

**SECOND DAY - JANUARY 10, 2008****LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE  
SECOND SESSION****SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 10, 2008

**PRAYER**

The prayer was offered by Senator Heidemann.

**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 Senator Harms who was excused.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the first day was approved.

**PROPOSED RULES CHANGES**

The Rules Committee offered the following proposed rules changes:

1. **Rule 3, Sec. 5(c)(iii)** The Legislative Performance Audit Committee is authorized to hold hearings, at the committee's discretion, to receive testimony regarding topics it has selected for review. Such hearings shall comply with the provisions in Rule 3, Sec. 13. In order to protect confidential information pertaining to a potential or actual performance audit, the committee may, by a majority vote of all its members, determine that a meeting in which confidential information will be discussed should not be open to the public, including members of the news media. Such meeting shall be reconvened in open session before any formal action may be taken.

2. **Rule 3, Sec. 15(b)** Except as provided in Rule 3, Sec. 5(c)(iii), All other meetings of a committee shall be public unless the committee, by a majority vote of all of its members, determines that a meeting should not be open to the public, including members of the news media, in a particular instance, due to rare and extraordinary circumstances. The meeting shall be reconvened in open session before any formal action may be taken.

3. **Rule 5, Sec. 5(c)** The Legislative Performance Audit Committee may designate as priority bills two bills ~~introduced by the committee or any senator as a resulting from~~ of a performance audit ~~or involving the performance audit process~~, but the principal introducer must concur with the designation as a priority bill and with the withdrawal of the designation once made.

4. **Amend Rule 3, Section 5 (b) to read:**

The special committees authorized by statute as of ~~January 1, 1980~~ January 9, 2008 are as follows:

Building Maintenance. RRS 81-185 .....	6 members
Education Commission of the States. RRS 79-1504.....	3 members
Executive Board of the Legislative Council. RRS 50-401.01.....	9 members
Intergovernmental Cooperation. RRS 81-816.....	5 members
Legislative Performance Audit. RRS 50-1204.....	7 members
State-Tribal Relations RRS 50-445 .....	7 members

5. **Rule 4 Sec. 3. Study Resolutions: Introduction; Referral; Standing Committees; Select Committees; Results.** (a) Any senator or committee may introduce resolutions proposing interim studies. The resolutions shall be submitted to the Clerk of the Legislature on a form prescribed by the Clerk, printed in the Journal, and referred to the Executive Board.

(b) Study resolutions may be introduced up to and including the 80th legislative day in odd-numbered years and the 50th legislative day in even-numbered years. However, each standing committee may introduce one additional study resolution prior to adjournment sine die. The Executive Board shall refer the study resolutions to the appropriate standing committees or to select interim committees created by it to conduct such studies.

(c) Study resolutions shall be prioritized by the chairperson of the committee to which they are referred, and a report on those priorities shall be filed with the Clerk, on a form prescribed by the Clerk, prior to adjournment sine die. Also, the chairperson of each committee ~~shall~~ may file with the Clerk, on a form prescribed by the Clerk, his or her committee's study plan for ~~the highest prioritized interim studies~~ any study resolution referenced to such committee. ~~This study plan shall be filed no later than thirty days after adjournment sine die.~~ Unless otherwise agreed to, staff to interim studies conducted by standing committees shall be headed by the respective committee counsels. Legislative aides whose senators serve on such standing committees and legislative aides of other interested senators may be invited by the respective committee counsels to participate as staff in the conduct of the interim studies. The provisions of this section shall in no way limit the standing committees in their traditional prerogatives to conduct

hearings and oversee matters and agencies that are within their subject-matter jurisdiction.

The Rules Committee indefinitely postponed the following proposed amendments:

Rule 3 section 4(b) found on page 100.

Rule 7 Section 3(d) found on page 100.

Rule 3 add new section 21 found on page 100.

The Rules Committee held the following proposed amendment:

Rule 3, Sec. 20(c)(ii) found on page 101.

Rule 3 inserting new language in section 6 found on pages 101 through 104.

### ANNOUNCEMENT

Senator Stuthman designates LB157 as his priority bill.

### 2007 INTERIM REPORT ON THE DISPOSITION OF INTERIM STUDY RESOLUTIONS

#### Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
76	Study rural economic development potential of Wind Energy		X	
93	Examine implications of I-300 litigation		X	
106	Examine effects of invasive legislation on streamflow		X	
133	Examine issues within jurisdiction of Agriculture Committee		X	
136	Examine means to stimulate biodiesel production		X	
137	Examine redesign of the Livestock Friendly program		X	
138	Examine means of cash funding the noxious weed program		X	
139	Identify constraints to deployment of systems to recover energy from livestock wastes			X
140	Examine Department of Agriculture functions funded through federal grants and other federal initiatives			X
141	Examine issues relating to		X	

	Nebraska's tractor permit law			
187	Examine means of maximizing rural economic benefits of ethanol		X	
188	Review duties of the Carbon Sequestration Advisory Committee		X	

## Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
171	Interim study to examine research funding alternatives for updating the student information systems at the University of Nebraska			X(1)
172	Interim study to examine the Nebraska state college system's existing student information system			X(1)
173	Interim study to review the adequacy of funding for the Nebraska College of Technical Agriculture at Curtis			X(2)
167	Interim study to evaluate the scope of state resources that should be devoted to the University of Nebraska Medical Center College of Nursing			X
184	Interim study to examine the legislative appropriations process		X	
74	Interim study to analyze the fiscal impact of making K-12 public school teachers employees of the State of Nebraska	X		

(1) Agency has submitted budget request for 2008 session

(2) Program Statement pending

## Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
100	Interim study to determine whether the insurance laws should be amended to allow property and casualty insurance producers to charge fees for services they perform		X	
109	Interim study to examine issues		X	

	relating to the Comprehensive Health Insurance Pool			
110	Interim study to examine whether amendments should be recommended to the Small Employer Health Insurance Availability Act			X
111	Interim study to examine issues relating to the Burial Pre-Need Sale Act		X	
119	Interim study to review the availability of cost estimates in health care pricing and possible legislation to provide good faith estimates of costs by health care providers and insurers to a consumer upon request		X	
166	Interim study to examine the need for increased and uniform insurance coverage for cochlear implant surgeries and auditory rehabilitation services			X
192	Interim study to examine the practice of mail solicitations by issuers of bank credit cards			X

Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
15	Interim study to examine the impact of a waiver filed by Union Pacific before the Federal Railroad Administration on public safety			X
159	Interim study to examine the public policies under the Nebraska Workers' Compensation Act		X	
185	Interim study to examine the film industry in Nebraska as it relates to economic development and employment		X	
197	Interim study of the workers' compensation program to examine issues relating to the vocational rehabilitation program		X	

## Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
126	Interim study to examine high ability learner programs and the effectiveness of the program format and funding level	X*		
169**	Interim study to examine public school funding in Nebraska			X
193	Interim study to review matters under the jurisdiction of the Education Committee			X
194	Interim study to examine policy changes that would encourage more Nebraskans to avail themselves of opportunities for higher education in the state			X

\*Report issued by Senator Adams' Office

\*\*Joint Study of the Education and Revenue Committees (Education Lead)

## Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
183	Study Security in the Capitol		X	

## General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
147	Interim study of the Nebraska liquor law pertaining to transportation of liquor into the state			X
148	Interim study to examine Nebraska's cemetery statutes		X	
149	Interim study of recent federal lawsuits dealing with the right of states under the 21st Amendment to the U.S. Constitution to regulate alcohol		X	
190	Interim study to examine legalizing the sale of all liquor on Sundays			X

## Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
78	Interim study to examine issues relating to the Open Meetings Act		X	
80	Interim study to examine the need for cost-benefit analyses to be conducted on services contracts entered into by the State of Nebraska		X	
104	Interim study to examine ways for the State of Nebraska to respectfully honor its citizens who have served their country and died in combat		X	
117	Interim study to analyze the municipal county process		X	
120	Interim study to examine the cost of public employee health plans at all levels of government		X	
122	Interim study to examine issues within the jurisdiction of the Government, Military and Veterans Affairs Committee		X	
129	Interim study to examine the Base Realignment and Closure process and realignment of United States Department of Defense installations and possible responses required by the state	X		
146	Interim study to examine the issue of creating a voluntary registry for interior designers		X	
161	Interim study to examine the manner in which agencies of state government are providing public notice of their intent to adopt, amend, or repeal a rule or regulation under the Administrative Procedure Act		X	

## Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
157	Interim study of the foster care system		X	

163	Interim study to examine ways to increase the pool of potential foster parents		X	
201	Interim study to examine policies with regard to non-English speaking families in the Nebraska child welfare system		X	
206	Interim study to provide additional recommendations relating to the Welfare Reform Act and public assistance programs		X	
98	Interim study to evaluate how child support disregards/pass-throughs impact the economic self sufficiency of participants in Temporary Assistance for Needy Families programs		X	
164	Interim study to examine traditional benefits under Temporary Assistance for Needy Families (TANF) programs and their effectiveness		X	
155	Interim study to examine recommendations to provide the workforce necessary to provide quality in-home services		X	
162	Interim study to examine the overall impact of the area agency on aging programs on the health of the citizens		X	
205	Interim study to provide development of additional recommendations relating to implementation of the Nebraska Behavioral Health Services Act		X	
168	Interim study to examine issues relating to Nebraska's emergency protective custody procedures		X	
203	Interim study to examine statewide behavioral health services		X	
207	Interim study to provide additional recommendations relating to implementation of the Medicaid Reform Plan and Medical Assistance Act		X	
202	Interim study to harmonize		X	

	Nebraska's state children's health insurance program to changes allowed by the federal State Children's Health Insurance Program			
204	Interim study to prepare additional legislation relating to the Uniform Credentialing Act		X	
153	Interim study to examine procedures used by the State Board of Health when disciplining medical professionals or allowing medical professionals to practice in the state		X	
158	Interim study to examine development of voluntary emergency medical personnel to assist in responding to natural disasters		X	
119	Interim study to review the availability of cost estimates in health care pricing and possible legislation to provide good faith estimates of costs by health care providers and insurers to a consumer upon request		X	
85	Interim study to direct the Health and Human Services Committee to study the availability of autism treatment programs in the state		X	
165	Interim study to examine the service needs of victims of domestic violence, sexual assault, and stalking and identify cost-effective system enhancements for prevention and intervention		X	
128	Interim study to examine administrative processes and laws which would permit the establishment of a parent and child relationship in the event of a gestational surrogacy		X	
195	Interim study to examine and provide recommendations relating to the state's operation of facilities that provide twenty-four-hour care to the citizens of Nebraska		X	
196	Interim study to review the		X	

	findings of the Nebraska Juvenile Correctional Facilities Master Plan Update			
156	Interim study relating to people with developmental disabilities and proposed changes to the methodology used for payment of service providers		X	
130	Interim study to examine requirements necessary to implement an effective statewide comprehensive tobacco prevention and cessation program		X	
170	Interim study to examine issues relating to the gardasil vaccine that is used to prevent certain deadly strains of human papillomavirus		X	
208	Interim study to provide additional recommendations relating to the reorganization of the Nebraska Health and Human Services System		X	

## Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
91	Interim study to examine if more can be done through legislation to protect citizens from the crime of identity theft			X
97	Interim study to direct the Judiciary Committee to review the North Carolina statewide guardian ad litem system			X
99	Interim study to examine policies relating to the incarceration of persons with mental illness in Nebraska's correctional facilities, including juvenile facilities		X	
112	Interim study to determine the need for additional financial assistance to address staffing issues and treatment of inmate substance abuse and mental health needs within the Dept. of Correctional Services			X

121	Interim study to examine the feasibility of the adoption of juvenile certification legislation to provide that the juvenile court have original jurisdiction for juveniles who have committed crimes		X	
144	Interim study to examine issues relating to dangerous dogs		X	
145	Interim study to examine the Income Withholding for Child Support Act			X
153	Interim study to examine procedures used by the State Board of Health when disciplining medical professionals or allowing medical professionals to practice in the state			X
178	Interim study to examine the nature and consistency of local firearm regulation		X	
199	Interim study to examine the existing first degree sexual assault and statutory rape statute			X
200	Interim study to examine the guardian ad litem statutes and proposals for reform of the juvenile legal services system			X
219	Interim study to examine the history of stem cell research, human reproductive cloning, and human therapeutic cloning		X	

Natural Resources Committee

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
77	Examination of the issue of electronic recycling		X	
79	Examination of net-metering and draft legislation which creates a net-metering program		X	
89	Examination of discarded televisions and recycling the same rather than discarded in landfills		X	
94	Examination of issues relating to the rapid urbanization of the Papillion Creek Watershed		X	

105	Examine mining with respect to water		X	
106	Examination of the effects of vegetation on river-flow in river basins in Nebraska		X	
107	Examination of the effects of the elimination of the park entry permit		X	
108	Examine issues relating to the laws governing the generation of electric power using renewable energy		X	
113	Issues relating to urban storm water runoff		X	
174	Examination of the coordination between Natural Resources Districts, state agencies, and state and federal government officials with respect to surface water flows during times of great need		X	
175	Examination of every major river and stream in Nebraska with respect to stream flows			X
176	Examination of identification of areas of historical surplus of surface water			X
177	Examination of ground water model development as set forth from the Final Settlement Stipulation of the Republican River Compact regarding inputs and accounting		X	
198	Examination of information collected from flow meters installed to measure ground water use and surface water use		X	
210	Examination of issues under the jurisdiction of the Natural Resources Committee			X

## Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
101	Interim study to review the actuarial assumptions used to perform the annual actuarial valuation for the retirement		X	

	systems administered by the Public Employees Retirement Board			
102	Interim study to examine the employee retirement systems administered by the Public Employees Retirement Board	X		
127	Interim study to review the state funds under the responsibility of the state investment officer			X
160	Interim study to examine the results of the law enforcement retirement survey		X	
182	Interim study to examine retirement benefits provided to public employees		X	

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
114	Interim study to examine the burden of proof and standard of review of valuation cases appealed to the Tax Equalization and Review Commission	X		
116	Interim study to examine residential, business, and agricultural tax burdens in Nebraska	X		
115	Interim study to examine an income-based method of placing a value on agricultural and horticultural land	X		
191	Interim study to examine the effect of lowering the property tax lid on cities of the second class and villages		X	
189	Interim study to examine exempting car washes from sales tax			X

Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
67	Blocked railroad crossings		X	
179	REAL ID Act		X	

86	Auto liability insurance			X
181	Municipal wireless systems		X	
180	Off-road vehicles		X	
90	Licensing and registration process		X	
124	Issues of committee			X
132	Distribution of transit aid			X

## Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
94	Interim study to examine issues relating to the rapid urbanization of the Papillion Creek Watershed		X	
142	Interim study to undertake a review of the Nebraska Industrial Development Corporation Act		X	
143	Interim study to review issues raised by LR 2CA which proposed to broaden authority for cities and counties to use tax increment financing		X	
150	Interim study to review the manner in which Nebraska's first class cities provide fire protection and emergency response services		X	
151	Interim study to examine the statutory authority for representation on and the size of certain city governing bodies		X	
152	Interim study to examine issues under the jurisdiction of the Urban Affairs Committee		X	
186	Interim study to examine laws regarding the authority for metropolitan class cities to collect occupation taxes		X	

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 796.** Introduced by Johnson, 37.

A BILL FOR AN ACT relating to radiation control; to amend sections 38-1907, 38-1915, 71-3503, 71-3505, 71-3507, 71-3508.03, and 71-3517, Revised Statutes Supplement, 2007; to change provisions relating to

credentials; to provide for medical radiographer-computed tomography licenses; to change certain fees relating to X-ray machines; to eliminate credentialing provisions relating to radon measurement technicians and radon mitigation technicians; to provide for fingerprinting and criminal background checks as prescribed; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 797.** Introduced by Health and Human Services Committee: Johnson, 37, Chairperson; Erdman, 47; Gay, 14; Hansen, 42; Howard, 9; Pankonin, 2; Stuthman, 22.

A BILL FOR AN ACT relating to health and human services; to amend sections 71-1901, 71-7003.01, 71-7010, and 71-7013, Reissue Revised Statutes of Nebraska, sections 71-5663, 71-5665, and 71-5668, Revised Statutes Cumulative Supplement, 2006, and sections 68-906, 68-1017, 71-5662, 71-7012, 71-8249, 81-671, and 86-570, Revised Statutes Supplement, 2007; to change a date within the Medical Assistance Act relating to acceptance of federal provisions; to change and eliminate provisions relating to organization of the Department of Health and Human Services, the Rural Health Systems and Professional Incentive Act, mammography, the statewide trauma registry, and release of health information; to provide for disqualification for certain public assistance programs; to eliminate the Governor's Roundtable and repeal obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 68-1736, 68-1737, 71-7002, 71-7003, 71-7004, 71-7005, 71-7006, 71-7007, 71-7008, and 71-7009, Reissue Revised Statutes of Nebraska, and section 71-7001, Revised Statutes Supplement, 2007; and to declare an emergency.

**LEGISLATIVE BILL 798.** Introduced by Loudon, 49.

A BILL FOR AN ACT relating to relating to water; to amend sections 46-283 and 46-287, Reissue Revised Statutes of Nebraska, and section 46-286, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to irrigation water reuse pits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 799.** Introduced by Loudon, 49.

A BILL FOR AN ACT relating to water; to amend section 46-291, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to applications for transfer of appropriations; and to repeal the original section.

**LEGISLATIVE BILL 800.** Introduced by Loudon, 49.

A BILL FOR AN ACT relating to water; to amend section 46-299, Reissue Revised Statutes of Nebraska; to change provisions relating to intentional underground water storage permittees as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 801.** Introduced by Louden, 49.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-715, Revised Statutes Supplement, 2007; to change provisions relating to integrated management plans as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 802.** Introduced by Louden, 49.

A BILL FOR AN ACT relating to irrigation; to amend section 46-233, Reissue Revised Statutes of Nebraska; to provide for diversion of water from streams during times of flooding as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 803.** Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to elections; to amend sections 32-107, 32-108, 32-114, 32-115, 32-221, 32-302, 32-307, 32-813, 32-816, 32-902, 32-907, 32-910, 32-917, 32-918, 32-919, 32-920, 32-922, 32-923, 32-925, 32-927, 32-929, 32-933, 32-934, 32-937, 32-1503, 32-1504, 32-1508, 32-1512, 32-1528, and 32-1532, Reissue Revised Statutes of Nebraska, sections 32-101, 32-311.01, 32-314, 32-321, 32-325, 32-807, 32-901, 32-915, 32-916, 32-921, 32-936, 32-938, 32-940, 32-941, 32-945, 32-1502, and 32-1530, Revised Statutes Cumulative Supplement, 2006, and sections 32-906, 32-914, 32-1001, and 32-1002, Revised Statutes Supplement, 2007; to provide for voter registration on election day for statewide general elections as prescribed; to change provisions relating to registration and voting; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 804.** Introduced by Burling, 33; Nelson, 6; White, 8.

A BILL FOR AN ACT relating to juries; to permit jurors to take notes; and to provide a duty for the Revisor of Statutes.

**LEGISLATIVE BILL 805.** Introduced by Wallman, 30; Avery, 28.

A BILL FOR AN ACT relating to the Propane Education and Research Council; to amend section 66-1618, Reissue Revised Statutes of Nebraska; to change membership provisions; and to repeal the original section.

**LEGISLATIVE BILL 806.** Introduced by Wallman, 30; Kopplin, 3.

A BILL FOR AN ACT relating to animals; to amend sections 15-220, 16-206, 17-526, 20-126.01, 20-128, 20-131.02, 20-131.04, 28-1313, 28-1314, 49-801, 54-603, and 54-614, Reissue Revised Statutes of Nebraska, and sections 14-102, 20-127, 20-129, and 28-1009.01, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to dog

guides, hearing aid dogs, and service dogs; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 807.** Introduced by Aguilar, 35; Johnson, 37.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-901, Revised Statutes Cumulative Supplement, 2006; to state findings; to require coverage of tobacco-use cessation counseling and pharmaceuticals as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 808.** Introduced by Synowiecki, 7.

A BILL FOR AN ACT relating to motor vehicle homicide; to amend section 28-306, Revised Statutes Cumulative Supplement, 2006; to change penalty provisions; and to repeal the original section.

**LEGISLATIVE BILL 809.** Introduced by Synowiecki, 7.

A BILL FOR AN ACT relating to metabolic screening; to amend section 71-519, Revised Statutes Supplement, 2007; to provide for an exemption; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 810.** Introduced by Kruse, 13; Aguilar, 35; Burling, 33; Carlson, 38; Kopplin, 3; Lathrop, 12; Nelson, 6; Pankonin, 2.

A BILL FOR AN ACT relating to alcoholic liquor; to adopt the Alcoholic Liquor Liability Act.

**LEGISLATIVE BILL 811.** Introduced by Kruse, 13; Howard, 9; Louden, 49; Nelson, 6; Preister, 5.

A BILL FOR AN ACT relating to the Nebraska Public Transportation Act; to amend section 13-1209, Reissue Revised Statutes of Nebraska; to state intent to appropriate five million dollars to the public transportation assistance program; and to repeal the original section.

**LEGISLATIVE BILL 812.** Introduced by Kruse, 13; Cornett, 45; Engel, 17; Howard, 9.

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 repeal section 60-6,271, Reissue Revised Statutes of Nebraska; and to repeal the original section.

**LEGISLATIVE BILL 813.** Introduced by McGill, 26.

A BILL FOR AN ACT relating to municipalities; to authorize urban growth

districts and provide bond authority.

**LEGISLATIVE BILL 814.** Introduced by Raikes, 25.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1704.02, 77-1716, and 77-1802, Reissue Revised Statutes of Nebraska; to change provisions relating to notification and collection of delinquent property taxes; and to repeal the original sections.

**LEGISLATIVE BILL 815.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-467, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to public records and confidential information; and to repeal the original section.

**LEGISLATIVE BILL 816.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to courts; to amend section 24-301.02, Revised Statutes Supplement, 2007; to change the number of district court judges; and to repeal the original section.

**LEGISLATIVE BILL 817.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to constitutional officers; to require certain executive officers to devote their full time to the duties of their offices.

**LEGISLATIVE BILL 818.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to medical assistance; to amend sections 68-915, 68-1713, and 68-1724, Revised Statutes Supplement, 2007; to change provisions relating to eligibility; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 819.** Introduced by Business and Labor Committee: Cornett, 45, Chairperson; McGill, 26; Rogert, 16; Wallman, 30.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-648, 48-648.01, and 48-654, Revised Statutes Cumulative Supplement, 2006, and sections 48-612.01 and 48-649, Revised Statutes Supplement, 2007; to change provisions relating to information disclosure and electronic payment; and to repeal the original sections.

**LEGISLATIVE BILL 820.** Introduced by Business and Labor Committee: Cornett, 45, Chairperson; McGill, 26; Rogert, 16; Wallman, 30.

A BILL FOR AN ACT relating to labor; to amend sections 48-1202, 48-1802, 48-1804, 48-1805, and 48-1806, Reissue Revised Statutes of Nebraska, and section 48-1809, Revised Statutes Supplement, 2007; to

redefine a term in the Wage and Hour Act; to change provisions of the Nebraska Amusement Ride Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 821.** Introduced by Business and Labor Committee: Cornett, 45, Chairperson; McGill, 26; Rogert, 16; Wallman, 30.

A BILL FOR AN ACT relating to claims against the state; to amend sections 81-8,210, 81-8,212, 81-8,213, 81-8,220, 81-8,227, 81-8,228, 81-8,300, and 81-8,305, Reissue Revised Statutes of Nebraska, and sections 81-8,211 and 81-8,224, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to the Risk Manager, the State Claims Board, and claim procedures; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 822.** Introduced by Legislative Performance Audit Committee: Schimek, 27, Chairperson; Heidemann, 1; McDonald, 41; Preister, 5; Stuthman, 22.

A BILL FOR AN ACT relating to government; to amend sections 50-1204, 50-1205.01, and 50-1206, Revised Statutes Cumulative Supplement, 2006, and section 84-304, Revised Statutes Supplement, 2007; to change references to auditing standards and a federal office; to change a provision relating to requests for performance audits; and to repeal the original sections.

**LEGISLATIVE BILL 823.** Introduced by Legislative Performance Audit Committee: Schimek, 27, Chairperson; Flood, 19; Heidemann, 1; McDonald, 41; Preister, 5; Stuthman, 22.

A BILL FOR AN ACT relating to the Information Technology Infrastructure Act; to amend sections 86-506, 86-516, 86-520, 86-521, 86-526, 86-527, 86-528, 86-529, and 86-530, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to enterprise projects, the Nebraska Information Technology Commission, the Chief Information Officer, the technical panel, and the Information Technology Infrastructure Fund; to provide powers and duties to the Nebraska Information Technology Commission and the Chief Information Officer; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 824.** Introduced by Schimek, 27.

A BILL FOR AN ACT relating to state administrative departments; to provide a gender balance requirement for appointive boards, commissions, committees, and councils of the state.

**LEGISLATIVE BILL 825.** Introduced by Schimek, 27.

A BILL FOR AN ACT relating to insurance; to require coverage for

cochlear implants as prescribed.

**LEGISLATIVE BILL 826.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2433, Revised Statutes Cumulative Supplement, 2006; to provide a residency exception for members of the United States Armed Forces as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 827.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,161, Revised Statutes Cumulative Supplement, 2006; to change the retention period for motor vehicle registration records; and to repeal the original section.

**LEGISLATIVE BILL 828.** Introduced by Ashford, 20; Lathrop, 12; Pedersen, 39.

A BILL FOR AN ACT relating to courts; to amend sections 8-1,134, 8-1725, 8-1736, 9-817, 9-821, 9-832, 12-1119, 21-315, 21-317, 21-323.02, 21-325.02, 21-1909, 21-19,140, 21-19,142, 21-19,160, 21-2009, 21-20,161, 21-20,163, 21-20,181, 21-2215, 29-3528, 37-708.01, 44-1528, 44-2140, 44-2141, 44-2142, 44-2151, 44-2707, 44-32,166, 44-4804, 44-4809, 44-4810, 44-4812, 44-4813, 44-4816, 44-4817, 44-4828, 44-4831, 44-4833, 44-4847, 44-4849, 44-4850, 44-4851, 44-4852, 44-4853, 44-6023, 44-6111, 44-6115, 44-6115.01, 44-6115.02, 44-6121, 44-6131, 44-6141, 45-191.08, 45-921, 45-924, 48-638, 48-813, 54-1914, 59-1611, 59-1725, 67-441, 69-306, 69-2116, 69-2710, 70-604.05, 70-1019, 75-140, 75-158, 75-369.04, 75-369.06, 75-1012, 76-1315, 76-2118, 76-2119, 77-915, 77-2798, 79-1166, 81-8,214, 81-8,305, 83-1223, 84-213, 84-911, and 87-219.01, Reissue Revised Statutes of Nebraska, sections 8-1016, 8-1017, 9-701, 13-2042, 23-2522, 25-21,206, 25-21,264, 45-717, 45-717.02, 66-1529.02, 75-156, 77-27,127, 77-5726, 81-8,211, 83-1224, and 87-142, Revised Statutes Cumulative Supplement, 2006, and sections 28-738, 44-8216, 71-2408, 76-2223, 77-5011, and 85-1418, Revised Statutes Supplement, 2007; to change limitations of jurisdiction to the Lancaster County District Court as prescribed; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 8-1,135, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 829.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-126, Reissue Revised Statutes of Nebraska, sections 86-324 and 86-465, Revised Statutes Cumulative Supplement, 2006, and section 86-435, Revised Statutes Supplement, 2007; to provide powers and duties to the commission regarding rates for telecommunications services; to eliminate obsolete language; to harmonize provisions; and to repeal the

original sections.

**LEGISLATIVE BILL 830.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to prescriptions; to amend section 68-901, Revised Statutes Cumulative Supplement, 2006; to adopt the Prescription Drug Cost Savings Act; to state intent regarding appropriations; to provide a duty for the Department of Health and Human Services; to harmonize provisions; to provide an operative date; to provide severability; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 831.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Credit Report Protection Act; to amend sections 8-2602, 8-2607, and 8-2609, Revised Statutes Supplement, 2007; to define a term; to change provisions relating to security freezes; and to repeal the original sections.

**LEGISLATIVE BILL 832.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to civil procedure; to amend section 43-1729, Reissue Revised Statutes of Nebraska, and section 42-371, Revised Statutes Supplement, 2007; to adopt the Uniform Foreign-Country Money Judgments Recognition Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 833.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to unemployment compensation; to amend section 48-624, Revised Statutes Supplement, 2007; to change the weekly benefit amount; and to repeal the original section.

**LEGISLATIVE BILL 834.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to certificates of title; to amend section 37-1282, Reissue Revised Statutes of Nebraska, and section 60-164, Revised Statutes Supplement, 2007; to change provisions relating to notation of liens; and to repeal the original sections.

**LEGISLATIVE BILL 835.** Introduced by Preister, 5; Aguilar, 35; Howard, 9; Hudkins, 21; Kopplin, 3; Wallman, 30.

A BILL FOR AN ACT relating to children; to define terms; to prohibit transfer of certain items containing a toxic substance; to provide penalties; and to provide severability.

**LEGISLATIVE BILL 836.** Introduced by Howard, 9; Kruse, 13; Pedersen, 39; Preister, 5.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Revised Statutes Cumulative Supplement, 2006, and section 60-4,182, Revised Statutes Supplement, 2007; to prohibit smoking in a vehicle when minors are present; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 837.** Introduced by Karpisek, 32; Louden, 49.

A BILL FOR AN ACT relating to railroads; to amend section 74-1334, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to railroad crossings; and to repeal the original section.

**LEGISLATIVE BILL 838.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to elections; to amend sections 32-202, 32-953, 32-954, and 32-957, Reissue Revised Statutes of Nebraska, and section 32-947, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to identification envelopes for early voting and voting by mail; to eliminate the requirement of a secrecy envelope for elections held by mail; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 32-955, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 839.** Introduced by Pedersen, 39.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1247 and 28-1250, Reissue Revised Statutes of Nebraska, and section 28-1241, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to the approval of fireworks and the license revocation period for violators of fireworks provisions; to define and redefine terms; to provide powers and duties to the State Fire Marshal; and to repeal the original sections.

**LEGISLATIVE BILL 840.** Introduced by McDonald, 41; Dubas, 34; Friend, 10; Lathrop, 12; McGill, 26; Pahls, 31; Pirsch, 4; Rogert, 16; Stuthman, 22; Wallman, 30.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-405, Revised Statutes Supplement, 2007; to change provisions relating to the Uniform Controlled Substances Act; to define a term; and to repeal the original section.

**LEGISLATIVE BILL 841.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to certificates of title; to amend section 60-141, Revised Statutes Cumulative Supplement, 2006, and section 60-168.02, Revised Statutes Supplement, 2007; to change and eliminate provisions relating to reassignments; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 842.** Introduced by Karpisek, 32; Wallman, 30.

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

**LEGISLATIVE BILL 843.** Introduced by Pedersen, 39; Burling, 33; Chambers, 11; Kruse, 13; Nantkes, 46; Preister, 5; Synowiecki, 7.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-105, Revised Statutes Cumulative Supplement, 2006, and section 28-101, Revised Statutes Supplement, 2007; to change sentencing requirements with respect to certain minors; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 844.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-441, 29-431, 29-433, and 53-180.05, Reissue Revised Statutes of Nebraska, sections 28-416 and 29-434, Revised Statutes Cumulative Supplement, 2006, and section 28-101, Revised Statutes Supplement, 2007; to change and transfer certain drug and alcohol penalty provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 845.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to motor carriers; to amend section 75-369.06, Reissue Revised Statutes of Nebraska, and sections 75-363 and 75-369.03, Revised Statutes Supplement, 2007; to create a penalty for out-of-service order violations and to authorize administrative fines for such violations; to correct obsolete provisions; and to repeal the original sections.

**LEGISLATIVE BILL 846.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 66-4,103, 66-697, and 66-6,109, Reissue Revised Statutes of Nebraska, sections 39-2215, 66-482, 66-485, 66-488, 66-489.01, 66-495.01, 66-4,105, 66-4,114, 66-4,145, 66-4,146, 66-6,107, 66-6,111, and 66-726, Revised Statutes Cumulative Supplement, 2006, and section 66-489, Revised Statutes Supplement, 2007; to provide a tax on motor fuels and change a tax on motor fuels; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 847.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Probate Code; to amend section 30-2483, Reissue Revised Statutes of Nebraska; to provide for notice of appointment of a personal representative as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 848.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to cooperatives; to amend sections 21-2901, 21-2903, 21-2922, 21-2929, 21-2935, 21-2939, 21-2945, 21-2949, 21-2950, 21-2951, 21-2952, 21-2953, 21-2955, 21-2956, 21-2959, 21-2960, 21-2978, 21-2980, 21-2992, 21-29,110, 21-29,117, and 21-29,125, Revised Statutes Supplement, 2007; to change provisions relating to the Nebraska Limited Cooperative Association Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 849.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to schools and school districts; to eliminate authority to provide life and health insurance for board members; and to outright repeal section 79-502, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 850.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to schools and school districts; to amend section 79-502, Reissue Revised Statutes of Nebraska; to change provisions relating to insurance coverage for school board members; and to repeal the original section.

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 221.** Introduced by Fulton, 29.

**PURPOSE:** To examine the implementation of a statewide stroke registry to monitor, evaluate, and provide guidance to health care quality improvement efforts for the evaluation, diagnosis, and treatment of acute strokes in hospitals statewide. The study shall include, but not be limited to, examination of:

(1) The costs associated with implementation and federal funding opportunities through the Cardiovascular Health Program of the Department of Health and Human Services;

(2) Opportunities for public and private partnership in the recording of data and dissemination of information;

(3) The ability to diagnose and treat acute strokes in Nebraska hospitals;

(4) The development and maintenance of a secure data system capable of accurate collection and storage of acute stroke information;

(5) The methods for case identification and the core data elements to be collected for cases of acute stroke and transient ischemic attack; and

(6) The best methods for transmitting the information to the hospitals and public in a timely and appropriate manner.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 222.** Introduced by Pirsch, 4.

WHEREAS, Omaha's famed Boys Town children's home recently celebrated its 90th anniversary; and

WHEREAS, Boys Town was founded in 1917 by Reverend Edward Flanagan; and

WHEREAS, the Legislature recognizes Boys Town for its work with abused, abandoned, and neglected children; and

WHEREAS, Boys Town offers care that strengthens children's mind, body, and spirit.

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

1. That the Legislature congratulates Boys Town on celebrating its 90th anniversary.

2. That a copy of this resolution be sent to Boys Town.

Laid over.

**ANNOUNCEMENT**

Senator Rogert designates LB253 as his priority bill.

**AMENDMENT - Print in Journal**

Senator Loudon filed the following amendment to LB202:  
AM1540

- 1 1. On page 2, strike lines 9 through 15, and insert the
- 2 following new subsection:
- 3 (2) Beginning August 1, 2008, only elected officials
- 4 who are members or alternate members of the governing body of
- 5 a joint entity or joint public agency created pursuant to the
- 6 Interlocal Cooperation Act or the Joint Public Agency Act that
- 7 provides services under the Integrated Solid Waste Management Act
- 8 are authorized to vote on whether a lien should be imposed on
- 9 real property for nonpayment of rates and charges under subsection
- 10 (4) of section 13-2020. Notwithstanding any other requirements for
- 11 action by the governing body, a vote in favor of imposing such a
- 12 lien by a majority of the members eligible to vote on whether a
- 13 lien should be imposed is required to impose such a lien.

**VISITORS**

The Doctor of the Day was Dr. David Filipi from Omaha.

**ADJOURNMENT**

At 11:05 a.m., on a motion by Senator Janssen, the Legislature adjourned until 9:00 a.m., Friday, January 11, 2008.

Patrick J. O'Donnell  
Clerk of the Legislature