revised Statutes of Nebraska; to provide for state employees to participate in qualified mentoring programs; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 324. Introduced by Nelson, 6.

A BILL FOR AN ACT relating to elections; to amend sections 32-904 and 32-1524, Reissue Revised Statutes of Nebraska; to provide for designation of voting entrances; to change restrictions on electioneering, circulating petitions, or soliciting near polling places; and to repeal the original sections.

LEGISLATIVE BILL 325. Introduced by Nelson, 6.

A BILL FOR AN ACT relating to elections; to amend sections 32-228, 32-235, 32-314, 32-325, 32-328, 32-329, 32-607, 32-914, 32-914.02, 32-915, 32-929, and 32-930, Reissue Revised Statutes of Nebraska; to change provisions relating to notification of election workers, clerical errors on the precinct list of registered voters, updates of registration records due to change of address, provisional ballots, and challenges to voters; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 330. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Hadley, 37; Lautenbaugh, 18; Loudon, 49; Stuthman, 22.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 86-141, 86-442, 86-443, 86-457, and 86-459, Reissue Revised Statutes of Nebraska, and section 75-134, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to orders of the commission and telecommunications companies not subject to regulation; to change duties for wireless carriers and define a term under the Enhanced Wireless 911 Services Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 332. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to courts; to amend sections 23-1205, 25-2405, 25-2721, 29-437, 30-2429.01, 30-2436, 43-103, 43-1314.02, 43-3001, and 43-3713, Reissue Revised Statutes of Nebraska; to provide an exception to the interpreter oath as prescribed; to change provisions relating to acting county attorneys, trial by jury, probate of wills, adoption hearings, caregiver information, information regarding children in state custody, and court appointed special advocate volunteers; and to repeal the original sections.

LEGISLATIVE BILL 333. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to courts; to amend sections 33-107.03 and 33-154, Reissue Revised Statutes of Nebraska; to create a fund; to increase and provide for court fees; and to repeal the original sections.

LEGISLATIVE BILL 334. Introduced by Giese, 17; Avery, 28; Hadley, 37; Janssen, 15; Loudon, 49; Pankonin, 2; Schilz, 47; Stuthman, 22; Flood, 19.

A BILL FOR AN ACT relating to highways and roads; to amend sections 39-1302 and 39-1365.01, Reissue Revised Statutes of Nebraska; to designate the state expressway system; to change provisions relating to highway planning; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 337. Introduced by Friend, 10.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend section 85-1805, Reissue Revised Statutes of Nebraska; to change restrictions on advertising or promotional materials; and to repeal the original section.

LEGISLATIVE BILL 341. Introduced by Cook, 13.

A BILL FOR AN ACT relating to tuberculosis detection and prevention; to amend sections 38-2315, 38-2850, and 71-3604, Reissue Revised Statutes of Nebraska, and sections 71-3601, 71-3602, and 71-3614, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to distribution of medications through public health agencies; to define a term; to change provisions relating to orders, violations, hearings, and payment of costs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 344. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to legal services; to amend sections 25-3007 and 25-3008, Reissue Revised Statutes of Nebraska; to change administration of the Civil Legal Services Program; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 349. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-101, 32-1301, 32-1302, 32-1303, 32-1304, 32-1306, and 32-1308, Reissue Revised Statutes of Nebraska; to change provisions relating to recall; to require notification as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 350. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to industrial areas; to amend sections 13-1111, 13-1112, 13-1113, 13-1114, 13-1115, 13-1116, 13-1117, 13-1118, 13-1119, 13-1120, and 13-1121, Reissue Revised Statutes of Nebraska; to change provisions relating to real estate tracts and the designation of industrial areas as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 351. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to limited liability companies; to amend section 21-2601, Reissue Revised Statutes of Nebraska; to provide for charging orders against a member's transferable interest; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 352. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-505.01, 25-506.01, and 25-507.01, Reissue Revised Statutes of Nebraska; to change provisions relating to service of summons; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 353. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to civil procedure; to amend section 34-301, Reissue Revised Statutes of Nebraska; to change pleading provisions in an action for disputed corners and boundaries; and to repeal the original section.

LEGISLATIVE BILL 357. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to cigarette tax; to amend section 77-2608, Reissue Revised Statutes of Nebraska; to change the commission allowed to wholesale dealers; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 359. Introduced by Nelson, 6.

A BILL FOR AN ACT relating to the Nebraska Cultural Preservation Endowment Fund; to amend section 82-331, Reissue Revised Statutes of Nebraska; to restate legislative intent; to change provisions relating to fund transfers; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 362. Introduced by Avery, 28.

A BILL FOR AN ACT relating to elections; to amend section 32-607, Reissue Revised Statutes of Nebraska; to change requirements for candidate filing forms; and to repeal the original section.

LEGISLATIVE BILL 363. Introduced by Avery, 28.

A BILL FOR AN ACT relating to political committees; to amend section 49-1446.02, Revised Statutes Cumulative Supplement, 2008; to prohibit certain expenditures; and to repeal the original section.

LEGISLATIVE BILL 364. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003 and 79-1028.01, Reissue Revised Statutes of Nebraska; to permit exceeding expenditure limits for voluntary termination payments as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 365. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend section 24-710, Reissue Revised Statutes of Nebraska; to change retirement annuity provisions; and to repeal the original section.

LEGISLATIVE BILL 366. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to the State Employees Retirement Act; to amend section 84-1308, Reissue Revised Statutes of Nebraska; to increase the mandatory contribution rate; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 369. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the Every Woman Matters Program.

LEGISLATIVE BILL 370. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Cumulative Supplement, 2008; to require the Department of Health and Human Services to apply for a medicaid waiver to provide coverage for family planning services as prescribed.

LEGISLATIVE BILL 373. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to emergency response personnel; to amend sections 18-1723 and 35-1001, Reissue Revised Statutes of Nebraska; to change provisions relating to death or disability presumptions for a firefighter or police officer and death or disability prima facie evidence requirements for a firefighter or firefighter-paramedic; and to repeal the original sections.

LEGISLATIVE BILL 378. Introduced by Gloor, 35; Howard, 9.

A BILL FOR AN ACT relating to medical clinical trials; to require coverage of routine patient care costs by certain insurance policies and benefit plans.

LEGISLATIVE BILL 381. Introduced by Rogert, 16; Nordquist, 7; Mello, 5.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 10-615, 32-404, 77-1917.01, and 77-3443, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2008; to adopt the Community Improvement District Act and the Transportation Development District Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 382. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to elections; to amend sections 32-101, 32-107, 32-108, 32-114, 32-115, 32-302, 32-306, 32-307, 32-308, 32-310, 32-311.01, 32-314, 32-321, 32-325, 32-813, 32-816, 32-901, 32-902, 32-904, 32-906, 32-907, 32-910, 32-912, 32-913, 32-914, 32-915, 32-916, 32-917, 32-918, 32-919, 32-920, 32-921, 32-922, 32-923, 32-925, 32-927, 32-929, 32-933, 32-934, 32-935, 32-936, 32-937, 32-938, 32-940, 32-941, 32-945, 32-952, 32-1001, 32-1002, 32-1041, 32-1302, 32-1307, 32-1403, 32-1502, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519, 32-1528, 32-1530, 32-1531, and 32-1532, Reissue Revised Statutes of Nebraska; to provide for voter registration on election day as prescribed; to change provisions relating to registration and voting; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 383. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-401.01, Reissue Revised Statutes of Nebraska; to provide for limited immunity from prosecution as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 388. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to public power districts; to amend section 70-624, Reissue Revised Statutes of Nebraska; to change provisions relating to compensation approval as prescribed; and to repeal the original section.

LEGISLATIVE BILL 391. Introduced by Adams, 24.

A BILL FOR AN ACT relating to education; to amend sections 13-503, 79-1041, 79-1073, 79-1073.01, and 79-2104, Reissue Revised Statutes of

Nebraska; to change the manner of distribution of property tax revenue within learning communities; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 393. Introduced by Adams, 24.

A BILL FOR AN ACT relating to educational service units; to amend sections 79-1246 and 84-1411, Reissue Revised Statutes of Nebraska; to change provisions relating to the agenda for meetings of the Educational Service Unit Coordinating Council; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 395. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to health; to amend section 81-664, Reissue Revised Statutes of Nebraska; to adopt the Stroke Registry Act; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 397. Introduced by Nordquist, 7; McCoy, 39.

A BILL FOR AN ACT relating to postsecondary education; to amend sections 9-812, 9-836.01, 71-5715, and 85-1412, Reissue Revised Statutes of Nebraska; to adopt the State Scholarship Award Program Act and the Scholarship Assistance Program Act; to change provisions relating to applications under the Nebraska Scholarship Act; to provide for transfer of funds; to eliminate the Nebraska Scholarship Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 85-1901, 85-1902, 85-1903, 85-1904, 85-1905, 85-1906, 85-1907, 85-1908, 85-1909, 85-1910, 85-1911, 85-1912, 85-1913, 85-1914, 85-1915, 85-1916, 85-1917, 85-1918, 85-1919, and 85-1920, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 399. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Nebraska Scholarship Act; to amend sections 85-502, 85-1903, 85-1906, 85-1907, and 85-1909, Reissue Revised Statutes of Nebraska; to change provisions relating to residency; to redefine terms; and to repeal the original sections.

LEGISLATIVE BILL 401. Introduced by Friend, 10; McCoy, 39; Pankonin, 2.

A BILL FOR AN ACT relating to highways and roads; to amend sections 39-1110, 39-2201, 39-2203, 39-2212, 39-2213, 39-2215, 39-2215.01, 39-2222, and 39-2223, Reissue Revised Statutes of Nebraska, and sections 66-4,100 and 66-4,144, Revised Statutes Cumulative Supplement, 2008; to adopt the High Priority Surface Transportation Development Act and the Surface Transportation Revolving Fund Act; to authorize issuance of highway bonds; to change highway funding provisions; to create funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 405. Introduced by Cornett, 45; Campbell, 25; Carlson, 38; Coash, 27; Cook, 13; Friend, 10; Fulton, 29; Gay, 14; Giese, 17; Gloor, 35;

Haar, 21; Hadley, 37; Karpisek, 32; Mello, 5; Nordquist, 7; Pankonin, 2; Rogert, 16; Wallman, 30; Wightman, 36; Christensen, 44; Council, 11; Hansen, 42; Harms, 48; Janssen, 15; Lathrop, 12; McGill, 26; Nelson, 6; Schilz, 47; Stuthman, 22; Sullivan, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-27,228, 77-27,229, 77-27,230, 77-27,231, 77-27,232, 77-27,233, and 77-27,234, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to income tax credits for planned gifts; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 405A. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 405, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 406. Introduced by Fulton, 29; Campbell, 25; Dierks, 40; Friend, 10; Haar, 21; Harms, 48; McCoy, 39; Mello, 5; Nelson, 6; Nordquist, 7; Stuthman, 22; Wallman, 30.

A BILL FOR AN ACT relating to hospitals; to amend section 71-2048.01, Reissue Revised Statutes of Nebraska; to permit certified nurse midwives to have clinical privileges; and to repeal the original section.

LEGISLATIVE BILL 409. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to offenses against animals; to amend sections 28-906, 28-1008, 28-1009, and 28-1013, Reissue Revised Statutes of Nebraska; to provide violations and penalties for offenses against arson dogs; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 410. Introduced by Karpisek, 32; Council, 11; Nordquist, 7; Wallman, 30.

A BILL FOR AN ACT relating to elections; to amend sections 32-1119 and 32-1121, Reissue Revised Statutes of Nebraska; to change provisions relating to recounts; and to repeal the original sections.

LEGISLATIVE BILL 411. Introduced by Giese, 17.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2104, Reissue Revised Statutes of Nebraska; to update the reference to the National Electrical Code; and to repeal the original section.

LEGISLATIVE BILL 413. Introduced by Ashford, 20; Nordquist, 7; Janssen, 15.

A BILL FOR AN ACT relating to postsecondary education; to adopt the College Choice Grant Program Act; and to provide an operative date.

LEGISLATIVE BILL 416. Introduced by Fulton, 29; Friend, 10; Hadley, 37; Hansen, 42; Pahls, 31.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 18-1736, 18-1737, 60-501, 60-1903, 60-1908, and 81-2005, Reissue Revised Statutes of Nebraska, and sections 60-163, 60-180, 60-308, 60-366, 60-373, 60-376, 60-378, 60-380, 60-383, 60-392, 60-395, 60-396, 60-397, 60-398, 60-399, 60-3,100, 60-3,101, 60-3,102, 60-3,105, 60-3,106, 60-3,107, 60-3,108, 60-3,109, 60-3,113, 60-3,114, 60-3,119, 60-3,120, 60-3,121, 60-3,122, 60-3,122.02, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130, 60-3,130.01, 60-3,130.02, 60-3,130.05, 60-3,134, 60-3,135, 60-3,145, 60-3,146, 60-3,147, 60-3,149, 60-3,150, 60-3,151, 60-3,157, 60-3,167, 60-3,175, 60-3,183, 60-3,205, 60-653, 60-683, 60-6,197.01, 60-1306, 60-1901, 60-1902, and 66-1406.02, Revised Statutes Cumulative Supplement, 2008; to provide for one license plate and In Transit decal per vehicle; to change provisions relating to license plates; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 417. Introduced by Friend, 10.

A BILL FOR AN ACT relating to the Optometry Practice Act; to amend sections 38-2604, 38-2605, 38-2608, 38-2610, 38-2613, 38-2614, 38-2615, and 38-2617, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to scope of practice, licensure, certification, and standard of care; and to repeal the original sections.

LEGISLATIVE BILL 418. Introduced by Price, 3; Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-5023, Revised Statutes Cumulative Supplement, 2008; to require valuation changes among counties included in learning communities; and to repeal the original section.

LEGISLATIVE BILL 419. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-5905, Revised Statutes Cumulative Supplement, 2008; to eliminate the adjusted limit on tax credits under the Nebraska Advantage Microenterprise Tax Credit Act; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 420. Introduced by Hadley, 37; Christensen, 44; Gay, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to sales and use tax exemptions for certain nonprofit entities; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 421. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Compressed Fuel Tax Act; to amend section 66-6,100, Revised Statutes Cumulative Supplement, 2008; to suspend collection of fuel tax on compressed natural gas from July 1, 2009, to January 1, 2015; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 423. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to children; to amend sections 42-364, 43-2922, 43-2923, and 43-2929, Reissue Revised Statutes of Nebraska; to change provisions relating to the determination of child custody and provisions of the Parenting Act; and to repeal the original sections.

LEGISLATIVE BILL 426. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to cities of the first class; to amend sections 16-1001, 16-1002, 16-1003, 16-1004, 16-1005, 16-1006, 16-1007, 16-1009, 16-1010, 16-1013, 16-1014, 16-1015, 16-1016, 16-1017, 16-1019, 18-1221, and 18-1723, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2008; to name the Police Officers Retirement Act and to change provisions relating to participation, vesting, employee and employer contributions, and tax levies; to eliminate obsolete provisions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 427. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2301, 84-1503, and 84-1511, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2008; to adopt the County Law Enforcement Officer Retirement Act; to provide duties for the Public Employees Retirement Board; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 428. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to deposit and investment of public funds; to amend sections 2-4214, 14-556, 15-847, 15-849, 16-713, 16-715, 16-716, 17-607, 17-720, 30-3209, 77-2305, 77-2318, 77-2326.04, 77-2340, 77-2344, 77-2345, 77-2352, 77-2355, 77-2362, 77-2375, 77-2385, 77-2388, 77-2389, 77-2395, 77-2398, 77-23,100, 77-23,101, 77-23,102, and 77-23,105, Reissue Revised Statutes of Nebraska, and sections 77-2365.01, 77-2365.02, and 77-2387, Revised Statutes Cumulative Supplement, 2008; to authorize the deposit of public funds in credit unions as prescribed; to clarify Federal Deposit Insurance Corporation and National Credit Union Administration coverage; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 431. Introduced by McGill, 26.

A BILL FOR AN ACT relating to the Delayed Deposit Services Licensing Act; to amend section 45-921, Reissue Revised Statutes of Nebraska, and sections 45-901, 45-906, 45-915, 45-919, 45-925, and 45-927, Revised Statutes Cumulative Supplement, 2008; to provide for certain prohibited acts; to provide fees; to provide penalties; to create a data base; to provide powers and duties for the Director of Banking and Finance; to change provisions relating to fines; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 433. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend sections 24-312 and 24-517, Reissue Revised Statutes of Nebraska; to change provisions relating to interchange of judges and court jurisdiction; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 435. Introduced by Janssen, 15; Gay, 14.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 71-1559 and 71-4604.01, Revised Statutes Cumulative Supplement, 2008; to eliminate limitations on certain fees; to create and eliminate funds; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 437. Introduced by Haar, 21; Dubas, 34; Nordquist, 7.

A BILL FOR AN ACT relating to energy; to create the Wind Energy Development Zone Task Force; to provide powers and duties for the task force; and to provide a termination date.

LEGISLATIVE BILL 438. Introduced by Fischer, 43; Carlson, 38; Christensen, 44; Dierks, 40; Flood, 19; Hadley, 37; Hansen, 42; Lautenbaugh, 18; McCoy, 39; Pankonin, 2; Rogert, 16; Schilz, 47; Sullivan, 41; Utter, 33; Wightman, 36; Coash, 27; Giese, 17; Stuthman, 22.

A BILL FOR AN ACT relating to water; to amend section 46-2,115, Reissue Revised Statutes of Nebraska, and section 46-290, Revised Statutes Cumulative Supplement, 2008; to prohibit instream appropriations in fully appropriated or overappropriated areas; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 439. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to energy; to adopt the Home Energy Alternatives Act.

LEGISLATIVE BILL 442. Introduced by Council, 11.

A BILL FOR AN ACT relating to housing; to amend sections 20-331, 20-335, 20-340, and 20-343, Reissue Revised Statutes of Nebraska; to provide for injunctive relief, procedural changes, and for filing of a petition for relief by the

commission under the Nebraska Fair Housing Act; and to repeal the original sections.

LEGISLATIVE BILL 443. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to adult businesses and sexually oriented businesses; to provide for the regulation of such businesses; to state intent; to define terms; to provide penalties; and to provide severability.

LEGISLATIVE BILL 444. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to escort agencies; to adopt the Escort Services Accountability and Licensing Act; and to provide an operative date.

LEGISLATIVE BILL 448. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to vaccinations; to require the Department of Health and Human Services to establish a pilot program as prescribed; and to provide for rules and regulations.

LEGISLATIVE BILL 452. Introduced by Avery, 28.

A BILL FOR AN ACT relating to health care; to adopt the Advance Directives Identification Act.

LEGISLATIVE BILL 453. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to workers' compensation; to amend section 48-106, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to notice of excepted occupations; and to repeal the original section.

LEGISLATIVE BILL 454. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Health Care Cash Fund; to amend section 71-7611, Revised Statutes Cumulative Supplement, 2008; to change provisions governing use of the fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 455. Introduced by Nordquist, 7; Dubas, 34; Haar, 21; Lathrop, 12; Mello, 5; Schilz, 47; Janssen, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2701.04, and 77-27,235, Revised Statutes Cumulative Supplement, 2008; to provide a renewable energy sales tax credit for certain electricity generators; to provide a sales and use tax exemption for certain purchases of renewable energy equipment; to define terms; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 457. Introduced by Friend, 10; Fulton, 29; McCoy, 39.

A BILL FOR AN ACT relating to certified nurse midwives; to amend sections 38-206, 38-603, 38-611, and 38-613, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to scope of practice, authorized activities, and practice agreements; to harmonize provisions; to repeal the original sections; and to outright repeal sections 38-608, 38-609, 38-610, and 38-614, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 459. Introduced by Harms, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the Stay in the Game Program.

LEGISLATIVE BILL 465. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to educational service units; to amend sections 79-1218 and 84-1411, Reissue Revised Statutes of Nebraska; to provide for videoconferencing and telephone conferences of board meetings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 468. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

LEGISLATIVE BILL 470. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend sections 14-109, 15-202, 15-203, 16-205, and 17-525, Reissue Revised Statutes of Nebraska; to establish a limit on certain occupation taxes; and to repeal the original sections.

LEGISLATIVE BILL 473. Introduced by Loudon, 49; Christensen, 44; Dierks, 40; Lathrop, 12; Stuthman, 22.

A BILL FOR AN ACT relating to schools; to amend sections 77-3443, 79-1001, 79-1003, 79-1007.13, 79-1073.01, 79-10,120, and 79-2111, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 77-3444, Revised Statutes Cumulative Supplement, 2008; to adopt the Nebraska Elementary Attendance Region Act; to provide for tax levies as prescribed; to provide for Nebraska elementary attendance region aid under the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 475. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to county comptrollers; to amend sections 23-131, 23-135, 23-906, and 23-1302, Reissue Revised Statutes of Nebraska; to eliminate the position of county comptroller; to harmonize provisions; to repeal the original sections; and to outright repeal sections 23-1401, 23-1402, 23-1403, 23-1404, 23-1405, and 23-1407, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 478. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to alcoholic liquor; to amend sections 37-301 and 53-186, Reissue Revised Statutes of Nebraska; to provide for sale and consumption of alcoholic liquor on property owned or operated by the Game and Parks Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 481. Introduced by Haar, 21; Christensen, 44; Dierks, 40; Friend, 10; Fulton, 29; Harms, 48; McCoy, 39; Nordquist, 7; Wallman, 30.

A BILL FOR AN ACT relating to certified nurse midwives; to amend section 38-613, Reissue Revised Statutes of Nebraska; to eliminate the restriction on attending home deliveries; and to repeal the original section.

LEGISLATIVE BILL 482. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-731, Reissue Revised Statutes of Nebraska, and sections 46-713 and 46-714, Revised Statutes Cumulative Supplement, 2008; to eliminate obsolete language; to change provisions relating to meetings; and to repeal the original sections.

LEGISLATIVE BILL 486. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to government; to require certain governmental entities to identify themselves as such in their official name.

LEGISLATIVE BILL 489. Introduced by Sullivan, 41; Dubas, 34; Flood, 19; Gloor, 35; Hadley, 37; Karpisek, 32; Rogert, 16; Stuthman, 22; Wallman, 30; Pankonin, 2; Howard, 9.

A BILL FOR AN ACT relating to health care; to adopt the Area Health Education Centers Act; and to provide a termination date.

LEGISLATIVE BILL 489A. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 489, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 490. Introduced by Giese, 17.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-407, Reissue Revised Statutes of Nebraska; to change provisions relating to nonresident permits; and to repeal the original section.

LEGISLATIVE BILL 491. Introduced by Haar, 21.

A BILL FOR AN ACT relating to energy; to provide for home energy efficiency loans; to create a fund; to define terms; and to provide duties for the State Energy Office.

LEGISLATIVE BILL 492. Introduced by Haar, 21.

A BILL FOR AN ACT relating to appropriations; to state intent relating to funding for certain positions at the University of Nebraska-Lincoln as prescribed; and to declare an emergency.

LEGISLATIVE BILL 493. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to insurance; to require coverage for cochlear implants as prescribed.

LEGISLATIVE BILL 496. Introduced by Fulton, 29; Coash, 27; Lathrop, 12.

A BILL FOR AN ACT relating to traffic enforcement; to amend sections 18-1729 and 60-680, Reissue Revised Statutes of Nebraska, and sections 60-4,182, 60-601, and 60-605, Revised Statutes Cumulative Supplement, 2008; to authorize enforcement of traffic control signal violations by an automated traffic enforcement system as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 499. Introduced by Dubas, 34; Sullivan, 41; Haar, 21.

A BILL FOR AN ACT relating to civil rights; to allow breast-feeding as prescribed.

LEGISLATIVE BILL 502. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Petroleum Release Remedial Action Act; to amend sections 66-1532, Revised Statutes Cumulative Supplement, 2008; to authorize a credit for owners of new tanks required to have private insurance; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 504. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to environmental protection; to amend sections 81-1505 and 81-1506, Reissue Revised Statutes of Nebraska; to provide for permits for discharge of dredged or fill material; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 506. Introduced by Pirsch, 4; Howard, 9.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-697, 60-698, and 60-6,198, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to the duty to stop in the event of an accident and driving under the influence of alcohol or drugs; and to repeal the original sections.

LEGISLATIVE BILL 507. Introduced by Pirsch, 4; Howard, 9; McCoy, 39.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-323, Reissue Revised Statutes of Nebraska; to change provisions and penalties regarding domestic assault in the third degree; and to repeal the original section.

LEGISLATIVE BILL 508. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Reissue Revised Statutes of Nebraska; to prohibit certain gang-related initiations; and to repeal the original section.

LEGISLATIVE BILL 509. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to campaign finance; to amend section 32-1603, Reissue Revised Statutes of Nebraska, and section 49-1455, Revised Statutes Cumulative Supplement, 2008; to redefine election period; and to repeal the original sections.

LEGISLATIVE BILL 510. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to crime victims; to amend sections 81-1835, 81-1845, and 83-183, Reissue Revised Statutes of Nebraska; to prescribe a defendant surcharge for funding; to provide for certain wages earned by inmates in a work release program and defendant surcharges to be deposited in the Victim's Compensation Fund as prescribed; to create and provide for defendant surcharges to be deposited in the Nebraska Crime Victim Fund and distributed as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 512. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to airport zoning; to amend sections 3-303 and 3-304, Reissue Revised Statutes of Nebraska; to change provisions relating to the regulation of airport hazards; to prescribe duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 513. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to vehicular pursuit; to amend sections 13-911 and 81-8,215.01, Reissue Revised Statutes of Nebraska; to eliminate subrogation and contribution rights for property damages; and to repeal the original sections.

LEGISLATIVE BILL 516. Introduced by Hansen, 42.

A BILL FOR AN ACT relating to the Nebraska State Fairgrounds; to amend section 2-112, Revised Statutes Cumulative Supplement, 2008; to require compensation to certain structures located on the Nebraska State Fairgrounds in Lancaster County; and to repeal the original section.

LEGISLATIVE BILL 518. Introduced by McGill, 26.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101, 28-105, 28-111, 28-201, 28-302, 28-303, 28-304, 28-305, 28-306, 28-915, 28-915.01, 28-916.01, 28-1213, 28-1214, 28-1219, 28-1223, 28-1224, 28-1227, 28-1229, 28-1231, 28-1233, 28-1234, 28-1235, 28-1236, 28-1237, 28-1238, 28-1239, 28-1239.01, 28-1241, 29-119, 29-1306, 29-1603, 29-2004, 29-2027, 29-2221, 29-2261, 29-2519, 29-2520, 29-2521, 29-2524, 29-4103, 43-283.01, 43-286, 81-1850, 83-961, and 84-205, Reissue Revised Statutes of Nebraska; to change and eliminate provisions and procedures relating to homicide; to change provisions relating to life imprisonment, use of explosives, sentence enhancement, criminal attempt, perjury and false statements; to provide for applicability; to harmonize provisions; to repeal the original sections; and to outright repeal section 29-1512, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 519. Introduced by McGill, 26.

A BILL FOR AN ACT relating to appropriations; to state intent relating to behavioral health care services; to define terms; to provide for rate increases for payments to behavioral health providers; to create and provide duties for the Provider Reimbursement Rate Commission; and to declare an emergency.

LEGISLATIVE BILL 520. Introduced by Hadley, 37; Giese, 17; Wallman, 30; Harms, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2715.07, Revised Statutes Cumulative Supplement, 2008; to allow an income tax credit for perpetual conservation easement donations as prescribed; to provide an operative date; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 522. Introduced by Urban Affairs Committee: Friend, 10, Chairperson; Coash, 27; Lathrop, 12; McGill, 26; Rogert, 16; White, 8.

A BILL FOR AN ACT relating to volunteer fire and rescue departments; to amend section 35-901, Reissue Revised Statutes of Nebraska; to change provisions relating to the use of funds, fees, and charges; and to repeal the original section.

LEGISLATIVE BILL 523. Introduced by Urban Affairs Committee: Friend, 10, Chairperson; Coash, 27; Lathrop, 12; McGill, 26; Rogert, 16; White, 8.

A BILL FOR AN ACT relating to volunteer fire and rescue departments; to amend section 35-901, Reissue Revised Statutes of Nebraska; to change provisions regarding the volunteer department trust fund; and to repeal the original section.

LEGISLATIVE BILL 525. Introduced by Friend, 10.

A BILL FOR AN ACT relating to cities and villages; to amend sections 13-315, 18-2705, 18-2709, and 18-2717, Reissue Revised Statutes of Nebraska; to change provisions relating to tax levies and economic development programs; and to repeal the original sections.

LEGISLATIVE BILL 526. Introduced by Friend, 10.

A BILL FOR AN ACT relating to cities and villages; to amend sections 13-1111, 13-1115, 13-1116, 13-1117, 13-1118, 13-1120, 16-117, and 17-405.01, Reissue Revised Statutes of Nebraska; to provide requirements for land annexation by cities of the first and second class and villages; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 527. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to state-owned motor vehicles; to amend section 81-1025, Reissue Revised Statutes of Nebraska; to require the installation and use of automatic vehicle location system devices in such vehicles; and to repeal the original section.

LEGISLATIVE BILL 529. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Uniform Commercial Code; to amend section 9-531, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2008; to transfer ownership of certain computer equipment from the Secretary of State to the county clerks as prescribed; and to repeal the original section.

LEGISLATIVE BILL 535. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-1504, 2-3229, 2-3234, and 2-3254.07, Reissue Revised Statutes of Nebraska; to change membership of the Nebraska Natural Resources Commission; to change provisions relating to natural resources districts' programs, projects, powers, and duties; and to repeal the original sections.

LEGISLATIVE BILL 541. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-912, Revised Statutes Cumulative Supplement, 2008; to exempt certain adult dental services from limitations as prescribed; and to repeal the original section.

LEGISLATIVE BILL 542. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to dental assistants; to amend sections 38-1135 and 38-1136, Reissue Revised Statutes of Nebraska; to provide for rules and regulations regarding education, preparation, and training; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 544. Introduced by Giese, 17.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-101, Reissue Revised Statutes of Nebraska; to require the Secretary of State to publish guidelines for election workers; and to repeal the original section.

LEGISLATIVE BILL 544A. Introduced by Giese, 17.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 544, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 546. Introduced by Adams, 24.

A BILL FOR AN ACT relating to school funding; to amend sections 9-812, 9-836.01, 79-1011, and 79-1012, Reissue Revised Statutes of Nebraska; to change provisions relating to reorganization incentives; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 550. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Military Code; to amend sections 55-101, 55-120, 55-125, 55-126, and 55-135, Reissue Revised Statutes of Nebraska; to change provisions relating to Military Department personnel; to provide peace officer powers and duties to National Guard members; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 552. Introduced by White, 8.

A BILL FOR AN ACT relating to construction; to amend section 81-2407, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Construction Prompt Pay Act; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 553. Introduced by White, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1502, 77-1507, 77-1507.01, 77-1510, 77-3506.02, 77-5007, 77-5013, and 77-5015, Revised Statutes Cumulative Supplement, 2008; to change real property valuation protest procedures in counties with more than one hundred thousand inhabitants; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 554. Introduced by White, 8.

A BILL FOR AN ACT relating to labor and employment; to prohibit certain employers from requiring use of paid leave under certain circumstances; and to provide a penalty.

LEGISLATIVE BILL 556. Introduced by White, 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-118.01, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to third-party claims; and to repeal the original section.

LEGISLATIVE BILL 557. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to labor; to amend section 48-219, Reissue Revised Statutes of Nebraska; to provide for a fair share representation contribution by employees who are not members of certain labor organizations for representation provided by the labor organization; to eliminate provisions; to harmonize provisions; to repeal the original section; and to outright repeal sections 48-217 and 48-218, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 559. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Convention Center Facility Financing Assistance Act; to amend sections 13-2601, 13-2604, 13-2605, and 13-2706, Reissue Revised Statutes of Nebraska, and sections 13-2603 and 13-2610, Revised Statutes Cumulative Supplement, 2008; to provide and change provisions relating to terms, state assistance, financing, and grant applications; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 563. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to labor; to adopt the Contractor Employee Classification Act.

LEGISLATIVE BILL 564. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Contractor Registration Act; to amend sections 48-2101 and 48-2105, Reissue Revised Statutes of Nebraska, and section 48-2104, Revised Statutes Cumulative Supplement, 2008; to require licensure as prescribed; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 565. Introduced by Louden, 49; Haar, 21; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to natural resources; to adopt the Woody Biomass Energy Act.

LEGISLATIVE BILL 567. Introduced by Dubas, 34; Haar, 21; Mello, 5; Schilz, 47.

A BILL FOR AN ACT relating to the State Energy Office; to amend sections 81-1602, 81-1603, and 81-1607, Reissue Revised Statutes of Nebraska; to change provisions relating to the State Energy Office and the Director of the State Energy Office; to provide powers and duties for the State Energy Office; to define a term; and to repeal the original sections.

LEGISLATIVE BILL 569. Introduced by Dubas, 34; Haar, 21.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Energy Office for a grant program for school wind projects.

LEGISLATIVE BILL 571. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to consumer protection; to adopt the Guaranteed Asset Protection Waiver Act; and to provide severability.

LEGISLATIVE BILL 572. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Nebraska Tobacco Settlement Trust Fund; to amend section 71-7608, Revised Statutes Cumulative Supplement, 2008; to change provisions governing use of certain revenue; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 573. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Conveyance Safety Act; to amend sections 48-2503, 48-2507, 48-2508, and 48-2512, Revised Statutes Cumulative Supplement, 2008; to change Conveyance Advisory Committee membership provisions; to change applicability of the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 574. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1469, 49-1469.05, 49-1469.08, and 49-1479.02, Revised Statutes Cumulative Supplement, 2008; to eliminate a reporting requirement; to provide for a report of expenditures as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 575. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to initiative and referendum petitions; to amend sections 32-1404, 32-1412, and 84-205, Reissue Revised Statutes of Nebraska; to change provisions relating to investigation and prosecution of violations relating to signers and circulators of petitions and to placing measures on the ballot; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 576. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-186, Reissue Revised Statutes of Nebraska; to provide for consumption and sale of liquor on real property in the state park system; and to repeal the original section.

LEGISLATIVE BILL 579. Introduced by Cornett, 45; Lathrop, 12.

A BILL FOR AN ACT relating to labor; to amend sections 48-602 and 48-648, Revised Statutes Cumulative Supplement, 2008; to adopt the Professional Employer Organization Registration Act; to harmonize unemployment benefit provisions; to provide an operative date; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 580. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-5016, Revised Statutes Cumulative Supplement, 2008; to change a standard of review by the Tax Equalization and Review Commission; and to repeal the original section.

LEGISLATIVE BILL 581. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-958, 2-10,117, 2-2634, 2-5106, and 81-201.05, Reissue Revised Statutes of Nebraska, and section 2-958.01, Revised Statutes Cumulative Supplement, 2008; to change disposition of Pesticide Act registration fees and disposition of funds collected from sales of the Weeds of the Great Plains book; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 582. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to create the Nebraska Invasive Species Council; to state intent, define terms, and provide powers and duties.

LEGISLATIVE BILL 583. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.02, 77-2704.24, 79-1001, and 85-1517, Reissue Revised Statutes of Nebraska, and sections 77-2701, 77-2701.16, 77-2703.01, 77-2715.07, and 77-3442, Revised Statutes Cumulative Supplement, 2008; to change the sales tax rate; to impose sales tax on services except medical; to impose sales tax on food and provide an income tax credit; to eliminate local option sales taxes; to eliminate property tax authority of community college areas; to provide state funding for school employees, school transportation, and community colleges; to create a fund for property tax relief; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 13-319, 13-322, 13-323, 13-324, 13-325, 13-326, 13-2813, 13-2814, 13-2815, 13-2816, 77-27,142, 77-27,142.01, 77-27,142.02, 77-27,142.03, 77-27,142.04, 77-27,142.05, 77-27,145, 77-27,146, 77-27,147, and 77-27,148, Reissue Revised Statutes of Nebraska, and sections 77-27,143 and 77-27,144, Revised Statutes Cumulative Supplement, 2008.

LEGISLATIVE BILL 584. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to ethanol; to adopt the Agricultural Commodities Protection Act.

LEGISLATIVE BILL 585. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to adopt the Bovine Trichomoniasis Control Act; and to provide a penalty.

LEGISLATIVE BILL 589. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to child custody; to amend sections 42-364 and 43-2929, Reissue Revised Statutes of Nebraska; to designate both parents as

joint custodians unless there is proof otherwise; and to repeal the original sections.

LEGISLATIVE BILL 590. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to the Disabled Persons and Family Support Act; to amend sections 68-1502, 68-1504, 68-1505, 68-1506, 68-1508, 68-1510, 68-1511, 68-1512, 68-1513, 68-1515, 68-1516, 68-1518, and 68-1519, Reissue Revised Statutes of Nebraska, and sections 68-1503 and 68-1509, Revised Statutes Cumulative Supplement, 2008; to provide financial compensation for care given by families at home and special food and medical needs as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 591. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to public power; to amend section 70-1014, Reissue Revised Statutes of Nebraska; to change provisions relating to approval of applications for electric generation facilities; and to repeal the original section.

LEGISLATIVE BILL 592. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend section 71-5653, Revised Statutes Cumulative Supplement, 2008; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 593. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to amend sections 21-2602, 67-409, 76-1520, 76-1521, 76-1523, and 76-1524, Reissue Revised Statutes of Nebraska, and section 77-5203, Revised Statutes Cumulative Supplement, 2008; to state intent; to define terms; to restrict entity ownership of agricultural land and farm or ranch operations; to harmonize provisions; to provide for severability; and to repeal the original sections.

LEGISLATIVE BILL 594. Introduced by Dierks, 40; McCoy, 39.

A BILL FOR AN ACT relating to abortion; to adopt the Women's Health Protection Act; and to provide severability.

LEGISLATIVE BILL 595. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to motor vehicle accidents; to amend section 60-6,102, Reissue Revised Statutes of Nebraska; to change coroner's examination provisions; to define drugs; and to repeal the original section.

LEGISLATIVE BILL 596. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to fees; to amend section 33-107.01, Reissue Revised Statutes of Nebraska; to change a legal services fee; and to repeal the original section.

LEGISLATIVE BILL 597. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to learning communities; to amend section 79-769, Reissue Revised Statutes of Nebraska; to change provisions relating to collaborative focus programs, focus schools, or magnet schools; and to repeal the original section.

LEGISLATIVE BILL 600. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to pool halls; to amend section 28-1422, Reissue Revised Statutes of Nebraska, and sections 53-101 and 53-103, Revised Statutes Cumulative Supplement, 2008; to provide for an exemption for pool halls as prescribed; to define a term; to provide duties for pool hall owners; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 605. Introduced by Howard, 9; Dierks, 40.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-131.01, 53-135, and 53-149, Reissue Revised Statutes of Nebraska, and sections 53-101 and 53-132, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to license application and renewal requirements, denial of license applications, transfer of licenses, and storage of alcoholic liquor; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 608. Introduced by Mello, 5; Giese, 17.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Supreme Court for salary increases for county court employees; and to declare an emergency.

LEGISLATIVE BILL 609. Introduced by Mello, 5; Avery, 28; Campbell, 25; McGill, 26; Nordquist, 7; Sullivan, 41.

A BILL FOR AN ACT relating to child care; to amend section 68-1206, Revised Statutes Cumulative Supplement, 2008; to state intent; to define a term; to provide duties for the Department of Health and Human Services relating to contracts with providers; to change eligibility for a subsidy as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 610. Introduced by Mello, 5; Campbell, 25; Howard, 9.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-912, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to limitations on services for persons with disabilities; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 612. Introduced by Avery, 28; McGill, 26.

A BILL FOR AN ACT relating to school retirement; to amend sections 79-958 and 79-9,113, Reissue Revised Statutes of Nebraska; to prohibit school districts from reimbursing or paying employer retirement contributions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 615. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to cities and counties; to amend sections 18-2601, 18-2602, 18-2603, 18-2604, 18-2605, 18-2606, 18-2607, 18-2608, 18-2609, 23-2901, 23-2902, 23-2903, 23-2904, 23-2905, 23-2906, 23-2907, 23-2908, 23-2909, 23-2911, 31-763, 31-764, 31-765, and 31-766, Reissue Revised Statutes of Nebraska, and sections 77-2602 and 77-27,137.01, Revised Statutes Cumulative Supplement, 2008; to adopt the Family Entertainment and Sports Attraction Act; to rename the Municipal Infrastructure Redevelopment Fund Act; to expand the act to include counties; to rename a fund; to change and eliminate provisions relating to cigarette tax distributions for purposes of county and municipal infrastructure funding; to provide and change provisions relating to purpose, building uses, districts, petitions, hearings, notice, boundaries, boards of trustees, taxes, warrants, and annexation regarding county community buildings; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 77-2602.04, Revised Statutes Cumulative Supplement, 2008; and to declare an emergency.

LEGISLATIVE BILL 619. Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Nebraska Mental Health Commitment Act; to amend sections 71-906 and 71-915, Revised Statutes Cumulative Supplement, 2008; to redefine a term; to change provisions relating to membership on mental health boards; and to repeal the original sections.

LEGISLATIVE BILL 621. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to massage therapy; to amend section 38-1708, Reissue Revised Statutes of Nebraska; to provide an exemption from licensure; and to repeal the original section.

LEGISLATIVE BILL 622. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-125, Revised Statutes Cumulative Supplement, 2008; to provide time limits and penalties for late payment of medical payments; and to repeal the original section.

LEGISLATIVE BILL 624. Introduced by Haar, 21.

A BILL FOR AN ACT relating to energy; to provide for energy efficiency loans for public buildings; to create a fund; to define terms; and to provide duties for the State Energy Office.

LEGISLATIVE BILL 625. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Reissue Revised Statutes of Nebraska; to prohibit the intentional exposure to another of a life-threatening communicable disease; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 633. Introduced by Mello, 5; Howard, 9; Nordquist, 7; Cook, 13.

A BILL FOR AN ACT relating to community development; to create the Neighborhood Development Act; to create a fund; to provide powers and duties; and to provide a termination date.

LEGISLATIVE BILL 633A. Introduced by Mello, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 633, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 635. Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1472, Reissue Revised Statutes of Nebraska, and sections 49-1446, 49-1446.01, 49-1455, and 49-1478.01, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to reports to be filed by political party committees; and to repeal the original sections.

LEGISLATIVE BILL 636. Introduced by Mello, 5; Lathrop, 12; Lautenbaugh, 18; McCoy, 39; Nordquist, 7; Rogert, 16.

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

LEGISLATIVE BILL 637. Introduced by Mello, 5.

A BILL FOR AN ACT relating to insurance; to require disclosure of information by health carriers providing group health benefit plan coverages as prescribed; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 638. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend sections 28-915.01, 49-1415, 49-1456, 49-1457, 49-1459, 49-1461, 49-1465, 49-1470, 49-14,122, 49-14,129, and 49-14,141, Reissue Revised Statutes of Nebraska, and sections 49-1401, 49-1446, 49-1446.04, 49-1447, 49-1455, 49-1458, 49-1463, 49-1463.01, 49-1467, 49-1469, 49-1478, 49-1478.01, 49-1479.01, 49-1479.02, 49-14,123, 49-14,124, 49-14,124.01, 49-14,124.02, 49-14,125, 49-14,126, 49-14,133, and 49-14,140, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to filing campaign statements and reports; to repeal the Campaign Finance Limitation Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-1601, 32-1602, 32-1603, 32-1604, 32-1604.01, 32-1605,

32-1606, 32-1606.01, 32-1607, 32-1608, 32-1608.01 32-1608.02, 32-1608.03, 32-1609, 32-1610, 32-1611, 32-1612, 32-1613, and 77-27,119.04, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 639. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to public meetings; to amend section 84-1411, Reissue Revised Statutes of Nebraska; to change provisions relating to telephone conferencing; and to repeal the original section.

LEGISLATIVE BILL 641. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to agriculture; to create a production incentive for renewable diesel; and to create a fund.

LEGISLATIVE BILL 643. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to electric lines; to amend section 70-311, Reissue Revised Statutes of Nebraska; to extend the distance and time requirements relating to notice of certain road construction; to provide notice requirements for natural resource districts for certain road construction; and to repeal the original section.

LEGISLATIVE BILL 644. Introduced by Mello, 5; Haar, 21.

A BILL FOR AN ACT relating to recycling; to amend sections 81-1504.01 and 81-15,160, Reissue Revised Statutes of Nebraska; to adopt the Electronics Recycling Act; to provide fees; to provide for a report regarding and grants from the Waste Reduction and Recycling Incentive Fund; to delete obsolete provisions; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 645. Introduced by Mello, 5; Haar, 21.

A BILL FOR AN ACT relating to public contracts for services; to amend sections 73-501, 73-502, 73-504, 73-506, 73-507, and 81-154.01, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to certain contracts for services; to harmonize provisions; to repeal the original sections; and to outright repeal sections 73-301, 73-302, 73-303, 73-304, 73-305, 73-306, 73-307, and 73-509, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 646. Introduced by Christensen, 44; Carlson, 38; Hansen, 42; Schilz, 47; Wallman, 30; Giese, 17; McCoy, 39.

A BILL FOR AN ACT relating to agriculture; to amend section 81-12,128, Reissue Revised Statutes of Nebraska, and section 54-2426, Revised Statutes Cumulative Supplement, 2008; to adopt the Livestock Growth Act; to provide for funding and funding intent; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 648. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to highway planning; to state intent relating to funding for a study.

LEGISLATIVE BILL 650. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-471, 60-501, 60-520, 60-547, and 60-638, Reissue Revised Statutes of Nebraska, and sections 60-101, 60-102, 60-136, 60-301, 60-339, 60-4,126, 60-601, and 60-605, Revised Statutes Cumulative Supplement, 2008; to authorize the operation of minitrucks on public highways as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 651. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to water resources; to amend section 2-3226.04, Reissue Revised Statutes of Nebraska, and sections 2-3225, 2-3226.05, 2-3226.08, and 2-3226.09, Revised Statutes Cumulative Supplement, 2008; to adopt the Water Resources Revolving Loan Fund Act; to change provisions relating to use of property tax and occupation tax proceeds and river-flow enhancement bond proceeds as prescribed; to provide duties for natural resources districts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 652. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Enhanced Wireless 911 Services Act; to amend sections 86-442, 86-443, 86-461, 86-462, 86-464, 86-465, and 86-466, Reissue Revised Statutes of Nebraska; to change the membership and duties of the Enhanced Wireless 911 Advisory Board; to change provisions relating to service agreements and compensation of costs; to change duties of the Public Service Commission; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 656. Introduced by Harms, 48; Avery, 28; Haar, 21; Ashford, 20.

A BILL FOR AN ACT relating to health care; to adopt the Health Care Accessibility and Affordability Act; and to provide a termination date.

LEGISLATIVE BILL 657. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Microenterprise Development Act; to amend sections 81-1276, 81-1295, 81-1296, 81-1297, 81-1298, 81-1299, 81-12,102, 81-12,104, and 84-612, Reissue Revised Statutes of Nebraska; to change provisions relating to surety bond support, purposes, the Microenterprise Partnership Program, grants, and the annual report under the act; to eliminate provisions relating to findings, purposes, terms, grants, contracts, and rules and regulations under the act; to eliminate the Microenterprise Development Cash Fund; to eliminate provisions relating to Cash Reserve transfers; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-12,100, 81-12,101, 81-12,103, 81-12,105, and 81-12,105.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 659. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to community corrections; to state intent; to provide for data collection on individuals released from incarceration as prescribed; to provide for funding; and to declare an emergency.

LEGISLATIVE BILL 660. Introduced by Fulton, 29; Harms, 48; McCoy, 39.

A BILL FOR AN ACT relating to government auditing; to amend sections 84-305 and 84-311, Reissue Revised Statutes of Nebraska, and sections 50-1213, 50-1214, 50-1215, and 77-2711, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to access to information by the Legislative Performance Audit Section and Auditor of Public Accounts; to change and provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 661. Introduced by Gay, 14.

A BILL FOR AN ACT relating to the Medicaid Prescription Drug Act; to amend section 68-954, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to a preferred drug list; and to repeal the original section.

LEGISLATIVE BILL 662. Introduced by Janssen, 15; Pirsch, 4.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-616, 32-617, 32-623, 32-627, and 32-710, Reissue Revised Statutes of Nebraska; to change provisions relating to nomination for office; and to repeal the original sections.

LEGISLATIVE BILL 663. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to electricity; to amend sections 70-1012 and 70-1012.01, Reissue Revised Statutes of Nebraska; to adopt the Net Metering Act; to exempt certain utilities from a requirement for approval by the Nebraska Power Review Board; and to repeal the original sections.

LEGISLATIVE BILL 664. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-186, Reissue Revised Statutes of Nebraska; to change provisions relating to licenses to sell alcoholic liquor on public property; and to repeal the original section.

LEGISLATIVE BILL 666. Introduced by Langemeier, 23; Fischer, 43; Carlson, 38; Christensen, 44; Dierks, 40; Hadley, 37; Hansen, 42; Lautenbaugh, 18; McCoy, 39; Pankonin, 2; Price, 3; Rogert, 16; Schilz, 47; Utter, 33; Wightman, 36; Giese, 17; Stuthman, 22.

A BILL FOR AN ACT relating to the Niobrara Council; to amend sections 19-902, 23-114, 23-373, 72-2004.01, 72-2007, 72-2008, and 76-2,112, Reissue

Revised Statutes of Nebraska; to change and eliminate intent and powers and duties of the council; to change membership; to harmonize provisions; to repeal the original sections; to outright repeal sections 72-2005, 72-2010, 72-2011, and 72-2012, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 667. Introduced by Sullivan, 41; Carlson, 38; Dubas, 34; Loudon, 49.

A BILL FOR AN ACT relating to fences; to amend section 34-102, Reissue Revised Statutes of Nebraska; to state intent; to change provisions relating to division fences; and to repeal the original section.

LEGISLATIVE BILL 669. Introduced by Coash, 27; Campbell, 25; Pankonin, 2.

A BILL FOR AN ACT relating to courts; to amend sections 24-301.02, 24-503, and 43-2,119, Reissue Revised Statutes of Nebraska; to change the number of district court, county court, and separate juvenile court judges; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 669A. Introduced by Ashford, 20; Coash, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 669, One Hundred First Legislature, First Session, 2009; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 674. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to the University of Nebraska; to provide powers and duties for the Board of Regents of the University of Nebraska; to provide confidentiality for certain audit reports, files, and working papers; to define terms; and to provide a penalty.

LEGISLATIVE BILL 676. Introduced by Fulton, 29; Mello, 5; Nordquist, 7; Pirsch, 4; Janssen, 15.

A BILL FOR AN ACT relating to abortion; to amend sections 28-326, 28-327, 28-327.01, 28-327.03, and 28-327.04, Reissue Revised Statutes of Nebraska; to provide for additional voluntary and informed consents from the pregnant woman; to define terms; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 678. Introduced by Haar, 21.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1413, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to minutes of meetings; and to repeal the original section.

LEGISLATIVE BILL 680. Introduced by Appropriations Committee: Heidemann, 1, Chairperson; Fulton, 29; Hansen, 42; Harms, 48; Mello, 5; Nantkes, 46; Nelson, 6; Nordquist, 7; Wightman, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to carry out the federal American Recovery and Reinvestment Act of 2009; to provide an operative date; and to declare an emergency.

RESOLUTIONS

LEGISLATIVE RESOLUTION 6CA. Introduced by Karpisek, 32; Fischer, 43.

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

Section 1. At the general election in November 2010 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 24:

III-24 (1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services, or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.

(3)(a) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for the following purposes, as directed by the Legislature:

(i) The first five hundred thousand dollars after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund;

(ii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;

(iii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education as the Legislature may direct;

(iv) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

(v) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund.

(b) No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of the Legislature.

(4) Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

(5)(a) Racetrack gaming limited to a total of three thousand five hundred gaming devices, allocated to no more than seven racetrack facilities licensed to conduct such gaming, shall be permitted subject to prior approval or rejection by the governing body of the political subdivision within which the racetrack is located. The licensing, administration, regulation, and financial monitoring of racetrack facilities conducting racetrack gaming and the allocation of gaming devices among racetracks conducting racetrack gaming shall be the duty and responsibility of the State Racing Commission.

(b) For purposes of this subsection:

(i) Gross gaming revenue means all cash or other consideration utilized to play player-activated electronic or video gaming devices operated at a racetrack facility, less all cash or other consideration paid out to winning players as prizes;

(ii) Racetrack facility means a licensed racetrack which conducts wagering by the parimutuel method on thoroughbred horseracing; and

(iii) Racetrack gaming means games of chance played for money, credit, or any representation of value using player-activated electronic or video gaming devices at a racetrack facility.

(c) Racetrack facilities shall remit gross gaming revenue to the commission for credit to the Gaming Revenue Cash Fund. The Legislature shall appropriate the Gaming Revenue Cash Fund for the following purposes, and the fund shall be allocated by the commission as follows:

(i) Forty percent shall be allocated to the State Treasurer. The State Treasurer shall credit such money to the Highway Trust Fund;

(ii) Two percent shall be allocated to the Gaming Administration Cash Fund, which fund shall be used solely for administrative expenses incurred by the commission in the performance of its responsibilities in regard to racetrack gaming;

(iii) Thirty-nine percent shall be allocated to the racetrack gaming licensees for establishing, equipping, operating, and maintaining their respective racetrack gaming operations and for accounting and security expenses, including the licensees' payment of obligations to contractors who provide some or all of those services;

(iv) One percent shall be allocated to the State Treasurer. The State Treasurer shall credit such money to the Compulsive Gamblers Assistance Fund or, if it ceases to operate, to a comparable gamblers assistance fund established under state authority;

(v) Four percent shall be allocated to the political subdivisions which approve racetrack gaming within their jurisdictions;

(vi) Ten percent shall be allocated to racetrack facilities for the sole purpose of supplementing purses at live thoroughbred races;

(vii) Two percent shall be allocated to entities approved by the commission for the development and improvement of the thoroughbred breeding industry in Nebraska; and

(viii) Two percent shall be allocated to entities approved by the commission for the development and improvement of the following equine activities in Nebraska: The quarterhorse industry; large-animal veterinary medicine; and equine therapy.

(d) Amounts remaining at the end of a biennium in the Gaming Revenue Cash Fund or the Gaming Administration Cash Fund shall be reappropriated for the uses described in this subsection.

(e) The commission shall require at least annual auditing by one or more independent auditors approved by the commission of all expenditures by each distributee to ensure that the funds are used only for the purposes described in this subsection and in a manner consistent with the rules and regulations of the commission.

(f) Nothing in this Constitution shall be construed to prohibit the Legislature from enacting legislation to facilitate the implementation of this subsection.

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

A constitutional amendment to permit racetrack gaming limited to a total of three thousand five hundred gaming devices at thoroughbred racetrack facilities, to provide for licensing, administration, regulation, and financial monitoring of racetrack gaming by the State Racing Commission, and to allocate gaming revenue.

For

Against.

LEGISLATIVE RESOLUTION 9. Introduced by Fulton, 29.

WHEREAS, the State of Nebraska holds an interest in preventing illegal immigration and securing the public health, safety, and welfare against terrorism and criminal activity; and

WHEREAS, protection of the public health, safety, and welfare is most effectively accomplished by the utilization of federal, state, and local law enforcement resources; and

WHEREAS, section 287(g) of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 authorizes the United States Secretary of Homeland Security to enter into agreements with municipal, county, and state law enforcement agencies granting designated officers the authority to perform immigration law enforcement functions, pursuant to a memorandum of agreement; and

WHEREAS, the memorandum of agreement allows municipal, county, and state law enforcement officers to receive the appropriate training in immigration law enforcement from U.S. Immigration and Customs Enforcement officers; and

WHEREAS, memoranda of agreement with other municipal, county, and state law enforcement agencies have improved immigration law enforcement in several states.

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

1. That the Legislature encourages all municipal, county, and state law enforcement agencies in Nebraska to respectively enter into memoranda of agreement, authorized by section 287(g) of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996, with the United States Department of Homeland Security to perform immigration law enforcement functions.

2. That a copy of this resolution be delivered to all municipal, county, and state law enforcement agencies in the State of Nebraska.

LEGISLATIVE RESOLUTION 26. Introduced by Lautenbaugh, 18; Carlson, 38; Christensen, 44; Dubas, 34; Fulton, 29; McCoy, 39; Price, 3; Schilz, 47.

WHEREAS, Barack Obama, President of the United States, has promised that one of the top priorities of his new administration is to sign into law the "Freedom of Choice Act", not yet introduced to the 111th Congress, but previously introduced to the 110th Congress as H.R.1964 and S.1173, which purports to classify abortion as a "fundamental right", equal in stature to the right to free speech and the right to vote - rights that, unlike abortion, are specifically enumerated in the United States Constitution; and

WHEREAS, the federal "Freedom of Choice Act" would invalidate any "statute, ordinance, regulation, administrative order, decision, policy, practice, or other action" of any federal, state, or local government or governmental official (or any person acting under government authority) that would "deny or interfere with a woman's right to choose" abortion, or that would "discriminate against the exercise of the right . . . in the regulation or provision of benefits, facilities, services, or information"; and

WHEREAS, the federal "Freedom of Choice Act" would nullify any federal or state law "enacted, adopted, or implemented before, on, or after the date of its enactment" and would effectively prevent the State of Nebraska from enacting similar protective measures in the future; and

WHEREAS, the federal "Freedom of Choice Act" would invalidate more than five hundred fifty federal and state abortion-related laws, laws supported by the majority of the American public; and

WHEREAS, the federal "Freedom of Choice Act" would specifically invalidate the following common-sense, protective laws properly enacted by the State of Nebraska: Sections 28-325 to 28-345, Reissue Revised Statutes of Nebraska; and

WHEREAS, the federal "Freedom of Choice Act" will not make abortion safe or rare, but will instead actively promote and subsidize abortion with state and federal tax dollars and do nothing to ensure its safety; and

WHEREAS, the federal "Freedom of Choice Act" will protect and promote the abortion industry, sacrifice women and their health to a radical political ideology of unregulated abortion-on-demand, and silence the voices of everyday Americans who want to engage in a meaningful public discussion and debate over the availability, safety, and even desirability of abortion.

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

1. That the Legislature strongly opposes the federal "Freedom of Choice Act" and urges Congress to summarily reject it.

2. That the Legislature strongly opposes the federal "Freedom of Choice Act" because it seeks to circumvent the states' general legislative authority as guaranteed under the Tenth Amendment to the United States Constitution.

3. That the Legislature strongly opposes the federal "Freedom of Choice Act" because it seeks to undermine the right and responsibility of the states and the people to debate, vote on, and determine abortion policy.

4. That the Legislature strongly opposes the federal "Freedom of Choice Act" because the protection of women's health through state regulations on abortion is a compelling state interest that should not be nullified by Congress.

5. That the Legislature strongly opposes the federal "Freedom of Choice Act" because its enactment would nullify sections 28-325 to 28-345, Reissue Revised Statutes of Nebraska, laws that the Legislature and the people of Nebraska strongly support.

6. That the Secretary of State of Nebraska transmit a copy of this resolution to the Governor of Nebraska, President of the United States, President of the United States Senate, and Speaker of the United States House of Representatives.

LEGISLATIVE RESOLUTION 223. Introduced by Council, 11.

WHEREAS, the State of Nebraska recognizes its immigrant history of hard-working families coming to our state to make a better life for themselves; and

WHEREAS, immigrants have always been an important part of the social and economic fabric of the State of Nebraska; and

WHEREAS, in recent years new immigrants are once again coming to the State of Nebraska, helping to boost our population and revitalize our communities; and

WHEREAS, the economic and other contributions of these newcomers to our state are significant and include paying taxes and contributing to our schools, churches, neighborhoods, and communities; and

WHEREAS, our federal immigration system is broken, leaving local communities and the state to grapple with the consequences. This broken system has also led to lost opportunities; and

WHEREAS, our federal immigration system should uphold our basic values of family, economic opportunity, and fairness; and

WHEREAS, by restoring order to our federal immigration system, such reform will make our nation more secure, help to meet our labor needs, and uphold our basic values as a nation; and

WHEREAS, the need for rational and humane immigration reform is recognized by businesses, educators, faith communities, labor groups, state and local elected officials, and other leaders and sectors in the State of Nebraska; and

WHEREAS, the State of Nebraska recognizes that there is now a movement and a real possibility to enact meaningful immigration reform at the federal level.

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

1. That the Legislature urges the members of Nebraska's congressional delegation to work to pass rational and humane immigration reform which simultaneously addresses the following:

- a. The situation of undocumented workers currently in the United States;
 - b. The future flow of undocumented workers into the United States;
 - c. The need for tailored, targeted, and effective enforcement that respects the human and legal rights of all involved;
 - d. Support for the successful integration of newcomers into the communities where they settle; and
 - e. The need to ensure full due process rights for all.
2. That the Legislature further urges the members of Nebraska's congressional delegation to ensure that any immigration reform conform with the following principles:
- a. Provide a meaningful path to citizenship for undocumented workers currently in the United States and for future workers and close family members;
 - b. Protect workers, both immigrant and American-born, from exploitation;
 - c. Reunite families;
 - d. Restore the rule of law and enhance security; and
 - e. Promote citizenship and civic participation.
3. That a copy of this resolution be sent to the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, and each member of Nebraska's congressional delegation.

FIRST DAY - JANUARY 6, 2010

LEGISLATIVE JOURNAL

**ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION**

FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 6, 2010

PRAYER

The prayer was offered by Senator Wightman.

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 First 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 6, 2010, and was called to order by President Sheehy.

The roll was called and the following members were present:

Adams, Greg L.	Giese, Robert J.	Mello, Heath
Ashford, Brad	Gloor, Mike	Nelson, John E.
Avery, Bill	Haar, Ken	Nordquist, Jeremy
Campbell, Kathy	Hadley, Galen	Pahls, Rich
Carlson, Tom	Hansen, Thomas F.	Pankonin, Dave
Christensen, Mark	Harms, John N.	Pirsch, Pete
Coash, Colby	Heidemann, Lavon L.	Price, Scott
Conrad, Danielle	Howard, Gwen	Rogert, Kent
Cook, Tanya	Janssen, Charlie	Schilz, Ken
Cornett, Abbie	Karpisek, Russ	Stuthman, Arnie
Council, Brenda J.	Krist, Bob	Sullivan, Kate
Dierks, Cap	Langemeier, Chris	Utter, Dennis
Dubas, Annette M.	Lathrop, Steve	Wallman, Norman
Fischer, Deb	Lautenbaugh, Scott	White, Tom
Flood, Mike	Louden, LeRoy J.	Wightman, John
Fulton, Tony	McCoy, Beau	
Gay, Tim	McGill, Amanda M.	

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.

Secretary 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 First Legislature, Second Session, 2010.

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 First Legislature, Second Session, 2010.

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 ten.

(SEAL)

John A. Gale, Secretary of State

DISTRICT/NAME**ELECTED**

- 1 Lavon L. Heidemann
- 2 Dave Pankonin
- 3 Scott Price
- 4 Pete Pirsch
- 5 Heath Mello
- 6 John E. Nelson
- 7 Jeremiah Nordquist
- 8 Tom White
- 9 Gwen Howard

November 4, 2008
 November 7, 2006
 November 4, 2008
 November 7, 2006
 November 4, 2008
 November 7, 2006
 November 4, 2008
 November 7, 2006
 November 4, 2008

10	Bob Krist	Appointed September 11, 2009
11	Brenda J. Council	November 4, 2008
12	Steve Lathrop	November 7, 2006
13	Tanya Cook	November 4, 2008
14	Tim Gay	November 7, 2006
15	Charlie Janssen	November 4, 2008
16	Kent Rogert	November 7, 2006
17	Robert J. Giese	November 4, 2008
18	Scott Lautenbaugh	(2 year term) November 4, 2008
19	Mike Flood	November 4, 2008
20	Brad Ashford	November 7, 2006
21	Ken Haar	November 4, 2008
22	Arnie Stuthman	November 7, 2006
23	Chris Langemeier	November 4, 2008
24	Greg L. Adams	November 7, 2006
25	Kathy Campbell	November 4, 2008
26	Amanda M. McGill	November 7, 2006
27	Colby Coash	November 4, 2008
28	Bill Avery	November 7, 2006
29	Tony Fulton	November 4, 2008
30	Norman Wallman	November 7, 2006
31	Rich Pahls	November 4, 2008
32	Russ Karpisek	November 7, 2006
33	Dennis Utter	November 4, 2008
34	Annette M. Dubas	November 7, 2006
35	Mike Gloor	November 4, 2008
36	John Wightman	November 7, 2006
37	Galen Hadley	November 4, 2008
38	Tom Carlson	November 7, 2006
39	Beau McCoy	November 4, 2008
40	Cap Dierks	November 7, 2006
41	Kate Sullivan	November 4, 2008
42	Thomas F. Hansen	November 7, 2006
43	Deb Fischer	November 4, 2008
44	Mark Christensen	November 7, 2006
45	Abbie Cornett	November 4, 2008
46	Danielle Conrad (Nantkes)	November 7, 2006
47	Ken Schilz	November 4, 2008
48	John N. Harms	November 7, 2006
49	LeRoy J. Louden	November 4, 2008

MESSAGES FROM THE GOVERNOR

November 23, 2009

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 to the Nebraska Oil and Gas Conservation Commission:

Perry Van Newkirk, 3716 Longhorn Road, Kimball, NE 69145

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

November 23, 2009

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 Game and Parks Commission:

Norris Marshall, 186 W Road, Kearney, NE 68845

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

Jerrold Burke, 220 Crook Avenue, Curtis, NE 69025

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 9, 2009

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 to the State Electrical Board:

Michael Hiatt, 1045 Main Street, Rising City, NE 68658

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 9, 2009

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 Tax Equalization and Review Commission:

Robert W. Hotz, 8117 Imperial Circle, Lincoln, NE 68506

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 10, 2009

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 to the Board of Educational Lands and Funds:

Martin Demuth, 1107 Lockview Dr., Hastings, NE 68901

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 11, 2009

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:

Nancy Oltman, 518 N. Bellevue, Hastings, NE 68901
Darrell Walla, 13322 Trendwood, Omaha, NE 68144

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 17, 2009

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 to the State Emergency Response Commission:

Reynold McMeen, 1924 Westridge, Broken Bow, NE 68822

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, 2009

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 individuals are being reappointed to the Nebraska State Fair Board:

Sallie Atkins, 83975 Atkins Road, Halsey, NE 69142
Linda Lovgren, 809 N. 96th St., Omaha, NE 68114

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

COMMUNICATION

Pursuant to 84-104.05 R.R.S. of Nebraska Governor Dave Heineman issued a proclamation declaring January 5, 2010, as George W. Norris Day.

UNANIMOUS CONSENT - Add Cointroducers

Senator Krist asked unanimous consent to add his name as cointroducer to LB67. No objections. So ordered.

Senator Howard asked unanimous consent to add her name as cointroducer to LB25. No objections. So ordered.

REPORTS

The following reports were received by the Legislature:

Children's Behavioral Health Oversight Committee

2009 Report

Coordinating Commission for Postsecondary Education

LB340 Community College Study

LB340 Community College Study Executive Summary

Economic Development, Department of

Annual Job Training Cash Fund Report (Customized Job Training Program)

Local Civic, Cultural, and Convention Center Financing Fund Annual Report

Environmental Quality, Department of

2009 Annual Report

Fiscal Office, Legislative

Monthly Consensus Estimate of General Fund Receipts

Health and Human Services

2009 Nebraska Health Care Funding Act Report

Annual Report Pursuant to LB603 - Children's Behavioral Health Support Act

Medicaid Reform Annual Report

Supplemental Nutrition Assistance Program Benefits (formerly Food Stamp Program)

Investment Council

Northern Ireland Reporting Requirements Report

Retirement Systems, Public Employees

FY 2009 Disabled Persons and Family Support Program

Judges' Retirement Systems 2009 Forty-third Actuarial Report for State Fiscal Year Ending June 30, 2011 and System Plan Year Beginning July 1, 2009

School Retirement System 2009 Fifty-sixth Actuarial Report for State Fiscal Year Ending June 30, 2011 and System Plan Year Beginning July 1, 2009

State Patrol Retirement System 2009 Fifty-third Actuarial Report for State Fiscal Year Ending June 30, 2011 and System Plan Year Beginning July 1, 2009

Revenue, Nebraska Department of

Monthly Consensus Estimate of General Fund Receipts

Rural Development Commission

Annual Report

Southeast Community College

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

Provided
University of Nebraska
Business Plan for the Innovation Campus
Master Plan for the Innovation Campus
Workers' Compensation Court
67th Annual Report, Fiscal Year 2009

BILLS ON FIRST READING

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

LEGISLATIVE BILL 682. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Department of Natural Resources; to eliminate a terminated fund; and to outright repeal section 61-217, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 683. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Department of Natural Resources; to eliminate an obsolete intent provision; and to outright repeal section 61-219, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 684. Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to social security; to amend sections 68-601, 68-602, 68-603, 68-604, 68-605, 68-608, 68-610, 68-620, 68-621, 68-622, and 68-631, Reissue Revised Statutes of Nebraska; to eliminate two terminated funds; to harmonize provisions; to repeal the original sections; and to outright repeal sections 68-612 and 68-613, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 685. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-401.01, Revised Statutes Cumulative Supplement, 2008; to change membership provisions relating to the Executive Board of the Legislative Council; and to repeal the original section.

LEGISLATIVE BILL 686. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to registers of deeds; to amend sections 25-529, 25-531, 25-2154, 33-109, 52-1004, and 77-3903, Reissue Revised Statutes of Nebraska, and section 60-169, Revised Statutes Cumulative Supplement, 2008; to change and eliminate fees received by clerks and registers of deeds; to harmonize provisions; to provide an operative date; to

repeal the original sections; and to outright repeal section 33-112, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 687. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-2322, 30-2323, and 30-2325, Reissue Revised Statutes of Nebraska; to change the amount of the homestead allowance, exempt property, and family allowance; and to repeal the original sections.

LEGISLATIVE BILL 688. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-1903, 60-1903.01, 60-1904, 60-1905, 60-1906, 60-1907, 60-1908, 60-1909, 60-1910, and 60-1911, Reissue Revised Statutes of Nebraska, section 60-1902, Revised Statutes Cumulative Supplement, 2008, and sections 60-166 and 60-1901, Revised Statutes Supplement, 2009; to change and provide provisions relating to abandoned vehicles and vessels; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 689. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the ethanol excise tax; to amend sections 66-1345, 66-1345.01, and 66-1345.02, Reissue Revised Statutes of Nebraska, and section 61-218, Revised Statutes Cumulative Supplement, 2008, as amended by section 39, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to change provisions relating to remittance of excise tax; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 690. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to trade names; to amend sections 87-214 and 87-219, Reissue Revised Statutes of Nebraska; to change deadline provisions relating to trade name publication filings; and to repeal the original sections.

LEGISLATIVE BILL 691. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.03, Reissue Revised Statutes of Nebraska, and sections 81-885.10, 81-885.25, and 81-885.29, Revised Statutes Supplement, 2009; to provide for jurisdiction and the issuance of cease and desist orders as prescribed; to provide for fines; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 692. Introduced by Price, 3.

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

77-1311.03, Reissue Revised Statutes of Nebraska; to change a duty of county assessors; and to repeal the original section.

LEGISLATIVE BILL 693. Introduced by Price, 3.

A BILL FOR AN ACT relating to insurance; to amend sections 44-114, 44-134, 44-135, 44-152, 44-162, 44-304, 44-319.06, 44-710.08, 44-2710, 44-4850, and 44-6203, Reissue Revised Statutes of Nebraska, and section 44-2132, Revised Statutes Cumulative Supplement, 2008; to provide for interstate agreements to authorize foreign insurers to offer sickness and accident insurance as prescribed; to state intent; to provide powers and duties for the Director of Insurance and the Attorney General; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 694. Introduced by Price, 3.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 2009; to provide restrictions for sexual predators; to define terms; to provide penalties; and harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 695. Introduced by Price, 3.

A BILL FOR AN ACT relating to Small Claims Court; to amend section 25-2802, Reissue Revised Statutes of Nebraska; to change the jurisdictional amount; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 696. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Integrated Solid Waste Management Act; to amend section 13-2042, Reissue Revised Statutes of Nebraska, and section 13-2042.01, Revised Statutes Supplement, 2009; to change provisions relating to disposal fees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 697. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-609, Reissue Revised Statutes of Nebraska; to prohibit use of interactive wireless communication devices by school bus drivers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 698. Introduced by Loudon, 49.

A BILL FOR AN ACT relating revenue and taxation; to amend sections 77-908 and 77-912, Reissue Revised Statutes of Nebraska, and sections 44-32,180 and 44-4726, Revised Statutes Cumulative Supplement, 2008; to eliminate certain insurance premium tax provisions; to harmonize

provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 699. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to arrests; to amend sections 28-1473 and 28-1474, Reissue Revised Statutes of Nebraska, and sections 37-1201 and 60-601, Revised Statutes Supplement, 2009; to require information obtained pursuant to arrest for any felony or for flying, boating, or driving under the influence be forwarded to federal immigration authorities as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 700. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to public safety; to require residential construction or remodeling work to be supervised or performed by a person certified as prescribed in order to obtain a building permit; and to define a term.

LEGISLATIVE BILL 701. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to the ICF/MR Reimbursement Protection Act; to amend section 68-1804, Reissue Revised Statutes of Nebraska; to change provisions relating to allocation of a fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 702. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to medical records; to amend section 71-8403, Reissue Revised Statutes of Nebraska; to change provisions relating to requests for access to medical records; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 703. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to powers of attorney; to amend sections 30-2664 and 49-1501, Reissue Revised Statutes of Nebraska; to change provisions relating to the Uniform Durable Power of Attorney Act, the Nebraska Short Form Act, and general powers of attorney; and to repeal the original sections.

LEGISLATIVE BILL 704. Introduced by Haar, 21; Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,235, Reissue Revised Statutes of Nebraska; to change a renewable energy tax credit; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 705. Introduced by Haar, 21.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,124, Revised Statutes Supplement, 2009; to provide for issuance of disabled veteran license plates as prescribed; and to repeal the original section.

LEGISLATIVE BILL 706. Introduced by Haar, 21.

A BILL FOR AN ACT relating to hearing interpreters; to amend section 20-156, Reissue Revised Statutes of Nebraska; to change provisions relating to fees; and to repeal the original section.

LEGISLATIVE BILL 707. Introduced by Haar, 21.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-311.08, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to unlawful intrusion; and to repeal the original section.

LEGISLATIVE BILL 708. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-202.03 and 77-202.09, Reissue Revised Statutes of Nebraska; to change certain date provisions relating to property tax exemptions as prescribed; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 709. Introduced by White, 8.

A BILL FOR AN ACT relating to rules and regulations; to adopt the Small Business Regulatory Flexibility Act.

LEGISLATIVE BILL 710. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to the Chiropractic Practice Act; to amend sections 38-801 and 38-802, Reissue Revised Statutes of Nebraska; to define terms; to prohibit certain activities as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 711. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to unified school systems; to amend section 79-4,108, Reissue Revised Statutes of Nebraska; to change provisions relating to interlocal agreements; and to repeal the original section.

LEGISLATIVE BILL 712. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to the Disposition of Personal Property Landlord and Tenant Act; to amend sections 69-2304 and 69-2308, Reissue Revised Statutes of Nebraska; to change provisions relating to the disposition of personal property; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 713. Introduced by Gloor, 35; Adams, 24.

A BILL FOR AN ACT relating to schools; to amend sections 79-248, 79-249, and 79-250, Reissue Revised Statutes of Nebraska; to change provisions relating to health inspections; and to repeal the original sections.

LEGISLATIVE BILL 714. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1474.01, Reissue Revised Statutes of Nebraska; to change requirements for disclaimers on political material; and to repeal the original section.

LEGISLATIVE BILL 715. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Nebraska State Capitol Environs District; to amend section 90-304, Reissue Revised Statutes of Nebraska; to authorize projects in a specified portion of the district by the State of Nebraska, the city of Lincoln, or the county of Lancaster as prescribed; and to repeal the original section.

LEGISLATIVE BILL 716. Introduced by Avery, 28.

A BILL FOR AN ACT relating to community colleges; to amend sections 32-603, 32-604, and 85-1512, Reissue Revised Statutes of Nebraska; to change provisions relating to the community college boards of governors for community college areas; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 717. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Legislature; to amend section 49-1499, Revised Statutes Cumulative Supplement, 2008; to require statements of potential conflicts of interest to be placed in the Legislative Journal; and to repeal the original section.

LEGISLATIVE BILL 718. Introduced by Avery, 28.

A BILL FOR AN ACT relating to petitions; to amend sections 32-628, 32-630, 32-1303, and 32-1304, Reissue Revised Statutes of Nebraska; to change requirements for petitions and petition circulators; and to repeal the original sections.

LEGISLATIVE BILL 719. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,232, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to the use of a rotating or flashing amber light on

a motor vehicle; and to repeal the original section.

LEGISLATIVE BILL 720. Introduced by Avery, 28.

A BILL FOR AN ACT relating to consumer protection; to provide requirements for and prohibit certain practices by customer loyalty or incentive programs.

LEGISLATIVE BILL 721. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the State Building Administrator; to amend section 81-1108.12, Reissue Revised Statutes of Nebraska; to change qualifications provisions as prescribed; and to repeal the original section.

LEGISLATIVE BILL 722. Introduced by Avery, 28.

A BILL FOR AN ACT relating to state government; to amend sections 11-201, 72-815, and 81-1017, Reissue Revised Statutes of Nebraska; to change a bonding requirement; to change a provision relating to sale of state real property; to eliminate an exception relating to state-owned motor vehicles; and to repeal the original sections.

LEGISLATIVE BILL 723. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Telecommunications Relay System Act; to amend section 86-313, Reissue Revised Statutes of Nebraska; to change surcharge remittance requirements; and to repeal the original section.

LEGISLATIVE BILL 724. Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend sections 81-1252 and 81-1261, Reissue Revised Statutes of Nebraska; to provide for use of tax proceeds for tourism promotion; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 725. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to motor carriers; to amend sections 75-362 and 75-363, Reissue Revised Statutes of Nebraska; to define fertilizer and agricultural chemical application and distribution equipment and to change the applicability of certain adopted federal rules; and to repeal the original sections.

LEGISLATIVE BILL 726. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Alzheimer's Special Care Disclosure Act; to amend section 71-516.04, Reissue Revised Statutes of Nebraska; to provide requirements for staff training as prescribed; and to repeal the

original section.

LEGISLATIVE BILL 727. Introduced by Coash, 27; Ashford, 20; Lathrop, 12.

A BILL FOR AN ACT relating to courts; to amend section 24-730, Reissue Revised Statutes of Nebraska; to change provisions relating to compensation of retired judges for temporary duty; and to repeal the original section.

LEGISLATIVE BILL 728. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to offenses against children; to amend section 29-119, Reissue Revised Statutes of Nebraska; to adopt the Exploited Children's Civil Remedy Act; to redefine a term with respect to plea agreements; and to repeal the original section.

LEGISLATIVE BILL 729. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to elevators; to amend section 81-405, Reissue Revised Statutes of Nebraska; to repeal the Conveyance Safety Act; to harmonize provisions; to repeal the original section; and to outright repeal sections 48-2501, 48-2502, 48-2503, 48-2504, 48-2506, 48-2507, 48-2508, 48-2509, 48-2510, 48-2511, 48-2512, 48-2512.01, 48-2513, 48-2514, 48-2515, 48-2516, 48-2517, 48-2518, 48-2519, 48-2520, 48-2521, 48-2522, 48-2523, 48-2524, 48-2525, 48-2526, 48-2527, 48-2528, 48-2529, 48-2530, 48-2531, 48-2532, and 48-2533, Revised Statutes Cumulative Supplement, 2008.

LEGISLATIVE BILL 730. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to limited liability companies; to amend section 21-2654, Revised Statutes Supplement, 2009; to change provisions relating to charging orders; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 731. Introduced by Utter, 33.

A BILL FOR AN ACT relating to the Noxious Weed Control Act; to amend sections 2-954, 2-955, and 2-959, Reissue Revised Statutes of Nebraska; to change provisions relating to noxious weed control funds; and to repeal the original sections.

LEGISLATIVE BILL 732. Introduced by Utter, 33.

A BILL FOR AN ACT relating to real property; to amend sections 25-1326, 25-1327, 25-2144, and 77-1912, Reissue Revised Statutes of Nebraska; to change provisions relating to certain forced sales; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 733. Introduced by Gay, 14.

A BILL FOR AN ACT relating to local public health departments; to amend section 77-2704.15, Reissue Revised Statutes of Nebraska, and section 13-903, Revised Statutes Supplement, 2009; to include such departments under the Political Subdivisions Tort Claims Act and provide a sales tax exemption; and to repeal the original sections.

LEGISLATIVE BILL 734. Introduced by Gay, 14.

A BILL FOR AN ACT relating to utility service; to amend sections 70-1603 and 70-1605, Reissue Revised Statutes of Nebraska; to change provisions relating to notice of discontinuation; and to repeal the original sections.

LEGISLATIVE BILL 735. Introduced by Gay, 14.

A BILL FOR AN ACT relating to telecommunications; to adopt the Kelsey Smith Act.

LEGISLATIVE BILL 736. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to real property; to provide for liens for assessments and fines by homeowners' associations as prescribed; and to declare an emergency.

LEGISLATIVE BILL 737. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to state administrative departments; to amend section 81-1316, Reissue Revised Statutes of Nebraska; to provide an exemption from the State Personnel System for certain employees; and to repeal the original section.

LEGISLATIVE BILL 738. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to the Nebraska Trust Deeds Act; to amend section 76-1004, Reissue Revised Statutes of Nebraska; to change provisions relating to the substitution of trustee; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 739. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to eliminate provisions relating to driver training schools; and to outright repeal sections 60-4,176, 60-4,177, 60-4,178, and 60-4,179, Reissue Revised Statutes of Nebraska, and sections 60-4,173, 60-4,174, and 60-4,175, Revised Statutes Cumulative Supplement, 2008.

LEGISLATIVE BILL 740. Introduced by Agriculture Committee: Carlson, 38, Chairperson; Council, 11; Dierks, 40; Karpisek, 32; Price, 3;

Schilz, 47; Wallman, 30; Louden, 49.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-201.05, 81-2,147.11, 81-2,291, and 89-1,100, Reissue Revised Statutes of Nebraska, as amended by sections 62, 63, 64, and 101, respectively, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009, section 54-857, Revised Statutes Cumulative Supplement, 2008, as amended by section 29, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009, and section 2-5106, Revised Statutes Supplement, 2009, as amended by section 6, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to eliminate transfer provisions from certain funds; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 741. Introduced by Avery, 28; Louden, 49; Pirsch, 4.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1003, Revised Statutes Supplement, 2009, as amended by section 3, Legislative Bill 5, One Hundred First Legislature, First Special Session, 2009; to exclude lobbying expenses from the definition of general fund operating expenditures; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 742. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to government; to provide requirements for settlement agreements; to provide that settlement agreements are public records; to prohibit confidentiality and nondisclosure clauses and provisions; and to define terms.

LEGISLATIVE BILL 743. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Game and Parks Commission; to authorize the commission to convey certain real estate for park purposes; to prescribe conditions; to outright repeal section 90-215, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 744. Introduced by Giese, 17.

A BILL FOR AN ACT relating to the State Electrical Board; to amend section 81-2104, Reissue Revised Statutes of Nebraska; to provide authority to adopt the National Electrical Code by rules and regulations instead of statute; and to repeal the original section.

LEGISLATIVE BILL 745. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Nebraska Scholarship Act; to amend section 85-1906, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 746. Introduced by Giese, 17; Council, 11; Mello, 5; Nordquist, 7; White, 8.

A BILL FOR AN ACT relating to civil rights; to amend sections 20-504 and 20-506, Reissue Revised Statutes of Nebraska; to change provisions relating to racial profiling; and to repeal the original sections.

LEGISLATIVE BILL 747. Introduced by Louden, 49; Carlson, 38; Christensen, 44; Dubas, 34; Fischer, 43; Fulton, 29; Haar, 21; Harms, 48; Langemeier, 23; Mello, 5; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-202 and 37-559, Reissue Revised Statutes of Nebraska, and section 37-201, Revised Statutes Supplement, 2009; to define predator; to provide for killing depredating or aggressive mountain lions; to provide for a permit; to provide powers and duties for the Game and Parks Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 748. Introduced by Louden, 49; Avery, 28; Carlson, 38; Dubas, 34; Haar, 21; Stuthman, 22; Wallman, 30.

A BILL FOR AN ACT relating to food establishments; to amend section 81-2,245.01, Reissue Revised Statutes of Nebraska; to change provisions relating to an exemption; and to repeal the original section.

LEGISLATIVE BILL 749. Introduced by Louden, 49; Avery, 28; Carlson, 38; Haar, 21; Wallman, 30.

A BILL FOR AN ACT relating to roads; to amend section 39-1390, Reissue Revised Statutes of Nebraska, as amended by section 20, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to designate certain roads as state recreation roads; and to repeal the original section.

LEGISLATIVE BILL 750. Introduced by Adams, 24.

A BILL FOR AN ACT relating to schools; to amend section 79-1018.01, Reissue Revised Statutes of Nebraska, and section 79-1003, Revised Statutes Supplement, 2009, as amended by section 3, Legislative Bill 5, One Hundred First Legislature, First Special Session, 2009; to provide for gifts of real property to the Board of Educational Lands and Funds; to redefine terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 751. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to secured transactions; to amend section 9-506, Uniform Commercial Code, Revised Statutes Supplement, 2009; to change provisions relating to the effects of errors and omissions in financing

statements; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 752. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to trust companies; to amend section 8-210, Revised Statutes Supplement, 2009; to change provisions relating to pledged securities; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 753. Introduced by Christensen, 44; Avery, 28; Hansen, 42; Krist, 10.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend section 81-2001, Reissue Revised Statutes of Nebraska; to change the qualifications of the Superintendent of Law Enforcement and Public Safety; to define a term; and to repeal the original section.

LEGISLATIVE BILL 754. Introduced by Giese, 17; Ashford, 20; Haar, 21.

A BILL FOR AN ACT relating to special education; to adopt the Blind Persons Literacy Rights and Education Act.

LEGISLATIVE BILL 755. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to natural resources; to require certain oil or natural gas pipeline companies to hold landowners harmless, meet certain requirements, and pay and distribute an annual pipeline fee as prescribed; to provide for severability; and to declare an emergency.

LEGISLATIVE BILL 756. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-2352, 30-2354, and 76-902, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Uniform Real Property Transfer on Death Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 757. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to certificates of title; to amend section 30-2715, Reissue Revised Statutes of Nebraska; to provide for the transfer of motor vehicles on the death of the owner by designation on a certificate of title; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 758. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-2201, 30-2476, and 30-3839, Reissue Revised Statutes of Nebraska; to provide for and change provisions relating to the doctrines of cy pres and

deviation; to change provisions relating to the powers of personal representatives; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 759. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to the Nebraska Professional Corporation Act; to amend section 21-2212, Reissue Revised Statutes of Nebraska; to provide for the dissolution, winding up, and liquidation of certain professional corporations; and to repeal the original section.

LEGISLATIVE BILL 760. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to the Uniform Principal and Income Act; to amend section 30-3119.01, Reissue Revised Statutes of Nebraska; to change provisions relating to total return trusts; and to repeal the original section.

LEGISLATIVE BILL 761. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,129, Reissue Revised Statutes of Nebraska; to change provisions relating to employment driving permits; and to repeal the original section.

LEGISLATIVE BILL 762. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banks and banking; to amend section 8-113, Revised Statutes Supplement, 2009; to change provisions relating to the unauthorized use of the word bank; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 763. Introduced by Mello, 5; Coash, 27; Cornett, 45; Flood, 19; Lautenbaugh, 18; McGill, 26; Rogert, 16.

A BILL FOR AN ACT relating to asbestos-related liabilities; to adopt the Successor Asbestos-Related Liability Act.

LEGISLATIVE BILL 764. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-717, Reissue Revised Statutes of Nebraska, and section 46-715, Revised Statutes Supplement, 2009; to change provisions relating to integrated management plans; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 765. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1101 and 28-1107, Reissue Revised Statutes of Nebraska; to change provisions related to gambling; and to repeal the original sections.

RESOLUTIONS**LEGISLATIVE RESOLUTION 270.** Introduced by Mello, 5.

WHEREAS, upon her death in 2003, Joan Kroc left \$1.5 billion to the Salvation Army to build state-of-the-art community centers across the United States to foster hope and opportunity; and

WHEREAS, part of these funds was utilized in conjunction with strong community support from Heritage Services to build the Ray and Joan Kroc Corps Community Center, located at 2825 Y Street in Omaha, Nebraska; and

WHEREAS, when this center officially opens on January 8, 2010, it will be one of six Salvation Army Ray and Joan Kroc Corps Community Centers currently operating across the country; and

WHEREAS, the Ray and Joan Kroc Corps Community Centers have spent years building new community partnerships with neighborhoods, businesses, and community organizations to help strengthen families and individuals; and

WHEREAS, the Ray and Joan Kroc Corps Community Center in south Omaha will be a point of pride for the south Omaha community; and

WHEREAS, the Salvation Army has a long history of serving both the greater Omaha community and the State of Nebraska; and

WHEREAS, the Legislature recognizes the important work of charitable organizations like the Salvation Army.

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

1. That the Legislature congratulates the Salvation Army on the opening of the new Ray and Joan Kroc Corps Community Center in Omaha.

2. That a copy of this resolution be sent to the Ray and Joan Kroc Corps Community Center in Omaha and its administrators, Majors Herb and Yaneth Fuqua.

Laid over.

LEGISLATIVE RESOLUTION 271CA. Introduced by Pirsch, 4.

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

Section 1. At the general election in November 2010 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 2:

VIII-2 Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary: (1) The property of the state and its governmental subdivisions shall constitute a separate class of property and shall be exempt from taxation to the extent such property is used by the state

or governmental subdivision for public purposes authorized to the state or governmental subdivision by this Constitution or the Legislature. To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law; (2) the Legislature by general law may classify and exempt from taxation property owned by and used exclusively for agricultural and horticultural societies and property owned and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user; (3) household goods and personal effects, as defined by law, may be exempted from taxation in whole or in part, as may be provided by general law, and the Legislature may prescribe a formula for the determination of value of household goods and personal effects; (4) the Legislature by general law may provide that the increased value of land by reason of shade or ornamental trees planted along the highway shall not be taken into account in the assessment of such land; (5) the Legislature, by general law and upon any terms, conditions, and restrictions it prescribes, may provide that the increased value of real property resulting from improvements designed primarily for energy conservation may be exempt from taxation; (6) the value of a home substantially contributed by the United States Department of Veterans Affairs for a paraplegic veteran or multiple amputee shall be exempt from taxation during the life of such veteran or until the death or remarriage of his or her surviving spouse; (7) the Legislature may exempt from an intangible property tax life insurance and life insurance annuity contracts and any payment connected therewith and any right to pension or retirement payments; (8) the Legislature may exempt inventory from taxation; (9) the Legislature may define and classify personal property in such manner as it sees fit, whether by type, use, user, or owner, and may exempt any such class or classes of property from taxation if such exemption is reasonable or may exempt all personal property from taxation; (10) no property shall be exempt from taxation except as permitted by or as provided in this Constitution; (11) the Legislature may by general law provide that a portion of the value of any residence actually occupied as a homestead by any classification of owners as determined by the Legislature shall be exempt from taxation; ~~and~~ (12) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the increased value of real property resulting from improvements designed primarily for the purpose of renovating, rehabilitating, or preserving historically significant real property may be, in whole or in part, exempt from taxation; and (13) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the increased value of real property resulting from construction of improvements for the purpose of renovating, rehabilitating, remodeling, improving, or increasing the size of a homeowner's residence on such real property be, in whole or in part, exempt from taxation for a period of six years.

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

A constitutional amendment to permit the Legislature to exempt from taxation for a period of six years the increased value of real property resulting from construction of improvements to a homeowner's residence.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 272. Introduced by Giese, 17.

WHEREAS, the Ponca Indians won the 2009 Class C-2 State Football Championship, the first state football title in school history; and

WHEREAS, coach Joe Kvidera led his team, the Ponca Indians, to a perfect undefeated season of 13-0, the school's first undefeated season since 1962; and

WHEREAS, the Ponca Indians beat Hartington Cedar Catholic 14-13 for a thrilling overtime victory in the championship game; and

WHEREAS, the Ponca Indians were led by running back Jared Curry, who ran for ninety yards and a touchdown during the championship game and finished the season with over two thousand three hundred rushing yards and thirty-eight rushing touchdowns; and

WHEREAS, Ponca's defense was as impressive as its offense, forcing three turnovers during the championship game and stopping a two-point conversion attempt in overtime to seal the victory; and

WHEREAS, the Ponca Indians have exemplified teamwork, sportsmanship, discipline, and determination; 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 FIRST LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Ponca Indians on winning the 2009 Class C-2 State Football Championship.

2. That a copy of this resolution be sent to the Ponca Indians and their head coach, Joe Kvidera.

Laid over.

LEGISLATIVE RESOLUTION 273. Introduced by Howard, 9.

WHEREAS, the Ecumenical Patriarchate, located in Istanbul, Turkey, is the sacred see that presides in a spirit of brotherhood over a communion of self-governing churches in the Orthodox Christian world; and

WHEREAS, the see is led by Ecumenical Patriarch Bartholomew, who is the 270th in the line of direct succession going back to the Apostle Andrew

and holds titular primacy as *primus inter pares*, meaning "first among equals," in the community of Orthodox churches worldwide; and

WHEREAS, the Lausanne Treaty of 1923 defines the relationship of the Ecumenical Patriarchate to the Turkish state, which continues to systematically violate the provisions of the treaty; and

WHEREAS, in 1997 the Congress of the United States awarded Ecumenical Patriarch Bartholomew the Congressional Gold Medal; and

WHEREAS, the Orthodox Christian Church, in existence for nearly two thousand years, numbers approximately three hundred million members worldwide with more than two million members in the United States; and

WHEREAS, Orthodox Christian communities have existed in the State of Nebraska for over one hundred years, some of whom are part of the Greek Orthodox Archdiocese, which maintains a direct ecclesiastical connection to the Ecumenical Patriarchate; and

WHEREAS, since 1453 the continuing presence of the Ecumenical Patriarchate in Turkey has been a living testament to the religious coexistence of Christians and Muslims; and

WHEREAS, this religious coexistence is in jeopardy because the Turkish government refuses to recognize the rights and religious freedoms of the Ecumenical Patriarchate, which is considered a minority religion by the Turkish government; and

WHEREAS, from the millions of Orthodox Christians living in Turkey at the turn of the twentieth century, and due to the continued policies of minority discrimination, a form of "ethnic cleansing," during this period by the Turkish government, there remain less than three thousand of the Ecumenical Patriarch's flock in Turkey today; and

WHEREAS, the Turkish government has failed to honor its agreement to reopen the Theological School on the island of Halki (Heybeliada), which the Turkish government closed in 1971, thus impeding the religious education of Orthodox Christian clergy; and

WHEREAS, the Turkish government has confiscated nearly ninety-four percent of the properties of the Ecumenical Patriarchate and has placed a forty-two percent tax retroactive to 1999 on the Baloukli Hospital and Home for the Aged, a charity hospital run by the Ecumenical Patriarchate; and

WHEREAS, the European Union, a group of nations with a common goal of promoting peace and the well-being of its peoples, which has defined membership criteria including stability of democratic institutions and adherence to the rule of law, began accession negotiations with Turkey on October 3, 2005; and

WHEREAS, the Turkish government's current treatment of the Ecumenical Patriarchate is inconsistent with the membership conditions and goals of the European Union; and

WHEREAS, Orthodox Christians in the State of Nebraska and throughout the United States stand to lose their spiritual leader because of the continued actions of the Turkish government.

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

1. That the Legislature, in solidarity with other states that have adopted similar resolutions, urge the United States in its relations with the Turkish government to encourage the Turkish government to do the following:

- a. Uphold and safeguard religious and human rights without compromise;
- b. Cease its discrimination of the Ecumenical Patriarchate;
- c. Grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities; and
- d. Respect the property rights and human rights of the Ecumenical Patriarchate.

2. That copies of this resolution be sent to the President of the United States, the Secretary of State of the United States, and the Nebraska congressional delegation.

Laid over.

LEGISLATIVE RESOLUTION 274. Introduced by Howard, 9.

WHEREAS, each year social workers across the country celebrate their profession during March; and

WHEREAS, National Professional Social Work Month is observed in the month of March and this year's theme, Social Workers Inspire Community Action, focuses on how the expertise and dedication of social workers influence communities and institutions; and

WHEREAS, part of the message of National Professional Social Work Month for 2010 is to recognize the individual and global impact that social workers have throughout their careers; and

WHEREAS, the National Association of Social Workers (NASW) has set goals for National Professional Social Work Month, which are to recruit more social workers, expand the public perception of the breadth and depth of social work, reach out to national and local media to promote the importance of social work services and social work professionals to society, and promote a theme that builds pride among social workers; and

WHEREAS, in March, the NASW will team up with social work programs and schools in an effort to encourage more people to pursue social work degrees; and

WHEREAS, it is also the goal of the NASW to use National Professional Social Work Month to recognize social work professionals that have contributed to their communities by creating projects that improve the lives of their fellow citizens; and

WHEREAS, social work is relevant to the successful functioning of American society and necessary to the well-being of Nebraska.

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

1. That the Legislature recognizes March 2010 as Professional Social Work Month in Nebraska.

2. That during March 2010 communities are encouraged to participate in activities designed to increase public awareness about the contributions of professionals in the field of social work.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer

Senator Wallman asked unanimous consent to add his name as cointroducer to LB710. No objections. So ordered.

ANNOUNCEMENT

Senator McGill announced the Urban Affairs Committee will meet immediately following adjournment under the north balcony.

VISITOR

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

ADJOURNMENT

At 11:11 a.m., on a motion by Senator Gloor, the Legislature adjourned until 10:00 a.m., Thursday, January 7, 2010.

Patrick J. O'Donnell
Clerk of the Legislature

SECOND DAY - JANUARY 7, 2010
LEGISLATIVE JOURNAL
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 7, 2010

PRAYER

The prayer was offered by Senator Dierks.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Howard and Janssen who were excused; and Senator Pirsch who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

ANNOUNCEMENT

The Government, Military and Veterans Affairs Committee elected Senator Price as Vice Chairperson.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR273 was referred to the Reference Committee.

**2009 INTERIM REPORT
ON THE DISPOSITION OF
INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
42	Study to identify means to stimulate farm to school programs	X		
103	Examine duties of riparian landowners for invasive vegetation removal		X	
104	Examine policy considerations in development of grain indemnity funds		X	
112	Examine Nebraska Law of Division Fences		X	
130	Review Nebraska Pure Food Act in relation to home based food businesses			X
218	Examine means of promoting export of Nebraska agricultural products			X
228	Examine means to support and stimulate organic agricultural production			X
229	Study impact of federal and state actions eliminating horse slaughter as a disposal option for equines		X	
240	Examine means to encourage responsible livestock development through community partnerships		X	

Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
155*	Behavioral Health Provider Rates			X
157*	Health Care Funding Act		X	
176	Tourism Event Marketing		X	
178*	Nebraska Scholarship Act		X	
209*	HHS Service Delivery			X
224	Budget Reform Task Force			X(1)

* Jointly referenced

(1) Initial Report being prepared

Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
220	Regulation of the business of insurance			X
129	Restrict use of the word bank		X	
145	UCC relating to secured transactions		X	
132	Payment of insurance proceeds to a city or village		X	
114	Delayed Deposit Services Licensing Act			X
188	Use of credit information for insurance purposes			X
146	Enact Uniform Limited Partnership Act		X	
147	Revise Uniform Limited Liability Company Act		X	
208	Economic development tools			X
217	Entrepreneurship and private funding programs			X

Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
144	Commission on Industrial Relations		X	
185	Employee Misclassification		X	
123	Workplace safety			X
186	Workers' compensation insurance premiums			X
231	Job creation in disadvantaged rural communities			X

Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
116	Interim study to examine issues relating to early childhood education and kindergarten eligibility		X	

117	Interim study to determine the positive and negative outcomes that could result from aligning the school fiscal year with the state fiscal year			X
118	Interim study to examine issues under the jurisdiction of the Education Committee			X
121	Interim study to examine the structure, authority, and mission of the Nebraska School Activities Association			X
131	Interim study to examine school accountability	X		
149	Interim study to examine how school finance data is reported to the public and what type of information would assist the Legislature in evaluating the cost effectiveness of state aid for K-12 education	X		
153	Interim study to examine whether Nebraska should repeal statutes that allow persons not lawfully present in the United States to pay resident tuition at Nebraska postsecondary educational institutions			X
*165	Interim study to examine issues relating to the adoption of a corporate and individual income tax credit scholarship program			X
**167	Interim study to examine the issue of homeless youth in Nebraska			X
172	Interim study to analyze the education and training available that could lead to careers in high-demand industries in Nebraska			X
175	Interim study to examine ways to increase financial literacy in Nebraska through financial literacy education classes			X
***178	Interim study to examine the need-based financial aid program that was created by the Legislature relating to higher education			X

180	Interim study to examine the role of educational service units within learning communities			X
206	Interim study to examine issues relating to learning communities			X
219	Interim study to determine ways the state can play a role in reducing truancies among Nebraska's K-12 students			X
262	Interim study to examine issues relating to postsecondary education			X

* - Joint study with the Revenue Committee

** - Joint study with the Health and Human Services Committee

*** - Joint study with the Appropriations Committee

Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
96	Interim study to examine the responsiveness of state agencies when they are requested to provide information to the Legislature		X	

General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
196	Interim study to determine whether the Nebraska Liquor Control Act should be updated with respect to retail licenses		X	
197	Interim study to review matters under the jurisdiction of the General Affairs Committee			X
199	Interim study to examine the situation in Whiteclay, Nebraska, regarding the sale of alcohol and its secondary effects	X		
230	Interim study to examine matchup or lineup video gaming devices that award monetary prizes	X		
238	Interim study to examine the proliferation of retail liquor licenses			X

Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
163	Interim study to examine issues which fall under the jurisdiction of the Nebraska Accountability and Disclosure Commission	X		
119	Interim study to examine the initiative and referendum process and how petitions are circulated		X	
127	Interim study to examine the issue of election day registration		X	
126	Interim study to examine issues under the jurisdiction of the Government, Military and Veterans Affairs Committee		X	
82	Interim study to examine issues relating to the Grand Island Veterans' Home		X	
162	Interim study to examine the competitive bidding statutes for the purchase of machinery and equipment		X	
151	Interim study to consider and recommend funding strategies for the improvement of the Centennial Mall area of the Nebraska State Capitol Environs District	X		

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
158	Interim study to conduct research and provide recommendations for reform of Nebraska's health care delivery system and health care financing system (Select Committee)		X	
156	Interim study to identify the statutory powers and duties of the Department of Health and Human Services and to prioritize the programs and services administered by the department		X	

157	Interim study to review, assess, and provide recommendations relating to the implementation of the Nebraska Health Care Funding Act (w/Appropriations)		X	
150	Interim study to examine the Department of Health and Human Services' plan to contract for delivery of medicaid services using an at-risk capitated managed care model		X	
209	Interim study to examine the implications of requiring communities to partner with the state in the delivery of health and human services previously provided by state employees		X	
227	Interim study to conduct research and make recommendations relating to peer support for mental health consumers		X	
159	Interim study to examine the future need for health care workers in Nebraska		X	
160	Interim study to review and provide recommendations relating to the statewide telehealth network		X	
155	Interim study to provide recommendations and examine issues relating to rates paid by the state to providers of publicly-funded behavioral health services (w/Appropriations)		X	
136	Interim study to examine the public psychiatric rehabilitation in secure settings that is available to chronically and severely impaired mentally ill persons residing in Nebraska		X	
164	Interim study to examine the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and its implementation in Nebraska		X	
234	Interim study to review current statutes and regulations related to community-based developmental disability service providers		X	

179	Interim study to examine the requirements and conditions of the state's contract with Magellan Behavioral Health Services		X	
168	Interim study to examine the factors contributing to childhood obesity		X	
167	Interim study to examine the issue of homeless youth in Nebraska (w/Education)		X	
174	Interim study to examine ways to provide low-income families with access to high quality child care		X	
148	Interim study to evaluate the State of Nebraska's wellness program and provide policy options		X	
194	Interim study to examine unintended pregnancies and sexually transmitted diseases		X	

Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
109	Interim study to examine the issue of juvenile overcrowding in youth detention centers		X	
113	Interim study to examine whether Nebraska should update provisions of the Nebraska Criminal Code relating to the degrees and types of homicides that may be charged under Nebraska law			X
138	Interim study to examine issues under the jurisdiction of the Judiciary Committee		X	
183	Interim study to examine creating a specialized magistrate for the state's largest courts			X
184	Interim study to examine the process by which the Division of Children and Family Services of the Dept. of Health and Human Services places Nebraska citizens on the central register of child protection cases		X	

189	Interim study to examine Nebraska's court-appointed special advocate programs			X
191	Interim study to examine Nebraska's laws regarding a persons' right in their home to defend another person's life by reasonable force and to review the Castle Doctrine laws		X	
225	Interim study to examine the actions other states and organizations have taken to strengthen marriage and reduce divorce through policy change and marriage education			X
226	Interim study to examine medical malpractice liability		X	
233	Interim study to examine judicial resources and the allocation of judicial resources		X	
236	Interim study to examine in vitro fertilization			X
237	Interim study to evaluate the period of time juveniles are involved in the Nebraska juvenile court system			X
239	Interim study to assess the effectiveness of existing community corrections programs			X

Natural Resources Committee

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
83	Interim study relating to expanded development of wind energy in Nebraska	X		
128	Interim study to examine issues relating to the laws of Nebraska governing the management and use of Nebraska surface water and ground water	X		
235	Interim study to examine water issues		X	
181	Interim study to examine the feasibility and benefits of restructuring the natural resources districts	X		

124	Interim study to examine the use of eminent domain by natural resources districts for the taking of private land for development or management of recreational trails or corridors	X		
122	Interim study to examine the feasibility of making the Game and Parks Commission a code agency			X
115	Interim study to review issues under the jurisdiction of the Natural Resources Committee			X
101	Interim study to examine issues relating to the impact of additional well development on water use by domestic wells in areas of the state where ground water supplies are limited		X	
193	Interim study to examine the impact of LB436 which established a statewide net metering policy	X		
195	Interim study to examine energy efficiency		X	
221	Interim study to determine ways the State of Nebraska could promote energy conservation in commercial buildings and residential properties		X	
222	Interim study to examine granting the Department of Environmental Quality the statutory authority to file and collect environmental liens on property			X

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
120	Examine the history and structure of salary and retirement packages available to Nebraska public school employees	X		
133	Study retirement issues related to military leave and persons returning to employment following military leave		X	

134	Examine the public employees retirement systems administered by the Public Employees Retirement Board		X	
135	Study pension benefits offered to professional firefighters in cities of the first class			X
137	Determine whether a reserve is necessary for the defined benefit retirement plans prior to the Legislature's approval of any benefit improvements			X
198	Study 529 college savings plans, including their performance and administration		X	

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
161	Interim study to examine Nebraska's sales and use tax provisions	X		
97	Interim study to examine the major sources of state and local tax revenue	X		
166	Interim study to conduct a comprehensive review of state and local taxes in Nebraska	X		
212	Interim study to examine the valuation of agricultural land for tax purposes in Nebraska and in surrounding states	X		
214	Interim study to examine local government levy limits and property tax proposals that have been implemented since 1995	X		
165	Interim study to examine issues relating to the adoption of a corporate and individual income tax credit scholarship program (Education/Revenue)			X
263	Interim study to investigate and review matters and issues arising during the interim which are within the jurisdiction of the Revenue Committee			X

95	Interim study to examine the needs, resources, and responsibilities of the Dept. of Revenue and its divisions			X
106	Interim study to examine the economic impact of retirement income on the State of Nebraska and the most appropriate way to tax such income		Public Hearing	
139	Interim study to examine the tax climate for Nebraska's retired citizens		Public Hearing	
140	Interim study to examine the quality of jobs created under the Nebraska Advantage and Nebraska Super Advantage programs			X
182	Interim study to examine issues relating to recruiting and retaining volunteer firefighters and volunteer emergency medical care providers		Public Hearing	
210	Interim study to determine whether lodging taxes should apply to home rentals			X
211	Interim study to determine whether sales tax collected on heating fuels should be changed to an excise tax			X
213	Interim study to determine whether current business tax incentive programs should be changed when jobs were part of a bankrupt entity			X
215	Interim study to examine the current processes and procedures in statute applicable to county boards of equalization		Public Hearing	
141	Interim study to examine the subject matter of LB 474, 2009, that would have required the state and its governmental subdivisions to pay property tax on property that was not being used for a public purpose			X
173	Interim study to examine the film industry in Nebraska and whether tax incentives could be used to encourage future economic growth			X

200	Interim study to determine if Thurston County is entitled to automatic state aid payments and a reimbursement for law enforcement on the reservations			X
232	Interim study to examine the occupation taxes imposed on wireless telecommunication services			X
241	Interim study to examine the valuation processes of real property			X

Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
152	Highway funding	X		
143	Off-road vehicles		X	
142	T&T Jurisdiction			X
192	School permits		X	
102	Expressway system		X	
154	School transportation booster seats		X	
177	Enhanced Wireless 911 Fund			X
88	LPD-learner's permit issuance			X
187	Vehicle Towing laws		X	

Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
203	Examine the cost-effectiveness of upgrading the Nebraska Energy Code for new commercial construction			X
201	Examine LB381, which would have created the Community Improvement District Act and the Transportation Development District Act			X
205	Review the status of current state law regarding the various building and construction codes currently in use by cities and villages			X
190	Review the current practice of issuing handicapped parking permits			X

207	Examine the statutory means by which a city of the primary class would establish a separate transit authority			X
216	Identify the range of occupations taxes which are currently levied by cities and villages in Nebraska			X
202	Investigate the full range of powers granted to municipalities which involved jurisdiction over residents in areas outside of municipal boundaries			X
204	Review matters under the jurisdiction of the Urban Affairs Committee			X

BILLS ON FIRST READING

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

LEGISLATIVE BILL 766. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Nebraska Center for Nursing Act; to amend section 71-1796, Reissue Revised Statutes of Nebraska; to repeal a termination date; to harmonize provisions; to repeal the original section; to outright repeal section 71-17,100, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 767. Introduced by Price, 3.

A BILL FOR AN ACT relating to counties; to amend sections 23-187 and 23-192, Revised Statutes Supplement, 2009; to require inclusion of notice provisions in certain county motor vehicle ordinances; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 768. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to county government; to provide for the termination of township boards within certain counties as prescribed.

LEGISLATIVE BILL 769. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to marriage licenses; to amend section 42-106, Reissue Revised Statutes of Nebraska; to prevent a county clerk's liability as prescribed; and to repeal the original section.

LEGISLATIVE BILL 770. Introduced by Flood, 19.

A BILL FOR AN ACT relating to state government; to amend sections

49-501.01 and 49-508, Reissue Revised Statutes of Nebraska; to change provisions relating to the distribution of the session laws and journal of the Legislature; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 771. Introduced by Flood, 19.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-115, 28-201, 28-931, 28-931.01, 28-932, 28-933, and 28-1212.01, Reissue Revised Statutes of Nebraska, and sections 28-309, 28-929, 28-930, 28-1206, 28-1212.04, 28-1354, 29-401, 29-901, 29-901.01, 29-1912, and 43-250, Revised Statutes Supplement, 2009; to change provisions relating to criminal offenses against a pregnant woman, criminal attempt, assault, assault on an officer, offenses by a confined person, deadly weapons, firearms, arrest procedures, bail, conditions of release from custody, discovery, and juveniles in custody; and to repeal the original sections.

LEGISLATIVE BILL 772. Introduced by Coash, 27.

A BILL FOR AN ACT relating to motor vehicles operators' licenses; to amend sections 60-4,108 and 60-682, Reissue Revised Statutes of Nebraska, sections 60-462 and 60-479, Revised Statutes Cumulative Supplement, 2008, and section 60-6,197.06, Revised Statutes Supplement, 2009; to change and provide penalties for driving on a revoked license as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 773. Introduced by Wightman, 36; Carlson, 38; Harms, 48; Schilz, 47.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,294.01, Reissue Revised Statutes of Nebraska, sections 60-102, 60-123, 60-302, and 60-339, Revised Statutes Cumulative Supplement, 2008, and sections 60-101 and 60-301, Revised Statutes Supplement, 2009; to exempt manure-spreading implements from titling and registration requirements and weight and load restrictions; to define a term; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 774. Introduced by Haar, 21; Dierks, 40; Hadley, 37; Loudon, 49; Pirsch, 4; White, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Reissue Revised Statutes of Nebraska; to change provisions relating to sales taxation of net metering; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 775. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 39-2510, 39-2520, 77-2703.01, 77-2703.04, 77-2704.31, 77-2711,

77-2712.05, 77-4105, 77-4106, 77-5725, and 77-5726, Reissue Revised Statutes of Nebraska; to authorize creation of transportation development districts; to authorize a local sales tax; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 776. Introduced by Hansen, 42.

A BILL FOR AN ACT relating to respite care; to state findings; and to state intent relating to appropriations.

LEGISLATIVE BILL 777. Introduced by McCoy, 39; Krist, 10; Price, 3.

A BILL FOR AN ACT relating to presidential electors; to amend section 32-714, Reissue Revised Statutes of Nebraska; to change provisions relating to ballots cast by presidential electors; and to repeal the original section.

LEGISLATIVE BILL 778. Introduced by Coash, 27; Cornett, 45; Fulton, 29.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Umbilical Cord Blood Information Act.

LEGISLATIVE BILL 779. Introduced by Lathrop, 12; Ashford, 20; Avery, 28; Cook, 13; Cornett, 45; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-2602, 13-2605, 13-2607, 13-2609, 13-2702, 13-2703, 13-2704, 13-2705, 13-2706, and 13-2707, Reissue Revised Statutes of Nebraska, section 13-2603, Revised Statutes Cumulative Supplement, 2008, section 13-2610, Revised Statutes Supplement, 2009, and section 13-2704, Reissue Revised Statutes of Nebraska, as amended by section 8, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to change provisions under the Convention Center Facility Financing Assistance Act and the Local Civic, Cultural, and Convention Center Financing Act; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 780. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-151, Reissue Revised Statutes of Nebraska, and section 48-1,110, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to personal injuries; to provide applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 781. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to urban growth districts; to amend section 18-2901, Revised Statutes Supplement, 2009; to change provisions relating

to such districts as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 782. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 81-1023, Reissue Revised Statutes of Nebraska, section 60-3,105, Revised Statutes Cumulative Supplement, 2008, and sections 60-301 and 60-3,104, Revised Statutes Supplement, 2009; to change and eliminate provisions relating to the issuance of distinctive license plates for governmental units; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 60-3,106, Revised Statutes Cumulative Supplement, 2008.

LEGISLATIVE BILL 783. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-103 and 53-177, Revised Statutes Supplement, 2009; to change and eliminate restrictions on sale of alcoholic liquor at retail; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 784. Introduced by Loudon, 49; Giese, 17.

A BILL FOR AN ACT relating to law enforcement training; to amend section 81-1410, Reissue Revised Statutes of Nebraska; to change provisions relating to admission; and to repeal the original section.

LEGISLATIVE BILL 785. Introduced by Carlson, 38; Utter, 33.

A BILL FOR AN ACT relating to natural resources districts; to amend section 46-739.01, Revised Statutes Supplement, 2009; to provide an exception to required approval of certain water transfers or program participation; and to repeal the original section.

LEGISLATIVE BILL 786. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-172, Reissue Revised Statutes of Nebraska; to eliminate the prohibition on adding alcohol to beer; to harmonize provisions; to repeal the original section; and to outright repeal section 53-174, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 787. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Nebraska Information Technology Commission; to amend section 86-515, Reissue Revised Statutes of Nebraska; to provide for an additional member to serve on the commission as appointed by the Legislature as prescribed; and to repeal the original section.

LEGISLATIVE BILL 788. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-125, Reissue Revised Statutes of Nebraska, and section 53-103, Revised Statutes Supplement, 2009; to change provisions relating to managers; and to repeal the original sections.

LEGISLATIVE BILL 789. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to the Local Civic, Cultural, and Convention Center Financing Act; to amend section 13-2705, Reissue Revised Statutes of Nebraska; to change grant dollar limits; and to repeal the original section.

LEGISLATIVE BILL 790. Introduced by Nordquist, 7; Lathrop, 12; Mello, 5.

A BILL FOR AN ACT relating to the medical assistance program; to require the Department of Health and Human Services to compile a report relating to employed recipients.

LEGISLATIVE BILL 791. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to the Secretary of State; to provide for the electronic filing of documents as prescribed.

LEGISLATIVE BILL 792. Introduced by Coash, 27.

A BILL FOR AN ACT relating to controlled substances; to amend section 28-405, Revised Statutes Supplement, 2009; to add to and change schedules of controlled substances; and to repeal the original section.

LEGISLATIVE BILL 793. Introduced by Dubas, 34; Carlson, 38; Dierks, 40; Loudon, 49; Schilz, 47.

A BILL FOR AN ACT relating to the Legislature; to prohibit fund transfers and appropriations without specific authorization.

RESOLUTIONS

LEGISLATIVE RESOLUTION 275. Introduced by Campbell, 25.

WHEREAS, Terri and Loren Neujahr and their children, Andrew and Ashley, of Lincoln were named the Lancaster County Kiwanis Farm Family of the Year for 2009; and

WHEREAS, to be eligible for the Lancaster County Kiwanis Farm Family of the Year award, the Neujahrs first had to win the Farm Family of the Year award from one of several Kiwanis clubs in Lancaster County; and

WHEREAS, the Neujahrs won the Farm Family of the Year award from the Waverly Kiwanis Club; and

WHEREAS, the Lancaster County Kiwanis Farm Family of the Year award recognizes excellence in soil and water conservation, community service, and local leadership.

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

1. That the Legislature congratulates Terri, Loren, Andrew, and Ashley Neujahr on being named the Lancaster County Kiwanis Farm Family of the Year for 2009.

2. That a copy of this resolution be sent to the Neujahr family.

Laid over.

LEGISLATIVE RESOLUTION 276CA. Introduced by Pirsch, 4.

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

Section 1. At the general election in November 2010 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 2:

VIII-2 Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary: (1) The property of the state and its governmental subdivisions shall constitute a separate class of property and shall be exempt from taxation to the extent such property is used by the state or governmental subdivision for public purposes authorized to the state or governmental subdivision by this Constitution or the Legislature. To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law; (2) the Legislature by general law may classify and exempt from taxation property owned by and used exclusively for agricultural and horticultural societies and property owned and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user; (3) household goods and personal effects, as defined by law, may be exempted from taxation in whole or in part, as may be provided by general law, and the Legislature may prescribe a formula for the determination of value of household goods and personal effects; (4) the Legislature by general law may provide that the increased value of land by reason of shade or ornamental trees planted along the highway shall not be taken into account in the assessment of such land; (5) the Legislature, by general law and upon any terms, conditions, and restrictions it prescribes, may provide that the increased value of real property resulting from improvements designed primarily for energy conservation may be exempt from taxation; (6) the value of a home

substantially contributed by the United States Department of Veterans Affairs for a paraplegic veteran or multiple amputee shall be exempt from taxation during the life of such veteran or until the death or remarriage of his or her surviving spouse; (7) the Legislature may exempt from an intangible property tax life insurance and life insurance annuity contracts and any payment connected therewith and any right to pension or retirement payments; (8) the Legislature may exempt inventory from taxation; (9) the Legislature may define and classify personal property in such manner as it sees fit, whether by type, use, user, or owner, and may exempt any such class or classes of property from taxation if such exemption is reasonable or may exempt all personal property from taxation; (10) no property shall be exempt from taxation except as permitted by or as provided in this Constitution; (11) the Legislature may by general law provide that a portion of the value of any residence actually occupied as a homestead by any classification of owners as determined by the Legislature shall be exempt from taxation; ~~and~~ (12) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the increased value of real property resulting from improvements designed primarily for the purpose of renovating, rehabilitating, or preserving historically significant real property may be, in whole or in part, exempt from taxation; and (13) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the value of real property, the use of which is donated to the state or a governmental subdivision of the state for public purposes, shall be, in whole or in part, exempt from taxation.

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

A constitutional amendment to permit the Legislature to exempt from taxation the value of real property, the use of which is donated to the state or a governmental subdivision of the state for public purposes.

For

Against.

Referred to the Reference Committee.

ANNOUNCEMENT

The Urban Affairs Committee elected Senator Coash as Vice Chairperson.

UNANIMOUS CONSENT - Add Cointroducers

Senator McCoy asked unanimous consent to add his name as cointroducer to LB693. No objections. So ordered.

Senators Campbell and Stuthman asked unanimous consent to add their names as cointroducers to LB710. No objections. So ordered.

Senator Dubas asked unanimous consent to add her name as cointroducer to LB740. No objections. So ordered.

Senator Cook asked unanimous consent to add her name as cointroducer to LB746. No objections. So ordered.

Senators Avery and Stuthman asked unanimous consent to add their names as cointroducers to LB754. No objections. So ordered.

Senator Nelson asked unanimous consent to add his name as cointroducer to LR271CA. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Pirsch withdrew his name as cointroducer to LR271CA.

ADJOURNMENT

At 10:47 a.m., on a motion by Senator Carlson, the Legislature adjourned until 10:00 a.m., Friday, January 8, 2010.

Patrick J. O'Donnell
Clerk of the Legislature

THIRD DAY - JANUARY 8, 2010**LEGISLATIVE JOURNAL****ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION****THIRD DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, January 8, 2010

PRAYER

The prayer was offered by Senator Carlson.

ROLL CALL

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

The roll was called and all members were present except Senators Cornett and Gay who were excused; and Senator Christensen who was excused until he arrives.

PRESIDENT SHEEHY PRESIDING**CORRECTIONS FOR THE JOURNAL**

The Journal for the second day was approved.

REFERENCE COMMITTEE REPORT

The Executive Board submits the following report:

LB/LR	Committee
LB682	General File
LB683	General File
LB684	General File
LB685	Executive Board
LB686	Government, Military and Veterans Affairs
LB687	Judiciary
LB688	Transportation and Telecommunications
LB689	Natural Resources
LB690	Banking, Commerce and Insurance
LB691	Banking, Commerce and Insurance
LB692	Revenue
LB693	Banking, Commerce and Insurance
LB694	Judiciary

LB695	Judiciary
LB696	Natural Resources
LB697	Transportation and Telecommunications
LB698	Revenue
LB699	Judiciary
LB700	Business and Labor
LB701	Health and Human Services
LB702	Health and Human Services
LB703	Judiciary
LB704	Revenue
LB705	Transportation and Telecommunications
LB706	Health and Human Services
LB707	Judiciary
LB708	Revenue
LB709	Business and Labor
LB710	Health and Human Services
LB711	Education
LB712	Judiciary
LB713	Education
LB714	Government, Military and Veterans Affairs
LB715	Government, Military and Veterans Affairs
LB716	Education
LB717	Executive Board
LB718	Government, Military and Veterans Affairs
LB719	Transportation and Telecommunications
LB720	Banking, Commerce and Insurance
LB721	Government, Military and Veterans Affairs
LB722	Government, Military and Veterans Affairs
LB723	Transportation and Telecommunications
LB724	Revenue
LB725	Transportation and Telecommunications
LB726	Health and Human Services
LB727	Judiciary
LB728	Judiciary
LB729	Business and Labor
LB730	Banking, Commerce and Insurance
LB731	Agriculture
LB732	Judiciary
LB733	Health and Human Services
LB734	Natural Resources
LB735	Transportation and Telecommunications
LB736	Banking, Commerce and Insurance
LB737	Government, Military and Veterans Affairs
LB738	Banking, Commerce and Insurance
LB739	Transportation and Telecommunications
LB740	Appropriations
LB741	Education
LB742	Government, Military and Veterans Affairs
LB743	Natural Resources

LB744 General Affairs
 LB745 Education
 LB746 Judiciary
 LB747 Natural Resources
 LB748 Agriculture
 LB749 Transportation and Telecommunications
 LB750 Education
 LB751 Banking, Commerce and Insurance
 LB752 Banking, Commerce and Insurance
 LB753 Government, Military and Veterans Affairs
 LB754 Education
 LB755 Natural Resources
 LB756 Judiciary
 LB757 Judiciary
 LB758 Judiciary
 LB759 Banking, Commerce and Insurance
 LB760 Banking, Commerce and Insurance
 LB761 Transportation and Telecommunications
 LB762 Banking, Commerce and Insurance
 LB763 Judiciary
 LB764 Natural Resources
 LR271CA Revenue
 LR273 Government, Military and Veterans Affairs

Atkins, Sallie - Nebraska State Fair Board - Agriculture
 Burke, Jerrod - Game and Parks Commission - Natural Resources
 Demuth, Martin - Board of Educational Lands and Funds - Education
 Hiatt, Michael - State Electrical Board - General Affairs
 Hotz, Robert W. - Tax Equalization and Review Commission - Revenue
 Lovgren, Linda - Nebraska State Fair Board - Agriculture
 Marshall, Norris - Game and Parks Commission - Natural Resources
 McMeen, Reynold - State Emergency Response Commission - Government,
 Military and Veterans Affairs
 Oltman, Nancy - Commission for the Blind and Visually Impaired - Health
 and Human Services
 Van Newkirk, Perry - Nebraska Oil and Gas Conservation Commission -
 Natural Resources
 Walla, Darrell - Commission for the Blind and Visually Impaired - Health
 and Human Services

(Signed) John Wightman, Chairperson
 Executive Board

BILLS ON FIRST READING

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

LEGISLATIVE BILL 794. Introduced by White, 8; Campbell, 25; Conrad, 46; Cook, 13; Council, 11; Giese, 17; Haar, 21; Karpisek, 32; McGill, 26; Mello, 5; Nordquist, 7; Sullivan, 41; Wallman, 30.

A BILL FOR AN ACT relating to elections; to amend sections 32-808 and 32-939, Reissue Revised Statutes of Nebraska; to change provisions relating to early voting; and to repeal the original sections.

LEGISLATIVE BILL 795. Introduced by Council, 11.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-32,101, Reissue Revised Statutes of Nebraska; to authorize the employment of law enforcement officers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 796. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 39-2215, 66-489, 66-489.01, 66-495.01, 66-4,105, 66-4,114, 66-4,145, 66-4,146, 66-697, 66-6,107, 66-6,109, 66-6,111, and 66-726, Reissue Revised Statutes of Nebraska; to change fuel tax provisions; to impose a fuel tax for completion of the state expressway system; to provide a duty for the Revisor of Statutes; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 797. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1003, Reissue Revised Statutes of Nebraska; to change duties of the board relating to hearings and a report as prescribed; to eliminate obsolete requirements; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 798. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Litter Reduction and Recycling Act; to amend section 81-1566, Reissue Revised Statutes of Nebraska; to change a termination date; and to repeal the original section.

LEGISLATIVE BILL 799. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Building Construction Act; to amend sections 71-6403, 71-6404, 71-6405, and 71-6406, Reissue Revised Statutes of Nebraska; to change the state building code; to change restrictions on political subdivisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 800. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to children; to amend sections 24-313, 25-2728, 29-2258, 29-2269, 43-246, 43-247, 43-248, 43-251.01, 43-253, 43-254, 43-258, 43-278, 43-281, 43-285, 43-2.106.01, 43-2.129, 43-403, 43-406, 43-413, 43-415, 43-2404.02, 77-3442, 79-209, 79-210, 79-527, and 79-2111, Reissue Revised Statutes of Nebraska, and sections 43-245, 43-250, and 79-2104, Revised Statutes Supplement, 2009; to eliminate juvenile review panels, expedite appeals, provide for civil citations, change evaluation, detention, and placement provisions, provide plenary jurisdiction over parents, guardians, and custodians, and provide for videoconference hearings under the Nebraska Juvenile Code; to change detention and evaluation provisions under the Health and Human Services, Office of Juvenile Services Act; to provide a duty for the Supreme Court; to change County Juvenile Services Aid Program provisions; to change school truancy provisions, use of a learning community levy, and school reporting; to create and provide duties for a task force; to provide powers and duties for learning community coordinating councils relating to re-engagement of students into the educational system; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-287.01, 43-287.02, 43-287.03, 43-287.04, 43-287.05, and 43-287.06, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 801. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to consumer protection; to amend sections 87-301, 87-303, 87-303.02, 87-303.03, 87-303.10, and 87-306, Reissue Revised Statutes of Nebraska, and section 87-302, Revised Statutes Supplement, 2009; to change provisions relating to the Uniform Deceptive Trade Practices Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 802. Introduced by Coash, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.10 and 77-2701.16, Reissue Revised Statutes of Nebraska; to redefine contractor or repairperson and gross receipts to exclude sod as prescribed; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 803. Introduced by Nordquist, 7; Rogert, 16.

A BILL FOR AN ACT relating to the Chiropractic Practice Act; to amend section 38-806, Reissue Revised Statutes of Nebraska; to exclude licensed

physical therapists; and to repeal the original section.

LEGISLATIVE BILL 804. Introduced by Flood, 19.

A BILL FOR AN ACT relating to documentary stamp tax; to amend section 76-902, Reissue Revised Statutes of Nebraska; to exempt certain deeds from taxation; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 805. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Gay, 14; Hadley, 37; Lautenbaugh, 18; Louden, 49; Stuthman, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 75-363 and 75-364, Reissue Revised Statutes of Nebraska, and sections 18-1739, 60-3,193.01, 60-462.01, and 60-4,147.02, Revised Statutes Supplement, 2009; to adopt by reference updates to the International Registration Plan and certain federal laws and regulations relating to parking permits for persons with disabilities, operators' licenses, transporting hazardous materials, and motor carrier safety and procedure; and to repeal the original sections.

LEGISLATIVE BILL 806. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1347, Reissue Revised Statutes of Nebraska; to change a provision relating to valuation of agricultural or horticultural land; and to repeal the original section.

LEGISLATIVE BILL 807. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to insurance; to amend section 44-7501, Reissue Revised Statutes of Nebraska; to require automobile liability policies to be issued for a minimum term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 808. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Gay, 14; Hadley, 37; Lautenbaugh, 18; Louden, 49; Stuthman, 22.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-4,169 and 75-362, Reissue Revised Statutes of Nebraska, and sections 60-465 and 60-4,150, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to commercial motor vehicles and commercial drivers' licenses and to adopt certain federal regulations relating to operating authority; and to repeal the original sections.

LEGISLATIVE BILL 809. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-110, Revised Statutes Supplement, 2009; to change the statute of limitations for fraud involving certain assistance programs; to provide applicability; and to repeal the original section.

LEGISLATIVE BILL 810. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,135 and 60-480.01, Revised Statutes Supplement, 2009; to change provisions relating to undercover license plates and drivers' licenses; and to repeal the original sections.

LEGISLATIVE BILL 811. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Gay, 14; Hadley, 37; Lautenbaugh, 18; Loudon, 49; Stuthman, 22.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 71-1567, 71-4609, 75-134, 75-136, 75-156, 75-722, 86-123, 86-158, 86-209, 86-255, 86-269, and 86-578, Reissue Revised Statutes of Nebraska; to change appeal procedures as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 812. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-1,104, 38-1,105, and 38-1,106, Reissue Revised Statutes of Nebraska; to require notice and an opportunity to be heard for credential holders subject to investigation regarding a complaint; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 813. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to dental services; to amend sections 44-3802 and 44-3805, Reissue Revised Statutes of Nebraska; to prevent prepaid dental service plans from limiting fees for certain services; and to repeal the original sections.

LEGISLATIVE BILL 814. Introduced by Gloor, 35; Dubas, 34; Fulton, 29; Hadley, 37; Pahls, 31; Sullivan, 41; Utter, 33.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend section 8-1111, Reissue Revised Statutes of Nebraska; to change provisions relating to transactions exempt from registration; and to repeal the original section.

LEGISLATIVE BILL 815. Introduced by Haar, 21; Avery, 28.

A BILL FOR AN ACT relating to government; to amend sections 13-504 and 13-516, Reissue Revised Statutes of Nebraska, and section 84-602.02,

Revised Statutes Supplement, 2009; to change requirements for budget statements for certain political subdivisions; to change requirements for the Taxpayer Transparency Act; and to repeal the original sections.

LEGISLATIVE BILL 816. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to motor vehicle industry regulation; to amend sections 25-2602.01, 28-1316, 44-3526, 60-1401.01, 60-1402, 60-1403, 60-1403.01, 60-1404, 60-1405, 60-1406, 60-1407, 60-1407.01, 60-1407.02, 60-1407.03, 60-1407.04, 60-1411.03, 60-1415, 60-1415.01, 60-1417.02, 60-1420, 60-1421, 60-1422, 60-1427, 60-1428, 60-1430, 60-1430.01, 60-1430.02, 60-1432, 60-1436, 60-1437, 60-1438, 60-1438.01, 60-1440, 60-2602, 60-2603, 60-2604, and 71-4603, Reissue Revised Statutes of Nebraska, sections 60-194, 60-373, 60-375, 60-380, 60-381, 60-3,116, 60-1411.01, 60-1411.02, and 60-2701, Revised Statutes Cumulative Supplement, 2008, sections 60-144, 60-164, and 60-1401.02, Revised Statutes Supplement, 2009, and section 60-1409, Reissue Revised Statutes of Nebraska, as amended, by section 36, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to name an act; to transfer definitions; to define and redefine terms; to change provisions relating to licenses and franchises; to prohibit certain acts; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 817. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to handguns; to amend section 69-2403, Reissue Revised Statutes of Nebraska; to exempt permitholders under the Concealed Handgun Permit Act from the requirement to obtain a certificate to purchase a handgun; and to repeal the original section.

LEGISLATIVE BILL 818. Introduced by Sullivan, 41; Utter, 33.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend section 76-2221, Reissue Revised Statutes of Nebraska; to change provisions relating to disclosures for certain exempt real estate opinions or analysis; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 819. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Gay, 14; Hadley, 37; Lautenbaugh, 18; Loudon, 49; Stuthman, 22.

A BILL FOR AN ACT relating to highways and roads; to amend sections 60-6,123 and 60-6,190, Reissue Revised Statutes of Nebraska; to change provisions relating to traffic control signals and speed limits; and to repeal the original sections.

LEGISLATIVE BILL 820. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to motor vehicles; to amend sections

60-6,114, 60-6,294, and 60-6,298, Revised Statutes Cumulative Supplement, 2008; to provide an exception from width, height, length, weight, and load restrictions for certain emergency vehicles; to eliminate provisions relating to permits for certain emergency vehicles; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 821. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to state roads; to amend section 39-1365.01, Reissue Revised Statutes of Nebraska; to change provisions relating to road priorities; and to repeal the original section.

LEGISLATIVE BILL 822. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to liens; to amend section 52-137, Reissue Revised Statutes of Nebraska; to change provisions relating to construction liens; and to repeal the original section.

LEGISLATIVE BILL 823. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to county assessors; to amend sections 23-3201, 77-1340, and 77-1340.04, Reissue Revised Statutes of Nebraska, and section 32-519, Revised Statutes Supplement, 2009; to provide for the appointment of county assessors in certain counties; to provide operative dates; to repeal the original sections; to outright repeal section 77-1340, Reissue Revised Statutes of Nebraska, as amended by section 3 of this legislative bill; and to declare an emergency.

LEGISLATIVE BILL 824. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to courts; to amend section 25-1628, Revised Statutes Supplement, 2009; to change provisions relating to master jury lists; and to repeal the original section.

LEGISLATIVE BILL 825. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to horseracing; to amend sections 2-219, 2-1203, 2-1203.01, 2-1203.02, 2-1207, 2-1207.01, 2-1208, 2-1211, 2-1216, 2-1221, 2-1222, 2-1226, and 28-1113, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to teleracing and telephonic wagering and provide requirements for licensing satellite facilities for wagering as prescribed; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 2-1230, 2-1231, 2-1232, 2-1233, 2-1234, 2-1235, 2-1236, 2-1237, 2-1238, 2-1239, 2-1240, 2-1241, and 2-1242, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 826. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to government; to adopt the County

Consolidation Act.

LEGISLATIVE BILL 827. Introduced by Howard, 9; Campbell, 25; Gloor, 35; Harms, 48; Wallman, 30.

A BILL FOR AN ACT relating to health occupations and professions; to amend sections 38-601, 38-701, 38-1101, 38-2301, 38-2601, and 38-3001, Reissue Revised Statutes of Nebraska, and sections 38-2001, 38-2801, and 38-3301, Revised Statutes Supplement, 2009; to provide continuing education requirements for certain practitioners as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 828. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to medical radiography; to amend sections 38-1901, 38-1902, 38-1908, and 38-1918, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change requirements for medical radiographers and limited radiographers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 829. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-106, Revised Statutes Supplement, 2009; to change certain notice requirements relating to coverage under the act; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 830. Introduced by Coash, 27; Hansen, 42; Lautenbaugh, 18; Loudon, 49; Schilz, 47; Sullivan, 41.

A BILL FOR AN ACT relating to insurance; to adopt the Tourism Insurance Act; and to provide an operative date.

LEGISLATIVE BILL 831. Introduced by Utter, 33.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,124, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to school permits; and to repeal the original section.

LEGISLATIVE BILL 832. Introduced by Fischer, 43; Carlson, 38; Dubas, 34; Langemeier, 23; McCoy, 39; Schilz, 47.

A BILL FOR AN ACT relating to petroleum release remedial action; to amend section 66-1501, Reissue Revised Statutes of Nebraska; to eliminate a private insurance requirement; to harmonize provisions; to repeal the original section; and to outright repeal section 66-1532, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 833. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-1,110, Revised Statutes Cumulative Supplement, 2008; to provide for confidentiality of compensation court records as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 834. Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-135 and 53-1,104, Reissue Revised Statutes of Nebraska, and section 53-132, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to issuance and renewal of licenses and to penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 835. Introduced by Howard, 9.

A BILL FOR AN ACT relating to insurance; to amend section 44-2835, Revised Statutes Cumulative Supplement, 2008; to change certain reporting provisions under the Nebraska Hospital-Medical Liability Act; and to repeal the original section.

LEGISLATIVE BILL 836. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to deer; to amend sections 37-403, 37-448, and 77-2715.07, Reissue Revised Statutes of Nebraska, and section 37-514, Revised Statutes Supplement, 2009; to permit certain persons to hunt and possess deer as prescribed; to provide for a mandatory deer depredation season and change provisions relating to special deer depredation seasons; to provide an exception to prohibited hunting with artificial light; to provide a tax credit; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 837. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend section 77-5016, Reissue Revised Statutes of Nebraska; to provide for entry of default orders; and to repeal the original section.

LEGISLATIVE BILL 838. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to public contracts; to amend sections 39-8,105, 39-1302, and 60-6,188, Reissue Revised Statutes of Nebraska; to require certain provisions in highway and bridge construction and maintenance contracts; to require identifying signage as prescribed; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 839. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-906, Reissue Revised Statutes of Nebraska; to change provisions relating to validity of rules and regulations as prescribed; and to repeal the original section.

LEGISLATIVE BILL 840. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-201, Reissue Revised Statutes of Nebraska; to change provisions relating to criminal attempt; and to repeal the original section.

LEGISLATIVE BILL 841. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-484.02, Revised Statutes Supplement, 2009; to allow the release of digital image or signature information to local law enforcement officers; and to repeal the original section.

LEGISLATIVE BILL 842. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1401, Reissue Revised Statutes of Nebraska; to change provisions relating to procedures in cases of death occurring during apprehension or custody; and to repeal the original section.

LEGISLATIVE BILL 843. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-502, 28-503, and 28-504, Reissue Revised Statutes of Nebraska; to change provisions relating to arson; and to repeal the original sections.

LEGISLATIVE BILL 844. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Nebraska Law Enforcement Training Center; to amend section 81-1413, Reissue Revised Statutes of Nebraska; to change provisions relating to tuition, fees, and expenses; and to repeal the original section.

LEGISLATIVE BILL 845. Introduced by Howard, 9; Ashford, 20; Nordquist, 7.

A BILL FOR AN ACT relating to state government; to amend section 81-1603, Reissue Revised Statutes of Nebraska; to require energy conservation plans; to provide duties for the State Energy Office; and to repeal the original section.

LEGISLATIVE BILL 846. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-125, Revised Statutes Supplement, 2009; to change interest rate provisions on certain compensation court awards; to repeal the original section; and to declare an emergency.

RESOLUTIONS

LEGISLATIVE RESOLUTION 277CA. Introduced by Karpisek, 32.

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

Section 1. At the general election in November 2010 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 24:

III-24 (1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services, or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.

(3)(a) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for the following purposes, as directed by the Legislature:

(i) The first five hundred thousand dollars after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund;

(ii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;

(iii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education as the Legislature may direct;

(iv) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be

provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

(v) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund.

(b) No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of the Legislature.

(4) Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or at a satellite wagering facility if approved by the appropriate county, city, or village or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

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 allow for parimutuel wagering on horseraces at a satellite wagering facility if approved by the appropriate county, city, or village.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 278CA. Introduced by Nordquist, 7; Council, 11.

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

Section 1. At the general election in November 2010 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 IV, section 25, and add a new section 9 to Article IV:

IV-9 Beginning with the term of office commencing after the adoption of this section as part of this Constitution, there shall be paid as salaries to certain constitutional officers as follows:

Governor, the sum of eighty-five thousand dollars per year;

Lieutenant Governor, the sum of sixty thousand dollars per year;

Secretary of State, the sum of sixty-five thousand dollars per year;

Auditor of Public Accounts, the sum of sixty thousand dollars per year;

State Treasurer, the sum of sixty thousand dollars per year; and Attorney General, the sum of seventy-five thousand dollars per year. Such salaries shall be payable in equal monthly installments.

IV-25 The Except as otherwise provided in Article IV, section 9, of this Constitution, the officers provided for in this article shall receive such salaries as may be provided by law. Such officers, or such other officers as may be provided for by law, shall not receive for their own use any fees, costs, or interest upon public money in their hands. All fees that ~~may hereafter be~~ are payable by law for services performed, or received by an officer provided for in this article, by virtue of his or her office, shall be paid forthwith into the state treasury.

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 set salaries in the Constitution for the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Attorney General, and State Treasurer.

For

Against.

Referred to the Reference Committee.

AMENDMENTS - Print in Journal

Senator Adams filed the following amendment to LB235:
AM1541

(Amendments to Standing Committee amendments, AM681)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Leases involving the production of solar or
- 4 wind energy on school lands shall be governed by sections 1 to 4 of
- 5 this act.
- 6 Sec. 2. For purposes of sections 1 to 4 of this act:
- 7 (1) Board means the Board of Educational Lands and Funds;
- 8 (2) Lease means any lease, easement, covenant, or other
- 9 such contractual arrangement authorized by the board pursuant to
- 10 sections 1 to 4 of this act; and
- 11 (3) Lessee means any individual, corporation, or other
- 12 entity that enters into a lease with the board pursuant to sections
- 13 1 to 4 of this act.
- 14 Sec. 3. The board may authorize leases for the production
- 15 of solar or wind energy on school lands for such durations
- 16 and under such terms and conditions as the board shall deem
- 17 appropriate, except that the initial term for any such wind energy
- 18 lease shall not exceed forty years. In making such determinations,
- 19 the board shall consider comparable arrangements involving other
- 20 lands similarly situated and any other relevant factors bearing
- 21 upon such leases. Any such lease authorized by the board shall be

22 created in writing and shall be filed, duly recorded, and indexed
 1 in the office of the register of deeds of the county in which the
 2 real property subject to the lease is located. Such leases shall
 3 include, as applicable, the contents specified in sections 66-911
 4 and 66-911.01.

5 Sec. 4. The board may adopt and promulgate such rules
 6 and regulations as it shall deem necessary to regulate the leases
 7 authorized in sections 1 to 4 of this act and to prescribe such
 8 terms and conditions of such leases as it shall deem necessary
 9 to protect the interests of the state. Failure of the lessee to
 10 utilize the land for the purpose for which the land was leased
 11 shall be cause for cancellation of the lease.

12 Sec. 5. Section 72-204, Reissue Revised Statutes of
 13 Nebraska, is amended to read:

14 72-204 The Board of Educational Lands and Funds shall
 15 cause school land to be classified for rental purposes (1) at least
 16 once each five years, (2) each time that the land is leased or that
 17 an assignment of a lease is made, and (3) when the board deems it
 18 to be in the best interest of the state. The leasing of the land
 19 shall be ~~regulated~~ governed by sections 72-232 to 72-239, except
 20 that leases involving the production of solar or wind energy on
 21 school lands shall be governed by sections 1 to 4 of this act.

22 When a lease is offered for sale, the new rental shall be made
 23 public. When the board has ordered the reclassification of any of
 24 the school lands in any county, it shall prescribe the method and
 25 promulgate rules governing the classification of educational lands.
 26 It shall have a classification of all the educational lands in the
 27 county prepared by a competent person, who shall make a detailed
 1 field examination of each forty-acre tract of educational lands
 2 for the purpose of obtaining information as to the type and rating
 3 of the soil, its adaptability, the topographical character of the
 4 land, and the location and number of acres of each type. His or her
 5 report of such field examination shall be prepared in the form of
 6 a detailed map with complete explanations and shall be filed with
 7 the board. The board may employ private appraisal firms to aid it
 8 in determining the value of educational lands.

9 Sec. 6. Original section 72-204, Reissue Revised Statutes
 10 of Nebraska, is repealed.

Senator Carlson filed the following amendment to LB254:
 AM1536

1 1. On page 3, strike beginning with "If" in line 17
 2 through the period in line 24 and insert "The application shall be
 3 accompanied by an annual license fee of one hundred dollars.".

4 2. On page 4, strike beginning with "dollars" in line 2
 5 through the period in line 8 and insert "fifty dollars. All fees
 6 collected pursuant to this section shall be remitted to the State
 7 Treasurer for credit to the Pesticide Administrative Cash Fund.".

8 3. On page 21, line 9, strike "2009" and insert "2010".

Senator Avery filed the following amendment to LB550:
AM1539

- 1 1. Insert the following new section:
- 2 Sec. 3. Section 55-121, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 55-121 The Adjutant General shall be appointed by the
- 5 Governor from the active or retired commissioned officers of the
- 6 National Guard of this state. Such Adjutant General shall be or
- 7 have been a commissioned officer who has actively served in the
- 8 National Guard of this state for at least five years, shall have
- 9 attained at least the grade of lieutenant colonel, and shall be
- 10 able to become eligible for promotion to general officer. If a
- 11 retired officer is appointed, he or she shall not have been retired
- 12 for more than two years at the time he or she is considered
- 13 for appointment. He or she shall hold his or her office as
- 14 provided in section 55-136. He or she shall receive for his or her
- 15 services such salary as the Governor shall direct, payable ~~monthly,~~
- 16 biweekly, except that such salary shall not exceed the annual pay
- 17 and allowances of regular military officers of equal rank. If funds
- 18 made available by the federal government are in excess of the
- 19 amount payable as directed by the Governor, the excess shall be
- 20 used to reduce the amount required to be paid by the state. Due
- 21 to the interrelated nature of the Adjutant General's state and
- 22 federal duties, the Adjutant General shall not be required to take
- 23 paid or unpaid leave or leaves of absence to perform his or her
- 1 federal duties, whether or not under federal orders. The Adjutant
- 2 General shall continue to receive his or her salary during all
- 3 such periods. The Adjutant General shall only be required to take
- 4 leave or leaves of absence during those times when he or she is
- 5 absent and performing neither his or her state nor federal duties
- 6 as Adjutant General. This section shall not apply if the Adjutant
- 7 General is called to active duty of the United States under 10
- 8 U.S.C.
- 9 2. On page 5, line 2, strike "monthly.", show as
- 10 stricken, and insert "biweekly".
- 11 3. On page 6, line 7, after "55-120," insert "55-121,".
- 12 4. Renumber the remaining sections and correct internal
- 13 references accordingly.

Senator Rogert filed the following amendment to LB261:
AM1544

(Amendments to Standing Committee amendments, AM182)

- 1 1. On page 1, line 18, strike "(3)" and insert "(3)(a)".
- 2 2. On page 2, after line 16 insert the following new
- 3 subdivision:
- 4 "(b) Information scanned, compiled, stored, or preserved
- 5 pursuant to subdivision (a) of this subsection may be retained only
- 6 as long as required by state or federal law.".

7 3. On page 3, after line 3 insert the following new
 8 subsection:
 9 "(5) Except as provided in subsection (4) of this
 10 section, information scanned, compiled, stored, or preserved
 11 pursuant to this section may not be traded or sold to a third
 12 party, used for any marketing or sales purpose, or, unless pursuant
 13 to a court order, reported or shared with any third party. A
 14 person who violates this subsection shall be guilty of a Class IV
 15 felony.".

Senator Cook filed the following amendment to LB341:

AM1542

1 1. Strike the original sections and all amendments
 2 thereto and insert the following new sections:
 3 Section 1. Section 38-2315, Reissue Revised Statutes of
 4 Nebraska, is amended to read:
 5 38-2315 (1) A nurse practitioner may provide health
 6 care services within specialty areas. A nurse practitioner shall
 7 function by establishing collaborative, consultative, and referral
 8 networks as appropriate with other health care professionals.
 9 Patients who require care beyond the scope of practice of a
 10 nurse practitioner shall be referred to an appropriate health care
 11 provider.
 12 (2) Nurse practitioner practice means health promotion,
 13 health supervision, illness prevention and diagnosis, treatment,
 14 and management of common health problems and chronic conditions,
 15 including:
 16 (a) Assessing patients, ordering diagnostic tests and
 17 therapeutic treatments, synthesizing and analyzing data, and
 18 applying advanced nursing principles;
 19 (b) Dispensing, incident to practice only, sample
 20 medications which are provided by the manufacturer and are
 21 provided at no charge to the patient and drugs for the treatment
 22 and prevention of tuberculosis which are provided through the
 23 department and are dispensed at no charge to the patient; and
 1 (c) Prescribing therapeutic measures and medications
 2 relating to health conditions within the scope of practice. Any
 3 limitation on the prescribing authority of the nurse practitioner
 4 for controlled substances listed in Schedule II of section 28-405
 5 shall be recorded in the integrated practice agreement established
 6 pursuant to section 38-2310.
 7 (3) A nurse practitioner who has proof of a current
 8 certification from an approved certification program in a
 9 psychiatric or mental health specialty may manage the care of
 10 patients committed under the Nebraska Mental Health Commitment
 11 Act. Patients who require care beyond the scope of practice of a
 12 nurse practitioner who has proof of a current certification from an
 13 approved certification program in a psychiatric or mental health
 14 specialty shall be referred to an appropriate health care provider.

15 Sec. 2. Section 38-2850, Revised Statutes Supplement,
16 2009, is amended to read:

17 38-2850 As authorized by the Uniform Credentialing Act,
18 the practice of pharmacy may be engaged in by a pharmacist, a
19 pharmacist intern, or a practitioner with a pharmacy license. The
20 practice of pharmacy shall not be construed to include:

21 (1) Persons who sell, offer, or expose for sale
22 completely denatured alcohol or concentrated lye, insecticides, and
23 fungicides in original packages;

24 (2) Practitioners, other than veterinarians, certified
25 nurse midwives, certified registered nurse anesthetists, and nurse
26 practitioners, who dispense drugs or devices as an incident to
27 the practice of their profession, except that if such practitioner
1 regularly engages in dispensing such drugs or devices to his or
2 her patients for which such patients are charged, such practitioner
3 shall obtain a pharmacy license;

4 (3) Persons who sell, offer, or expose for sale
5 nonprescription drugs or proprietary medicines, the sale of which
6 is not in itself a violation of the Nebraska Liquor Control Act;

7 (4) Medical representatives, detail persons, or persons
8 known by some name of like import, but only to the extent of
9 permitting the relating of pharmaceutical information to health
10 care professionals;

11 (5) Licensed veterinarians practicing within the scope of
12 their profession;

13 (6) Certified nurse midwives, certified registered
14 nurse anesthetists, and nurse practitioners who dispense sample
15 medications which are provided by the manufacturer and are
16 dispensed at no charge to the patient;

17 (7) Nurse practitioners who dispense drugs for the
18 treatment and prevention of tuberculosis which are provided through
19 the department and are dispensed at no charge to the patient with
20 proper labeling and patient counseling;

21 ~~(7)-(8)~~ Hospitals engaged in the compounding and
22 dispensing of drugs and devices pursuant to chart orders for
23 persons registered as patients and within the confines of the
24 hospital, except that if a hospital engages in such compounding and
25 dispensing for persons not registered as patients and within the
26 confines of the hospital, such hospital shall obtain a pharmacy
27 license or delegated dispensing permit;

1 ~~(8)-(9)~~ Optometrists who prescribe or dispense eyeglasses
2 or contact lenses to their own patients;

3 ~~(9)-(10)~~ Registered nurses employed by a hospital who
4 administer pursuant to a chart order, or procure for such
5 purpose, single doses of drugs or devices from original drug
6 or device containers or properly labeled prepackaged drug or
7 device containers to persons registered as patients and within the
8 confines of the hospital;

9 ~~(10)~~(11) Persons employed by a facility where dispensed
10 drugs and devices are delivered from a pharmacy for pickup by
11 a patient or caregiver and no dispensing or storage of drugs or
12 devices occurs;

13 ~~(11)~~(12) Persons who sell or purchase medical products,
14 compounds, vaccines, or serums used in the prevention or cure of
15 animal diseases and maintenance of animal health if such medical
16 products, compounds, vaccines, or serums are not sold or purchased
17 under a direct, specific, written medical order of a licensed
18 veterinarian; and

19 ~~(12)~~(13) A pharmacy or a person accredited by an
20 accrediting body which or who, pursuant to a medical order, (a)
21 administers, dispenses, or distributes medical gas or medical gas
22 devices to patients or ultimate users or (b) purchases or receives
23 medical gas or medical gas devices for administration, dispensing,
24 or distribution to patients or ultimate users.

25 Sec. 3. Section 38-2867, Revised Statutes Supplement,
26 2009, is amended to read:

27 38-2867 (1) Except as provided for pharmacy technicians
1 in sections 38-2890 to 38-2897, for persons described in
2 subdivision ~~(12)~~(13) of section 38-2850, and for individuals
3 authorized to dispense under a delegated dispensing permit, no
4 person other than a licensed pharmacist, a pharmacist intern, or a
5 practitioner with a pharmacy license shall provide pharmaceutical
6 care, compound and dispense drugs or devices, or dispense pursuant
7 to a medical order. Notwithstanding any other provision of law
8 to the contrary, a pharmacist or pharmacist intern may dispense
9 drugs or devices pursuant to a medical order of a practitioner
10 authorized to prescribe in another state if such practitioner could
11 be authorized to prescribe such drugs or devices in this state.

12 (2) Except as provided for pharmacy technicians in
13 sections 38-2890 to 38-2897, for persons described in subdivision
14 ~~(12)~~(13) of section 38-2850, and for individuals authorized to
15 dispense under a delegated dispensing permit, it shall be unlawful
16 for any person to permit or direct a person who is not a pharmacist
17 intern, a licensed pharmacist, or a practitioner with a pharmacy
18 license to provide pharmaceutical care, compound and dispense drugs
19 or devices, or dispense pursuant to a medical order.

20 (3) It shall be unlawful for any person to coerce
21 or attempt to coerce a pharmacist to enter into a delegated
22 dispensing agreement or to supervise any pharmacy technician for
23 any purpose or in any manner contrary to the professional judgment
24 of the pharmacist. Violation of this subsection by a health care
25 professional regulated pursuant to the Uniform Credentialing Act
26 shall be considered an act of unprofessional conduct. A violation
27 of this subsection by a facility shall be prima facie evidence
1 in an action against the license of the facility pursuant to the
2 Health Care Facility Licensure Act. Any pharmacist subjected to
3 coercion or attempted coercion pursuant to this subsection has a

4 cause of action against the person and may recover his or her
5 damages and reasonable attorney's fees.

6 (4) Violation of this section by an unlicensed person
7 shall be a Class III misdemeanor.

8 Sec. 4. Section 38-2869, Revised Statutes Supplement,
9 2009, is amended to read:

10 38-2869 (1)(a) Prior to the dispensing or the delivery
11 of a drug or device pursuant to a medical order to a patient
12 or caregiver, a pharmacist shall in all care settings conduct
13 a prospective drug utilization review. Such prospective drug
14 utilization review shall involve monitoring the patient-specific
15 medical history described in subdivision (b) of this subsection and
16 available to the pharmacist at the practice site for:

- 17 (i) Therapeutic duplication;
- 18 (ii) Drug-disease contraindications;
- 19 (iii) Drug-drug interactions;
- 20 (iv) Incorrect drug dosage or duration of drug treatment;
- 21 (v) Drug-allergy interactions; and
- 22 (vi) Clinical abuse or misuse.

23 (b) A pharmacist conducting a prospective drug
24 utilization review shall ensure that a reasonable effort is made
25 to obtain from the patient, his or her caregiver, or his or her
26 practitioner and to record and maintain records of the following
27 information to facilitate such review:

- 1 (i) The name, address, telephone number, date of birth,
2 and gender of the patient;
 - 3 (ii) The patient's history of significant disease, known
4 allergies, and drug reactions and a comprehensive list of relevant
5 drugs and devices used by the patient; and
 - 6 (iii) Any comments of the pharmacist relevant to the
7 patient's drug therapy.
- 8 (c) The assessment of data on drug use in any prospective
9 drug utilization review shall be based on predetermined standards,
10 approved by the board.

11 (2)(a) Prior to the dispensing or delivery of a drug or
12 device pursuant to a prescription, the pharmacist shall ensure that
13 a verbal offer to counsel the patient or caregiver is made. The
14 counseling of the patient or caregiver by the pharmacist shall be
15 on elements which, in the exercise of the pharmacist's professional
16 judgment, the pharmacist deems significant for the patient. Such
17 elements may include, but need not be limited to, the following:

- 18 (i) The name and description of the prescribed drug or
19 device;
- 20 (ii) The route of administration, dosage form, dose, and
21 duration of therapy;
- 22 (iii) Special directions and precautions for preparation,
23 administration, and use by the patient or caregiver;
- 24 (iv) Common side effects, adverse effects or
25 interactions, and therapeutic contraindications that may be

26 encountered, including avoidance, and the action required if such
 27 effects, interactions, or contraindications occur;

1 (v) Techniques for self-monitoring drug therapy;

2 (vi) Proper storage;

3 (vii) Prescription refill information; and

4 (viii) Action to be taken in the event of a missed dose.

5 (b) The patient counseling provided for in this

6 subsection shall be provided in person whenever practical or by the
 7 utilization of telephone service which is available at no cost to
 8 the patient or caregiver.

9 (c) Patient counseling shall be appropriate to the
 10 individual patient and shall be provided to the patient or
 11 caregiver.

12 (d) Written information may be provided to the patient or
 13 caregiver to supplement the patient counseling provided for in this
 14 subsection but shall not be used as a substitute for such patient
 15 counseling.

16 (e) This subsection shall not be construed to require a
 17 pharmacist to provide patient counseling when:

18 (i) The patient or caregiver refuses patient counseling;

19 (ii) The pharmacist, in his or her professional judgment,
 20 determines that patient counseling may be detrimental to the
 21 patient's care or to the relationship between the patient and his
 22 or her practitioner;

23 (iii) The patient is a patient or resident of a health
 24 care facility or health care service licensed under the Health Care
 25 Facility Licensure Act to whom prescription drugs or devices are
 26 administered by a licensed or certified staff member or consultant
 27 or a certified physician's assistant;

1 (iv) The practitioner authorized to prescribe drugs or
 2 devices specifies that there shall be no patient counseling unless
 3 he or she is contacted prior to such patient counseling. The
 4 prescribing practitioner shall specify such prohibition in an oral
 5 prescription or in writing on the face of a written prescription,
 6 including any prescription which is received by facsimile or
 7 electronic transmission. The pharmacist shall note "Contact Before
 8 Counseling" on the face of the prescription if such is communicated
 9 orally by the prescribing practitioner; or

10 (v) A medical gas or a medical gas device is
 11 administered, dispensed, or distributed by a person described in
 12 subdivision ~~(12)~~ (13) of section 38-2850.

13 Sec. 5. Original section 38-2315, Reissue Revised
 14 Statutes of Nebraska, and sections 38-2850, 38-2867, and 38-2869,
 15 Revised Statutes Supplement, 2009, are repealed.

UNANIMOUS CONSENT - Add Cointroducers

Senator Howard asked unanimous consent to add her name as cointroducer to LB710. No objections. So ordered.

Senator Coash asked unanimous consent to add his name as coinroducer to LB725. No objections. So ordered.

Senators Carlson, Hansen, McCoy, and Schilz asked unanimous consent to add their names as coinroducers to LB729. No objections. So ordered.

Senator Council asked unanimous consent to add her name as coinroducer to LB763. No objections. So ordered.

Senator Janssen asked unanimous consent to add his name as coinroducer to LB777. No objections. So ordered.

Senator McCoy asked unanimous consent to add his name as coinroducer to LB778. No objections. So ordered.

Senator Loudon asked unanimous consent to add his name as coinroducer to LB796. No objections. So ordered.

PROPOSED RULES CHANGE

The Rules Committee offered the following proposed rules change:

Proposed Rules Change 1

Rule 4 - Resolutions

Section 1. Identification. A resolution shall be designated as Legislative Resolution _____. All resolutions shall be numbered consecutively for each Legislature. All resolutions shall be introduced and read by the Clerk upon introduction and shall be printed in the Legislative Journal. ~~Individual members shall be limited to eight resolutions per session.~~ Individual members shall be limited to eight resolutions per session which result in the referring, scheduling, and conducting of a public hearing by a legislative committee. This limitation shall not apply to resolutions proposing an amendment to the Nebraska Constitution, ~~or to~~ resolutions proposing interim studies, or which are honorary in nature.

73-74 Attorney General Opinion No. 13--Resolutions must be printed and read before a vote is taken.

PROPOSED RULES CHANGES

The Rules Committee indefinitely postponed the following proposed rules changes:

Proposed Rules Change 2

Rule 3

Sec. 12. Electronic Submission of Documents. (a) Copies of any

additional testimony and/or exhibits being presented must be done electronically to the committee clerk for access by members choosing to use electronic media. (b) These document submissions may occur via electronic mail, disk, or portable drive and shall be placed in an electronic file by the committee clerk. (c) Senators choosing to access these documents electronically shall be permitted to use a laptop computer in committee for such access.

Renumber the remaining sections.

Proposed Rules Change 3

Rule 3

Sec. 13. Consideration and Correlation of Bills and Resolutions. (a) Committees shall consider and report without unnecessary delay all bills and resolutions referred to them. Committees shall be authorized to combine and to correlate the provisions of different bills and resolutions referred to them and related to the subject-matter jurisdiction of the committee. Committees may, before taking final action on any bill or resolution, adopt amendments thereto, for the consideration of the Legislature.

(b) The chairperson of each committee shall set for hearing all bills and resolutions referred to the committee, except as provided for in Rule 1, Section 17.

(c) During public testimony lights (colored red, yellow, and green) shall be used to indicate when a testifier has reached the limit of their allotted time for testimony. The length of time shall be uniform for each testifier, and set at the discretion of the committee chairperson, and shall not include time used by committee members to question the testifier. Any committee wishing to forgo the use of testimony lights may do so through a majority vote of the committee.

Proposed Rules Change 4

Rule 3

Sec. 6. Redistricting Committee. (a) The Redistricting Committee of the Legislature shall be established as a special committee of the Legislature in January of each year ending in one. The committee is authorized to introduce and exercise jurisdiction over legislative bills and resolutions relating to redistricting and hold hearings regarding such legislation.

(b) The committee shall be comprised of nine members of the Legislature, three from each congressional district existing on January 1 of each year ending in zero. The Executive Board shall appoint the members of the committee in January of each year ending in one. ~~No more than five members appointed to the committee shall be affiliated with the same political party.~~ No more than two members appointed from each congressional district shall be affiliated with the same political party. A

vacancy on the committee shall be filled by the Executive Board as soon as possible after the vacancy occurs.

(c) At the first meeting of the committee, the members shall select from among themselves by majority vote one member to serve as chairperson of the committee and one member to serve as vice chairperson of the committee. The chair and vice chair shall not be a member of the same political party.

(d) The committee shall continue in existence until all bills containing redistricting plans for which the Legislature has responsibility are passed and signed by the Governor. In the event of a successful legal challenge to any part of a redistricting plan, the committee shall be reconstituted for purposes of reformulating the challenged redistricting plan.

(e) The committee shall receive staff support from the office of the director of Legislative Research.

(f) The committee shall, after reviewing previous redistricting guidelines used by the Legislature, adopt substantive and procedural guidelines that will guide the Legislature's redistricting process. During the legislative session of each year ending in one, the substantive guidelines adopted by the committee shall be presented to the Legislature for approval.

(g) The committee shall at the earliest feasible time make available to the public the substantive guidelines prepared by the committee.

(h) The committee shall introduce legislative bills pertaining to redistricting congressional districts and other districts during the legislative session of each year ending in one.

(i) Based upon the information received from the United States Department of Commerce, Bureau of the Census, the committee shall formulate redistricting plans for congressional districts and other districts. The statistics and redistricting plans shall be made available to the Legislature and the public.

(j) After the statistics and redistricting plans are made available to the Legislature and the public, the committee shall schedule and conduct, as expeditiously as reasonably possible, at least one public hearing in each congressional district for the purposes of soliciting input on the proposed redistricting plans. Video and other methods may be used in addition to the procedures outlined for public hearings but not in substitution for such procedures.

(k) In addition to the above procedures, legislation introduced for the purpose of complying with the decennial redistricting process in years ending in one, shall follow the normal procedures for any legislation introduced in the Nebraska Legislature.

Proposed Rules Change 5

Rule 8

Section 1. Purpose. The purpose of this rule is to provide a procedure for the Legislature to develop appropriations for all state agencies, boards, and commissions. Such procedure shall consider the need to (1) continue the services and financial assistance provided by state agencies and programs, (2) restrict the growth in state appropriations, and (3) provide for the

efficient and effective use of state revenue by utilizing standing committee subject-matter expertise in the review of agency, board, and commission budget requests.

Sec. 2. Appropriations Committee Report. The Legislature's Appropriations Committee, by majority vote of its members, shall annually prepare a report summarizing the preliminary total General Fund appropriation recommendations for each year of the following biennium. Such report shall include information based upon the committee's initial review of (1) state agency, board, and commission budget requests, (2) the Governor's budget, (3) the estimated revenue receipts for each year of the following biennium, (4) General Fund reserve requirements, (5) express obligations, (6) legislation that would be required to enable recommended appropriations, and (7) economic conditions affecting the State of Nebraska.

Sec. 3. Report, When Required. The report required in Section 2 of this rule shall be printed in the Legislative Journal and presented to each member of the Legislature by the Chairperson of the Appropriations Committee between twenty and thirty legislative days after the Governor presents his or her budget during sessions in odd-numbered years and between fifteen and twenty legislative days after the Governor's budget presentation during session in even-numbered years.

Sec. 4. Standing Committee Appropriations Review. (a) Each standing committee may hold a budget request review hearing on the agency, board, and commission budgets reasonably encompassed in its subject-matter jurisdiction. Any such review hearing shall not be held until the Appropriations Committee has held its public hearing on that agency, board, or commission. The chairperson of the standing committee shall coordinate the scheduling of such hearings with the Chairperson of the Appropriations Committee. The standing committee shall obtain a determination from the Executive Board that the budget to be reviewed is within its subject-matter jurisdiction. The standing committee may recommend to the Legislature amendments to proposed appropriations.

(b) Standing committee amendments, if any, must be filed by the sixth legislative day following the placement of appropriations bills on General File. Standing committee amendments shall be printed in the Journal and shall be considered by the Legislature no sooner than the eighth legislative day following the placement of the appropriations bills on General File. Standing committee amendments shall be considered by the Legislature after Appropriations Committee amendments but before all other amendments. Standing committee amendments shall be considered in the order of filing.

(c) The Appropriations Committee shall make available to the appropriate standing committee all currently available information at its disposal.

Sec. 5. Bills, Held on Final Reading. The report of the Appropriations Committee shall include a recommended dollar amount of the General Fund biennium appropriation which shall be allocated for the funding of "A" bills, bills that result in the net reduction of revenue to the General Fund, tax expenditure bills, and amendments to the appropriations bills as reported to General File by the Appropriations Committee. During a 90 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; and all tax expenditure bills shall not be read on Final Reading until the appropriations bills are passed by the Legislature. Provided the Appropriations Committee shall place appropriations bills on General File no later than the 70th legislative day in a 90 day session and the 40th legislative day in a 60 day session. If this deadline is not met, the Legislature shall consider the appropriations bills as introduced by the Governor. During a 60 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; all tax expenditure bills; and all appropriations bills shall not be read on Final Reading prior to the 45th legislative day. The appropriations bills shall be passed no later than the 80th legislative day in a 90 day session and the 50th legislative day in a 60 day session. The appropriations provided for in an "A" bill shall be for not less than two fiscal years.

Sec. 6. Bill, Setting Tax Rates. The Legislature's tax rate bill shall be passed no later than the 85th legislative day in a 90 day session and the 55th legislative day in a 60 day session.

Sec. . Bill Authorizing or Directing Transfers of Certain Cash Funds.
No bill may be reported by the Appropriations Committee that authorizes the transfer to the General Fund or to a different cash fund all or a portion of the balance of a cash fund that is a repository of revenues derived from licensure and inspection fees, excise taxes or other similar assessment that, absent authorization for transfer to the General Fund or elsewhere, are authorized to be collected and expended only for a dedicated purpose or purposes described by the authorizing statutes imposing the fee, excise tax or similar assessment. A motion to suspend this rule shall be made by the Chairman of the Appropriations Committee and such motion shall be approved by the Legislature prior to the reading of the bill on General File.

Sec. 7. Financial Status Report. Beginning with the legislative day following the reporting of the appropriations bills to General File, there shall be attached to the daily agenda of the Legislature a General Fund Financial Status, prepared by the Legislative Fiscal Analyst under the supervision of the Chair of the Appropriations Committee. The Financial Status shall include current estimates of beginning funds available, plus estimated revenue, less the Appropriations Committee recommended budget and express obligations for the biennial period under consideration, to arrive at the calculated variance from the minimum reserve for the General Fund as specified by law. The Financial Status shall also include a listing of other

legislation on Select File and Final Reading, and Speaker's Major Proposals on General File that would deduct from or add to General Funds available above the minimum reserve requirement, should the bills pass.

In addition to data for the budget period under consideration, the Financial Status shall include data for the ensuing two years following the biennial budget period. Such data shall consist of projections of available balances, annual net receipts, and annual expenditures, based on the assessment of the Legislative Fiscal Analyst of the provisions of current law as it may relate to projected revenues and expenditures. Prior to attaching the first Financial Status to the agenda, the data and the assumptions for the ensuing years beyond the budget biennium and methods for arriving at estimates shall be reviewed by the Chair and the Vice Chair of the Appropriations and Revenue committees and shall be approved by a majority of the membership of each such committee. Upon mutual agreement by the Chairs of the Appropriations Committee and Revenue Committee, the projections may be reconsidered pursuant to the provisions of this section.

VISITORS

Visitors to the Chamber were Senator Haar's granddaughter, Jenny Haar, from Lincoln; and Senator Fischer's son, Adam Fischer, and Tisha, Caitlin, and Emilee Jacquot from Valentine.

ADJOURNMENT

At 10:55 a.m., on a motion by Senator Fulton, the Legislature adjourned until 10:00 a.m., Monday, January 11, 2010.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTH DAY - JANUARY 11, 2010

LEGISLATIVE JOURNAL

**ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION**

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 11, 2010

PRAYER

The prayer was offered by Senator Coash.

ROLL CALL

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

The roll was called and all members were present except Senators Ashford, Christensen, Langemeier, and Stuthman who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the third day was approved.

REFERENCE COMMITTEE REPORT

The Executive Board submits the following report:

LB/LR	Committee
LB716	Government, Military and Veterans Affairs (rereferred)
LB734	Health and Human Services (rereferred)
LB765	Judiciary
LB766	Health and Human Services
LB767	Government, Military and Veterans Affairs
LB768	Government, Military and Veterans Affairs
LB769	Judiciary
LB770	Executive Board
LB771	Judiciary
LB772	Transportation and Telecommunications
LB773	Transportation and Telecommunications
LB774	Revenue
LB775	Revenue
LB776	Appropriations
LB777	Government, Military and Veterans Affairs
LB778	Health and Human Services

LB779 Revenue
 LB780 Business and Labor
 LB781 Urban Affairs
 LB782 Transportation and Telecommunications
 LB783 General Affairs
 LB784 Judiciary
 LB785 Natural Resources
 LB786 General Affairs
 LB787 Transportation and Telecommunications
 LB788 General Affairs
 LB789 Revenue
 LB790 Health and Human Services
 LB791 Government, Military and Veterans Affairs
 LB792 Judiciary
 LB793 Appropriations
 LR276CA Revenue

(Signed) John Wightman, Chairperson
Executive Board

MOTION - Print in Journal

Senator Council filed the following motion to LB307:
 MO70
 Recommit to Judiciary Committee.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 8, 2010,
 in accordance with Section 49-1481, Revised Statutes of Nebraska.
 Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Abboud, Chris
 Agri-Business Association, Nebraska
 Brain Injury Association of America
 Manheim's Omaha Auto Auction
 Monsanto
 Omaha Police Union, Local 101
 Adair, Peggy
 CASA for Douglas County
 League of Women Voters of Nebraska
 Adams, Donald D., Jr.
 Nebraskans First, Inc.
 Adams, John H.
 International Gamco, Inc.

Alberts, Dan
 Third Planet Windpower
 Amack, Angela K.
 Columbus Public Schools
 Electrical Workers, International Brotherhood of
 Fire Fighters Association, Nebraska Professional
 Grand Island Public Schools
 American Communications Group, Inc.
 American Cancer Society
 American Heart Association
 American Wind Energy Association
 Amputee Coalition of Nebraska
 Behavioral Health Organizations, Nebraska Association of
 Center for Rural Affairs
 Child Healthcare Alliance, Nebraska
 Dental Assistants of Nebraska
 EHPV (Big Red) Lottery Services, LLC d/b/a Big Red Keno
 Emergency Medical Service Association, Nebraska
 Empyrean Brewing Company
 Engineers and Architects, Nebraska Board of
 Goodwill Industries, Nebraska
 Iowa/Nebraska Primary Care Association
 Nebraska Film Association
 Physical Therapy Association, Nebraska Chapter of American
 Physician Assistants, Nebraska Academy of
 Psychological Association, Nebraska
 Public Employees, AFSCME Local 61, Nebraska Association of
 Public Health, Friends of in Nebraska
 Research Nebraska!
 Respiratory Care, Nebraska Society for
 Speech, Language, & Hearing Association, Nebraska
 Surgical Technologists, Association of
 Teamsters Local Union 554
 YMCA of Nebraska
 Andersen, Robert C.
 Cooperative Council, Nebraska
 Anderson, Kristen
 Realtors Association, Nebraska
 Anderson, Robert L.
 Agri-Business Association, Nebraska
 Anderson Management Services, Inc.
 Anderson, Tim W.
 Central Nebraska Public Power & Irrigation District
 Austin, Jordan
 National Rifle Association Institute for Legislative Action
 Baack, Dennis G.
 Community College Association, Nebraska
 Babcock, Marsha L.
 Mechanical Contractors Assn. of Omaha

- Barrett, John
Cox Communications
- Bateman, Joseph R.
Union Pacific Railroad
- Beattie, George
Bankers Association, Nebraska
- Beermann, Allen J.
Press Association, Nebraska
- Belcher, Barbara N.
Merck Sharp & Dohme Corp. and its Affiliates
- Bell, David
Loup River Public Power District
- Benjamin, Melody
Cattlemen, Inc., Nebraska
- Benson, Sandra E.
AARP
- Blomstedt, Matthew L.
Educational Service Unit Coordinating Council
- Boehm, John M.
Mortgage Association, Nebraska
- Boesch, Elizabeth L.
Nebraska Public Power District
- Bohrer, Bruce J.
Lincoln Chamber of Commerce
- Bonaiuto, John A.
School Boards, Nebraska Association of
- Bowling, Karen
Family Council, Nebraska
- Boyer, Steve
Third Planet Windpower
- Brady, Justin J.
Radcliffe, Walter H. of Radcliffe & Associates
- Brandt, Horan, Hallstrom and Stilmock
Bankers Association, Nebraska
Bankers Insurance and Services Company, Nebraska (NBISCO)
Firefighters Association, Nebraska State Volunteer
National Federation of Independent Business
Nebraskans For Workers Compensation Equity
NETWORKS, Inc.
Pharmacists Association, Nebraska
- Brashear, Kermit A.
Cox Communications
Learning Community of Douglas and Sarpy County
Sarpy County Board of Commissioners
- Bromm, Curt
AFLAC
Cable Communications Association, Nebraska
KZ Co.
Lexington Public Schools

Verizon Wireless
Bruckner, Traci
Center for Rural Affairs
Bruning, Deonne L.
Century Link (formerly Embarq Corp.)
Cox Communications
Northern Natural Gas
U. S. Cellular
Buntain, David R.
Medical Association, Nebraska
Regions I, II and V Services
Burhan, Charles H.
Liberty Mutual Insurance
Burroughs, Sheila K.
Certified Public Accountants, Nebraska Society of
Campbell, Mary
Lincoln Public Schools
Carstenson, Eric B.
Telecommunications Association, Nebraska
Carter, Jennifer
Appleseed Center for Law in the Public Interest, Nebraska
Cavanaugh Law Firm, PC, LLO
Creighton University
Explore Information Services, LLC
Independent Insurance Agents of Nebraska
Tenet Health System
Cavanaugh, James P.
Cavanaugh Law Firm PC, LLO
Cavanaugh, Patrick B.
Cavanaugh Law Firm PC, LLO
Cheloha, John A. 'Jack'
City of Omaha
Christiansen, Craig R.
Education Association, Nebraska State
Clark, Douglas R.
Metropolitan Utilities District
Clayburn, Neal
Education Association, Nebraska State
Coleman, Steven D.
Papillion - La Vista Public Schools
Courtney, Robert
AARP
Cover, Joni R.
Pharmacists Association, Nebraska
Cox, Christopher
National Rifle Association Institute for Legislative Action
Crawford, Kristin Lawson
Kissel/E&S Associates, LLC
Cunningham, Douglas

Affiliated Foods Midwest
 Cunningham, James R.
 Catholic Conference, Nebraska
 Curtis, Carol A.
 AstraZeneca Pharmaceuticals
 Cutshall & Nowka
 Anheuser-Busch Companies
 Area Agencies on Aging, Nebraska Association of
 Area Health Education Centers
 BryanLGH Health System
 Chief Probation Officers Coalition
 Community Lottery System, Inc.
 County Attorneys Association, Nebraska
 Credit Advisors
 Dietetic Association, Nebraska
 Elkhorn Public Schools
 Family Physicians, Nebraska Academy of
 Funeral Directors Association, Nebraska
 Home & Community Health Agencies, Nebraska Association of
 Meda Pharmaceutical Inc.
 Metropolitan Utilities District
 Nebraska Public Power District
 Nebraska State College Systems, Board of Trustees of the
 NET Foundation for Television
 Peetz & Company
 Pfizer, Inc.
 Police Officers' Association of Nebraska
 Pork Producers Association, Nebraska
 Poultry Industries, Inc., Nebraska
 Radiologic Technologists, Nebraska Society of
 Resources Districts, Nebraska Association of
 Rural Community School Association, Nebraska
 Sheriffs Association, Nebraska
 Society of Human Resources Management's (SHRM) Nebraska State
 Council
 Southern Public Power District
 Trucking Association, Nebraska
 Union Pacific Railroad
 Water Coalition, Nebraska
 Cutshall, Bruce A.
 Cutshall & Nowka
 Dake Abel, Julie
 Public Employees, AFSCME Local 61, Nebraska Association of
 Dibbern, Chris M.
 Nebraska Municipal Power Pool
 Dittmer, Judy
 AARP
 Dix, Larry
 County Officials, Nebraska Association of

Dobler, James B.
Farmers Mutual of Nebraska

Donaldson, R. Eric
Altria Client Services Inc. and its Affiliates (formerly Philip Morris USA Inc.)

Donovan, Steve
Ducks Unlimited, Great Plains

Downey, Robert A.
Capital Humane Society

Dudley, William H.
AFLAC

Dukesherer, James C.
Rural Electric Association, Nebraska

Dulaney, Michael S.
School Administrators, Nebraska Council of

Edson, Dean E.
Resources Districts, Nebraska Association of

Edwards, Jon
County Officials, Nebraska Association of

Egr, James M.
Firefighters Association, Nebraska State Volunteer

Elliott, Joseph W.
Professional Insurance Agents of Nebraska

Epler, Robert
AARP

Eret, Don
Tractor Testing Laboratory, Supporters of Nebraska

Erickson, Julie S.
American Communications Group, Inc.

Ernst, Dan E.
School Administrators, Nebraska Council of

Esposito, Mikilin M.
City of Lincoln

Evans, Eric A.
Advocacy Services, Inc., Nebraska

Ferrell, Beth Bazyn
County Officials, Nebraska Association of

Fischer-Lempke, Marla J.
ARC of Nebraska

Fraizer, Theodore D. (Tad)
Insurance Association, American
Mutual of Omaha Insurance Company
Updowntowners, Inc.

Freeman, Clayton
Alzheimer's Association, Midlands Chapter

Fritz, Teresa Stitche
Alzheimer's Association of the Great Plains

Gangwish, Duane
Cattlemen, Inc., Nebraska

Genrich, Richard L.
Eagles, Fraternal Order of, NE State Aerie
Veterans & Social Societies, Inc., Nebraska Council of Fraternal

Gilbertson, Korby M.
Radcliffe, Walter H. of Radcliffe & Associates
Wildlife Protectors Association, Inc./Operation Game Thief, Nebraska

Goc, John J.
Metropolitan Utilities District

Gossman, Abigail
MedImmune, Inc.

Gottschalk, Kristen
Rural Electric Association, Nebraska

Gould, John 'Jack'
Common Cause National
Common Cause Nebraska

Guinan, Trish
Education Association, Nebraska State

Hack, Mace A.
Nature Conservancy, The

Hale, Brian R.
School Boards, Nebraska Association of

Hale, Susan
Planned Parenthood of the Heartland

Hallstrom, Robert J.
Brandt, Horan, Hallstrom and Stilmock

Hamilton Consulting
Life Lock, Inc.

Hansen, John K.
Farmers Union, Nebraska

Hartmann, William
One-Call Notification Center, Nebraska Statewide

Harvey, William F.
EHPV (Big Red) Lottery Services, LLC d/b/a Big Red Keno
Vigilnet America Inc.

Hassebrook, Charles, Jr.
Center for Rural Affairs

Haubensak, Richard
Constellation NewEnergy Gas Division (formerly Cornerstone Energy, Inc.)

Hayes, Jason William
Tax Research Council, Inc., Nebraska

Head, Craig J.
Farm Bureau Federation, Nebraska

Hedman, Gary
Southern Public Power District

Hernandez, Jennifer
Children & Families Foundation, Nebraska

Herzog, Frank
AARP

Higgins, Shirley
Nebraska Public Power District

Hinds, Carolyn C
AARP

Hoffman, Jerry
Education Association, Nebraska State

Holmquist, David W.
American Cancer Society

Holmquist, Jay
Rural Electric Association, Nebraska

Hood, Jane Renner
Humanities Council, Nebraska

Horn, Ryan
Wal-Mart Stores, Inc.

Hurst, Lisa
Life Technologies Corporation

Husch Blackwell Sanders, LLP
Chiropractic Physicians Association, Nebraska
Crown Cork and Seal Company, Inc.
Home Instead, Inc.
Papio-Missouri Natural Resources District, Nebraska
Wal-Mart Stores, Inc.
Waste Management

Intermill, Mark
AARP

Jaeschke, Ronda
SourceGas Distribution, LLC

Jeffers, Thomas E.
Cooperative Council, Nebraska

Jensen, Ronald L./Jensen Associates, Inc.
Altria Client Services Inc. and its Affiliates (formerly Philip Morris USA Inc.)
Children's Respite Care Center, Inc.
Dental Hygienists Association, Nebraska
Eli Lilly and Company
Health Management Systems
Homes & Services for the Aging, Nebraska Association of
Johnson, DeMaris/The Johnson Group
Magellan Health Services, Inc.
Mosaic
National Rifle Association Institute for Legislative Action
Nurse Anesthetists, Nebraska Association of
Optometric Association, Nebraska
Podiatric Medical Association, Nebraska
Service Providers, Nebraska Association of

Jensen, S. Michael
Great Plains Communications

Johnson, DeMaris - The Johnson Group
Bromm, Curtis A.

Cable Communications Association, Nebraska
Check Cashers, Nebraska Association of
County Attorneys Association, Nebraska
Industrial Energy Users of Nebraska
Jensen, Ronald/Jensen & Associates
Water Resources Association, Nebraska

Johnson, Dick
Builders and Contractors, Inc., Associated

Johnson, Kimberly
United Parcel Service

Johnson, Larry A.
Trucking Association, Nebraska

Johnson, Mary A.
Ruth Mueller Robak LLC

Jordison, John C.
Great Plains Communications
Renaissance Nebraska Project, Inc.

Kamm, Richard D.
Adams Central Junior-Senior High
Grand Island Northwest Public Schools
Lakeview Community Schools

Karl, Jamie T.
Chamber of Commerce & Industry, Nebraska

Karnes, David
Curbside Rewards LLC
EHPV (Big Red) Lottery Services, LLC d/b/a Big Red Keno
Father Flanagans Boys Home aka Boys Town
Vigilnet America Inc.

Kay, Sara A.
AIA Nebraska

Keigher, Timothy P.
Community College Association, Nebraska
Keigher/Rasmussen & Associates, LLC
Petroleum Marketers & Convenience Store Assn., Nebraska

Keigher/Rasmussen & Associates, LLC
AirBoat Association, Nebraska
Credit Management
Iowa/Nebraska Equipment Dealers Association
Land Improvement Contractors Association, Nebraska
LensCrafters
MillerCoors LLC (formerly Miller Brewing Company)
National Guard Assn. of Nebraska

Kelley and Jerram, P.C.
Beverage Operators of Nebraska, Responsible
Douglas County, Nebraska
Eastern Nebraska Human Services Agency
Elevator Industry Work Preservation
Fraternal Order of Police, Nebraska
Johnson Brothers/Finocchiaro, LLC

Omaha Exposition & Racing, Inc.
Kelley Governmental Relations, LLC
Metro Area Transit
Omaha Airport Authority
Kelley, Michael
Kelley and Jerram, P.C.
Kelley Governmental Relations, LLC
Kelley, Sean
Kelley and Jerram, P.C.
Kelley Governmental Relations, LLC
Kelsey, Michael D.
Cattlemen, Inc., Nebraska
Kennedy, Barry L.
Chamber of Commerce & Industry, Nebraska
Kenny, Timothy R.
Investment Finance Authority, Nebraska
Kevil, G. Bruce
Home Builders Association, Nebraska State
Kidwell, Katie L.
Civic Reform, Nebraskans for
Kilgarin, Karen
Education Association, Nebraska State
Kissel, Gordon
Kissel/E&S Associates, LLC
Kissel/Erickson & Sederstrom Associates, LLC
American Petroleum Institute
Ameristar Casinos, Inc.
Beverage Distributors of Nebraska, Associated
CASA Association, Nebraska
Cooperative Council, Nebraska
County Court Association, Nebraska
Engineers, Nebraska Society of Professional
Erickson & Sederstrom, PC
Golf Course Superintendents Association, Nebraska
Hearing Society, Nebraska
Historical Society, Nebraska State
Kaplan Higher Education in Nebraska c/o MultiState Associates, Inc.
Lancaster County Board of Commissioners
March of Dimes Birth Defects Foundation
Nebraska Municipal Power Pool
Professional Engineers Coalition
Ralston Public School District
Regional Administrators, Nebraska Association of
Sarpy County, United Cities of
Telecare Corporation
TransCanada Pipelines Limited
West Corporation
Kohout, Joseph D.
Kissel/E&S Associates, LLC

Kolterman, Jessica A.
Farm Bureau Federation, Nebraska

Krannawitter, Brian
American Heart Association

Krumland, Gary G.
League of Nebraska Municipalities

Kruse, Dacia D.
Omaha Chamber of Commerce, Greater

Lange, Robert G.
Ameritas Life Insurance Corporation

Levy, David C.
Midwest Wind Energy

Libsack, Fiona
Regional West Health Services

Licht, Alice L.
Agri-Business Association, Nebraska
Anderson Management Services, Inc.
Auctioneers Association, Nebraska
Automotive Recycling Industry of Nebraska
Aviation Trade Association, Nebraska
Hotel & Motel Association, Inc., Nebraska
Pest Control Association, Nebraska State

Licht, Andrew W.
Anderson Management Services, Inc.

Likes, Steven C., Esq.
Investment Finance Authority, Nebraska

Lillis, John J.
Nebraskans United For Life

Lindsay, John
O'Hara, Lindsay & Associates, Inc.

Lineweber, Ray L.
United Transportation Union

Loeffler, Michael T.
Northern Natural Gas

Logsdon, Robert R.
Cox Communications

Lombardi, Richard A.
American Communications Group, Inc.

Lowrey, Lon
Novartis Pharmaceuticals Corporation

Luetkenhaus, Brandon M.
Credit Union League and Affiliates, Nebraska

Mahlman, Dale L.
Medical Association, Nebraska

Mainwaring, Brenda
Union Pacific Railroad

Marsh, Laurel S.
ACLU Nebraska

Mass, Ken E.

- AFL-CIO, Nebraska State
McBride, David S.
Health Underwriters, Nebraska Association of
Insurance and Financial Advisors, National Association of
Optometric Association, Nebraska
- McClure, Jeanne L.
Alegent Health
- McClure, John
Nebraska Public Power District
- McClymont, Pete
Cattlemen, Inc., Nebraska
- McCullough, Jacqueline K.
Engineering Companies/Nebraska, American Council of
- McDonald, Vickie
Center For People In Need
- McGuire, Mark D.
Cameco (formerly Crow Butte) Resources, Inc.
Education Association, Nebraska State
- McHugh, Jim
Regional West Health Services
- McKenzie, Janis M.
Gifted, Nebraska Association For The
Independent Colleges & Universities of Nebraska (AICUN), Association
of
Insurance Federation, Nebraska
- Meek, Randy D.
Brotherhood of Locomotive Engineers, Nebraska State Legislative Board
- Menzel, Elaine
County Officials, Nebraska Association of
- Meradith, Steve
Windstream
- Merritt, Gary James
Auto Dealers Association, Nebraska Independent
- Meurrens, Bradley A.
Advocacy Services, Inc., Nebraska
- Micek, Cora
Hospital Association, Nebraska
- Mikkelsen, Brian
Education Association, Nebraska State
- Miller, Amy
ACLU Nebraska
- Miller, Jeffrey T.
Veterans of Foreign Wars
- Mills, Jack D.
Blue Cross & Blue Shield of Nebraska
Risk Management Association, Nebraska Intergovernmental
- Mines, Mick
Humane Society, Nebraska
Insurance and Financial Advisors, National Association of

- League of Nebraska Municipalities
- Mines & Associates
- Mischo, Craig
 - Bayer Health Care
- Morfeld, Adam
 - Civic Reform, Nebraskans for
- Mortland, Thomas
 - Berkshire Hathaway Homestate Companies
- Moylan, James H.
 - Beverage Association, Nebraska Licensed
 - Reynolds American (formerly RJ Reynolds Tobacco)
- Mueller, William J.
 - Ruth Mueller Robak LLC
- Munguia, Roberto F.
 - Burlington Northern Santa Fe
- Murphy, Jeremy P.
 - Catholic Conference, Nebraska
- Nabb, Douglas
 - Fremont Public Schools
- Napp, Jaimee
 - Identity Theft Action Council of Nebraska (iTAC)
- Nathan, Robbie
 - AARP
- Neville, Brennan S.
 - National Indemnity Company
- Nielsen, Coleen J.
 - Criminal Defense Attorneys Association, Nebraska
 - Insurance Information Service, Nebraska
 - Medco Health Solutions, Inc.
 - Merck Sharp & Dohme Corp. and its Affiliates
 - State Farm Insurance Companies
- Nolan, Michael
 - League of Nebraska Municipalities
- Nowka, Trent P.
 - Cutshall & Nowka
- O'Hara, Lindsay and Associates, Inc.
 - AIA Nebraska
 - Ambulatory Centers, Nebraska Association of Independent
 - Automobile Manufacturers, Alliance of
 - Beverage Association, Nebraska
 - Black Hills Corporation (formerly Aquila)
 - Blue Cross & Blue Shield of Nebraska
 - City of Hastings
 - City of Lincoln
 - County Judges Association, Nebraska
 - First National of Nebraska, Inc.
 - Housing & Redevelopment Officials, Nebraska Chapter of the National
 - Association of
 - Humane Society of the United States, The

Humanities Council, Nebraska
Nebraskans Against the Death Penalty
Nucor Corporation
Nurses Association, Nebraska
Omaha Public Power District
Omaha Public Schools
Professional Employer Organizations, National Association of
SourceGas Distribution, LLC
Trial Attorneys, Nebraska Association of
Valmont Industries, Inc.
Winnebago Tribe of Nebraska
O'Neill, Thomas J., Jr.
Independent Colleges & Universities of Nebraska (AICUN), Association
of
Olsen, Keith R.
Farm Bureau Federation, Nebraska
Orton, Leroy
Irrigation Association, Nebraska State
Waste Water Assn., Nebraska On-Site
Well Drillers Association, Nebraska
Othmer, Mark F.
Iowa/Nebraska Equipment Dealers Association
Otto, James A.
Restaurant Association, Nebraska
Retail Federation, Nebraska
Ozanne, Colleen K.
Center For People In Need
Pack, Mary M.
Radcliffe, Walter H. of Radcliffe & Associates
Paden, Nicholas
Broadband Coalition, Nebraska
Cambridge Telephone Company
Clarks Telecommunications Co.
Consolidated Telephone Company
Great Plains Communications
Hamilton Telecommunications
Hartelco (formerly Hartington Telecommunications, Inc.)
Hershey Coop Telephone Co.
HunTel Systems, Inc.
Ignition Interlock Systems of IA, Inc.
K & M Telephone Company
Nebraska Central Telephone Company
Northeast Nebraska Telephone Co.
Stanton Telecom, Inc.
Three River Telco
Parker, David R.
Great West Casualty Company
Passarelli, Angelo D.
Millard Public Schools

- Petz, Natalie, Petz & Company
2010 Special Olympics USA National Games
Alegent Health
American Legal Finance Association
Apollo Group, Inc./Univ. of Phoenix
Behavioral Health, Advocates for
Boys and Girls Club of America
Children & Families Foundation, Nebraska
Coventry Insurance
Cutshall & Nowka
Kiewit Corporation
Metropolitan Entertainment & Convention Authority (Qwest Center
Omaha)
Omaha Zoological Society
Tenaska
- Peters, William E.
Burlington Northern Santa Fe
Cigar Association of America, Inc.
Medx12, Inc.
- Peterson, Alan E.
Media of Nebraska, Inc.
- Peterson, Patricia Schuett
Investment Finance Authority, Nebraska
- Petsch, Jean M.
General Contractors, Associated (NE Building Chapter)
- Pieper, James S.
Cox Communications
Learning Community of Douglas and Sarpy County
Sarpy County Board of Commissioners
- Pierson, Darwin R.
Oil & Gas Association, Nebraska Independent
- Plofchan, Paul
Pfizer, Inc.
- Plucker, Julia
Collectors Association, Nebraska
- Pollock, Andy
Friends of Nebraska Nonprofit Hospitals
Gottsch Enterprises
Morrison Enterprises, LLC
Nebraska Energy Export Association
NorthWestern Energy
Progressive Swine Technologies
- Polt, Brendon A.
Health Care Association, Nebraska
- Popken, Kent T.
Qwest Communications
- Potter, Cara E.
National Association of Chain Drug Stores
- Prenda, Amy

Cutshall & Nowka
 Ptacek, Patrick J.
 Grain and Feed Association, Nebraska
 Radcliffe, Walter H. of Radcliffe & Associates
 2013 US Senior Open Local Organizing Committee
 ALTRIA Client Services, Inc. (Formerly UST Public Affairs, Inc.)
 Bellevue Public Schools
 Broadcasters Association, Nebraska
 Cable Communications Association, Nebraska
 Cemetery Association, Nebraska State
 Certified Public Accountants, Nebraska Society of
 Community Financial Services of America (CFSA) c/o MultiStates
 Associates Inc.
 Compensation Insurance, National Council on (NCCI)
 Fair Board, Nebraska State
 Father Flanagans Boys Home aka Boys Town
 Father Flanagans Boys Home d/b/a Boys Town National Research
 Hospital
 Guaranteed Asset Protection Association
 Health Care Association, Nebraska
 Home Builders Association, Nebraska State
 Horsemen's Benevolent & Protective Association
 INTRALOT USA
 League of Nebraska Municipalities
 Lincoln Public Schools
 Media of Nebraska, Inc.
 Medical Center, Nebraska
 Metropolitan Community College
 Motion Picture Association of America
 Nebraska Expressways for Economic Development (NEED)
 Nebraska Technical Services, Inc.
 Optometric Association, Nebraska
 Property Casualty Insurers Association of America
 Public Health Funding, Nebraskans for
 Pyrotechnics Association, Nebraska
 Realtors Association, Nebraska
 Republic National Distributing Company (Formerly Wholesale Liquor
 Distributors Association, Nebraska)
 Sanofi Pasteur, (MultiState Associates, Inc on behalf of)
 Small Smiles of Nebraska c/o Multistate Associates Inc.
 State Troopers Association of Nebraska, Inc.
 Telecommunications Association, Nebraska
 Tyson Foods, Inc.
 University of Nebraska
 Rea, James M.
 Lincoln Education Association
 Redoutey, Laura J.
 Hospital Association, Nebraska
 Reiman, Charlene

SourceGas Distribution, LLC
Rempe, Jay E.
Farm Bureau Federation, Nebraska
Renner, Shawn D.
Media of Nebraska, Inc.
Rex, L. Lynn
League of Nebraska Municipalities
Reynolds, Jeff
Center for Rural Affairs
Richards, Thomas
Omaha Public Power District
Rieker, Bruce R.
Hospital Association, Nebraska
Riibe, Diane
Project Extra Mile
Ring, Kenneth T.
AARP
Riskowski, Al
Family Council, Nebraska
Robak, Kim M.
Ruth Mueller Robak LLC
Roland, Gene
SourceGas Distribution, LLC
Root, David
Medco Health Solutions, Inc.
Ruth Mueller Robak LLC
Airport Officials, Nebraska Association of
American Express Travel Related Services, Inc.
Ash Grove Cement Co.
AT&T Corporation
Bankers Association, Heartland Community
Better Nebraska Association
Chief Industries, Inc.
Children and Family Coalition of Nebraska
Commercial Property Owners, Nebraska Association of
Constellation NewEnergy Gas Division (formerly Cornerstone Energy,
Inc.)
Copic Companies
Court Reporters Association, Nebraska
Dental Association, Nebraska
District Court Judges Association, Nebraska
Duncan Aviation
Eastern Nebraska Development Council
eBay, Inc.
Electrical Contractors Association, National
Eye Physicians and Surgeons, Nebraska Academy of
First Data Corporation
General Contractors of America, NE Chapter, Associated
Independent Accountants, Nebraska Society of

Land Title Association, Nebraska
Lincoln Airport Authority
Lower Republican NRD
Lyman-Richey Corporation
Machinery Company, Nebraska
Madonna Rehabilitation Hospital
MedImmune Incorporated
Methodist Health Systems, Nebraska
Millard Public Schools
Nebraska Interactive
Nebraska State Bar Association
Pharmaceutical Research and Manufacturers of America
Press Association, Nebraska
Sterling Distribution Co.
Veterinary Medical Association, Nebraska
Viaero Wireless

Ryan, Beth
Cutshall & Nowka

Sahling-Zart, Shelley R.
Lincoln Electric System

Schaefer, Matthew T.
Ruth Mueller Robak LLC

Schafer, Andrea R.
Norris Public Power District

Scherer, Larry
Education Association, Nebraska State

Schleppenbach, Greg
Catholic Conference, Nebraska

Schmit Industries, Inc.
Chiropractic Physicians Association, Nebraska
Ethanol Producers, Assoc. of Nebraska

Schmit-Albin, Julie
Nebraska Right to Life

Schuller, Lynne
Horsemens Benevolent & Protective Association
Propane Gas Association, Nebraska

Schultz, William E.
Marksmanship Association, Nebraska

Sears, T. Jay
Education Association, Nebraska State

Sedlacek, Ronald J.
Chamber of Commerce & Industry, Nebraska
Husch Blackwell Sanders, LLP

Seibert, Tiffany
Voices for Children

Shasky, Kelly Stevens
Washington Center, The

Sheard, James W., Jr.
Nebraska Change to Win Coalition c/o Teamsters Local 554

- Siefken, Kathy
Grocery Industry Association, Nebraska
Shazam
- Stilmock, Gerald M.
Brandt, Horan, Hallstrom and Stilmock
- Sullivan, J. Scott
Credit Union League and Affiliates, Nebraska
- Todd, A. Loy, Jr.
Car & Truck Dealers Association, Nebraska New
- Uhe, Fred J.
Sarpy County Board of Commissioners
- Ullstrom, Galen F.
Mutual of Omaha Insurance Company
- Valentin, Michaela L.
Blue Cross & Blue Shield of Nebraska
- Veak, Becky
Children & Families Foundation, Nebraska
- Vodvarka, Dan
Certified Public Accountants, Nebraska Society of
- Wagner, Connie
Licensed Practical Nurse Association of Nebraska
- Watson, James S.
United Healthcare Services, Inc. and Affiliates
- Weber, Rocky
Cooperative Council, Nebraska
- Werner, Terry
Social Workers, Nebraska Chapter, National Association of
- Wesely, Don
O'Hara, Lindsay & Associates, Inc.
- Wheeler, Harold
AARP
- White, Rosemary
AAA Nebraska and The Auto Club Group
- Wightman, Anna Castner
First National of Nebraska, Inc.
- Williams, David M.
Ameritas Life Insurance Corporation
- Wimmer, J. Kent
Western Sugar Cooperative (CO)
- Winger, Dwight
Rural Telecommunications Coalition, Nebraska
- Winston, Ken
Library Association, Nebraska
Sierra Club, Nebraska
- Withem, Ron
University of Nebraska
- Wolf, Jesse
Education Association, Nebraska State
- Woods, Kara

Johnson, DeMaris/The Johnson Group
Wurster, Donald F.
National Indemnity Company
Yost, Jeffrey G.
Community Foundation, Nebraska
Yost, Kurt T.
Bankers, Nebraska Independent Community
Central Nebraska Public Power & Irrigation District
Midwest Check Cashiers, Inc.
Young, Justin
Occupational Therapy Association, Nebraska
Zaenglein, Norbert
Autobody Association, Nebraska
Zalenski, Susan D.
Johnson & Johnson
Zeeb, Chris M.
Firearms Owners Association, Nebraska (NFOA)
Zieg, Patricia A.
Apria Healthcare, Inc.
Zulkowski, Katie W.
Ruth Mueller Robak LLC
Zumwinkle, Mike
Cargill/Excel

MOTION - Adopt Permanent Rules

Senator Lautenbaugh moved to adopt the permanent rules for the One Hundred First Legislature, Second Session, and any special sessions held during the 2010 calendar year.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 1, found on page 131, to Rule 4, Sec. 1.

The Rules Committee's proposed rules change, Proposed Rules Change 1, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Senator Lautenbaugh renewed his motion, found in this day's Journal, to adopt the permanent rules, as amended, for the One Hundred First Legislature, Second Session, and any special sessions held during the 2010 calendar year.

The Lautenbaugh motion to adopt permanent rules, as amended, prevailed with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 682. Title read. Considered.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 683. Title read. Considered.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 684. Title read. Considered.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 261. Considered.

PRESIDENT SHEEHY PRESIDING

Committee AM182, found on page 367 and considered on page 576, First Session, 2009, was renewed.

Senator Fischer renewed her amendment, AM323, found on page 576, First Session, 2009, to the committee amendment.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 847. Introduced by Council, 11.

A BILL FOR AN ACT relating to courts; to amend sections 25-2720.01, 25-2803, and 25-2804, Reissue Revised Statutes of Nebraska; to change Small Claims Court powers relating to judgments and orders and provide for use of attorneys as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 848. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to cities of the first class; to amend section 16-707, Reissue Revised Statutes of Nebraska; to change provisions relating to board of equalization meetings; and to repeal the original section.

LEGISLATIVE BILL 849. Introduced by Gay, 14.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 68-906, 68-1017, 68-1017.01, 68-1070, 77-27,165, 83-1220, 83-1221, 83-1222, 83-1223, and 83-1224, Reissue Revised Statutes of Nebraska, and section 83-1217, Revised Statutes Supplement, 2009; to adopt federal law for purposes of the Medical Assistance Act and the Supplemental Nutrition Assistance Program; to remove and change references to Supplemental Nutrition Assistance Program coupons and benefits; to change notification requirements for child support claims against income tax refunds; to change requirements for specialized programs providing developmental disability services; to change provisions relating to hearing officers of the Division of Developmental Disabilities; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 850. Introduced by Avery, 28.

A BILL FOR AN ACT relating to public postsecondary educational institutions; to require the provision of information on early voting to students.

LEGISLATIVE BILL 851. Introduced by Avery, 28.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-2703, 13-2705, 13-2706, and 13-2707, Reissue Revised Statutes of Nebraska, and section 13-2610, Revised Statutes Supplement, 2009; to change provisions under the Convention Center Facility Financing Assistance Act and the Local Civic, Cultural, and Convention Center Financing Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 852. Introduced by Avery, 28.

A BILL FOR AN ACT relating to elections; to amend section 32-816, Reissue Revised Statutes of Nebraska; to change provisions relating to write-in space on official ballots for certain offices; and to repeal the original section.

LEGISLATIVE BILL 853. Introduced by Wightman, 36; Ashford, 20; Council, 11.

A BILL FOR AN ACT relating to criminal law; to amend sections 28-105, 29-2204, 29-2520, 29-2522, 29-2524, and 83-1,105.01, Reissue Revised Statutes of Nebraska; to change the statutes to reflect the Nebraska Supreme Court opinion *State v. Conover*, 270 Neb. 446, 703 N.W.2d 898 (2005); to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 854. Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-131.01 and 53-135, Reissue Revised Statutes of

Nebraska; to change requirements for licensure; and to repeal the original sections.

LEGISLATIVE BILL 855. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to pharmacies; to amend section 38-2845, Reissue Revised Statutes of Nebraska, and section 38-2801, Revised Statutes Supplement, 2009; to adopt the Remote Pharmacy Act; to define and redefine terms; to change provisions relating to the Pharmacy Practice Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 856. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to the state highway system; to amend section 39-1359, Reissue Revised Statutes of Nebraska; to provide for rules and regulations regarding memorials in the right-of-way; and to repeal the original section.

LEGISLATIVE BILL 857. Introduced by Gay, 14.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 71-1559 and 71-4604.01, Reissue Revised Statutes of Nebraska; to eliminate limitations on certain fees; to create and eliminate funds; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 858. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to service animals; to amend sections 20-126, 20-131.01, and 28-1009.01, Reissue Revised Statutes of Nebraska, and sections 20-126.01, 20-127, 20-128, 20-129, 20-131.02, and 20-131.04, Revised Statutes Cumulative Supplement, 2008; to provide protections and penalties for mobility-impaired and otherwise disabled persons who use service animals as prescribed; to provide additional requirements for service animals and service animals in training; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 859. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to courts; to amend sections 25-2705 and 25-2805, Reissue Revised Statutes of Nebraska; to change provisions relating to trial by jury; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 860. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2433, Reissue Revised Statutes of Nebraska; to change permit application provisions relating to misdemeanor crimes of violence;

and to repeal the original section.

LEGISLATIVE BILL 861. Introduced by General Affairs Committee: Karpisek, 32, Chairperson; Coash, 27; Cook, 13; Dierks, 40; Dubas, 34; Krist, 10; Price, 3; Rogert, 16.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 9-823, 28-421, 53-123.12, 53-124.13, 53-124.14, 53-138.01, 53-139, 53-1,104, 60-4,152, 71-5730, and 79-267, Reissue Revised Statutes of Nebraska, sections 48-1902, 53-122, 53-123.13, 53-123.15, 53-124.12, 53-132, 53-134, 53-164.01, 53-169.01, 53-403, and 60-4,119, Revised Statutes Cumulative Supplement, 2008, and sections 53-101, 53-103, 53-124, and 53-131, Revised Statutes Supplement, 2009; to transfer definitions and fee provisions; to change provisions relating to distribution of license fees in accordance with the Constitution of Nebraska; to eliminate unconstitutional provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 862. Introduced by Christensen, 44; Carlson, 38.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-3226.01 and 2-3226.05, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to river-flow enhancement bonds; to change provisions relating to an occupation tax as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 863. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to cities of the first class; to amend section 31-744, Reissue Revised Statutes of Nebraska, and section 16-130, Revised Statutes Supplement, 2009; to change provisions relating to annexation; to provide duties for sanitary and improvement districts; and to repeal the original sections.

LEGISLATIVE BILL 864. Introduced by Pirsch, 4; Ashford, 20; Carlson, 38; Council, 11; Fulton, 29; Giese, 17; Nelson, 6.

A BILL FOR AN ACT relating to the Community Corrections Act; to amend sections 47-619 and 47-624, Revised Statutes Cumulative Supplement, 2008; to provide duties for the Community Corrections Council regarding reporting centers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 865. Introduced by Fischer, 43; Carlson, 38; Cornett, 45; Dubas, 34; Schilz, 47.

A BILL FOR AN ACT relating to animals; to amend sections 28-1008 and 28-1013, Revised Statutes Supplement, 2009; to adopt the Livestock Animal Welfare Act; to harmonize provisions; to provide a duty for the Revisor of

Statutes; to repeal the original sections; and to outright repeal sections 28-1009.02, 28-1009.03, 28-1013.01, and 28-1013.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 866. Introduced by Howard, 9; Gloor, 35.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend sections 38-2817, 71-436, and 71-7435, Reissue Revised Statutes of Nebraska, and sections 38-2801, 38-2802, 38-2850, 38-2867, and 38-2869, Revised Statutes Supplement, 2009; to define and redefine terms; to provide for a dispensing practitioner permit; to change provisions relating to an exception to the practice of pharmacy; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 867. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to alcoholic liquors; to amend section 53-124, Revised Statutes Supplement, 2009; to change fees for shipping licenses; and to repeal the original section.

LEGISLATIVE BILL 868. Introduced by Flood, 19.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2262, 29-2266, 29-2277, 29-2278, 29-2279, 48-126.01, 48-147, 53-180.05, 60-6,211.02, and 60-6,211.06, Reissue Revised Statutes of Nebraska, sections 48-115 and 48-145, Revised Statutes Cumulative Supplement, 2008, and section 48-106, Revised Statutes Supplement, 2009; to name, change, and adopt provisions for the Community Service Sentencing Act; to provide for community service programs; to state findings and intent; to remove offenders performing community service and persons fulfilling conditions of probation from coverage under the Nebraska Workers' Compensation Act; to limit liability of a community service program under the Community Service Act and provide duties; to change penalties for a minor in possession of alcohol and a minor driving with blood alcohol concentration within certain limits; to harmonize provisions; and to repeal the original sections.

RESOLUTIONS

LEGISLATIVE RESOLUTION 279CA. Introduced by Avery, 28.

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

Section 1. At the general election in November 2010 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 2:

III-2 The first power reserved by the people is the initiative whereby laws may be enacted and constitutional amendments adopted by the people

independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by ~~seven-four~~ percent of the registered voters of the state, and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ~~ten-fifteen~~ percent of such registered voters. In all cases the registered voters signing such petition shall be so distributed as to include five percent of the registered voters of each of two-fifths of the counties of the state, and when thus signed, the petition shall be filed with the Secretary of State who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, more often than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative. Initiative measures shall contain only one subject. The Legislature shall not amend, repeal, modify, or impair a law enacted by the people by initiative, contemporaneously with the adoption of this initiative measure or at any time thereafter, except upon a vote of at least two-thirds of all the members of the Legislature.

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

A constitutional amendment to change the number of signatures required on initiative petitions.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 280. Introduced by Stuthman, 22.

WHEREAS, the Howells Bobcats won the 2009 Class D-1 State Football Championship; and

WHEREAS, the Bobcats defeated Giltner High School 68-28 to win the state title; and

WHEREAS, the Bobcats also won state titles in 2000, 2001, 2002, 2003, 2004, 2005, and 2008; and

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

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

1. That the Legislature congratulates the Howells Bobcats on winning the 2009 Class D-1 State Football Championship.

2. That a copy of this resolution be sent to the Howells Bobcats and their coach, Mike Speirs.

Laid over.

LEGISLATIVE RESOLUTION 281. Introduced by Stuthman, 22.

WHEREAS, the Humphrey St. Francis Flyers won the 2009 Class D-2 State Football Championship; and

WHEREAS, the Flyers defeated Hayes Center High School 34-0 to win the state title; and

WHEREAS, the Flyers were able to capture the 2009 state title after a runner-up finish in 2008; and

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

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

1. That the Legislature congratulates the Humphrey St. Francis Flyers on winning the 2009 Class D-2 State Football Championship.

2. That a copy of this resolution be sent to the Humphrey St. Francis Flyers and their coach, Eric Kessler.

Laid over.

MOTION - Print in Journal

Senator Lautenbaugh filed the following motion to LB796:

MO71

Indefinitely postpone.

NOTICE OF COMMITTEE HEARING

Urban Affairs

Room 1510

Tuesday, January 19, 2010 1:30 p.m.

LB781

(Signed) Amanda McGill, Chairperson

ATTORNEY GENERAL'S OPINIONOpinion 10002

SUBJECT: Elimination of the constitutional office of State Treasurer on a date that does not coincide with the end of an incumbent Treasurer's term of office.

REQUESTED BY: Senator Dennis Utter
Nebraska State Legislature

WRITTEN BY: Jon Bruning, Attorney General
Charles E. Lowe, Assistant Attorney General

Introduction

In a letter to this office dated November 20, 2009, you indicate that, at the next session of the Nebraska Legislature, you are planning to propose a constitutional amendment to eliminate the office of Nebraska State Treasurer. In that context you ask for our opinion on the question: "[C]ould the proposed Constitutional Amendment be worded to eliminate the office of State Treasurer in the middle of a term of office, or must elimination of the office of Treasurer coincide with the end of a validly elected Treasurer's term of office?"

In asking your question you clearly recognize that the State Treasurer is an officer created by the Nebraska Constitution, Neb. Const. art. IV, § 1, and that, therefore, such office may be eliminated only by means of a constitutional amendment. You also recognize that under that same section of the constitution the State Treasurer (along with the Governor, Lieutenant Governor, Secretary of State, State Auditor and Attorney General) is elected "for a term of four years." So the question is whether or not the office of State Treasurer can be eliminated by a constitutional amendment effective on some date that is before the incumbent State Treasurer at that time has served his or her full four year term in office.

Discussion

The following "black letter law" appears in 67 C.J.S. Officers § 93 (2002): "A term of office may be changed by constitutional amendment, or, in a proper case, by legislative enactment." That same section of C.J.S. contains the statement that a "change of term of an office may be made in the state constitution." It goes on to say: "The sovereign power creating an office may change its tenure in the absence of constitutional restriction, and such power may be exercised subject to constitutional limitations." (Footnotes omitted.)

In the case of the State Treasurer the "sovereign power" that created the office is the people of the State of Nebraska who, by means of exercising

their right to vote, approved the constitutional provisions naming the State Treasurer as a constitutional executive officer and setting his or her term of office. Based upon the general rules set forth above, it appears that this same "sovereign power" may, by constitutional amendment, delete the State Treasurer as a constitutional officer and/or change the term of office for such officer. *State ex rel. Lull v. Frizzell*, 31 Minn. 460, 467, 18 N.W. 316, 319-20 (1884), confirms this conclusion.

It is elementary that there is no contract, express or implied, between a public officer and the government, whose agent he is, for the continuance of his office or the permanency of his salary for the full term for which he was elected. Public officers have no proprietary interest in their offices, or any right of property in the prospective compensation attached thereto. Public offices, in theory, at least, are held and exercised for the benefit of the public and not of the incumbent. Therefore, it is in all cases competent for the people, in their sovereign capacity, to abolish an office or shorten a term, or reduce or take away entirely the salary attached to it, without regard to the interests or expectations of the incumbent as to the prospective compensation. *Cooley*, *Const. Lim.* *276; *County of Hennepin v. Jones*, 18 Minn. 182, (199;) *Connor v. City of New York*, 2 Sandf. 355.

The Minnesota court in *Frizzell* upheld a series of constitutional amendments which shortened the terms of some constitutional officers and lengthened the terms of others.

Accordingly, it seems clear that the people, by means of a constitutional amendment, can eliminate a constitutional office at any point and that, in such circumstance, the office holder has no right to remain in office to serve out his or her entire term.

We believe that legal authority dealing with changes in terms of office for officers created by legislative enactments provides additional guidance in dealing with the issue of whether a constitutional amendment eliminating a constitutional office may take effect before the incumbent officer has served a full term of office. In this connection the section of C.J.S. cited above concludes that, since the sovereign authority that created an office may change its tenure, "the legislature may change the term of an office during the term of an incumbent, even though the effect of the change is to curtail the unexpired term of an incumbent" C.J.S. goes on to explain that the legislature cannot do this when the constitution fixes the duration of the term. This means that, while the legislature clearly cannot override the provisions of the constitution and, on its own, change the terms of constitutionally created state officers, it may change the terms of state officers it has created by law, even if such change results in an incumbent officer being out of office before the previously existing term of office has expired.

Nebraska cases appear to follow this general rule that the legislature may change the terms of state officers created by statute, even if it means that an incumbent officer's term of office will be shortened. *Hamilton v. Foster*, 155 Neb. 89, 93, 50 N.W.2d 542, 544-45 (1951); *State ex rel. Comstock v. Stewart*, 52 Neb. 243, 255, 71 N.W. 998, 1002-03 (1897). See, *Op. Att'y Gen. No. 01040* (Dec. 17, 2001). In *Stewart*, a case which dealt with city council members in Lincoln, whose offices and terms of office had been created by legislation – not the constitution, the court stated:

"In the absence of any constitutional prohibition or affirmative provision fixing the term of office of any officer, or his compensation, the legislature may change such term or compensation, and such change of term or compensation will apply as well to the officers then in office as to those to be thereafter elected." The same principle applies to the offices of councilmen. The official tenure of such officers is not fixed by the constitution, and hence may be shortened or terminated at the will of the legislature.

Stewart, 52 Neb. at 255, 71 N.W. at 1002-03 (quoting *Douglas County v. Timme*, 32 Neb. 272, 275, 49 N.W. 266, 267 (1891)).

In *Stewart*, of course, it was the Nebraska Legislature that was permitted to change the terms of office for officers it had created, even if that meant incumbents' terms were shortened. There is no reason, however, why the same result would not apply where the people, by means of adopting a constitutional amendment in the prescribed manner, change the term of office of an officer created by the constitution.

The Iowa Supreme Court has made the following observations in connection with upholding the elimination of an office created by the legislature before the terms of the incumbent officer holders expired:

In 67 C. J. S., *Officers*, section 54(1), it is said:

"It has been laid down broadly that a public officer, regardless of the form of the statute under which he takes office, enjoys a privilege revocable by the sovereignty at will and that the incumbent of a public office possesses only such right to it as the laws of tenure give to him. A constitutional officer has the right, however, to perform the duties of his office until he is legally removed from office or is legally disqualified to act."

In *Eckerson v. City of Des Moines*, 137 Iowa 452, 481, 482, 115 N.W. 177, we said:

"Public offices are created in the interests of the general public, and not for the benefit of any individual. And no one in possession of an office has a constitutional right to remain therein for the full period of the term for which he was elected. * * * And as no contract right exists in favor of the incumbent of an office, it does not remain for him to quarrel with the

method of procedure adopted. In the case of a statutory office, the Legislature may even abolish the office, and with the taking effect of the law providing therefor the right of the incumbent to further act ceases eo instanti, notwithstanding the term for which he was elected has not expired."

Sueppel v. City Council of Iowa City, 257 Iowa 1350, 1357, 136 N.W.2d 523, 527 (1965).

Thus, it appears that under the law whether one is holding an office created by statute or an office created by the constitution, there is no constitutional or contractual right to continue in office for the full term if the term is shortened or ended by the body that created the office – the legislature for statutorily created offices, the people of the state through the voters for constitutionally created offices.

Conclusion

For the reasons discussed above, it is our opinion that the answer to your question is in the affirmative – i.e., your proposed constitutional amendment could be worded in such a way as to eliminate the office of State Treasurer at any point in time after adoption of the amendment by the people. Elimination of the office of State Treasurer by constitutional amendment would not have to coincide with the end of a Treasurer's term of office.

If you wish to have the elimination of the office of State Treasurer take place at some time other than the end of a term, we additionally note that your proposed constitutional amendment should be worded in such a way as to make clear not only that the office of State Treasurer is being eliminated, but also that the four year term of office provision of Neb. Const. art. IV, § 1 would not apply to the incumbent Treasurer in the event the office is eliminated effective on some date other than the end of that four year period.

Finally, if your intent is to abolish the office of State Treasurer entirely, rather than simply eliminating it as a constitutional office, you might want to draft your proposed amendment bearing in mind *Swanson v. State of Nebraska*, 132 Neb. 82, 271 N.W. 264 (1937), in which it was held that a constitutional amendment that simply deleted the office of commissioner of public lands from the list of constitutional officers in Neb. Const. art. IV, § 1 did not completely abolish the office since the constitutional amendment did not expressly abolish the office in its entirety and since the office was still referred to in numerous statutes and given many duties to perform by statute. Rather, the supreme court found that the commissioner of public lands continued to exist as a statutorily created office to carry out the duties assigned to it.

Sincerely yours,
JON BRUNING
Attorney General

(Signed) Charles E. Lowe
Assistant Attorney General

cc. Patrick J. O'Donnell
Clerk of the Legislature
17-079-20

UNANIMOUS CONSENT - Add Cointroducers

Senator Coash asked unanimous consent to add his name as cointroducer to LB726. No objections. So ordered.

Senator Christensen asked unanimous consent to add his name as cointroducer to LB763. No objections. So ordered.

Senator Council asked unanimous consent to add her name as cointroducer to LB779. No objections. So ordered.

Senator Krist asked unanimous consent to add his name as cointroducer to LB795. No objections. So ordered.

Senator Janssen asked unanimous consent to add his name as cointroducer to LB836. No objections. So ordered.

RECESS

At 11:55 a.m., on a motion by Senator McGill, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Langemeier presiding.

ROLL CALL

The roll was called and all members were present except Senator Heidemann who was excused; and Senators Ashford and Dierks who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Executive Board submits the following report:

LB/LR	Committee
LB794	Government, Military and Veterans Affairs
LB795	Judiciary
LB796	Revenue
LB797	Natural Resources
LB798	Natural Resources
LB799	Urban Affairs

LB800	Judiciary
LB801	Judiciary
LB802	Revenue
LB803	Health and Human Services
LB804	Revenue
LB805	Transportation and Telecommunications
LB806	Revenue
LB807	Banking, Commerce and Insurance
LB808	Transportation and Telecommunications
LB809	Judiciary
LB810	Transportation and Telecommunications
LB811	Transportation and Telecommunications
LB812	Health and Human Services
LB813	Banking, Commerce and Insurance
LB814	Banking, Commerce and Insurance
LB815	Government, Military and Veterans Affairs
LB816	Transportation and Telecommunications
LB817	Judiciary
LB818	Banking, Commerce and Insurance
LB819	Transportation and Telecommunications
LB820	Transportation and Telecommunications
LB821	Transportation and Telecommunications
LB822	Judiciary
LB823	Revenue
LB824	Judiciary
LB825	General Affairs
LB826	Government, Military and Veterans Affairs
LB827	Health and Human Services
LB828	Health and Human Services
LB829	Business and Labor
LB830	Judiciary
LB831	Transportation and Telecommunications
LB832	Natural Resources
LB833	Business and Labor
LB834	General Affairs
LB835	Judiciary
LB836	Natural Resources
LB837	Revenue
LB838	Transportation and Telecommunications
LB839	Government, Military and Veterans Affairs
LB840	Judiciary
LB841	Transportation and Telecommunications
LB842	Judiciary
LB843	Judiciary
LB844	Judiciary
LB845	Natural Resources
LB846	Business and Labor
LR277CA	General Affairs
LR278CA	Government, Military and Veterans Affairs

(Signed) John Wightman, Chairperson
Executive Board

RESOLUTION

LEGISLATIVE RESOLUTION 282. Introduced by Hadley, 37.

WHEREAS, Dr. Richard Miller, a psychology professor at the University of Nebraska at Kearney, is the first Nebraska educator to be named a United States Professor of the Year by the Council for Advancement and Support of Education; and

WHEREAS, Dr. Miller has also received the Robert S. Daniel Award for outstanding teaching at a four-year college or university from the American Psychological Association; and

WHEREAS, Dr. Miller has also received the top University of Nebraska at Kearney teaching and mentoring awards, which include the Pratt-Heins Foundation Award for Excellence in Teaching and the Leland Holdt/Security Mutual Life Distinguished Professor Award; and

WHEREAS, Dr. Miller has also received the University of Nebraska Outstanding Teaching and Instructional Creativity Award.

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

1. That the Legislature congratulates Dr. Richard Miller for his outstanding achievements in the field of higher education.
2. That a copy of this resolution be sent to Dr. Richard Miller.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 261. The Fischer amendment, AM323, found on page 576, First Session, 2009, and considered in this day's Journal, to the committee amendment, was renewed.

The Fischer amendment was adopted with 40 ayes, 1 nay, 5 present and not voting, and 3 excused and not voting.

Senator Rogert withdrew his amendment, AM1544, found on page 125.

Senator Rogert offered the following amendment to the committee amendment:

AM1545

(Amendments to Standing Committee amendments, AM182)

- 1 1. On page 1, line 18, strike "(3)" and insert "(3)(a)".
- 2 2. On page 2, after line 16 insert the following new
- 3 subdivision:

4 "(b) Information scanned, compiled, stored, or preserved
 5 pursuant to subdivision (a) of this subsection may not be retained
 6 longer than eighteen months unless required by state or federal
 7 law."
 8 3. On page 3, after line 3 insert the following new
 9 subsection:
 10 "(5) Except as provided in subsection (4) of this
 11 section, information scanned, compiled, stored, or preserved
 12 pursuant to this section may not be traded or sold to a third
 13 party; used for any marketing or sales purpose by any person,
 14 including the retailer who obtained the information; or, unless
 15 pursuant to a court order, reported or shared with any third party.
 16 A person who violates this subsection shall be guilty of a Class
 17 IV felony."

The Rogert amendment was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Lathrop offered the following amendment to the committee amendment:

FA54

Amend AM182

Add on page 2 line 6 the word "only" between "may" and "be" and on page 2 line 8 after "products" add "and may not be shared with any other person or entity".

The Lathrop amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Committee AM182, found on page 367 and considered on page 576, First Session, 2009, and considered in this day's Journal, as amended, was renewed.

The committee amendment, as amended, was adopted with 35 ayes, 5 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 8 nays, 5 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 522. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 72. Title read. Considered.

Committee AM366, found on page 513, First Session, 2009, was considered.

SENATOR FISCHER PRESIDING

SENATOR LANGEMEIER PRESIDING

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 869. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.12, 53-130, 53-135, and 53-138.01, Reissue Revised Statutes of Nebraska, sections 53-124.11 and 53-129, Revised Statutes Cumulative Supplement, 2008, and section 53-131, Revised Statutes Supplement, 2009; to provide for application and renewal fees; to change provisions relating to registration fees; to change the distribution of fees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 870. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-149, Reissue Revised Statutes of Nebraska; to provide for a temporary operating permit; and to repeal the original section.

LEGISLATIVE BILL 871. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-413, Revised Statutes Supplement, 2009; to change provisions relating to persons accompanying apprentice hunters; and to repeal the original section.

LEGISLATIVE BILL 872. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to workers' compensation; to amend section 48-120.04, Revised Statutes Supplement, 2009; to change applicability of a medical fee schedule as prescribed; and to repeal the original section.

LEGISLATIVE BILL 873. Introduced by Giese, 17.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1716, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to notification of delinquent property taxes; and to repeal the original section.

LEGISLATIVE BILL 874. Introduced by Giese, 17.

A BILL FOR AN ACT relating to the Nebraska Probation Administration Act; to amend section 29-2259, Reissue Revised Statutes of Nebraska; to change provisions relating to office expenses; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 875. Introduced by Giese, 17.

A BILL FOR AN ACT relating to elections; to amend sections 32-101, 32-312, 32-312.05, 32-318.01, 32-321, 32-323, 32-325, 32-902, 32-914, and 32-915, Reissue Revised Statutes of Nebraska, and section 60-484.02, Revised Statutes Supplement, 2009; to provide for voter registration on the Secretary of State's web site; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 876. Introduced by Howard, 9.

A BILL FOR AN ACT relating to insurance; to amend sections 44-2825 and 44-2832, Reissue Revised Statutes of Nebraska; to change recovery amounts under the Nebraska Hospital-Medical Liability Act; and to repeal the original sections.

LEGISLATIVE BILL 877. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-701, 77-1363, 77-1502, 77-1507, 77-3517, 77-5007, 77-5013, and 77-5016, Reissue Revised Statutes of Nebraska; to authorize appeals by the Tax Commissioner and Property Tax Administrator as prescribed; to change provisions relating to soil surveys; to change provisions relating to descriptions of property for property tax purposes; to change provisions relating to homestead exemptions; to change powers and duties of the Tax Equalization and Review Commission; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 878. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1784, 77-2756, and 77-2794, Reissue Revised Statutes of Nebraska; to change provisions relating to electronic fund transfers, income tax withholding, and overpayments of tax; to eliminate a provision relating to electronic filings and payments; to provide an operative date; to repeal the original sections; and to outright repeal section 77-2769.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 879. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 9-1,101, 66-719, 77-2701.38, 77-2711, 77-2712.03, 77-2789, 77-2790, 77-2796, 77-27,100, 77-27,119, 77-5725, 77-5726, 77-5735, and 81-8,128, Reissue Revised Statutes of Nebraska, and section 60-484, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to waiver of interest, the streamlined sales and use tax agreement, failure to file, penalties, certain appeal procedures, certain tax incentives, and funding; to require the Department of Motor Vehicles to provide certain information to the Department of Revenue as prescribed; to provide for publication of delinquent taxpayer lists, disclosure of certain information to the Department of Labor, and applicability; to harmonize provisions; to provide

FIFTH DAY - JANUARY 12, 2010
LEGISLATIVE JOURNAL
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 12, 2010

PRAYER

The prayer was offered by Pastor Todd Burpo, Crossroads Wesleyan Church, Imperial.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Flood presiding.

The roll was called and all members were present except Senators Ashford, Coash, Conrad, Cornett, Council, Dierks, Haar, Karpisek, and Loudon who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

Room 1113

Tuesday, January 19, 2010 1:30 p.m.

LB688
LB705
LB739
LB749
LB782

(Signed) Deb Fischer, Chairperson

AMENDMENT - Print in Journal

Senators Lathrop and Pahls filed the following amendment to LB571:
AM1534

(Amendments to Standing Committee amendments, AM983)

- 1 1. Insert the following new section:
- 2 Sec. 7. The creditor or the creditor's designee shall
- 3 not offer a guaranteed asset protection waiver when the guaranteed
- 4 asset protection waiver contains terms that allow the creditor or
- 5 the creditor's designee to modify, unilaterally, the guaranteed
- 6 asset protection waiver, unless (1) the modification is favorable
- 7 to the borrower and is made without any additional charge to
- 8 the borrower or (2) the borrower is notified of the proposed
- 9 modification and has the option to cancel the guaranteed asset
- 10 protection waiver without penalty.
- 11 2. Renumber the remaining sections and correct internal
- 12 references accordingly.

GENERAL FILE

LEGISLATIVE BILL 254. Title read. Considered.

Senator Carlson withdrew his amendment, AM420, found on page 531, First Session, 2009.

Senator Carlson renewed his amendment, AM1536, found on page 124.

PRESIDENT SHEEHY PRESIDING

The Carlson amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 512. Title read. Considered.

Senator Lautenbaugh renewed his amendment, AM1549, found on page 179.

The Lautenbaugh amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 544. Title read. Considered.

Senator Giese moved for a call of the house. The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

Senator Giese requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 17:

Ashford	Haar	Lathrop	Nordquist	White
Avery	Howard	McGill	Pirsch	
Conrad	Janssen	Mello	Rogert	
Giese	Karpisek	Nelson	Sullivan	

Voting in the negative, 27:

Adams	Cornett	Gloor	Langemeier	Utter
Campbell	Council	Hadley	Lautenbaugh	Wallman
Carlson	Dierks	Hansen	McCoy	Wightman
Christensen	Dubas	Harms	Pankonin	
Coash	Fischer	Heidemann	Schilz	
Cook	Gay	Krist	Stuthman	

Present and not voting, 2:

Fulton	Pahls
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Excused and not voting, 3:

Flood	Louden	Price
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Failed to advance to Enrollment and Review Initial with 17 ayes, 27 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 893. Introduced by Christensen, 44; Carlson, 38.

A BILL FOR AN ACT relating to revenue and taxation; to provide for refund of unconstitutional taxes, assessments, and penalties; and to declare an emergency.

LEGISLATIVE BILL 894. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-511.01, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 2009; to change provisions relating to

shoplifting; to prohibit possession of any store security device countermeasure; to define a term; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 895. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3215, Reissue Revised Statutes of Nebraska; to change procedures for filling vacancies; and to repeal the original section.

LEGISLATIVE BILL 896. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,298, Revised Statutes Cumulative Supplement, 2008; to provide for a permit to operate vehicles exceeding weight limits for purposes of transporting livestock; and to repeal the original section.

LEGISLATIVE BILL 897. Introduced by Howard, 9.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3507, 77-3508, and 77-3509, Reissue Revised Statutes of Nebraska; to change income requirements for homestead exemptions; and to repeal the original sections.

LEGISLATIVE BILL 898. Introduced by Haar, 21; Avery, 28; McGill, 26.

A BILL FOR AN ACT relating to students; to adopt the Student Expression Act.

LEGISLATIVE BILL 899. Introduced by Nordquist, 7; Karpisek, 32; Mello, 5.

A BILL FOR AN ACT relating to retirement; to amend sections 24-710.07, 79-947.01, and 81-2027.03, Reissue Revised Statutes of Nebraska; to change benefit adjustment provisions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 900. Introduced by Karpisek, 32; Howard, 9.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act: to amend section 53-124, Revised Statutes Supplement, 2009; to change retail license fees; and to repeal the original section.

LEGISLATIVE BILL 901. Introduced by Wightman, 36; Conrad, 46; Flood, 19.

A BILL FOR AN ACT relating to child custody; to amend section 43-2923, Reissue Revised Statutes of Nebraska, and section 42-364, Revised Statutes

Supplement, 2009; to change best interests of the child requirements; to provide for waiver of mandatory mediation as prescribed; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 902. Introduced by Howard, 9; Gloor, 35.

A BILL FOR AN ACT relating to assisted-living facilities; to amend section 71-5905, Reissue Revised Statutes of Nebraska; to provide for an information form; and to repeal the original section.

LEGISLATIVE BILL 903. Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Alzheimer's Special Care Disclosure Act; to amend section 71-516.04, Reissue Revised Statutes of Nebraska; to provide duties regarding criteria for care and treatment; and to repeal the original section.

LEGISLATIVE BILL 904. Introduced by Howard, 9.

A BILL FOR AN ACT relating to assisted-living facilities; to amend sections 71-406, 71-5901, 71-5903, 71-5904, 71-5905, and 71-5908, Reissue Revised Statutes of Nebraska; to define and redefine terms and to eliminate definitions; to provide for enhanced assisted-living certificates; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 905. Introduced by Dubas, 34; Gloor, 35.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1212.04, Revised Statutes Supplement, 2009; to change provisions relating to the discharge of firearms; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 325. Title read. Considered.

Committee AM474, found on page 534, First Session, 2009, was considered.

SENATOR LANGEMEIER PRESIDING

PRESIDENT SHEEHY PRESIDING

The committee amendment was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Senator Nelson withdrew his amendment, AM169, found on page 422, First Session, 2009.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 906. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-177, Revised Statutes Supplement, 2009; to change and eliminate restrictions on sale of alcoholic liquor at retail; and to repeal the original section.

LEGISLATIVE BILL 907. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to homesteads; to amend sections 40-102 and 40-105, Reissue Revised Statutes of Nebraska; to change provisions relating to property exempt from execution; and to repeal the original sections.

LEGISLATIVE BILL 908. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-108, Reissue Revised Statutes of Nebraska; to change provisions relating to claims for legal services or disbursements; and to repeal the original section.

LEGISLATIVE BILL 909. Introduced by Carlson, 38; Dierks, 40; Dubas, 34; Karpisek, 32; Price, 3; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to agriculture; to amend section 34-112.01, Reissue Revised Statutes of Nebraska; to change provisions relating to division fences; and to repeal the original section.

LEGISLATIVE BILL 910. Introduced by Carlson, 38; Council, 11; Dierks, 40; Dubas, 34; Karpisek, 32; Pahls, 31; Price, 3; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to the Commercial Dog and Cat Operator Inspection Act; to amend sections 28-1018, 54-637, and 54-638, Reissue Revised Statutes of Nebraska, section 54-611, Revised Statutes Cumulative Supplement, 2008, and sections 37-528, 54-625, 54-626, 54-627, 54-627.01, and 54-645, Revised Statutes Supplement, 2009; to define and license animal rescues under the act; to impose transfer fees; to provide powers and duties for transferors, the Department of Agriculture, the Director of Agriculture, and the State Treasurer; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 911. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-501, Revised Statutes Supplement, 2009; to change provisions relating to a biotechnology strategic plan; to repeal the original section; and to declare an emergency.

RESOLUTION

LEGISLATIVE RESOLUTION 285. Introduced by Schilz, 47.

WHEREAS, the Arthur County Wolves won the 2009 state championship in Nebraska six-man football; and

WHEREAS, the Wolves finished the season undefeated at 11-0; and

WHEREAS, the Wolves defeated Greeley-Wolbach 45-30 to win the title; and

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

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

1. That the Legislature congratulates the Arthur County Wolves on winning the 2009 state championship in Nebraska six-man football.

2. That a copy of this resolution be sent to the Arthur County Wolves and their coach, Scott Trimble.

Laid over.

NOTICE OF COMMITTEE HEARING

Banking, Commerce and Insurance

Room 1507

Tuesday, January 19, 2010 1:30 p.m.

LB690

LB691

LB736

LB751

LB752

(Signed) Rich Pahls, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Nordquist asked unanimous consent to add his name as cointroducer to LB800. No objections. So ordered.

Senator Howard asked unanimous consent to add her name as cointroducer to LB867 and LB870. No objections. So ordered.

VISITORS

Visitors to the Chamber were Bruce Bon Fleur from Rushville/White Clay and Bonita Bush from Remus, Michigan.

RECESS

At 11:42 a.m., on a motion by Speaker Flood, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Carlson presiding.

ROLL CALL

The roll was called and all members were present except Senators Ashford, Cornett, Karpisek, Langemeier, and Schilz who were excused until they arrive.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 912. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to uninsured and underinsured motorist coverage; to amend section 44-7501, Reissue Revised Statutes of Nebraska, and section 44-6413, Revised Statutes Supplement, 2009; to prohibit certain limits on an occupant's recovery as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 913. Introduced by Council, 11.

A BILL FOR AN ACT relating to employment; to amend sections 2-1203.02, 7-102, 9-1,104, 14-702, 19-1831, 38-131, 43-3201, 43-3709, 45-905, 53-131.01, 71-1903, 71-1912, 71-3205, 71-3505, 71-5908, 71-6503, 71-7448, 75-903.02, 79-814.01, 81-885.13, 81-885.17, 83-1217.01, and 88-528.01, Reissue Revised Statutes of Nebraska, section 48-2521, Revised Statutes Cumulative Supplement, 2008, and sections 45-705, 79-808, 81-6,120, 83-1217, and 83-1217.02, Revised Statutes Supplement, 2009; to adopt the Criminal Offender Employment Act; to harmonize provisions; and to repeal the original sections.

REFERENCE COMMITTEE REPORT

The Executive Board submits the following report:

LB/LR	Committee
LB847	Judiciary
LB848	Urban Affairs
LB849	Health and Human Services
LB850	Government, Military and Veterans Affairs
LB851	Revenue
LB852	Government, Military and Veterans Affairs
LB853	Judiciary
LB854	General Affairs
LB855	Health and Human Services
LB856	Transportation and Telecommunications
LB857	Health and Human Services
LB858	Health and Human Services
LB859	Judiciary
LB860	Judiciary
LB861	General Affairs
LB862	Natural Resources
LB863	Urban Affairs
LB864	Judiciary
LB865	Agriculture
LB866	Health and Human Services
LB867	General Affairs
LB868	Judiciary
LB869	General Affairs
LB870	General Affairs
LB871	Natural Resources
LB872	Business and Labor
LB873	Revenue
LB874	Judiciary
LB875	Government, Military and Veterans Affairs
LB876	Judiciary
LB877	Revenue
LB878	Revenue
LB879	Revenue
LB880	Judiciary
LB881	Judiciary
LB882	Agriculture
LB883	General Affairs
LB884	Business and Labor
LB885	Natural Resources
LB886	Judiciary
LB887	General Affairs
LB888	Banking, Commerce and Insurance
LB889	Judiciary
LB890	Banking, Commerce and Insurance

LB891 Banking, Commerce and Insurance
 LB892 Banking, Commerce and Insurance
 LR279CA Government, Military and Veterans Affairs
 LR284CA Government, Military and Veterans Affairs

(Signed) John Wightman, Chairperson
 Executive Board

GENERAL FILE

LEGISLATIVE BILL 341. Title read. Considered.

Committee AM119, found on page 554, First Session, 2009, was considered.

Senator Gay moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Gay requested a roll call vote on the committee amendment.

Voting in the affirmative, 30:

Ashford	Cook	Fulton	Harms	Pirsch
Avery	Cornett	Gay	Karpisek	Price
Campbell	Council	Giese	Krist	Rogert
Carlson	Dierks	Haar	McGill	Stuthman
Christensen	Dubas	Hadley	Mello	Wallman
Coash	Flood	Hansen	Nordquist	Wightman

Voting in the negative, 16:

Adams	Howard	Lautenbaugh	Pahls
Conrad	Janssen	Louden	Schilz
Fischer	Langemeier	McCoy	Sullivan
Gloor	Lathrop	Nelson	Utter

Present and not voting, 2:

Heidemann White

Excused and not voting, 1:

Pankonin

The committee amendment was adopted with 30 ayes, 16 nays, 2 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Cook renewed her amendment, AM1542, found on page 126.

The Cook amendment was adopted with 27 ayes, 3 nays, 17 present and not voting, and 2 excused and not voting.

Senator Cook moved for a call of the house. The motion prevailed with 43 ayes, 0 nays, and 6 not voting.

Senator Cook requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 18:

Avery	Coash	Dierks	Krist	Price
Campbell	Cook	Gay	McGill	Stuthman
Carlson	Cornett	Giese	Mello	
Christensen	Council	Haar	Nordquist	

Voting in the negative, 25:

Adams	Flood	Harms	Lathrop	Pahls
Ashford	Fulton	Howard	Lautenbaugh	Pirsch
Conrad	Gloor	Janssen	Louden	Schilz
Dubas	Hadley	Karpisek	McCoy	Sullivan
Fischer	Hansen	Langemeier	Nelson	Utter

Present and not voting, 4:

Rogert	Wallman	White	Wightman
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Excused and not voting, 2:

Heidemann	Pankonin
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Failed to advance to Enrollment and Review Initial with 18 ayes, 25 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 183. Title read. Considered.

Committee AM324, found on page 564, First Session, 2009, was adopted with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 197. Title read. Considered.

Committee AM464, found on page 601, First Session, 2009, was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 914. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-696, Revised Statutes Cumulative Supplement, 2008; to change a provision relating to the duty to stop after an accident; and to repeal the original section.

LEGISLATIVE BILL 915. Introduced by McGill, 26.

A BILL FOR AN ACT relating to juries; to amend section 25-1628, Revised Statutes Supplement, 2009; to provide for the use of motor vehicle operator license numbers and state identification card numbers in compiling jury lists; and to repeal the original section.

LEGISLATIVE BILL 916. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to school lands; to amend section 72-204, Reissue Revised Statutes of Nebraska; to authorize leases on school lands for solar and wind energy production; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 917. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.13, Reissue Revised Statutes of Nebraska; to exempt municipal water from sales and use taxes; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 918. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5715, 77-5717, 77-5719.02, 77-5725, and 77-5735, Reissue Revised Statutes of Nebraska; to redefine certain tax incentive terms as prescribed; to provide tax incentives for data centers as prescribed; to provide for applicability; and to repeal the original sections.

RESOLUTIONS**LEGISLATIVE RESOLUTION 286CA.** Introduced by Fischer, 43.

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

Section 1. At the general election in November 2010 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 add a new section 14 to Article VIII:

VIII-14 The Highway Trust Fund shall be created in the State Treasury. As authorized by law on January 1, 2011, the revenue raised from taxes imposed on motor vehicle fuel and motor vehicle sales, from motor vehicle registration fees, and from any other source specified by law shall be placed in the Highway Trust Fund. The Legislature may provide for any other source of revenue to be placed in the Highway Trust Fund. The Highway Trust Fund shall be used exclusively for (1) maintenance, preservation, and expansion of the state highway system, county roads, and municipal streets and related expenses, including expenses related to bonds authorized under Article XIII, section 1, of this Constitution, (2) expenses related to administration of laws imposing taxes on motor vehicle fuel and motor vehicle sales and laws requiring registration of motor vehicles, and (3) any other use authorized by law as of January 1, 2011. The Legislature shall allocate the money in the Highway Trust Fund by law.

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 create the Highway Trust Fund, to provide for certain revenue to be placed in the Highway Trust Fund, and to restrict the use of the Highway Trust Fund for highways, roads, and streets, for expenses related to administration of related laws, and for any other use authorized by law as of January 1, 2011.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 287. Introduced by Coash, 27.

WHEREAS, Cody E. Talbott, son of Gary and Roxanne Talbott of Lincoln, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Cody has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, on January 17, 2010, Cody will receive the rank of Eagle Scout and, through his hard work and perseverance, will join other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Cody E. Talbott on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Cody E. Talbott.

Laid over.

AMENDMENTS - Print in Journal

Senator Dubas filed the following amendment to LB297:

AM1538

- 1 1. In the Standing Committee amendments, AM424, on
- 2 page 1, line 4, strike "2019" and insert "2020"; in line 7
- 3 strike "FY2009-10" and insert "FY2010-11" and strike "FY2010-11"
- 4 and insert "FY2011-12"; in line 8 strike "FY2011-12" and insert
- 5 "FY2012-13"; in line 9 strike "FY2012-13" and insert "FY2013-14"
- 6 and strike "FY2013-14" and insert "FY2014-15"; in line 10 strike
- 7 "FY2014-15" and insert "FY2015-16" and strike "FY2015-16" and
- 8 insert "FY2016-17"; in line 11 strike "FY2016-17" and insert
- 9 "FY2017-18" and strike "FY2017-18" and insert "FY2018-19"; and in
- 10 line 12 strike "FY2018-19" and insert "FY2019-20".
- 11 2. On page 9, line 12, strike "2010" and insert "2011".

Senators Avery and Stuthman filed the following amendment to LB475:

AM1547

(Amendments to Standing Committee amendments, AM830)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 23-1401, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 23-1401 In any county in ~~this state having a population~~
- 6 ~~in excess of three hundred thousand inhabitants, which a city~~
- 7 ~~of the metropolitan class is located,~~ there is hereby created
- 8 the office of county comptroller for such county, and the county
- 9 clerk of such county shall be the ex officio county comptroller
- 10 for the county. The county comptroller shall act as the general
- 11 accountant, ~~chief auditing officer, internal auditor,~~ and fiscal
- 12 agent of the county and shall exercise a general supervision over

13 all officers of the county charged in any manner with the receipt,
14 collection, or disbursement of the county revenue. The county
15 comptroller shall be a competent bookkeeper and accountant, and
16 it shall be his or her duty to keep a complete set of books in
17 which, among other things, the amount of the appropriation that has
18 been made on the fund that has been expended on account of such
19 appropriation fund shall be stated. It shall be the duty of the
20 county comptroller to audit all claims filed against the county
21 and prepare a report thereon to the county board of such county.
22 The county comptroller shall also keep accurate and separate
1 accounts between the county and officers of the county, and between
2 the county and all contractors or other persons doing work or
3 furnishing material for the county. The county comptroller shall
4 also examine and check the reports of all officers of the county.
5 The county comptroller shall prepare and file the required annual
6 inventory statement of county personal property in his or her
7 custody or possession, as provided in sections 23-346 to 23-350.

8 Sec. 2. In any county in which a city of the metropolitan
9 class is located, the county board shall provide for an auditor who
10 shall report directly to the county board. The auditor shall be
11 the internal auditor of the county and shall examine or cause to
12 be examined books, accounts, vouchers, records, expenditures, and
13 information technology systems of all elected or appointed county
14 officers and offices. Such examinations shall be done in accordance
15 with generally accepted government auditing standards set forth in
16 the most recent Government Auditing Standards, published by the
17 Comptroller General of the United States, Government Accountability
18 Office. The auditor shall report promptly to the county board and
19 the elected official whose office was the subject of the audit
20 regarding the fiscal condition shown by such examination conducted
21 by the auditor, including any irregularities or misconduct of
22 officers or employees, any misappropriation or misuse of public
23 funds or property, and any improper system or method of bookkeeping
24 or condition of accounts.

25 Sec. 3. This act becomes operative on January 1, 2011.

26 Sec. 4. Original section 23-1401, Reissue Revised
27 Statutes of Nebraska, is repealed.

NOTICE OF COMMITTEE HEARINGS

Education

Room 1525

Tuesday, January 19, 2010 1:30 p.m.

LB713

LB750

LB754

(Signed) Greg Adams, Chairperson

Health and Human Services

Room 1510

Wednesday, January 20, 2010 1:30 p.m.

LB701
LB726
LB706
LB702
LB766

Thursday, January 21, 2010 1:30 p.m.

LB710
LB803
LB790

(Signed) Tim Gay, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senators Gloor and Wallman asked unanimous consent to add their names as cointroducers to LB701. No objections. So ordered.

Senator Christensen asked unanimous consent to add his name as cointroducer to LB860. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. David Hoelting from Pender.

ADJOURNMENT

At 3:41 p.m., on a motion by Speaker Flood, the Legislature adjourned until 9:00 a.m., Wednesday, January 13, 2010.

Patrick J. O'Donnell
Clerk of the Legislature

SIXTH DAY - JANUARY 13, 2010
LEGISLATIVE JOURNAL
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 13, 2010

PRAYER

The prayer was offered by Pastor Nathan Reckling, Princeton Countryside Alliance Church, Princeton.

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 Senators Adams, Ashford, Christensen, Council, Price, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

Room 1507

Wednesday, January 20, 2010 1:30 p.m.

LB753
LB791
LB721
LB722

(Signed) Bill Avery, Chairperson

GENERAL FILE

LEGISLATIVE BILL 550. Title read. Considered.

Senator Avery renewed his amendment, AM1539, found on page 125.

The Avery amendment was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 297. Title read. Considered.

Committee AM424, found on page 675, First Session, 2009, was considered.

Senator Dubas renewed her amendment, AM1538, found on page 196, to the committee amendment.

The Dubas amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senator Lautenbaugh moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

The committee amendment, as amended, was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Langemeier moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator White requested a record vote on the advancement of the bill.

Voting in the affirmative, 34:

Adams	Cook	Hadley	Nelson	Schilz
Avery	Cornett	Harms	Nordquist	Stuthman
Campbell	Dubas	Howard	Pahls	Sullivan
Carlson	Flood	Karpisek	Pankonin	Wallman
Christensen	Fulton	Langemeier	Pirsch	White
Coash	Gloor	Lathrop	Price	Wightman
Conrad	Haar	Mello	Rogert	

Voting in the negative, 2:

Hansen	Louden
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Present and not voting, 10:

Ashford	Fischer	Heidemann	Krist	McCoy
Dierks	Giese	Janssen	Lautenbaugh	Utter

Excused and not voting, 3:

Council	Gay	McGill
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Advanced to Enrollment and Review Initial with 34 ayes, 2 nays, 10 present and not voting, and 3 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 919. Introduced by Schilz, 47; Carlson, 38; Christensen, 44; Gloor, 35; Hansen, 42; Loudon, 49; Wightman, 36.

A BILL FOR AN ACT relating to cities of the first class; to amend section 17-301, Reissue Revised Statutes of Nebraska; to permit a city to remain a city of the first class despite a population decrease; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 920. Introduced by Haar, 21.

A BILL FOR AN ACT relating to schools; to provide for school transportation safety committees; and to require transportation plans as prescribed.

LEGISLATIVE BILL 921. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Reissue Revised Statutes of Nebraska; to provide for payment of claims as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 922. Introduced by Coash, 27.

A BILL FOR AN ACT relating to medication aides; to amend section 71-6728, Reissue Revised Statutes of Nebraska; to change provisions relating to registration renewal; and to repeal the original section.

LEGISLATIVE BILL 923. Introduced by Ashford, 20; Council, 11.

A BILL FOR AN ACT relating to juveniles; to amend sections 25-2701 and 43-2,129, Reissue Revised Statutes of Nebraska, and section 43-245, Revised Statutes Supplement, 2009; to provide powers to county courts; to

define a term; to provide and eliminate provisions relating to sealing criminal justice records; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-2,102, 43-2,103, 43-2,104, and 43-2,105, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 924. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to driving under the influence; to amend sections 60-498.02, 60-4,118.06, 60-6,197.01, 60-6,197.03, and 60-6,211.05, Revised Statutes Supplement, 2009; to change provisions relating to ignition interlock orders; and to repeal the original sections.

LEGISLATIVE BILL 925. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to labor; to require employment of Nebraska laborers for public works projects during periods of excessive unemployment; to define terms; to provide powers and duties; and to authorize injunctive relief.

LEGISLATIVE BILL 926. Introduced by Rogert, 16; Coash, 27; Dubas, 34.

A BILL FOR AN ACT relating to highways; to amend sections 39-204, 39-205, and 39-210, Reissue Revised Statutes of Nebraska; to redefine specific information sign panel; to provide minimum requirements for farm wineries as prescribed; to change requirements for tourist-oriented directional sign panels; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 927. Introduced by Nebraska Retirement Systems Committee: Pankonin, 2, Chairperson; Heidemann, 1; Karpisek, 32; Loudon, 49; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to the School Employees Retirement Act; to amend section 79-958, Revised Statutes Supplement, 2009; to change employee deposit requirements; and to repeal the original section.

LEGISLATIVE BILL 928. Introduced by Nebraska Retirement Systems Committee: Pankonin, 2, Chairperson; Heidemann, 1; Karpisek, 32; Loudon, 49; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend section 81-2017, Revised Statutes Supplement, 2009; to change the contribution rate as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

RESOLUTIONS**LEGISLATIVE RESOLUTION 288.** Introduced by Mello, 5.

WHEREAS, the Omaha Jaycees recently named the 2009 recipients of the 77th Annual Ten Outstanding Young Omahans Award; and

WHEREAS, this award is annually presented to ten people between the ages of twenty-one and forty who exemplify excellence in both the professional and personal arenas while also taking an active role in the community; and

WHEREAS, the 2009 recipients of the 77th Annual Ten Outstanding Young Omahans Award are Elaine Buescher, Stephanie Hansen, Kristine Hull, Jeffrey Jorth, Craig Moody, Crystal Rhoades, Shawntal Smith, Kelli Sweet, Quinn Vanderberg, and Carol Wang; and

WHEREAS, these ten individuals will be recognized for the award on Wednesday, January 27, 2010; and

WHEREAS, the Legislature should recognize outstanding individual achievements like receiving the 77th Annual Ten Outstanding Young Omahans Award.

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

1. That the Legislature congratulates Elaine Buescher, Stephanie Hansen, Kristine Hull, Jeffrey Jorth, Craig Moody, Crystal Rhoades, Shawntal Smith, Kelli Sweet, Quinn Vanderberg, and Carol Wang on receiving the 77th Annual Ten Outstanding Young Omahans Award.

2. That a copy of this resolution be sent to Elaine Buescher, Stephanie Hansen, Kristine Hull, Jeffrey Jorth, Craig Moody, Crystal Rhoades, Shawntal Smith, Kelli Sweet, Quinn Vanderberg, and Carol Wang.

Laid over.

LEGISLATIVE RESOLUTION 289CA. Introduced by McCoy, 39; Carlson, 38; Christensen, 44; Coash, 27; Fulton, 29; Harms, 48; Janssen, 15; Krist, 10; Lautenbaugh, 18; Price, 3; Schilz, 47; Utter, 33.

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

Section 1. At the general election in November 2010 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 add a new section 31 to Article I:

I-31 Because all people should have the right to make decisions about their health care, no law shall be passed that:

(1) Restricts a person's freedom of choice of private health care systems or private health plans of any type;

(2) Interferes with a person's or an entity's right to pay directly for lawful medical services; or

(3) Imposes a penalty or fine of any type for choosing to obtain or decline health care coverage or for participation in any particular health care system or health plan.

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 provide that no law shall be passed that restricts a person's freedom of choice of private health care systems or plans of any type, that interferes with a person's or an entity's right to pay directly for lawful medical services, or that imposes a penalty or fine for choosing or declining health care coverage or participation.

For
Against.

Referred to the Reference Committee.

NOTICE OF COMMITTEE HEARINGS

Revenue

Room 1524

Wednesday, January 20, 2010 1:30 p.m.

LB698
LB724
LB804

Thursday, January 21, 2010 1:30 p.m.

LB877
LB878
LB879

(Signed) Abbie Cornett, Chairperson

Judiciary

Room 1113

Wednesday, January 20, 2010 1:30 p.m.

LB853
LB687
LB703
LB707
LB712

(Signed) Brad Ashford, Chairperson

Government, Military and Veterans Affairs

Room 1507

Thursday, January 21, 2010 1:30 p.m.

LB742
LB714
LB737

Friday, January 22, 2010 1:30 p.m.

LB686
LB768
LB826

(Signed) Bill Avery, Chairperson

COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 682. Placed on Select File.

LEGISLATIVE BILL 683. Placed on Select File.

LEGISLATIVE BILL 684. Placed on Select File.

LEGISLATIVE BILL 261. Placed on Select File with amendment.
ER8137

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 60-4,111.01, Reissue Revised Statutes
- 4 of Nebraska, is amended to read:
- 5 60-4,111.01 (1) The Department of Motor Vehicles,
- 6 the courts, or law enforcement agencies may store or compile
- 7 information acquired from an operator's license or state
- 8 identification card for their statutorily authorized purposes.
- 9 ~~(2) No-Except as otherwise provided in subsection (3)~~
- 10 ~~or (4) of this section, no person having use of or access to~~
- 11 ~~machine-readable information encoded on an operator's license or a~~
- 12 ~~state identification card shall compile, store, preserve, trade, or~~
- 13 ~~sell such information. Violation of this subsection shall be Any~~
- 14 ~~person who trades or sells such information shall be guilty of a~~
- 15 ~~Class IV felony. Any person who compiles, stores, or preserves such~~
- 16 ~~information except as authorized in subsection (3) or (4) of this~~
- 17 ~~section shall be guilty of a Class IV felony.~~
- 18 (3)(a) For purposes of compliance with and enforcement
- 19 of restrictions on the purchase of alcohol, lottery tickets, and
- 20 tobacco products, a retailer who sells any of such items pursuant
- 21 to a license issued or a contract under the applicable statutory
- 22 provision may scan machine-readable information encoded on an

23 operator's license or a state identification card presented for
1 the purpose of such a sale. The retailer may store the following
2 information obtained from the license or card: Age and license
3 or card identification number. The retailer shall post a sign at
4 the point of sale of any of such items stating that the license
5 or card will be scanned and that the age and identification
6 number will be stored. The stored information may only be used
7 by a law enforcement agency for purposes of enforcement of the
8 restrictions on the purchase of alcohol, lottery tickets, and
9 tobacco products and may not be shared with any other person
10 or entity. The programmer for computer software designed to
11 store such information shall certify to the retailer that the
12 software is capable of storing only the information allowed by this
13 subsection. Intentional or grossly negligent programming by the
14 programmer which allows for the storage of more than the age and
15 identification number shall be a Class IV felony. A retailer who
16 knowingly stores more information than the age and identification
17 number from the operator's license or state identification card
18 shall be guilty of a Class IV felony.

19 (b) Information scanned, compiled, stored, or preserved
20 pursuant to subdivision (a) of this subsection may not be retained
21 longer than eighteen months unless required by state or federal
22 law.

23 (4) A person having use of or access to machine-readable
24 information encoded on an operator's license or a state
25 identification card may scan, compile, store, and preserve such
26 information:

27 (a) For purposes of providing such information to a
1 consumer reporting agency subject to and in compliance with the
2 federal Fair Credit Reporting Act, 15 U.S.C. 1681, as such act
3 existed on January 1, 2009;

4 (b) As necessary to effect, administer, or enforce a
5 transaction requested by the holder of the license or card;

6 (c) To protect against or prevent actual or potential
7 fraud, unauthorized transactions, claims, or other liability; or

8 (d) For resolving a dispute or inquiry by the holder of
9 the license or card.

10 (5) Except as provided in subsection (4) of this section,
11 information scanned, compiled, stored, or preserved pursuant to
12 this section may not be traded or sold to a third party; used
13 for any marketing or sales purpose by any person, including the
14 retailer who obtained the information; or, unless pursuant to a
15 court order, reported to or shared with any third party. A person
16 who violates this subsection shall be guilty of a Class IV felony.

17 Sec. 2. Original section 60-4,111.01, Reissue Revised
18 Statutes of Nebraska, is repealed.

LEGISLATIVE BILL 522. Placed on Select File.

(Signed) Jeremy Nordquist, Chairperson

GENERAL FILE

LEGISLATIVE BILL 205. Title read. Considered.

Committee AM689, found on page 744, First Session, 2009, was considered.

SPEAKER FLOOD PRESIDING

PRESIDENT SHEEHY PRESIDING

Senator Stuthman moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

The committee amendment was adopted with 32 ayes, 4 nays, 9 present and not voting, and 4 excused and not voting.

Senator Nordquist offered the following amendment:

AM1550

- 1 1. On page 3, line 24; page 4, lines 4 and 8; and page 7,
- 2 lines 9, 16, and 20, strike "2010" and insert "2012".

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

The Nordquist amendment was adopted with 26 ayes, 6 nays, 12 present and not voting, 1 absent and not voting, and 4 excused and not voting.

The Chair declared the call raised.

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

Senator Nordquist requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 19:

Ashford	Cornett	Howard	Nordquist	Sullivan
Avery	Fulton	Karpisek	Pankonin	Wallman
Conrad	Giese	Lathrop	Pirsch	White
Cook	Haar	Mello	Rogert	

Voting in the negative, 22:

Adams	Fischer	Janssen	Nelson	Utter
Campbell	Flood	Langemeier	Pahls	Wightman
Carlson	Hadley	Lautenbaugh	Price	
Christensen	Hansen	Louden	Schilz	
Coash	Harms	McCoy	Stuthman	

Present and not voting, 3:

Dubas	Gloor	Heidemann
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Excused and not voting, 5:

Council	Dierks	Gay	Krist	McGill
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Failed to advance to Enrollment and Review Initial with 19 ayes, 22 nays, 3 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 929. Introduced by Ashford, 20; Mello, 5; Nelson, 6; Nordquist, 7.

A BILL FOR AN ACT relating to the Special Education Act; to amend section 79-1110, Revised Statutes Supplement, 2009; to require distribution of information to parents of children with hearing needs as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 930. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend sections 38-2841 and 71-7447, Reissue Revised Statutes of Nebraska, and sections 38-2826, 38-2850, 38-2867, and 38-2869, Revised Statutes Supplement, 2009; to redefine terms; to change provisions relating to the practice of pharmacy and patient counseling; to harmonize provisions; and to repeal the original sections.

RECESS

At 11:49 a.m., on a motion by Senator Utter, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Langemeier presiding.

SENATOR ROBERT PRESIDING**ROLL CALL**

The roll was called and all members were present except Senators Gay and Krist who were excused; and Senators Ashford, Christensen, Dierks, Karpisek, Loudon, and Sullivan who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Executive Board submits the following report:

LB/LR	Committee
LB893	Revenue
LB894	Judiciary
LB895	Natural Resources
LB896	Transportation and Telecommunications
LB897	Revenue
LB898	Education
LB899	Nebraska Retirement Systems
LB900	General Affairs
LB901	Judiciary
LB902	Health and Human Services
LB903	Health and Human Services
LB904	Health and Human Services
LB905	Judiciary
LB906	General Affairs
LB907	Judiciary
LB908	Business and Labor
LB909	Agriculture
LB910	Agriculture
LB911	Natural Resources
LB912	Banking, Commerce and Insurance
LB913	Business and Labor
LB914	Transportation and Telecommunications
LB915	Judiciary
LB916	Education
LB917	Revenue
LB918	Revenue
LR286CA	Transportation and Telecommunications

(Signed) John Wightman, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING

Appropriations

Room 1524

Monday, January 25, 2010 1:30 p.m.

LB740
LB776
LB793

(Signed) Lavon Heidemann, Chairperson

GENERAL FILE**LEGISLATIVE BILL 235.** Title read. Considered.

Committee AM681, found on page 745, First Session, 2009, was considered.

Senator Adams renewed his amendment, AM1541, found on page 123, to the committee amendment.

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

The committee amendment, as amended, was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 1 nay, 8 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 210. Title read. Considered.

Senator Langemeier offered the following amendment:

FA57

Page 3, line 5 strike "January" and insert "July"

The Langemeier amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 280. Title read. Considered.

Senator Avery offered the following motion:

MO72

Indefinitely postpone.

Laid over.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 931. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2201, 76-2202, 76-2203, 76-2206, 76-2211.01, 76-2211.02, 76-2213, 76-2213.01, 76-2216, 76-2217.02, 76-2220, 76-2223, 76-2225, 76-2228, 76-2228.01, 76-2229, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2233, 76-2233.01, 76-2233.02, 76-2236, 76-2237, 76-2238, 76-2240, 76-2241, 76-2249, and 77-5004, Reissue Revised Statutes of Nebraska; to change provisions relating to the credentialing of appraisers, testing, and hearings; to provide and change powers and duties for the Real Property Appraiser Board; to provide provisions relating to appraisal management companies; to define and redefine terms; to harmonize provisions; to repeal the original sections; to outright repeal sections 76-2205.01 and 76-2207, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 932. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-3226.06, 2-3226.07, and 2-3226.08, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to repayment of financial assistance as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 933. Introduced by Utter, 33.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-149, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to manufactured homes and mobile homes; and to repeal the original section.

LEGISLATIVE BILL 934. Introduced by Haar, 21; Coash, 27; Cook, 13; Cornett, 45; Council, 11; Fulton, 29; Giese, 17; Gloor, 35; Janssen, 15; McCoy, 39; Stuthman, 22; Wallman, 30; Wightman, 36.

A BILL FOR AN ACT relating to labor; to amend section 35-1402, Reissue Revised Statutes of Nebraska; to include volunteer members of the Nebraska Wing of the Civil Air Patrol under the Volunteer Emergency Responders Job Protection Act; and to repeal the original section.

RESOLUTIONS

LEGISLATIVE RESOLUTION 290. Introduced by Fulton, 29; Adams, 24; Ashford, 20; Avery, 28; Campbell, 25; Carlson, 38; Christensen, 44; Coash, 27; Conrad, 46; Cook, 13; Cornett, 45; Council, 11; Dierks, 40; Dubas, 34; Fischer, 43; Flood, 19; Gay, 14; Giese, 17; Gloor, 35; Haar, 21; Hadley, 37; Hansen, 42; Harms, 48; Heidemann, 1; Howard, 9; Janssen, 15; Karpisek, 32; Krist, 10; Langemeier, 23; Lathrop, 12; Lautenbaugh, 18; Loudon, 49; McCoy, 39; McGill, 26; Mello, 5; Nelson, 6; Nordquist, 7; Pahls, 31; Pankonin, 2; Pirsch, 4; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; White, 8; Wightman, 36.

WHEREAS, the University of Nebraska Cornhusker football team won their second consecutive bowl game in their 2009 Holiday Bowl victory over the University of Arizona Wildcats by a score of thirty-three to zero; and

WHEREAS, no team has prevented its opponent from scoring in the history of the Holiday Bowl and no Cornhusker team has prevented its opponent from scoring in the University's storied history of forty-six bowl games; and

WHEREAS, head coach Bo Pelini has led the Cornhuskers to two consecutive Big Twelve Conference North Division titles, the second outright, in his first two seasons as head coach; and

WHEREAS, head coach Bo Pelini, defensive coordinator Carl Pelini, and the entire coaching staff have transformed the Blackshirt defense into one of the top-rated defenses in all of college football over the course of two seasons; and

WHEREAS, defensive tackle Ndamukong Suh has achieved unprecedented individual accolades, winning the Bronko Nagurski Award, the Rotary Lombardi Award, the Outland Trophy, the Chuck Bednarik Award, and the Associated Press National Player of the Year Award, while unselfishly leading the Blackshirt defense and the Cornhuskers throughout their impressive season; and

WHEREAS, the work ethic, discipline, teamwork, character, and dedication to excellence evident in each player and coach of the Cornhusker football program on and off the field of play are a source of great inspiration and pride for the people of Nebraska.

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

1. That the Legislature congratulates the University of Nebraska Cornhusker football team and head coach Bo Pelini for their achievements.

2. That a copy of this resolution be delivered to the University of Nebraska Athletic Department.

Laid over.

LEGISLATIVE RESOLUTION 291. Introduced by Fulton, 29.

WHEREAS, the Lincoln Saltdogs baseball team won the 2009 American Association Championship on September 13, 2009; and

WHEREAS, Manager Marty Scott led the Saltdogs to the championship in his first season as manager; and

WHEREAS, the Lincoln Saltdogs exhibited the team unity, commitment to high achievement, and perseverance that are hallmarks of athletics in Nebraska; and

WHEREAS, pitcher Chris Thompson led the league with thirty saves and became the fifth player in team history to be named an American Association postseason All-Star; and

WHEREAS, Chairman Jim Abel, President Charlie Meyer, General Manager Tim Utrup, and the entire Lincoln Saltdogs front office have put forth tremendous effort in developing a high-quality baseball organization for the citizens of Lincoln; and

WHEREAS, the Lincoln Saltdogs have been a continual source of family entertainment and civic pride in the city of Lincoln for nine seasons; and

WHEREAS, the Lincoln Saltdogs have enkindled greater interest and participation in our national pastime in southeast Nebraska.

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

1. That the Legislature congratulates the Lincoln Saltdogs baseball team for their achievements.

2. That a copy of this resolution be sent to the Lincoln Saltdogs and their manager, Marty Scott.

Laid over.

LEGISLATIVE RESOLUTION 292. Introduced by Fulton, 29.

WHEREAS, the Ninth Amendment to the United States Constitution states that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people;" and

WHEREAS, the Tenth Amendment to the United States Constitution declares that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" and

WHEREAS, the framers of the United States Constitution envisioned a federal government with "few and defined" delegated powers, whereby state governments retained "numerous and indefinite" powers extending "to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State;" and

WHEREAS, the United States Government has historically and continues to expand its enumerated powers in a manner inconsistent with the Ninth Amendment to the United States Constitution; and

WHEREAS, the United States Government has historically and continues to assert powers not enumerated under Article I, section 8, of the United States Constitution in a manner inconsistent with the Tenth Amendment to the United States Constitution; and

WHEREAS, a balanced federalism is necessary to preserve the inherent rights of the people, from whose consent the just powers of both state and federal governments are derived.

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

1. That the Legislature memorializes the Congress of the United States to adhere to the principles of federalism in accord with the Ninth and Tenth Amendments to the United States Constitution.

2. That a copy of this resolution be sent to all the members of the Nebraska congressional delegation with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

3. That a copy of this resolution be sent to each state legislature within these United States of America.

Referred to the Reference Committee.

NOTICE OF COMMITTEE HEARING

Natural Resources

Room 1525

Wednesday, January 20, 2010 1:30 p.m.

LB797

LB798

LB911

(Signed) Chris Langemeier, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator Howard asked unanimous consent to add her name as cointroducer to LB929. No objections. So ordered.

VISITORS

Visitor to the Chamber was Jay Wolf from Albion.

The Doctor of the Day was Dr. Dale Michels from Lincoln.

ADJOURNMENT

At 2:59 p.m., on a motion by Speaker Flood, the Legislature adjourned until 9:45 a.m., Thursday, January 14, 2010.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTH DAY - JANUARY 14, 2010
LEGISLATIVE JOURNAL
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 14, 2010

PRAYER

The prayer was offered by Reverend Jack Sample, Wood River.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:45 a.m., President Sheehy presiding.

The roll was called and all members were present.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

Room 1507

Monday, January 25, 2010 1:30 p.m.

LB738
LB762
LB814

Tuesday, January 26, 2010 1:30 p.m.

LB890
LB891
LB892

(Signed) Rich Pahls, Chairperson

Business and Labor

Room 2102

Monday, January 25, 2010 1:30 p.m.

LB709
 LB729
 LB884
 LB913

(Signed) Steve Lathrop, Chairperson

Natural Resources

Room 1525

Thursday, January 21, 2010 1:30 p.m.

LB743
 LB871

Friday, January 22, 2010 1:30 p.m.

LB832

(Signed) Chris Langemeier, Chairperson

Revenue

Room 1524

Friday, January 22, 2010 1:30 p.m.

Robert W. Hotz - Tax Equalization and Review Commission

LB823

(Signed) Abbie Cornett, Chairperson

REPORTS

The following reports were received by the Legislature:

Health and Human Services

Division of Developmental Disabilities, Beatrice State Developmental
 Center Baseline Quarterly Report

Insurance, Department of

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Natural Resources, Department of

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Revenue, Nebraska Department of

Charitable Gaming Division 2009 Annual Report

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 13, 2010, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Obst, Robert E.

Qwest Communications

Partington, Jim

Restaurant Association, Nebraska

Plucker, Julia

Bennington Public Schools

Beverage Operators of Nebraska, Responsible

Community Alliance, Inc.

Credit Union League and Affiliates, Nebraska

Kelley and Jerram, P.C.

Lamar Advertising Company

Nebraska School Activities Association

Radcliffe, Walter H. of Radcliffe & Associates

Enterprise Rent-A-Car

MOTION - Escort Governor

Senator Wightman moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

The motion prevailed.

The Chair appointed Senators Wightman, Rogert, Cook, Cornett, and Janssen to serve on said committee.

STATE OF THE STATE ADDRESS

*"Our roadmap is clear and my focus will be on three priorities:
Growing our economy by focusing on job creation; strengthening
Nebraska's education system so that our students can compete in the 21st
Century economy; and developing a more efficient government through
greater use of technology."
- Dave Heineman, Governor*

Mr. President, Mr. Speaker, Members of the Legislature, Tribal Chairmen, Distinguished Guests, Friends and Fellow Nebraskans:

As we enter a new decade, we have a unique opportunity to pause - to reflect on our past accomplishments and take the first step toward new endeavors. As a State, we are in an exceptional position to become an even more extraordinary place to live, to work and to raise a family.

Nebraska's financial health is stronger than most of our peers across America, because working together we have been fiscally responsible. Two months ago, Nebraska faced a \$335 million revenue shortfall. We acted quickly and decisively. We resolved this financial challenge by reducing spending, not by increasing taxes. Members of this body were in special session just 12 days. You passed the budget unanimously and I signed it into law immediately. No other state has acted as swiftly or spoken with one voice as Nebraska has in recent months. Senators, thank you for your work during the 2009 special session.

As a result, we are positioned to continue moving Nebraska forward. My focus for the coming year is to prepare our state to take advantage of new opportunities.

My vision for ensuring a strong future for Nebraska is summed up in three priorities: growing our economy, strengthening education, and developing an even more efficient government. Growing our economy means an every day focus on job creation.

Our efforts to modernize Nebraska's economic incentive programs, to lower taxes, and to prioritize investments have resulted in a stronger, more stable economy in Nebraska than in the rest of the country. In 2005, I worked with this body and we enacted the most comprehensive reform of our state's economic development programs since the 1980s.

I am pleased to report that the Nebraska Advantage is exceeding our expectations. Since its passage, 195 companies have decided to expand or locate in Nebraska. These companies plan to invest \$5.3 billion in our economy. When all projects are completed, nearly 16,000 new jobs will have been created.

Even as the national economic slowdown is impacting all states, our

recruiting efforts continue to pay dividends. Fifteen months ago, one of America's most well-known technology companies announced it would locate a data center and customer service center in the Omaha area. Both projects will be operational this year. Last month, a California technology company announced it was locating in Grand Island. This company will create 200 new jobs over the next three years.

In September, a successful and nationally-known retailer, headquartered in Kearney, announced an expansion of its distribution center using funding from Nebraska's Community Development Block Grant program. That same program is helping the communities of Aurora, Kearney, and South Sioux City develop new industrial power park sites for future economic growth. Last April, two central Nebraska companies announced a partnership that created 25 new jobs in Central City producing custom made cabinets that had previously been manufactured in China.

Working with the International Brotherhood of Electrical Workers, we used funding from Nebraska's Worker Training program to build a wind tower training facility that will help prepare our workers for the future growth of Nebraska's wind energy sector. Agriculture and ag-related businesses continue to be a solid and stable foundation of Nebraska's economy. Nebraska's insurance and financial services industry continues to expand.

In addition to our work to create jobs, the other important element to growing Nebraska's economy is our work to lower taxes. For too long, Nebraska has been a high tax state. But we are changing that.

Three years ago, we passed the largest tax relief package in the history of the State. We repealed the estate tax, eliminated the marriage penalty, repealed the sales tax on construction labor, and lowered income taxes. Prior to those changes, the Tax Foundation ranked Nebraska as one of America's Top 10 highest tax states. Their survey ranked Nebraska as having the 44th highest tax rates out of 50 states.

Today we have successfully reduced our ranking to 33rd, making Nebraska a more competitive and business-friendly state. That's progress, but we have more to do. Taxes are still too high.

The key to lowering taxes is to control spending. It requires difficult choices and it requires that we prioritize our investments.

During this national economic slowdown, we have seized the opportunity to make Nebraska more competitive. Many states have raised income or sales taxes – Nebraska has not. Many states spent beyond their means – Nebraska did not. We controlled our spending.

Because of the tough choices we have made, Nebraska is receiving national attention. According to Forbes, Nebraska is one of the Top 10 "Best States For Business." Business Week rated Nebraska as one of the Top 10 states

"Where Struggling Americans Can Find a Fresh Start." Mainstreet.com ranked Nebraska as the number one state for financial prosperity in their "Happiness Index." Nebraska has the second lowest unemployment rate in America. CNN Money just published a ranking of the Top 10 "Best Places to Live" in America for jobs. Three of the Top 8 places for jobs in America are in one state - Nebraska. They are Platte County, Sarpy County and Madison County.

There is more good news. The latest U.S. Census Bureau estimates indicated Nebraska's population growth in 2009 compared to the national growth rate was our best performance in nearly 50 years.

Nebraska is on the move in typical Nebraska fashion – making deliberate, disciplined, steady, and responsible progress. However, the next 12 to 18 months will be a time of uncertainty for our economy. Historically, as the national economy begins to recover, state tax revenues tend to lag behind.

To build on the progress of the past few years, it will be critical that we solve any additional revenue shortfalls by remaining committed to reducing spending. Preventing any future tax increases is crucial to continuing Nebraska's economic progress. Tax increases are job-killers, not job-creators. Whether it's a special session or a regular legislative session, I will oppose any attempt to increase income or sales taxes on Nebraskans.

The second key element to spurring future growth is strengthening Nebraska's education system. The world is changing. Our task is to prepare our sons and daughters to compete in a knowledge-based, technology-driven, global, free-market economy. Today's jobs require higher reading and math skills than was true 20 years ago.

In order to prepare our students for the 21st Century workplace, we need to transform our education system from pre-school all the way through college. We've begun that reform by restructuring the Nebraska P-16 Initiative. This partnership includes education leaders and policy makers.

As the new chair of the Nebraska P-16 Initiative, I am pleased to be working closely with my fellow co-chairs, including Senator Greg Adams, Chair of your Education Committee, Commissioner of Education, Dr. Roger Breed, University of Nebraska President J.B. Milliken, and Liz Koop, President and CEO of EducationQuest Foundation. We are united in our effort to strengthen Nebraska's education system.

For all students to succeed, Nebraska needs a common set of career-ready and college-ready academic standards. One of our first P-16 goals was to update Nebraska's high school graduation requirements by supporting a core curriculum of four years of English and three years of math, science and social studies. I am pleased to report that the State Board of Education has adopted these new high school graduation requirements starting with the 2014-2015 academic year, and just minutes ago, I approved the Rule 10

regulation updating Nebraska's graduation requirements for the first time since 1984.

Furthermore, the road to economic prosperity for us as a State and for individual students is a good education. The road out of poverty into a good job is a good education, and a good education starts with parents and early learning activities at home. It continues with outstanding early childhood programs, and as our children enter one of Nebraska's 253 school districts, the focus must be on learning.

Student success in the classroom is directly related to quality teachers and increased parental involvement. That's why in 2007, I began collaborating with the Nebraska Association of School Boards on a new award recognizing school districts that are successful in increasing parental involvement. In the last three years, we have honored school districts from Garden County, Sutherland, Cozad, Kearney, Loup City, St. Paul, Grand Island, Madison, Papillion-LaVista, and Millard for their parental involvement programs.

As good as Nebraska's schools are today, they must be even better in the future. Increasing student achievement means Nebraska needs a high quality teacher in every classroom, a high quality principal in every school, and a high quality superintendent leading every school district. Eliminating academic achievement gaps means changing the status quo. For example, high truancy rates are unacceptable. Superintendents, parents, law enforcement, county attorneys, and other community agencies need a high profile effort to ensure students are in school every day.

Additionally, Nebraska needs to reform its school day and school year. The needs of students have changed dramatically during the past century, yet our American education system continues to rely upon a 100-year-old school calendar. School districts need to examine their current school day and school year with a focus on increasing learning opportunities. School leaders and parents must work together to develop effective strategies to use time more effectively.

Tomorrow, Commissioner Breed and I will be submitting Nebraska's Race to the Top application to the federal Department of Education. Our commitment includes working with the University of Nebraska to develop a new Nebraska Virtual High School that will provide Nebraska's school districts with rigorous academic programs.

Imagine how a Nebraska Virtual High School could expand learning beyond the traditional school day and school year for both students and teachers. Every school district stands to benefit from this effort. For rural and urban school districts, it will provide access to a wider range of rigorous academic subjects, such as foreign languages and advanced math and science classes. For school districts with parents without internet access at home, schools could keep buildings open later in the evening for students to access these

academic programs online.

Imagine students spending more time in a virtual classroom between the hours of 3:30 p.m. and 8:30 p.m., and less time on the streets involved in drug and gang activities. Imagine students using Nebraska's Virtual High School from their home, a library or a community center during the summer. With innovative and creative thinking, we will expand learning opportunities well beyond the traditional school day and school year.

In Nebraska, we have an opportunity to create an education system with higher student achievement, increased accountability, improved teacher and principal effectiveness, and a reformed school day and school year. Change of this magnitude will require a redirection of current financial resources at the school district level, including diverting resources from lawyers and lobbyists to the classroom. It will require a continued prioritization of state resources, and I will continue to prioritize education. The focus must be on student learning, both individual achievement and student growth.

In a 21st Century, global economy, we must recognize that today's students need more than a high school education. Today's jobs require at least two years of college and in many cases four years of college. That's why Nebraska needs a top 10 college going rate and affordable access to higher education institutions. Like our K-12 school districts, the University of Nebraska, our state and community colleges, and our private colleges and universities need to re-examine their educational processes. Students need a clear path to degree completion in four years, not six years.

Our colleges and universities need to prioritize their investments as well as redirecting financial resources to higher priorities. Strengthening Nebraska's education system from pre-school through college is essential to Nebraska's future success. Now is the time to focus our attention on building an education system that meets the needs of modern students competing in a modern world.

The final component to keep Nebraska moving forward is to continue to develop a more efficient government by reforming the delivery of government services. By using technology, state government can become more efficient and more productive. For example, Nebraska is developing a statewide radio system to allow city, county, state, and federal agencies to communicate with each other. This project is a perfect example of how innovation can provide enhanced public safety that benefits every Nebraskan.

In addition, the technology that allows Nebraskans to file taxes electronically has also helped increase productivity and lower costs. More than 71 percent of Nebraska's tax returns were filed electronically last year. We have one of the highest e-filing rates in the nation.

The Department of Health and Human Services is using technology to

improve client services and modernize the delivery of economic assistance programs through a series of online applications known as ACCESSNebraska. More than 56,000 Nebraskans have taken advantage of the ability to apply for services online since last September. More than 30 percent of our citizens applying online do so outside of traditional work hours. Once fully implemented, the federal and state budget savings will be more than \$5 million annually.

Some of our most popular online services include hunting and fishing licenses from the Nebraska Game and Parks Commission, and the 511 feature offered by the Department of Roads providing real-time information on weather and road conditions across the State. Last year, more than 434,000 hunting and fishing licenses were purchased online. The Department of Roads 511 site logged more than 700,000 visits in December alone and more than 1.3 million visits in 2009.

Ladies and Gentlemen, although 2010 will be a challenging year for Nebraska and all states, it is essential that we continue to position Nebraska for future growth.

Our roadmap is clear and my focus will be on three priorities: Growing our economy by focusing on job creation; strengthening Nebraska's education system so that our students can compete in the 21st Century economy; and developing a more efficient government through greater use of technology.

We have worked hard to position Nebraska as an attractive place to live, to work and to raise a family, and I am confident that the year ahead will provide us with new opportunities to move Nebraska forward.

Thank you.

The committee escorted Governor Dave Heineman from the Chamber.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 935. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2009, LB 313, section 17; Laws 2009, LB 315, section 76; Laws 2009, First Special Session, LB 1, sections 15, 16, 17, 18, 20, 21, 22, 23, 27, 41, 87, 98, 104, 210, and 228; to define terms; to appropriate funds; to change certain appropriations; to provide for transfers; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 936. Introduced by Flood, 19.

A BILL FOR AN ACT relating to juvenile dispositions; to amend sections 29-2262.06 and 43-286, Reissue Revised Statutes of Nebraska; to authorize juvenile court-ordered conditions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 937. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to learning community coordinating councils; to amend section 32-546.01, Revised Statutes Supplement, 2009; to eliminate provisions relating to per diems; and to repeal the original section.

LEGISLATIVE BILL 938. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 68-907 and 68-911, Reissue Revised Statutes of Nebraska; to define a term; to provide for reimbursement of federally qualified health centers as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 939. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to support enforcement; to amend sections 43-1701, 43-1702, 43-1703, 43-1717, 43-1718.02, 43-1720, 43-1722, 43-1723, 43-1724, 43-1726, 43-1727, and 43-3330, Reissue Revised Statutes of Nebraska, and section 43-512.12, Revised Statutes Supplement, 2009; to change review procedures for support orders; to include the satisfaction of certain monetary judgments of an obligor by income withholding; to define and redefine terms and change terminology for support collection; to change provisions of the bank match system; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 940. Introduced by Janssen, 15; Fulton, 29; Lautenbaugh, 18; McCoy, 39; Schilz, 47.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend sections 68-1708, 68-1723, and 68-1724, Reissue Revised Statutes of Nebraska; to provide for drug-screening of applicants for and recipients of cash assistance benefits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 941. Introduced by Gay, 14.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-2605 and 38-2617, Reissue Revised Statutes of Nebraska, and section 38-2850, Revised Statutes Supplement, 2009; to redefine the practice of optometry to include dispensing contact lenses as prescribed; to provide for rules and regulations; to exclude certain activities from

regulation under the Pharmacy Practice Act; and to repeal the original sections.

LEGISLATIVE BILL 942. Introduced by Gay, 14.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.15, Revised Statutes Cumulative Supplement, 2008; to provide for a special shipping permit; to provide for a fee; and to repeal the original section.

LEGISLATIVE BILL 943. Introduced by Harms, 48; Louden, 49; Schilz, 47.

A BILL FOR AN ACT relating to the Civil Service Act; to amend sections 19-1825 and 19-1826, Reissue Revised Statutes of Nebraska; to provide for the merger of civil service commissions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 944. Introduced by Harms, 48.

A BILL FOR AN ACT relating to schools; to amend section 79-580, Reissue Revised Statutes of Nebraska; to provide for publication on certain districts' web sites of claims allowed and proceedings of meetings; and to repeal the original section.

LEGISLATIVE BILL 945. Introduced by Harms, 48; Howard, 9.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-4,182, Revised Statutes Cumulative Supplement, 2008, and section 60-601, Revised Statutes Supplement, 2009; to prohibit using a handheld wireless communication device as prescribed while operating a motor vehicle; to provide exceptions; to provide penalties; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 946. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to child support; to provide for postsecondary education subsidy orders; and to provide a duty for the Revisor of Statutes.

NOTICE OF COMMITTEE HEARINGS

Judiciary

Room 1113

Thursday, January 21, 2010 1:30 p.m.

LB694
LB695
LB746
LB784
LB844

Friday, January 22, 2010 1:30 p.m.

LB769
LB824
LB915
LB728

(Signed) Brad Ashford, Chairperson

General Affairs

Room 1510

Monday, January 25, 2010 1:30 p.m.

LB788
LB861
LB867
LB825
LR277CA

(Signed) Russ Karpisek, Chairperson

Education

Hearing Room 1525

Monday, January 25, 2010 1:30 p.m.

LB741
LB711
LB916

(Signed) Greg Adams, Chairperson

GENERAL FILE

LEGISLATIVE BILL 139. Title read. Considered.

Committee AM823, found on page 816, First Session, 2009, was considered.

SENATOR FISCHER PRESIDING

The committee amendment was adopted with 26 ayes, 2 nays, 13 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 4 nays, 10 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 475. Title read. Considered.

Committee AM830, found on page 862, First Session, 2009, was considered.

Senators Avery and Stuthman renewed their amendment, AM1547, found on page 196, to the committee amendment.

The Avery-Stuthman amendment was adopted with 25 ayes, 0 nays, 14 present and not voting, and 10 excused and not voting.

The committee amendment, as amended, was adopted with 28 ayes, 0 nays, 11 present and not voting, and 10 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 12 present and not voting, and 10 excused and not voting.

LEGISLATIVE BILL 279. Title read. Considered.

Committee AM909, found on page 890, First Session, 2009, was adopted with 27 ayes, 0 nays, 10 present and not voting, and 12 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 947. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Community Development Block Grant Program; to amend sections 81-1201.04 and 81-1201.18, Reissue

Revised Statutes of Nebraska; to eliminate the Community Development Block Grant Program Advisory Committee; to transfer the duties of the committee to the Economic Development Commission; to repeal the original sections; and to outright repeal section 81-1201.08, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 948. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 81-159 and 81-161, Reissue Revised Statutes of Nebraska; to change provisions relating to agency requisitions and competitive bidding; and to repeal the original sections.

LEGISLATIVE BILL 949. Introduced by Gloor, 35; Avery, 28; Campbell, 25; Carlson, 38; Christensen, 44; Coash, 27; Dierks, 40; Dubas, 34; Fischer, 43; Fulton, 29; Hadley, 37; Hansen, 42; Harms, 48; Howard, 9; Janssen, 15; Karpisek, 32; Lautenbaugh, 18; McCoy, 39; McGill, 26; Mello, 5; Pankonin, 2; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; Wightman, 36.

A BILL FOR AN ACT relating to the Building Construction Act; to amend sections 71-6401, 71-6403, 71-6405, and 71-6406, Reissue Revised Statutes of Nebraska; to change provisions relating to building codes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 950. Introduced by Nebraska Retirement Systems Committee: Pankonin, 2, Chairperson; Heidemann, 1; Karpisek, 32; Loudon, 49; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2310.04, 23-2315.01, 23-2319.02, 24-701.01, 79-902, 79-910.01, 79-915, 79-920, 79-951, 79-978, 79-990, 81-2016, 84-1310.01, 84-1311.03, 84-1314, 84-1321.01, 84-1323.01, and 84-1504, Reissue Revised Statutes of Nebraska, sections 23-2309.01 and 23-2310.05, Revised Statutes Cumulative Supplement, 2008, and sections 23-2306, 23-2308.01, 84-1307, and 84-1309.02, Revised Statutes Supplement, 2009; to change provisions relating to the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Nebraska State Patrol Retirement Act, and the State Employees Retirement Act regarding participation eligibility, uses of funds, disability eligibility, and retirement system options; to redefine terms; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 951. Introduced by Avery, 28; Krist, 10.

A BILL FOR AN ACT relating to elections; to amend sections 32-101, 32-808, and 32-939, Reissue Revised Statutes of Nebraska; to change provisions relating to early voting; to repeal the original sections; and to outright repeal section 32-939.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 952. Introduced by White, 8; Ashford, 20; Cook, 13; Cornett, 45; Council, 11; Gay, 14; Howard, 9; Lathrop, 12; Lautenbaugh, 18; McGill, 26; Mello, 5; Nelson, 6; Nordquist, 7; Price, 3; Rogert, 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2701.04, and 77-2701.16, Reissue Revised Statutes of Nebraska; to exempt certain public utility income for infrastructure replacement and sewer programs from sales tax as prescribed; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 953. Introduced by Coash, 27.

A BILL FOR AN ACT relating to medical services; to amend sections 47-703, 71-919, 71-922, and 71-926, Reissue Revised Statutes of Nebraska; to provide a rate of payment for certain medical services in emergency protective custody situations; and to repeal the original sections.

LEGISLATIVE BILL 954. Introduced by Giese, 17; Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend section 77-5726, Reissue Revised Statutes of Nebraska; to change provisions relating to refunds of local sales and use taxes; and to repeal the original section.

LEGISLATIVE BILL 955. Introduced by Giese, 17.

A BILL FOR AN ACT relating to correctional facilities; to amend sections 83-183.01 and 83-184, Reissue Revised Statutes of Nebraska; to adopt the Correctional Facility Reimbursement Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 956. Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Nebraska Scholarship Act; to amend sections 9-836.01, 85-1901, 85-1902, 85-1903, 85-1907, 85-1908, 85-1909, 85-1911, 85-1912, 85-1913, 85-1914, 85-1915, 85-1917, 85-1918, 85-1919, and 85-1920, Reissue Revised Statutes of Nebraska, section 85-1412, Revised Statutes Supplement, 2009, and section 9-812, Revised Statutes Supplement, 2009, as amended by section 1, Legislative Bill 2, One Hundred First Legislature, First Special Session, 2009; to rename the act and a fund; to redefine terms; to change provisions relating to awards; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 957. Introduced by Adams, 24.

A BILL FOR AN ACT relating to students; to amend section 85-1511, Reissue Revised Statutes of Nebraska, and section 79-318, Revised Statutes Supplement, 2009; to provide duties relating to sharing of student information for the State Board of Education, the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the community colleges; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 958. Introduced by Giese, 17; Conrad, 46; McGill, 26.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Reissue Revised Statutes of Nebraska; to exempt social security benefits, qualified retirement plan benefits, and government employee retirement benefits from state income taxation as prescribed; and to repeal the original section.

LEGISLATIVE BILL 959. Introduced by Lathrop, 12; Council, 11.

A BILL FOR AN ACT relating to insurance; to amend section 44-1525, Reissue Revised Statutes of Nebraska; to prohibit certain acts or practices having the effect of discrimination because of race, creed, national origin, or religion; and to repeal the original section.

LEGISLATIVE BILL 960. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to energy; to amend sections 70-2002 and 70-2003, Reissue Revised Statutes of Nebraska; to change provisions relating to net metering; and to repeal the original sections.

LEGISLATIVE BILL 961. Introduced by Council, 11; Ashford, 20; Carlson, 38; Coash, 27; Cook, 13; Giese, 17; Gloor, 35; Harms, 48; Karpisek, 32; Langemeier, 23; Lautenbaugh, 18; McCoy, 39; McGill, 26; Mello, 5; Pirsch, 4; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; White, 8.

A BILL FOR AN ACT relating to economic development; to amend sections 81-1203, 81-1205, and 81-1207, Reissue Revised Statutes of Nebraska, and section 81-1201.21, Revised Statutes Supplement, 2009, as amended by section 72, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to change provisions relating to certain training grants; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 962. Introduced by Council, 11; Campbell, 25; Coash, 27; Cook, 13; Fulton, 29; Gloor, 35; Haar, 21; Harms, 48; McGill, 26; Mello, 5; Nordquist, 7; Rogert, 16; Sullivan, 41; Wallman, 30; White, 8.

A BILL FOR AN ACT relating to students; to amend sections 79-219, 79-220, 79-221, and 79-222, Reissue Revised Statutes of Nebraska, and

sections 79-217 and 79-1601, Revised Statutes Supplement, 2009; to require blood lead testing prior to school enrollment; to provide for exceptions; to harmonize provisions; and to repeal the original sections.

RESOLUTION

LEGISLATIVE RESOLUTION 293. Introduced by McGill, 26; Adams, 24; Avery, 28; Carlson, 38; Christensen, 44; Conrad, 46; Cook, 13; Council, 11; Dierks, 40; Fischer, 43; Flood, 19; Fulton, 29; Gay, 14; Giese, 17; Gloor, 35; Hadley, 37; Hansen, 42; Harms, 48; Heidemann, 1; Howard, 9; Janssen, 15; Krist, 10; Langemeier, 23; Lathrop, 12; Lautenbaugh, 18; Loudon, 49; McCoy, 39; Mello, 5; Nelson, 6; Pahls, 31; Pankonin, 2; Pirsch, 4; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; White, 8; Wightman, 36.

WHEREAS, Haiti recently suffered a massive earthquake killing over one hundred thousand people and leaving much of its capitol city Port-au-Prince in ruins and its people homeless; and

WHEREAS, Haiti is our neighbor and, as the poorest nation in the Western Hemisphere, was poorly equipped to handle a natural disaster of such magnitude; and

WHEREAS, much of Port-au-Prince infrastructure has been destroyed, including the National Palace and the local United Nations headquarters; and

WHEREAS, there are many Nebraskans with loved ones, friends, or colleagues missing in Haiti; and

WHEREAS, the generosity of Nebraskans towards those in need is second to none.

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

1. That the Legislature sends its condolences to the nation of Haiti.
2. That the Legislature asks the citizens of Nebraska to send needed support to the country of Haiti.
3. That the Legislature thanks those Nebraska businesses, charities, and individuals that were quick to organize donations and supplies to send to Haiti.
4. That a copy of this resolution be sent to the government of Haiti.

Laid over.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

Room 1113

Monday, January 25, 2010 1:30 p.m.

LB816
LB719
LB831
LB856
LB725

(Signed) Deb Fischer, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator Gloor asked unanimous consent to add his name as cointroducer to LB880. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. Stuart Embury from Holdrege.

ADJOURNMENT

At 12:03 p.m., on a motion by Senator Karpisek, the Legislature adjourned until 10:00 a.m., Tuesday, January 19, 2010.

Patrick J. O'Donnell
Clerk of the Legislature