

**FIRST DAY - JANUARY 5, 2011**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION**

**FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 5, 2011

**PRAYER**

The prayer was offered by Senator Harms.

**PRESENTATION OF COLORS**

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

**ROLL CALL**

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Second Legislature, First 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 5, 2011, and was called to order by President Sheehy.

The roll was called and the following members were present:

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

**MOTION - Temporary Clerk and Sergeant at Arms**

Senator Wightman moved to appoint Mr. Patrick J. O'Donnell as temporary Clerk of the Legislature and Mr. Ron Witkowski as temporary Sergeant at Arms.

The motion prevailed.

**RESIGNATION**

November 12, 2010

Governor Dave Heineman  
P.O. Box 94848  
2nd Floor, State Capitol  
Lincoln, NE 68509-4848

Dear Governor Heineman:

Please accept this letter as notification that effective December 1, 2010, I am resigning from my position as State Senator for the 17th Legislative District in the State of Nebraska. I was elected Dakota County Treasurer at the statewide general election on November 2, 2010, and I am constitutionally and statutorily required to resign from the Legislature prior to assuming that office. Pursuant to the requirements of Nebraska Revised Statute § 32-562, subsection (3), I am delivering this notice to you in written form.

It has truly been a privilege to serve as a member of the Nebraska Legislature for the past two years. I wish to take the opportunity to thank the residents of the 17th Legislative District, and of this state, for granting me the opportunity to serve them in this capacity.

Sincerely,  
(Signed) Robert Giese

CC: Patrick O'Donnell, Clerk of the Legislature

**MESSAGE FROM THE GOVERNOR**

December 2, 2010

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

Dear Mr. President, Speaker Flood and Senators:

I hereby appoint Dave Bloomfield to fill the vacancy in the 17th Legislative District created by the resignation of Senator Robert Giese. This appointment takes effect on December 2, 2010.

Sincerely,  
(Signed) Dave Heineman  
Governor

**GUBERNATORIAL APPOINTMENT**

Greetings To All Who Shall See These Presents Know Ye, that I Dave Heineman, on behalf of the State of Nebraska and as Governor, do hereby appoint Dave Bloomfield as a member of the Nebraska Legislature representing District 17.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law:

This appointment shall take effect on December 2, 2010, and continue until as provided by law provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Dave Heineman  
Governor

(Signed) John A. Gale  
Secretary of State

**CERTIFICATE**

State of Nebraska

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

Secretary of State

I, John A. Gale, Secretary of State of the State of Nebraska do hereby certify that Dave Bloomfield has been appointed as a Member of the Nebraska Unicameral Legislature from the Seventeenth District for the unexpired term of Robert J. Giese. The term beginning December 2, 2010, shall continue until January 8, 2013, or such time as he shall satisfactorily perform all the duties imposed upon such officer by law, and until a successor is duly elected and qualified.

I further certify that the foregoing appointment was made by Governor Dave Heineman under the authority granted by the Constitution and by Section 32-566 of the Revised Statutes of Nebraska.

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

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

(SEAL) (Signed) John A. Gale  
Secretary of State

**OFFICIAL OATH**

STATE OF NEBRASKA )  
) ss.  
County of Lancaster )

"I, Dave Bloomfield, do solemnly swear (or affirm) that I will support the constitution of the United States, and the constitution of the State of Nebraska, and will faithfully discharge the duties of Member of the Legislature, District 17 according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote may give or withhold on any bill, resolution, or appropriation)."\*

(Signed) Dave Bloomfield

Subscribed in my presence and sworn to before me this 2nd day of December, 2010.

(SEAL) (Signed) John A. Gale  
Secretary of State

\*Constitution of the State of Nebraska, Article XV, Section One. For Executive, Judicial Officers and Members of the Legislature.

**MOTION - Committee on Credentials**

Senator Cornett moved that we proceed to the election of five persons to serve as the Committee on Credentials, who will forthwith report to the Legislature on the credentials of those claiming to be elected to the Legislature in the General Election in November 2010.

The motion prevailed.

Senator Wallman moved to elect the following five members of the Legislature to serve on the Committee on Credentials: Senators Langemeier, Louden, Pahls, Fischer, and Flood.

The motion prevailed.

**REPORT OF COMMITTEE ON CREDENTIALS**

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 Second Legislature, First Session, 2011.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Second Legislature, First Session, 2011.

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 Fifth day of January in the year of our Lord, two thousand and eleven.

(SEAL) (Signed) John A. Gale  
 Secretary of State

DISTRICT/NAME	ELECTED
1 Lavon L. Heidemann	November 4, 2008
2 Dave Pankonin	November 2, 2010
3 Scott Price	November 4, 2008
4 Pete Pirsch	November 2, 2010
5 Heath Mello	November 4, 2008
6 John E. Nelson	November 2, 2010
7 Jeremiah Nordquist	November 4, 2008
8 Burke J. Harr	November 2, 2010
9 Gwen Howard	November 4, 2008
10 Bob Krist	November 2, 2010
11 Brenda J. Council	November 4, 2008
12 Steve Lathrop	November 2, 2010
13 Tanya Cook	November 4, 2008
14 Jim Smith	November 2, 2010

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

### **MOTION - Credentials Committee Report**

Senator Langemeier moved to approve the Committee on Credentials Report as certified and presented by the Secretary of State.

The motion prevailed.

**MOTION - Escort Chief Justice**

Senator Schilz moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the members of the Legislature.

The motion prevailed.

The Chair appointed Senators Wightman, Ashford, Nelson, Lathrop, and Conrad to serve on said committee.

**MEMBERS' OATH OF OFFICE**

STATE OF NEBRASKA )  
  ) ss.  
LANCASTER COUNTY )

Do you and each of you solemnly swear (or affirm) that you will support the constitution of the United States, and the constitution of the State of Nebraska, and will faithfully discharge the duties of members of the Legislature according to the best of your ability, and that at the election at which you were chosen to fill said office, you have not improperly influenced in any way the vote of any elector, and have not accepted, nor will you accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote you may give or withhold on any bill, resolution, or appropriation).

Adams, Greg L.	Harms, John N.	Pankonin, Dave
Ashford, Brad	Harr, Burke J.	Pirsch, Pete
Avery, Bill	Karpisek, Russ	Schumacher, Paul
Brasch, Lydia	Krist, Bob	Smith, Jim
Carlson, Tom	Lathrop, Steve	Wallman, Norman
Christensen, Mark	Larson, Tyson	Wightman, John
Conrad, Danielle	Lautenbaugh, Scott	
Dubas, Annette M.	McGill, Amanda M.	
Hansen, Thomas F.	Nelson, John E.	

The committee escorted the Chief Justice from the Chamber.

**MOTION - Adopt Temporary Rules**

Senator K. Haar moved that the rules, as now in our possession, be adopted for today only, Wednesday, January 5, 2011.

The motion prevailed.

**MOTION - Election of Officers**

Senator Wightman moved that the following officers, recommended by the Executive Board, be elected to serve for the One Hundred Second Legislature:

Clerk of the Legislature	Patrick J. O'Donnell
Assistant Clerk of the Legislature	Richard K. Brown
Sergeant at Arms	Ron Witkowski

The motion prevailed.

**MOTION - Election of Speaker**

Senator Mello moved to proceed to the election of the Speaker of the Legislature.

The motion prevailed.

Senator Flood placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Flood.

The motion prevailed.

Senator Flood was duly elected Speaker of the Legislature.

**MOTION - Escort Chief Justice**

Senator Conrad moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the officers of the Legislature.

The motion prevailed.

The Chair appointed Senators Harms, Karpisek, Lautenbaugh, Howard, and Janssen to serve on said committee.

**OFFICERS' OATH OF OFFICE**

STATE OF NEBRASKA )  
) ss.  
LANCASTER COUNTY )

We, and each of us, do solemnly swear (or affirm) that we will support the constitution of the United States, the constitution of the State of Nebraska, and will faithfully discharge the duties of our respective offices to the best of our ability.



Speaker  
Clerk of the Legislature  
Assistant Clerk of the Legislature  
Sergeant at Arms

Mike Flood  
Patrick J. O'Donnell  
Richard K. Brown  
Ron Witkowski

The committee escorted the Chief Justice from the Chamber.

**MOTION - Chairperson of Committee on Committees**

Senator Heidemann moved to proceed to the election of the Chairperson of the Committee on Committees.

The motion prevailed.

Senator Hansen placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Hansen.

The motion prevailed.

Senator Hansen was duly elected Chairperson of the Committee on Committees.

**MOTION - Committee on Committees Members**

Senator Fischer moved to proceed to the election of the remaining twelve members of the Committee on Committees, and that we authorize the members residing within each of the three districts, as enumerated in Rule 3, Sec. 2, to nominate four members to be elected by the legislative body to serve on the Committee on Committees.

The motion prevailed.

Senators Adams, Conrad, Langemeier, and Pankonin were nominated from District 1.

Senators Ashford, Cornett, Howard, and Lathrop were nominated from District 2.

Senators Carlson, Fischer, Flood, and Loudon were nominated from District 3.

Senator Harms moved the approval of the nominees to the Committee on Committees.

The motion prevailed.

The Chair declared the nominees duly elected.

**MOTION - Chairperson of Executive Board**

Senator Pirsch moved to proceed to the election of the Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Wightman placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Wightman.

The motion prevailed.

Senator Wightman was duly elected Chairperson of the Executive Board.

**MOTION - Vice Chairperson of Executive Board**

Senator Price moved to proceed to the election of the Vice Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Nelson placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Nelson.

The motion prevailed.

Senator Nelson was duly elected Vice Chairperson of the Executive Board.

**MOTION - Executive Board Members**

Senator Pankonin moved to proceed to the election of the other six members of the Executive Board of the Legislative Council as outlined in 50-401.01.

The motion prevailed.

Senators Karpisek and Langemeier were nominated from District 1.

Senators Lathrop and Pahls were nominated from District 2.

Senators Christensen and Fischer were nominated from District 3.

Senator Hansen moved the approval of the nominees to the Executive Board of the Legislative Council.

The motion prevailed.

The Chair declared the nominees duly elected.

**MOTION - Standing Committee Chairpersons**

Senator Sullivan moved to proceed to the election of the standing committee chairpersons, by secret ballot, in accordance with Rule 3, Sec. 8(a).

The motion prevailed.

CHAIRPERSON - Agriculture

Senator Carlson placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Carlson.

The motion prevailed.

Senator Carlson was duly elected Chairperson of the Agriculture Committee.

CHAIRPERSON - Appropriations

Senator Heidemann placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Heidemann.

The motion prevailed.

Senator Heidemann was duly elected Chairperson of the Appropriations Committee.

CHAIRPERSON - Banking, Commerce and Insurance

Senator Pahls placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Pahls.

The motion prevailed.

Senator Pahls was duly elected Chairperson of the Banking, Commerce and Insurance Committee.

CHAIRPERSON - Business and Labor

Senator Lathrop placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Lathrop.

The motion prevailed.

Senator Lathrop was duly elected Chairperson of the Business and Labor Committee.

CHAIRPERSON - Education

Senator Adams placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Adams.

The motion prevailed.

Senator Adams was duly elected Chairperson of the Education Committee.

CHAIRPERSON - General Affairs

Senator Karpisek placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Karpisek.

The motion prevailed.

Senator Karpisek was duly elected Chairperson of the General Affairs Committee.

CHAIRPERSON - Government, Military and Veterans Affairs

Senator Avery placed his name in nomination.

Senator Krist placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Gloor, Nordquist, and Lautenbaugh as tellers.

Senator Avery	41
Senator Krist	<u>8</u>
	49

Senator Avery was duly elected Chairperson of the Government, Military and Veterans Affairs Committee.

CHAIRPERSON - Health and Human Services

Senator Campbell placed her name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Campbell.

The motion prevailed.

Senator Campbell was duly elected Chairperson of the Health and Human Services Committee.

CHAIRPERSON - Judiciary

Senator Ashford placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Ashford.

The motion prevailed.

Senator Ashford was duly elected Chairperson of the Judiciary Committee.

CHAIRPERSON - Natural Resources

Senator Langemeier placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Langemeier.

The motion prevailed.

Senator Langemeier was duly elected Chairperson of the Natural Resources Committee.

CHAIRPERSON - Nebraska Retirement Systems

Senator Gloor placed his name in nomination.

Senator Nordquist placed his name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Utter, McGill, and Fulton as tellers.

Senator Gloor	23
Senator Nordquist	<u>26</u>
	49

Senator Nordquist was duly elected Chairperson of the Nebraska Retirement Systems Committee.

#### CHAIRPERSON - Revenue

Senator Cornett placed her name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Cornett.

The motion prevailed.

Senator Cornett was duly elected Chairperson of the Revenue Committee.

#### CHAIRPERSON - Transportation and Telecommunications

Senator Fischer placed her name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Fischer.

The motion prevailed.

Senator Fischer was duly elected Chairperson of the Transportation and Telecommunications Committee.

#### CHAIRPERSON - Urban Affairs

Senator McGill placed her name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator McGill.

The motion prevailed.

Senator McGill was duly elected Chairperson of the Urban Affairs Committee.

#### **MOTION - Special and Select Committee Chairpersons**

Senator McCoy moved to proceed to the election of the special and select committee chairpersons, by secret ballot.

The motion prevailed.

CHAIRPERSON - Intergovernmental Cooperation

Senator Janssen placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Janssen.

The motion prevailed.

Senator Janssen was duly elected Chairperson of the Intergovernmental Cooperation Committee.

CHAIRPERSON - Rules

Senator Lautenbaugh placed his name in nomination.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Lautenbaugh.

The motion prevailed.

Senator Lautenbaugh was duly elected Chairperson of the Rules Committee.

CHAIRPERSON - Enrollment and Review

Senator Nordquist nominated Senator Larson.

Senator Cook moved the nominations be closed and a unanimous vote by acclamation be cast for Senator Larson.

The motion prevailed.

Senator Larson was duly elected Chairperson of the Enrollment and Review Committee.

**MOTION - Election Returns**

Senator Karpisek moved that a committee of three be appointed to escort the Secretary of State to the Chamber to deliver the election returns of the General Election of November 2010.

The motion prevailed.

The Chair appointed Senators Gloor, Mello, and Council to serve on said committee.

The committee escorted Secretary of State, John A. Gale, to the rostrum where he delivered the following report.

**REPORT FROM THE SECRETARY OF STATE**

January 5, 2011

Speaker of the Legislature  
 One Hundred Second Legislature, First Session 2011  
 State Capitol  
 Lincoln, Nebraska

Honorable Speaker:

In accordance with Article IV, Section 4 of the Constitution of the State of Nebraska, I have the honor of herewith delivering to you, under Seal, the abstract of votes cast in the ninety-three counties of the State of Nebraska at the General Election held on November 2, 2010 for the offices of Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Supreme Court Judges, Court of Appeals Judges and Nebraska Workers Compensation Judges which votes are required by law to be canvassed by the Nebraska State Legislature, pursuant to Section 32-1039 R.S. Nebraska 1943, Reissue of 2000 as submitted to me for delivery to the Honorable Speaker of the Legislature.

I also deliver to you, under Seal, the list of candidates receiving the highest vote for each particular office enumerated. The certificate of the Secretary of State accompanies this list.

The original abstract sheets containing the tabulation of votes from the ninety-three counties with reference to two Constitutional Amendments are on file in this office. A certification of these returns is also attached.

Inasmuch as these canvass sheets are part of the records of the Office of Secretary of State, we respectfully request that they be returned to our office files immediately upon the completion of your official canvass.

Respectfully submitted,  
 (Signed) John A. Gale  
 Secretary of State

**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 list of the candidates for the offices of Governor, Lieutenant Governor, Secretary of State, Auditor of Public



Accounts, Treasurer, Attorney General, Members of the Public Service Commission, Regents of the University of Nebraska, Members of the State Board of Education, Supreme Court Judge, Court of Appeals Judges and Nebraska Workers Compensation Judges receiving the highest number of votes cast at the General Election in the State of Nebraska held on November 2, 2010.

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

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

(SEAL) (Signed) John A. Gale  
Secretary of State

- Governor Dave Heineman
- Lieutenant Governor Rick Sheehy
- Attorney General - Jon Bruning
- Secretary of State - John A. Gale
- Auditor of Public Accounts - Mike Foley
- State Treasurer - Don Stenberg
- Public Service Commission, District 4 - Rod Johnson
- Public Service Commission, District 5 - Jerry Vap
- Board of Regents of the University of Nebraska - Dist 6 - Kent Schroeder
- Board of Regents of the University of Nebraska - Dist 7 - Bob Phares
- State Board of Education - Dist 5 - Patricia H. Timm
- State Board of Education - Dist 6 - Lynn R. Cronk
- State Board of Education - Dist 7 - Molly O'Holleran
- State Board of Education - Dist 8 - John Sieler
- Supreme Court Judge, Chief Justice - Michael G. Heavican
- Supreme Court Judge, District 3 - John M. Gerrard
- Supreme Court Judge, District 5 - William M. Connolly
- Supreme Court Judge, District 6 - John F. Wright
- Court of Appeals Judge, District 5 - Everett O. Inbody
- Court of Appeals Judge, District 6 - Frankie J. Moore
- Nebraska Workers Compensation Judge James R. Coe
- Nebraska Workers Compensation Judge John R. Hoffert
- Nebraska Workers Compensation Michael P. Cavel
- Nebraska Workers Compensation Ronald Brown

**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 listing of Constitutional Amendment proposed by the Legislature showing the number of votes cast for and against the amendment at the Primary Election held on May 11, 2010, and Constitutional Amendments proposed by the Legislature showing the number of votes cast for and against at the General Election held on November 2, 2010, is also attached.

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

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

(SEAL) (Signed) John A. Gale  
Secretary of State

2010 Primary Election

Amendment

Amendment 1

A constitutional amendment to authorize the use of revenue bonds to develop and lease property for use by nonprofit enterprises as determined by law.

For	129,018
Against	116,708

2010 General Election

Amendments

Amendment 1

A constitutional amendment to change the powers of municipalities relating to fund sources for economic or industrial development.

For	221,295
Against	216,419

Amendment 2

A constitutional amendment to abolish the office of the State Treasurer on January 8, 2015.

For	146,935
Against	299,882

Senator Coash moved to approve the report of the Secretary of State and the candidates stated therein be declared duly elected.

The motion prevailed.

The Secretary of State was escorted from the Chamber.

**MOTION - Inaugural Ceremonies**

Senator Christensen moved to arrange to hold the inaugural ceremonies for the newly elected state officials on Thursday, January 6, 2011, at 1:30 p.m.

The motion prevailed.

**VISITOR**

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

**ADJOURNMENT**

At 12:04 p.m., on a motion by Speaker Flood, the Legislature adjourned until 10:00 a.m., Thursday, January 6, 2011.

Patrick J. O'Donnell  
Clerk of the Legislature



**SECOND DAY - JANUARY 6, 2011****LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION****SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 6, 2011

**PRAYER**

The prayer was offered by Pastor Nate Reckling, Countryside Alliance Church, Princeton.

**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 Senator Larson who was excused; and Senator Lautenbaugh who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the first day was approved.

**MOTION - Adopt Temporary Rules**

Senator Utter 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.

**MESSAGES FROM THE GOVERNOR**

April 16, 2010

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 Nebraska Information Technology Commission:

Dan Shundoff, 2611 Country Club Lane, Kearney, NE 68845

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Information Technology Commission:

Doug Kristensen, 219 North Brown, Minden, NE 68959

Lance Hedquist, 905 E. 29th Street, South Sioux City, NE 68776

Patrick Flanagan, 7710 S. 45th Ave., Omaha, NE 68157

Harold Huggenberger, 3281 County Rd P 43, Fort Calhoun, NE 68023

Daniel Hoelsing, 101 7th Street, Laurel, NE 68745

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

May 1, 2010

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 State Personnel Board:

Samuel Seever, 6425 Lone Tree Drive, Lincoln, NE 68512

Brian Tessman, 12929 Jessie Avenue, Omaha, NE 68164

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

June 10, 2010

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

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

Contingent upon your approval, the following individual is being appointed as Director of the State Energy Office:

Ginger S. Langemeier, 2019 Raven Oaks Drive, Lincoln, NE 68521

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

June 18, 2010

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 Accountability and Disclosure Commission:

Roger Bradford (Brad) von Gillern, 1532 North 159th Street, Omaha, NE 68118

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

June 28, 2010

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 Ethanol Board:

Mark McColley, 13505 B Street, Omaha, NE 68144  
Michael Thede, 327 "R" Street, Palmer, NE 68864

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

June 28, 2010

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 Arts Council:

Robert "Bob" Culver Jr., 1008 Dodge St., #305, Omaha, NE 69102  
Donna Hastings, 212 Forest Blvd., Hastings, NE 68901  
Nana Smith, 2221 Sheridan Blvd., Lincoln, NE 68502

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

June 30, 2010

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 Motor Vehicle Industry Licensing Board:

Blake Dillon, 1444 N. Nye Ave., Fremont, NE 68025

Contingent upon your approval, the following individual is being reappointed to the Nebraska Motor Vehicle Industry Licensing Board:

Fred Stone, 2710 Kucera Dr., Lincoln, NE 68502

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

July 8, 2010

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 Natural Resources Commission:

Thomas Knutson, 102 Custer, St. Paul, NE 68873

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

July 14, 2010

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 Technical Advisory Committee for Statewide Assessment:

Dallas Watkins, P.O. Box 94, Benkelman, NE 69021  
Wayne Camara, College Board, 45 Columbus Ave., New York, NY 10053

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

July 14, 2010

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 Railway Council:

Frank Landis, 3400 Calvert, Lincoln, NE 68502  
John Rebensdorf, 651 North 57th Ave., Omaha, NE 68132  
Ralph Holzfafter, 77045 Road 343, Paxton, NE 69155  
Gary Rasmussen, Box 6, Elba, NE 68835

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

July 23, 2010

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 Motor Vehicle Industry Licensing Board:

William Reeg, 1023 Hillcrest Road, Wayne, NE 68787

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

July 28, 2010

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 State Electrical Board:

Edwin Bergstraesser, 1300 SW 24th St., Lincoln, NE 68522  
Cory Mueller, 238 S. 2nd St., Seward, NE 68434

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

August 5, 2010

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 Highway Commission:

E.J. Militti Jr., 1349 South 101st Street, Unit #115, Omaha, NE 68124

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

August 30, 2010

Mr. President, Speaker Flood  
and Members of the Legislature  
State Capitol Building  
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 Rural Health Advisory Commission:

Kathy Boswell, 214 West Second St., Allen, NE 68710  
Dr. Douglas Dilly, 101 Eden Rock Lane, Neligh, NE 68756  
Martin Fattig, 73091 643A Ave., Auburn, NE 68305  
Dr. Shawn Kralik, 438 23rd, West Point, NE 68788  
Sharon Vandegrift, 71015 560 Ave., Fairbury, NE 68352

Contingent upon your approval, the following individual is being appointed to the Nebraska Rural Health Advisory Commission:

Dr. Zachary Frey, 2332 N. 88th Street, Lincoln, NE 68507

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

August 31, 2010

Mr. President, Speaker Flood  
and Members of the Legislature  
State Capitol Building  
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 State Board of Health:

Dr. Dale Michels, 11800 Van Dorn, Walton, NE 68461  
Roger Reamer, 1616 Karol Kay Blvd., Seward, NE 68434  
Dr. Daryl Wills, 1590 Park Terrace, Gering, NE 69341  
Janet Coleman, 6049 Franklin, Lincoln, NE 68506

Contingent upon your approval, the following individuals are being appointed to the State Board of Health:

Wayne Stuberg, 3708 Farnam St., Omaha, NE 68131  
Diane Jackson, 346 Gold St., Riverton, NE 68972  
Debra Parsow, 812 South 67th St., Omaha, NE 68106

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

September 10, 2010

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 Board of Trustees of the Nebraska State Colleges:

Gary Bieganski, 706 Bordeaux Road, Chadron, NE 69337  
Carter Peterson, 502 Douglas Street, Wayne, NE 68787

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

September 10, 2010

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

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

Contingent upon your approval, the following individual is being  
reappointed to the Nebraska Child Abuse Prevention Fund Board:

Rev. Dr. Rebecca Brown, 7001 Edenton Road, Lincoln, NE 68516

Contingent upon your approval, the following individuals are being  
appointed to the Nebraska Child Abuse Prevention Fund Board:

Martha Parker, 2619 Browne Street, Omaha, NE 68111  
Brandon Verzal, 631 Sycamore Drive, Lincoln, NE 68510

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

September 10, 2010

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 Community Corrections Council:

Jeffrey Davis, 1104 Crest Road, Papillion, NE 68046  
The Honorable Thomas Dorwart, 2310 11th Avenue, Sidney, NE 69162  
Frank Peak, 5523 N. 34th, Omaha, NE 68111

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

September 10, 2010

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska Educational Telecommunications Commission:

Darlene Starman, 1030 Rockhurst, Lincoln, NE 68510

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

September 16, 2010

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 Racing Commission:

Jeffrey Galyen, 3205 Golf View Drive, Norfolk, NE 68701

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

September 16, 2010

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 Board of Educational Lands and Funds:

Charles Ward, HC 13, Box 701, Valentine, NE 69201

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

September 17, 2010

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 appointed to the Nebraska Arts Council:



Lynn Roper, 3227 South 29th St., Lincoln, NE 68502  
Mark Laughlin, 5106 California St., Omaha, NE 68132

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

November 8, 2010

Mr. President, Speaker Flood  
and Members of the Legislature  
State Capitol Building  
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 State Emergency Response Commission:

Dana Miller, 110 21st St., Gering, NE 69341  
Tim Hofbauer, 2328 34th Street, Columbus, NE 68601  
Keith Hansen, 10700 Dawn Ave., Lincoln, NE 68516

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

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

November 9, 2010

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 Racing Commission:

Kristopher Covi, 6526 S. 172nd Ave., Omaha, NE 68135

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 9, 2010

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 State Fair Board:

Tam Allan, 5405 A Street, Lincoln, NE 68510

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 15, 2010

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

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

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

Bruce Ramage, 9329 Krug Avenue, Omaha, NE 68124

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 16, 2010

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 Public Roads Classifications and Standards:

Timothy Weander, 17734 Castelar Circle, Omaha, NE 68145

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

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

December 2, 2010

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 Public Employees Retirement Board:

The Hon. Randall Rehmeier, 705 Wildwood Lane, Nebraska City, NE  
68410  
Richard Wassinger, 1213 Cambridge Court, Plattsmouth, NE 68048

The aforementioned appointees are respectfully submitted for your

consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

December 20, 2010

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 Foster Care Review Board:

Susan Staab, 10740 South 98th Street, Lincoln, NE 68526

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 20, 2010

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

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

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

John Maginn, 14001 Eagle Run Drive, Omaha, NE 68375

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 20, 2010

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

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

Contingent upon your approval, the following individual is being  
reappointed to the Nebraska Power Review Board:

Mark Graham, 6550 S. 34th Street, Lincoln, NE 68516

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

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

## REPORTS

The following reports were received by the Legislature:

### **Agriculture, Department of**

Commercial Dog and Cat Operator Inspection Act Fiscal Report for  
2009/10

### **Appropriations Committee, Legislative**

Agency Efficiency Review Plans (LB935, 2010)

### **Arts Council, Nebraska**

Nebraska Arts and Humanities Cash Fund Report

### **Auditor of Public Accounts**

Attestation Report of the Nebraska Motor Vehicle Industry Licensing  
Board for the year ended June 30, 2009

Audit Report of Nebraska Lottery for fiscal year ended June 30, 2010

Nebraska Public Employees Retirement Systems - State and County

Employees Retirement Plans for the year ended December 31, 2009

Revenue, Department of, Cigarette Tax Receipts, Attestation Report

**Banking and Finance, Nebraska Department of**

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections

Total Number of Applicants for Public Benefits and the Number of Applicants Rejected Pursuant to Such Sections Update

**Chief Information Officer, Office of the**

2009 Annual Report

Report on the Status of Enterprise Projects

**Children's Behavioral Health Oversight Committee**

2010 Report

**Coordinating Commission for Postsecondary Education**

2010 Biennial Report

Capital Construction Budget Recommendations and Prioritization for 2011-2013 Biennium

Postsecondary Education Operating Budget Recommendations for 2011-2013 Biennium

Postsecondary Education Operating Budget Recommendations/Capital Construction Budget Recommendations and Prioritization Executive Summaries

**Correctional Services, Department of**

Annual Report for the Work Ethic Camp

**Economic Development, Department of**

2009 Annual Performance Report (APR) for Nebraska's Housing and Community Development Program's Consolidated Plan

Local Civic, Cultural, and Convention Center Financing Fund 2010 Annual Report

Nebraska Advantage Annual Job Training Cash Fund Report

Nebraska Housing and Community Development Programs Proposed 2011 Annual Action Plan

**Education, Department of**

Report on the Status of Negotiations for 2011-2013 between the Nebraska Department of Education and the Nebraska Association of Public Employees/AFSCME, Local 61

**Environmental Quality, Department of**

2010 Annual Report

Clean Water State Revolving Fund Annual Report

Drinking Water State Revolving Fund Annual Report

**Equal Opportunity Commission, Nebraska**

Annual Report, Fiscal Year 2009/2010

**Fiscal Office, Legislative**

Monthly Consensus Estimate of General Fund Receipts

**Game and Parks Commission**

Game Law Investigation Cash Fund Annual Report

**Health and Human Services, Department of**

2010 Nebraska Health Care Funding Act Report

Developmental Disabilities Court-Ordered Custody Act Report

Director's Report on the Proposal to Expand the Scope of Practice of Optometrists

Division of Behavioral Health Division of Children and Family Services

Annual Report (LB603)

Division of Children and Family Services 2009 Caseload Report

Division of Developmental Disabilities, Beatrice State Developmental Center Baseline Quarterly Reports

Supplemental Nutrition Assistance Program Benefits (formerly Food Stamp Program)

Women's Health Initiative Annual Report

**Health and Human Services Committee, Legislature**

Health Care Facility Licensure Act Report (LB999, 2010)

**Information Technology Commission, Nebraska**

Progress Report of the Nebraska Information Technology Commission

Recommendations on Technology Investments for the FY2011-2013 Biennium

**Innovation and Entrepreneurship Task Force**

Nebraska's Innovation and Entrepreneurial Ecosystem (LB1109, 2010)

**Investment Council**

Northern Ireland Reporting Requirements Report

Sustainability of Healthcare Transfer

**Investment Finance Authority, Nebraska (NIFA)**

2009 Series A, B, C, D, E, and F Community Development Loan Notes (City of Lincoln Program-2009) Reports

Agricultural Loans Report – Fiscal Year Ending 6-30-10

Clean Water State Revolving Fund Revenue Bonds and Drinking Water State Revolving Fund Revenue Bonds Notice

Clean Water State Revolving Fund Revenue Bonds Series 2010 B Quarterly Report

Series 2010A Drinking Water State Revolving Fund Revenue Bonds

Series 2010B Clean Water State Revolving Fund Revenue Bonds Notice

Single Family Housing Bonds and General Obligation Bonds Notice

**Labor, Department of**

Nebraska State Workforce Investment Board Significant Modifications to Nebraska's Strategic State Plan for PY 2010

Strategic Five-Year State Workforce Investment Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act

Workforce Investment Act 2009 Annual Report

**Natural Resources, Department of**

2010 Biennial Report on the Nebraska Resources Development Fund

Annual Report and Plan of Work for the Nebraska State Water Planning and Review Process

Water Resources Cash Fund Uses for the Previous Fiscal Year 2009-2010

**Ombudsman/Public Counsel (See Public Counsel)**

**Parole, Board of**

36th Annual Report

**Performance Audit, Legislative**

Annual Report to the Legislature

**Power Review Board**

"Conditions Certain" Issues Annual Report

Sixteenth Biennial Report

**Propane Education and Research Safety Council, Nebraska**

Independent Auditors' Report Years Ended December 31, 2009 and 2008

**Public Counsel/Ombudsman**

Thirty-ninth Annual Report

**Public Service Commission**

2010 Annual Report on Telecommunications

**Research Division, Legislative**

Boards and Commissions in Nebraska, 2010

**Retirement Systems, Public Employees**

Annual Investment Reports for Year Ending 12/31/09

County Employees' Retirement System Cash Balance Benefit Fund,  
Actuarial Valuation Results as of January 1, 2010 for State Fiscal Year  
Ending June 30, 2012

County Equal Retirement Benefit Fund, Actuarial Valuation Results as of  
January 1, 2010 for Fiscal Year Ending June 30, 2011

Judges' Retirement Systems Fifty-eighth Actuarial Report for State Fiscal  
Year Ending June 30, 2012 and System Plan Year Beginning July 1,  
2010

Plan Investment Review prepared for State of Nebraska

School Retirement Systems Fifty-eighth Actuarial Report for State Fiscal  
Year Ending June 30, 2012 and System Plan Year Beginning July 1,  
2010

State Employees' Retirement System Cash Balance Benefit Fund,  
Actuarial Valuation Results as of January 1, 2010 for State Fiscal Year  
Ending June 30, 2012

State Equal Retirement Benefit Fund, Actuarial Valuation Results as of  
January 1, 2010 for State Fiscal Year Ending June 30, 2011

State Patrol Retirement Systems Fifty-eighth Actuarial Report for State  
Fiscal Year Ending June 30, 2012 and System Plan Year Beginning July  
1, 2010

**Revenue, Nebraska Department of**

Monthly Consensus Estimate of General Fund Receipts

Nebraska Lottery 2010 Annual Report and Resource Guide

**Roads, Nebraska Department of**

Board of Public Roads Classifications and Standards Specifying Criteria  
for Remote Roads as Required by LB 1068 (2008) Reports

State Highway Commission Quarterly Reports

Traffic Crash Facts 2009 Annual Report

**Rural Development Commission**

2010 Annual Report

**Sentencing and Recidivism Task Force**

LR171 (2009) Report

**State Fair Board**

Expenditures from State Fair Funds Account, July 1, 2009 through June  
30, 2010

**Southeast Community College**

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



**Uniform State Laws, Nebraska Commission on**  
 Nebraska Commission on Uniform State Laws Report  
**University of Nebraska**

Nebraska Innovation Campus Annual Update of the Master Plan and  
 Business Plan

**CONFLICT OF INTEREST STATEMENT**

Pursuant to Rule 1, Sec. 19, Senator Heidemann has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

**2010 INTERIM REPORT  
 ON THE DISPOSITION OF  
 INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
426	Examine issues relating to beekeeping and honey production and marketing		X	
444	Examine constraints under law to necessary vegetation abatement in relation to division fences		X	
445	Examine livestock disease mitigation and response capabilities of the department of Agriculture		X	
446	Develop a long-term streambed vegetation management framework			X
447	Compile and synthesize literature relating to relative societal benefits and tradeoffs of diverse models of agricultural production			X
448	Explore and recommend alternatives to fund the Water Resources Cash Fund		X	
452	Examine means to reduce general fund obligations	X		
453	Examine the concept of "food deserts"		X	
475	Examine means to avoid and reduce potential conflicts relating to pesticide applications		X	

## Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
460(1)	Relating to the implementation and funding of the Medicaid state plan amendment or waiver for secure residential and sub acute behavioral health services		X	
534(2)	To examine aspects of the Nebraska Economic Forecasting Advisory Board	X		
436(1)	Review, assess, and provide recommendations relating to the implementation of the Nebraska Health Care Funding Act	X		
452	Provide the Budget Reform Task Force shall continue until December 31, 2010		X	
535(3)	To evaluate and identify the objectives of the Criminalistics Laboratory Division of the Nebraska State Patrol	X		
463	To examine the feasibility of implementing a program similar to the State Stat management accountability process used for executive agencies in the State of Maryland			X
509(1)	To explore the implementation of ACCESS Nebraska relating to public benefits processing		X	
520	Examine the impact of illegal immigration on the state's budget			X

(1) Joint reference with Health and Human Services Committee

(2) Joint reference with Revenue Committee

(3) Joint reference with Judiciary Committee

## Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
439	Federal Health Care Insurance		X	
413	Real Property Appraiser Act		X	
503	Uniform Unincorporated Nonprofit Association Act		X	

483	Motor Vehicle Insurance Fraud		X	
334	Prescription Drug Coverage		X	
406	Physician and Patient Prescription Protection Act		X	
424	Uniform Commercial Code		X	
438	NE Trust Company Act			X

## Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
451	Interim study to examine issues relating to the Small Business Regulatory Flexibility Act proposed by LB709			X
486	Interim study to examine issues relating to the health, safety, and working conditions of Nebraska meat and poultry workers			X
494	Interim study to examine the effect of Nebraska's workers' compensation statutes on businesses, other than agricultural operations, that employ only related employees			X

## Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
433	Interim study to examine student expression in Nebraska's public schools			X
490	Interim study to examine imposing a limitation on how much a school's state aid can change from one year to the next			X
514	Interim study to examine Nebraska's capacity to best serve lower-educated workers through adult education programs			X
521	Interim study to examine whether Nebraska should repeal provisions allowing persons not lawfully present in the United States to pay resident tuition at postsecondary educational institutions			X

526	Interim study to examine the governing structure and function of Nebraska's higher education system			X
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## Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
482	Interim study to examine changes in Nebraska's demographics and the effect on governmental services			X

## General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
527	Interim study to examine issues under the jurisdiction of the General Affairs Committee			X
528	Interim study to examine issues regarding area restrictions in the Nebraska Liquor Control Act	X		

## Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
409	Interim study to examine the subject of online voter registration		X	
507	Interim study to examine ways to streamline all levels of government including, but not limited to, elimination, consolidation or reassignment		X	
470	Interim study to examine the issue of how political subdivisions may be impacted by the 2010 United States Census		X	
472	Interim study to examine the issue of using electronic and digital signatures on initiative and referendum petitions		X	
492	Interim study to examine issues relating to adding a fiftieth senator to the Legislature		X	

471	Interim study to examine issues under the jurisdiction of the Government, Military and Veterans Affairs Committee		X	
519	Interim study to examine issues relating to Firearms Freedom Acts which have been enacted or introduced by other state legislatures		X	
431	Interim study to examine how private sources of money given to public institutions should be disclosed		X	
423	Interim study to examine the way Nebraska awards electoral votes in presidential elections		X	

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
467	Interim study to conduct research and provide recommendations for implementing the federal Patient Protection and Affordable Care Act (federal healthcare act)	X		
372	Interim study to examine the potential effect of national health care reform proposals on Nebraska		X	
568	Interim study to review implementation of reforms by the Dept. of Health and Human Services regarding how children and families are served by the child welfare and juvenile services system in Nebraska		X	
436	Interim study to review, assess, and provide recommendations relating to the implementation of the Nebraska Health Care Funding Act	X		
513	Interim study to review the implementation of the Nebraska Behavioral Health Services Act by the Division of Behavioral Health of the Department of Health and Human Services	X		

501	Interim study to examine costs to the state and infant and child outcomes associated with not providing prenatal services through the Medicaid program to low-income women in Nebraska		X	
466	Interim study to examine the operation and accomplishments of the Drug Use Review and preferred drug list activities of the Division of Medicaid and Long-Term Care of the Department of Health and Human Services			X
509	Interim study to explore the implementation of ACCESS Nebraska relating to public benefits processing			X
512	Interim study to examine the responsibilities of Nebraska nonprofit corporations and health care delivery systems when implementing LB403, 2009, relating to immigration			X
425	Interim study to examine issues relating to brain injuries			X
459	Interim study to examine Nebraska's level of preparedness for emergencies and disasters, especially in relation to the state's children			X
502	Interim study to review the status of trauma care in Nebraska			X
460	Interim study relating to the implementation and funding of the Medicaid state plan amendment or waiver for secure residential and subacute behavioral health services			X
462	Interim study to examine the issues of payment responsibility and payment rates for medical care of county inmates and those in emergency protective custody			X
434	Interim study to examine the factors contributing to childhood obesity, as well as its consequences			X
485	Interim study to examine issues relating to the shortage of social workers			X

517	Interim study to review the operations and usefulness of the Regulation of Health Professions Act			X
464	Interim study to examine staffing requirements for nursing homes			X
493	Interim study to determine whether there are enough resources present in school to detect and treat mental illness in school-age children			X
515	Interim study to examine the benefits associated with the pulse oximetry procedure performed on newborns			X
489	Interim study to examine raising revenue from misdemeanors and felonies or from other sources to help fund a grant program for rural emergency medical services			X
440	Interim study to examine issues relating to mobile home parks			X
454	Interim study to conduct research and provide recommendations regarding for-profit, specialty, or physician-owned hospitals			X
427	Interim study to determine if hospitals in Nebraska are communicating their community benefit to community members and how newly licensed hospitals affect the cost of health care			X

## Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
571	Study the implementation of Office of Violence Prevention created under LB63 (2009) and study the implementation of LB800 (2010)		X	
488	Interim study to analyze the provisions of LB756, a bill to adopt the Nebraska Uniform Real Property Transfer on Death Act, with current Nebraska law	X		

430	Interim study to examine Nebraska's laws regarding a person's right to self-defense by the use of force and to review the Castle Doctrine laws in other states		X	
535	Interim study to evaluate and identify the objectives of the Criminalistics Laboratory Division of the Nebraska State Patrol		X	
479	Interim study to review matters under the jurisdiction of the Judiciary Committee			X
495	Interim study to examine district probation offices			X
432	Interim study to examine Nebraska's child support collection methods			X
525	Interim study to examine Nebraska's laws on unlawful intrusion, stalking, and criminal trespass			X
522	Interim study to examine the legality of the State of Nebraska knowingly offering state benefits to illegal immigrants			X

## Natural Resources Committee

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
474	Interim study to examine aquifer depletions in the State of Nebraska			X
465	Interim study to examine the benefits associated with constructing another nuclear power plant in Fort Calhoun, Nebraska		X	
473	Interim study to examine the correlative rights doctrine			X
478	Interim study to examine proposals to create a statewide water planning commission or agency focusing on the development of a statewide water plan to manage Nebraska's water resources			X
435	Interim study to examine issues relating to oil and natural gas pipelines in Nebraska	X		



450	Interim study to examine the establishment of an electronic waste recycling program in Nebraska			X
481	Interim study to examine the practice of prescribed burning such as controlled burns and the function of prescribed burning managing plant and animal communities	X		
491	Interim study to examine requiring a boating education course in order to reduce the number of accidents	X		
523	Interim study to examine the impact of LB436 which established a statewide net metering policy			X
508	Interim study to examine the availability of land for hunters in the State of Nebraska		X	
524	Interim study to examine regulation of renewable energy generation in other states and in regional transmission organizations			X

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
421	Examine retirement plans administered by Nebraska Public Employees Retirement System and receive actuarial reports on defined benefit plans	Final Actuarial Reports released in January 2011		
422	Review and update the General Principles of Sound Retirement Planning	X		
477	Examine issues related to sustainability of defined benefit plans			Ongoing

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
496	Wind energy	X		
504	Property tax relief	X		
505	Local Civic Financing Act	X		

510	Nebraska Advantage Act refunds	X		
566	Water compact funding			X
497	Commercial development			X
437	Interlocal agreements	X		
487	Film industry tax incentives	X		
498	Tax expenditure report	X		
499	Low income household taxes			X
500	Examine tax policies	X		
506	Valuation appeal procedures	X		
511	Local Civic Financing Act		X	
536	Gross receipts taxation	X		
534	Economic Forecasting Board		X	

#### Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
419	Determine the need to create a licensing process for NE boat dealers		X	
442	Examine the issues under the jurisdiction of the committee			X
443	Review and monitor the progress of the FCC's National Broadband Plan		X	
484	Examine issues relating to the towing industry		X	
516	Analyze the VTR System that is developed and maintained by the DMV.		X	
518	Review the efficiency of DMV's sole responsibility for driver's license issuance and collection of fees			X

#### Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
324	Interim study to examine the need for public utility ratepayer assistance programs in the state		X	
384	Interim study to examine the fire sprinkler mandate contained in the 2009 building code		X	

449	Interim study to examine energy efficiency financing options and sources of funds for residential, commercial, and industrial property owners		X	
461	Interim study to examine the federal Americans with Disabilities Act as it relates to parking accessibility for handicapped or disabled persons			X
468	Interim study to examine the impact of the State of Nebraska's potential adoption of the 2009 International Energy Conservation Code		X	
469	Interim study to examine the economic development programs available to municipalities		X	
497	Interim study to examine urban and commercial area development laws, policies, and programs			X
533	Interim study to examine the State Natural Gas Regulation Act of 2003		X	

**COMMUNICATION**

Received a copy of Senate Joint Resolution No. 27 from the state of Alabama relating to claiming sovereignty under the Tenth Amendment to the Constitution of the United States over certain powers, serving notice to the federal government to cease and desist certain mandates, and providing that certain federal legislation be prohibited or repealed.

**COMMUNICATION**

Pursuant to 84-104.05 R.R.S. of Nebraska Governor Dave Heineman issued a proclamation declaring January 5, 2011, as George W. Norris Day.

**COMMITTEE ON COMMITTEES PRELIMINARY REPORT**

Senator Hansen offered the following Committee on Committees report:

	Agriculture - Carlson (C)		
Ashford	Brasch	Harr, B.	Karpisek
Larson	Lathrop	Wallman	
	Appropriations - Heidemann (C)		
Conrad	Fulton	Hansen	Harms
Mello	Nelson	Nordquist	Wightman

	Banking, Commerce and Insurance - Pahls (C)		
Christensen	Gloor	Langemeier	McCoy
Pankonin	Pirsch	Utter	
	Business and Labor - Lathrop (C)		
Ashford	Carlson	Harr, B.	McGill
Smith	Wallman		
	Education - Adams (C)		
Avery	Cornett	Council	Haar, K.
Howard	Schilz	Sullivan	
	General Affairs - Karpisek (C)		
Bloomfield	Brasch	Coash	Cook
Krist	Larson	Schumacher	
	Government, Military and Veterans Affairs - Avery (C)		
Brasch	Janssen	Karpisek	Krist
Pahls	Price	Sullivan	
	Health and Human Services - Campbell (C)		
Bloomfield	Cook	Gloor	Howard
Schumacher	Wallman		
	Judiciary - Ashford (C)		
Coash	Council	Harr, B.	Larson
Lathrop	Lautenbaugh	McGill	
	Natural Resources - Langemeier (C)		
Carlson	Christensen	Dubas	Haar, K.
McCoy	Schilz	Smith	
	Nebraska Retirement Systems - Nordquist (C)		
Heidemann	Karpisek	Louden	Mello
Pankonin			
	Revenue - Cornett (C)		
Adams	Fischer	Hadley	Louden
Pankonin	Pirsch	Utter	
	Transportation and Telecommunications - Fischer (C)		
Campbell	Dubas	Hadley	Janssen
Lautenbaugh	Louden	Price	
	Urban Affairs - McGill (C)		
Bloomfield	Coash	Cook	Krist
Schumacher	Smith		

Committee on Committees - Hansen (C)

District 1:	District 2:	District 3:
Adams	Ashford	Carlson
Conrad	Cornett	Fischer
Langemeier	Howard	Flood
Pankonin	Lathrop	Louden

Enrollment and Review - Larson (C)

Reference - Wightman (C)

Christensen	Fischer	Flood	Karpisek
Langemeier	Lathrop	Nelson (VC)	Pahls
Heidemann (nonvoting ex officio)			

Rules - Lautenbaugh (C)

Brasch	Dubas	Lathrop	Utter
Flood (ex officio)			

Executive Board - Wightman (C)

Christensen	Fischer	Flood	Karpisek
Langemeier	Lathrop	Nelson (VC)	Pahls
Heidemann (nonvoting ex officio)			

Intergovernmental Cooperation - Janssen (C)

Christensen	Cornett	Howard	Langemeier
Flood (nonvoting ex officio)			
Lt. Gov. Sheehy (nonvoting ex officio)			

**ANNOUNCEMENT**

The Committee on Committees elected Senator Howard as Vice Chairperson.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Republican River; to repeal a cost-share program that is no longer needed; and to outright repeal section 46-692, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 2.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to irrigation; to amend sections 2-1579, 46-2,141, 46-753, 46-1117, 46-1125, and 66-1519, Reissue Revised Statutes

of Nebraska; to eliminate obsolete statutes, the Water Policy Task Force, and the Water Policy Task Force Cash Fund; to harmonize provisions; to repeal the original sections; and to outright repeal sections 46-2,131, 46-2,132, 46-2,133, 46-2,134, 46-2,135, 46-2,136, 46-2,137, 46-2,138, 46-633, 46-634.01, and 46-1118, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 3.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Construction Lien Act; to eliminate obsolete provisions relating to the enforcement of certain liens; and to outright repeal section 52-158, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 4.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Small Business Development Authority; to eliminate obsolete provisions relating to the authority and a repealed fund; and to outright repeal section 58-326, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 5.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Research and Development Authority; to eliminate obsolete provisions; and to outright repeal section 58-443, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 6.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend section 24-701, Reissue Revised Statutes of Nebraska; to eliminate obsolete language relating to acting judges of the county court; and to repeal the original section.

**LEGISLATIVE BILL 7.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Court; to repeal a transitional provision relating to Laws 1992, LB360; and to outright repeal section 48-181, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 8.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to schools; to amend section 79-413, Reissue Revised Statutes of Nebraska, and section 79-1008.01, Revised Statutes Cumulative Supplement, 2010; to repeal a provision governing incentive payments to school districts that were to be made prior to July 1,

2004; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-1010, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 9.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-212, Reissue Revised Statutes of Nebraska; to change an erroneous reference to previous sections rather than the entire chapter; and to repeal the original section.

**LEGISLATIVE BILL 10.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Retirement Systems Committee; to amend section 50-417, Reissue Revised Statutes of Nebraska; to clarify the reference to committee; and to repeal the original section.

**LEGISLATIVE BILL 11.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-631, Reissue Revised Statutes of Nebraska; to correct a recodification internal reference error from 1943; and to repeal the original section.

**LEGISLATIVE BILL 12.** Introduced by Wightman, 36.

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 13.** Introduced by Wightman, 36.

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 provisions relating to life imprisonment without parole; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 14.** 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, 60-169, and 77-3903, Reissue Revised Statutes of Nebraska; to change and eliminate fees received by registers of deeds and clerks; 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 15.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to courts; to allow aids of execution in district court to cross county lines.

**LEGISLATIVE BILL 16.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to courts; to amend section 24-301.02, Revised Statutes Cumulative Supplement, 2010; to change the composition of certain district court judicial districts; and to repeal the original section.

**LEGISLATIVE BILL 17.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to courts; to amend sections 25-1319, 25-1320, 25-1321, and 33-106, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the complete record of a case and court fees; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 25-1323, 25-1324, and 25-1325, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 18.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1022.02, Reissue Revised Statutes of Nebraska, and sections 79-1001, 79-1003, 79-1007.07, 79-1007.09, 79-1008.01, 79-1022, 79-1023, 79-1026.01, 79-1027, 79-1028.02, and 79-1031.01, Revised Statutes Cumulative Supplement, 2010; to redefine terms; to provide for distribution of allocations from the federal Education Jobs Fund as prescribed; to change provisions relating to certifications; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 19.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-405 and 28-416, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the Uniform Controlled Substances Act; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 20.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to controlled substances; to amend section 28-401.01, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Cumulative Supplement, 2010; to regulate the sale of methamphetamine precursors as prescribed; to define terms; to provide a penalty; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 21.** Introduced by McCoy, 39.



A BILL FOR AN ACT relating to presidential electors; to amend sections 32-710, 32-714, and 32-1038, Reissue Revised Statutes of Nebraska; to change provisions relating to ballots cast by presidential electors; and to repeal the original sections.

**LEGISLATIVE BILL 22.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to insurance; to adopt the Mandate Opt-Out and Insurance Coverage Clarification Act; to provide an operative date; and to provide severability.

**LEGISLATIVE BILL 23.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.20, Reissue Revised Statutes of Nebraska, and sections 81-885.14 and 81-885.19, Revised Statutes Cumulative Supplement, 2010; to change license renewal provisions and eliminate a fee exemption; to eliminate the requirements for pocket cards; and to repeal the original sections.

**LEGISLATIVE BILL 24.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend sections 81-885.49, 81-885.51, 81-885.52, and 81-885.53, Reissue Revised Statutes of Nebraska; to provide training requirements for licensees; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 25.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to real property; to amend sections 76-2402, 76-2405, 76-2407, 76-2416, 76-2417, 76-2418, 76-2421, 76-2422, 76-2423, 76-2425, 76-2427, 76-2429, 76-2430, and 81-885.17, Reissue Revised Statutes of Nebraska, and section 81-885.24, Revised Statutes Supplement, 2010; to define a term; to provide exemptions from certain requirements for asset management companies; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 26.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to real estate; to amend section 76-2,120, Reissue Revised Statutes of Nebraska; to adopt the Private Transfer Fee Obligation Act; to change a disclosure requirement; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 27.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to water; to amend sections 46-236 and 46-1224, Reissue Revised Statutes of Nebraska; to change provisions relating to appropriations for water power and water well registration fees;

and to repeal the original sections.

**LEGISLATIVE BILL 28.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Chemigation Act; to amend sections 46-1117 and 46-1123, Reissue Revised Statutes of Nebraska; to change application and reporting requirements; and to repeal the original sections.

**LEGISLATIVE BILL 29.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Department of Environmental Quality; to amend sections 66-1519 and 81-15,162, Reissue Revised Statutes of Nebraska, and section 13-2042, Revised Statutes Cumulative Supplement, 2010; to change and eliminate provisions relating to the use of certain funds; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 30.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend section 81-1505, Reissue Revised Statutes of Nebraska; to change provisions relating to composting sites; and to repeal the original section.

**LEGISLATIVE BILL 31.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to water; to amend sections 46-240.01 and 46-290, Reissue Revised Statutes of Nebraska; to change provisions relating to supplemental agricultural appropriations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 32.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to water; to amend section 46-1654, Reissue Revised Statutes of Nebraska; to change provisions relating to dam and appropriation application approval; and to repeal the original section.

**LEGISLATIVE BILL 33.** Introduced by Loudon, 49; Carlson, 38; Hansen, 42; Utter, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201 and 77-5023, Reissue Revised Statutes of Nebraska, and section 79-1016, Revised Statutes Cumulative Supplement, 2010; to change valuation of agricultural land and horticultural land; to harmonize school aid provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 34.** Introduced by Loudon, 49; Campbell, 25; Carlson, 38; Utter, 33.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend sections 71-401 and 71-403, Revised Statutes Cumulative

Supplement, 2010; to define a term; to exempt convents from licensure as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 35.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,298, Reissue Revised Statutes of Nebraska; to change provisions relating to oversize vehicle permits; and to repeal the original section.

**LEGISLATIVE BILL 36.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to public water supplies; to amend section 71-3305, Reissue Revised Statutes of Nebraska; to provide for a vote on adding fluoride to the public water supply in certain cities and villages; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 37.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to audits; to amend sections 50-1213 and 84-305, Reissue Revised Statutes of Nebraska, and sections 77-2711 and 77-27,119, Revised Statutes Cumulative Supplement, 2010; to provide requirements relating to access to information by the Legislative Performance Audit Section and the Auditor of Public Accounts; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 38.** Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to public power districts; to amend section 70-619, Reissue Revised Statutes of Nebraska; to change provisions relating to membership on boards; and to repeal the original section.

**LEGISLATIVE BILL 39.** Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to civil rights; to amend sections 20-150, 20-151, 20-159, and 71-4728, Reissue Revised Statutes of Nebraska, and section 20-156, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to licensure of interpreters for deaf and hard of hearing persons; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 40.** Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Reissue Revised Statutes of Nebraska; to change a sales tax exemption for health clinics; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 41.** Introduced by Hadley, 37.

A BILL FOR AN ACT relating to the Game Law; to amend sections

37-238, 37-405, 37-420, 37-421, 37-421.01, 37-427, 37-461, 37-464, 37-483, 37-484, 37-485, 37-487, 37-488, 37-489, 37-490, 37-492, 37-497, 37-498, 37-4,103, 37-503, and 37-512, Reissue Revised Statutes of Nebraska, and sections 37-327, 37-407, 37-411, 37-426, 37-431, and 37-450, Revised Statutes Cumulative Supplement, 2010; to change and eliminate provisions relating to fees, falconry, beaver and muskrat damage, controlled shooting areas, and possession of game; to change and eliminate provisions relating to licenses, permits, and stamps issued under the Game Law; to harmonize provisions; to repeal the original sections; and to outright repeal sections 37-460, 37-499, 37-4,100, 37-4,101, 37-4,102, and 37-562, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 42.** Introduced by Hadley, 37.

A BILL FOR AN ACT relating to building codes; to amend sections 18-132, 18-1915, and 23-172, Reissue Revised Statutes of Nebraska; to update references to the 2009 Uniform Plumbing Code for counties, cities, and villages; and to repeal the original sections.

**LEGISLATIVE BILL 43.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to trust deeds; to amend section 76-1002, Reissue Revised Statutes of Nebraska; to change provisions relating to the limiting of optional future advances; to correct an internal reference; and to repeal the original section.

**LEGISLATIVE BILL 44.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to trust deeds; to amend section 76-1005, Reissue Revised Statutes of Nebraska; to change provisions relating to power of sale conferred on a trustee; to provide for retroactive application; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 45.** Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Engineers and Architects Regulation Act; to amend sections 81-3403, 81-3429, 81-3441, 81-3442, 81-3443, 81-3444, 81-3445, 81-3446, 81-3449, 81-3451, 81-3452, and 81-3453, Reissue Revised Statutes of Nebraska, and section 81-3401, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to members of the Board of Engineers and Architects, enforcement procedures, disciplinary actions, exempted activities, licenses, and engineering examinations; to redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 46.** Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Barber Act; to amend sections 71-202.01 and 71-208.01, Reissue Revised Statutes of Nebraska; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 47.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to railroad carriers; to amend section 86-164, Revised Statutes Cumulative Supplement, 2010; to include certain third parties in the definition of railroad carrier; and to repeal the original section.

**LEGISLATIVE BILL 48.** Introduced by Janssen, 15.

A BILL FOR AN ACT relating to immigration; to adopt the Illegal Immigration Enforcement Act; to provide penalties; and to provide severability.

**LEGISLATIVE BILL 49.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to real property; to change filing provisions relating to nonconsensual liens.

**LEGISLATIVE BILL 50.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-801.01, 77-2715.07, and 77-2734.03, Reissue Revised Statutes of Nebraska; to adopt the Elementary and Secondary Educational Opportunity Act; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 51.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to health clinics; to amend section 71-401, Revised Statutes Cumulative Supplement, 2010; to require patient transfer agreements as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 52.** Introduced by Krist, 10.

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.

### **MOTION - Escort Committees**

Senator Langemeier moved that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administering their oaths of office.

The motion prevailed.

**SENATOR LANGEMEIER PRESIDING**

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 53.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to schools; to amend section 79-611, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to free transportation for students in learning communities; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 54.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2147, Reissue Revised Statutes of Nebraska; to change provisions relating to tax-increment financing; and to repeal the original section.

**LEGISLATIVE BILL 55.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the State Energy Office; to amend sections 72-804, 72-805, 72-806, 81-1608, 81-1609, 81-1611, and 81-1614, Reissue Revised Statutes of Nebraska; to update references to the International Energy Conservation Code; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 56.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2104, Revised Statutes Cumulative Supplement, 2010; to update the reference to the National Electrical Code; and to repeal the original section.

**LEGISLATIVE BILL 57.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend sections 18-2709 and 18-2717, Reissue Revised Statutes of Nebraska; to redefine a qualifying business; to remove a restriction on appropriations of funds; and to repeal the original sections.

**LEGISLATIVE BILL 58.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to education; to amend section 85-1412, Revised Statutes Cumulative Supplement, 2010; to provide for a study relating to dual-enrollment courses and career academies; and to repeal the original section.

**LEGISLATIVE BILL 59.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to community college funding; to amend

sections 81-1118.02 and 85-1535, Reissue Revised Statutes of Nebraska, and sections 13-518, 77-3442, 85-1418, 85-1503, 85-1517, and 90-517, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to aid to community colleges; to eliminate an obsolete reference; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 60.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,122, Reissue Revised Statutes of Nebraska; to change provisions relating to compliance checks; and to repeal the original section.

**LEGISLATIVE BILL 61.** Introduced by Heidemann, 1.

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

**LEGISLATIVE BILL 62.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to counties; to amend sections 23-908 and 23-1111, Reissue Revised Statutes of Nebraska; to provide requirements for the budget revision process; to change requirements relating to the salaries of clerks and assistants of county officers; and to repeal the original sections.

**LEGISLATIVE BILL 63.** Introduced by Cornett, 45; Krist, 10; Mello, 5; Price, 3; Smith, 14.

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; and 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 64.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to wildlife; to amend sections 37-202, 37-209.01, 37-210.01, 37-246, and 37-478, Reissue Revised Statutes of Nebraska, and sections 29-818, 37-201, 37-477, 37-479, and 37-481, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to seized property, wildlife in captivity, and captive wildlife permits; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 65.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.57, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to C-BED projects; and to repeal the original section.

**LEGISLATIVE BILL 66.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend section 29-4106, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to DNA collection; and to repeal the original section.

**LEGISLATIVE BILL 67.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to occupant protection systems; to amend sections 60-6,267 and 60-6,268, Reissue Revised Statutes of Nebraska; to clarify references to required use of occupant protection systems and related enforcement; and to repeal the original sections.

**LEGISLATIVE BILL 68.** Introduced by Fulton, 29.

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 69.** Introduced by Louden, 49; Fischer, 43; Harms, 48; Schilz, 47; Wallman, 30.

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

**LEGISLATIVE BILL 70.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Surplus Lines Insurance Act; to amend sections 44-5502, 44-5504, 44-5505, 44-5506, 44-5508, 44-5510, 44-5511, and 44-5515, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide an exemption for commercial purchasers; to change provisions relating to records, annual statements, tax payments, solvency requirements, and nonadmitted insurers; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 71.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Burial Pre-Need Sale Act; to amend section 12-1102, Revised Statutes Cumulative Supplement, 2010; to broaden the definition of trustee; and to repeal the original section.

**LEGISLATIVE BILL 72.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3,143, 44-402.01, 44-710.03, 44-710.04, 44-1540, 44-4803, and 44-4862, Reissue



Revised Statutes of Nebraska; to change provisions relating to unfair claims settlement practices, life insurance reserves, and sickness and accident insurance policy provisions; to provide requirements and define terms under the Nebraska Insurers Supervision, Rehabilitation, and Liquidation Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 73.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to amend sections 44-4217, 44-4219, 44-4220.02, 44-4223, 44-4224, 44-4225, and 77-918, Reissue Revised Statutes of Nebraska; to provide for a pool administrator under the Comprehensive Health Insurance Pool Act; to delete obsolete language; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 74.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-1,140, 8-355, 8-602, 8-1510, and 21-17,115, Revised Statutes Cumulative Supplement, 2010; to eliminate provisions relating to impairment of bank capital; to revise powers of state-chartered banks, building and loan associations, and credit unions; to change provisions relating to the schedule of fees; to change provisions relating to acquisitions and mergers; to provide operative dates; to repeal the original sections; to outright repeal section 8-132.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 75.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banking and finance; to amend sections 45-189, 45-190, and 45-742, Reissue Revised Statutes of Nebraska, and section 8-702, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to loan brokers, mortgage loan originators, and residential mortgage licensing; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 76.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-1101, 8-1704, 8-1707, 69-2103, 69-2104, and 69-2112, Reissue Revised Statutes of Nebraska, and section 8-1111, Revised Statutes Cumulative Supplement, 2010; to adopt updated federal laws in the areas of securities, commodities, and consumer rental purchase agreements; to change internal references; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 77.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to installment sales and loans; to amend sections 45-335, 45-336, 45-1002, and 45-1024, Reissue Revised Statutes of Nebraska; to change provisions relating to debt cancellation contracts and

debt suspension contracts; and to repeal the original sections.

**LEGISLATIVE BILL 78.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Public Funds Deposit Security Act; to amend sections 77-2387 and 77-2398, Reissue Revised Statutes of Nebraska; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 79.** Introduced by McGill, 26; Ashford, 20; Avery, 28; Campbell, 25; Christensen, 44; Cook, 13; Council, 11; Dubas, 34; Hadley, 37; Nordquist, 7; Wallman, 30.

A BILL FOR AN ACT relating to courts; to amend section 43-3701, Reissue Revised Statutes of Nebraska; to state intent; to create a fund; to provide for grants to court appointed special advocate programs; to provide duties; to create a court fee; to provide a duty for the Revisor of Statutes; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 80.** Introduced by McGill, 26; Avery, 28; Campbell, 25; Christensen, 44; Coash, 27; Council, 11; Dubas, 34; Hadley, 37; Howard, 9; Wallman, 30.

A BILL FOR AN ACT relating to juveniles; to amend section 43-285, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the department's care plan for certain juveniles; and to repeal the original section.

**LEGISLATIVE BILL 81.** Introduced by Cornett, 45; Fischer, 43; Fulton, 29; Heidemann, 1; Janssen, 15; Langemeier, 23; McCoy, 39; Pankonin, 2; Price, 3; Smith, 14.

A BILL FOR AN ACT relating to cities and villages; to amend sections 14-109, 15-203, 16-205, and 17-525, Reissue Revised Statutes of Nebraska, and section 18-1214, Revised Statutes Cumulative Supplement, 2010; to prohibit the charging of a motor vehicle registration tax and the levying of a license or occupation tax on a nonresident as prescribed; to provide an operative date; to provide severability; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 82.** 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 83.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Local Civic, Cultural, and Convention

Center Financing Act; to amend sections 13-2701, 13-2702, 13-2703, 13-2707, 13-2708, 13-2709, and 13-2710, Reissue Revised Statutes of Nebraska, and sections 13-2610, 13-2704, 13-2705, 13-2706, 13-3108, and 77-5601, Revised Statutes Cumulative Supplement, 2010; to rename the act and a fund; to expand the purposes of the act; to provide for financial assistance as prescribed; to define terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 84.** Introduced by Fischer, 43; Campbell, 25; Hadley, 37; Loudon, 49.

A BILL FOR AN ACT relating to roads; to amend sections 39-2201, 39-2205, 39-2209, 39-2211, 39-2212, 39-2213, 39-2215.01, 39-2216, 39-2223, 39-2224, and 77-27,132, Reissue Revised Statutes of Nebraska; to adopt the Build Nebraska Act; to authorize issuance of highway bonds; to change distribution of sales tax revenue; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 85.** Introduced by Karpisek, 32; Coash, 27; Council, 11.

A BILL FOR AN ACT relating to adult guardianship jurisdiction; to amend sections 30-2603, 30-2607, 30-2610, 30-2611, 30-2616, 30-2636, 30-2639, and 30-2647, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; to harmonize provisions; to provide operative dates; and to repeal the original sections.

**LEGISLATIVE BILL 86.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-416, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to the legislative reference library; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 87.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to highways and bridges; to amend section 39-1811, Reissue Revised Statutes of Nebraska; to change provisions relating to mowing weeds in ditches as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 88.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2429, Reissue Revised Statutes of Nebraska, and section 69-2427, Revised Statutes Cumulative Supplement, 2010; to define a term; to provide signage requirements and duties for the Nebraska State Patrol; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 89.** Introduced by Christensen, 44.

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 90.** Introduced by B. Harr, 8.

A BILL FOR AN ACT relating to secured transactions; to amend sections 9-105, 9-304, 9-307, 9-309, 9-316, 9-326, 9-406, 9-408, 9-502, 9-503, 9-507, 9-515, 9-518, and 9-607, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and sections 2A-103, 9-102, 9-311, 9-317, 9-506, and 9-516, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2010; to update uniform laws and change provisions relating to financing statements; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 9-521, Uniform Commercial Code, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 91.** Introduced by Price, 3.

A BILL FOR AN ACT relating to tractor testing; to amend section 2-2701.01, Reissue Revised Statutes of Nebraska; to increase the minimum horsepower of a tractor that is required to be tested; and to repeal the original section.

**LEGISLATIVE BILL 92.** Introduced by Howard, 9; Cook, 13; Cornett, 45; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to public child welfare services; to amend sections 68-1207 and 68-1207.01, Reissue Revised Statutes of Nebraska; to change provisions relating to caseloads; and to repeal the original sections.

**LEGISLATIVE BILL 93.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to state intent relating to administrators' salaries; and to declare an emergency.

**LEGISLATIVE BILL 94.** Introduced by Howard, 9; Christensen, 44; Cook, 13; Cornett, 45; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to adoption; to amend sections 43-107, 43-109, and 43-146.01, Reissue Revised Statutes of Nebraska; to provide a requirement for the adoption of children committed to the Department of Health and Human Services; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 95.** Introduced by Howard, 9; Cook, 13; Cornett, 45; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to infants; to require accreditation for lead agencies contracting with the Department of Health and Human Services as prescribed.

**LEGISLATIVE BILL 96.** Introduced by Revenue Committee: Cornett, 45, Chairperson; Adams, 24; Fischer, 43; Hadley, 37; Pirsch, 4; Utter, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,137.03, Reissue Revised Statutes of Nebraska; to change state aid to counties; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 97.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-202, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2010; to require the Secretary of State to provide uniform guidelines for election workers; and to repeal the original sections.

**LEGISLATIVE BILL 98.** Introduced by Fischer, 43; Heidemann, 1.

A BILL FOR AN ACT relating to highways and roads; to amend sections 39-1307 and 66-4,100, Reissue Revised Statutes of Nebraska; to provide powers relating to federal-aid transportation funds; and to repeal the original sections.

**LEGISLATIVE BILL 99.** Introduced by Coash, 27; Cornett, 45; Hadley, 37; Karpisek, 32; Lathrop, 12; Louden, 49; McGill, 26; Mello, 5; Nordquist, 7; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to the Department of Economic Development; to amend section 13-2704, Revised Statutes Cumulative Supplement, 2010; to adopt the Nebraska Film Advantage Act; to provide for transfers from the Local Civic, Cultural, and Convention Center Financing Fund; to provide a termination date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 100.** Introduced by Coash, 27; Fulton, 29; Gloor, 35; McCoy, 39; McGill, 26.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2203, Reissue Revised Statutes of Nebraska; to provide for the criminal responsibility of intoxicated persons as prescribed; to change provisions relating to the defense of not responsible by reason of insanity; and to repeal the original section.

**LEGISLATIVE BILL 101.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to time; to amend sections 32-908 and 49-1301, Reissue Revised Statutes of Nebraska; to eliminate daylight saving

time; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 49-1302, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 102.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,298 and 60-6,301, Reissue Revised Statutes of Nebraska; to change provisions relating to vehicle loads; and to repeal the original sections.

**LEGISLATIVE BILL 103.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to water; to amend section 46-2,115, Reissue Revised Statutes of Nebraska; to change provisions relating to instream appropriations; and to repeal the original section.

**LEGISLATIVE BILL 104.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,144 and 60-6,294, Reissue Revised Statutes of Nebraska; to change certain weight provisions; and to repeal the original sections.

**LEGISLATIVE BILL 105.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the State Boat Act; to amend section 37-1241.06, Reissue Revised Statutes of Nebraska, and section 37-1241.08, Revised Statutes Cumulative Supplement, 2010; to change restrictions on operation of motorboats and personal watercraft; to eliminate an obsolete provision; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 106.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-318, 13-319, 13-322, 13-323, 13-324, 13-325, 13-326, 13-804, 13-2504, 39-2510, 39-2520, 77-2703.01, 77-2703.04, 77-2704.31, 77-2712.05, 77-4105, and 77-4106, Reissue Revised Statutes of Nebraska, and sections 77-2711, 77-5725, and 77-5726, Revised Statutes Cumulative Supplement, 2010; to name the County Option Sales Tax Act; to authorize a county sales tax for capital improvements for public safety services and transportation infrastructure projects; to require planning; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 107.** Introduced by Carlson, 38; Sullivan, 41.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-4004, 2-4005, 2-4006, and 2-4007, Reissue Revised Statutes of Nebraska; to change Grain Sorghum Development, Utilization, and Marketing Board provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 108.** Introduced by Carlson, 38.

A BILL FOR AN ACT relating to division fences; to amend section 34-112.01, Reissue Revised Statutes of Nebraska; to provide and change provisions relating to fence maintenance; and to repeal the original section.

**LEGISLATIVE BILL 109.** Introduced by Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-4322 and 2-4323, Reissue Revised Statutes of Nebraska; to eliminate certain registration provisions of the Agricultural Liming Materials Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 110.** Introduced by Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,162.02, 81-2,162.04, 81-2,162.06, and 81-2,162.13, Reissue Revised Statutes of Nebraska; to eliminate soil conditioner registration in the Nebraska Commercial Fertilizer and Soil Conditioner Act; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-2,162.03, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 111.** Introduced by Gloor, 35.

A BILL FOR AN ACT relating to mental health boards; to amend section 71-915, Reissue Revised Statutes of Nebraska; to change the membership of mental health boards; and to repeal the original section.

**LEGISLATIVE BILL 112.** Introduced by Coash, 27; Campbell, 25.

A BILL FOR AN ACT relating to motor carriers; to amend sections 75-302 and 75-303, Reissue Revised Statutes of Nebraska; to define a term; to provide an exemption from regulation for comprehensive services transport; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 113.** Introduced by Dubas, 34.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1101 and 48-1104, Reissue Revised Statutes of Nebraska; to prohibit discrimination based upon an individual's credit history or credit report as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 114.** Introduced by Dubas, 34.

A BILL FOR AN ACT relating to agriculture; to provide for a standard for honey, labeling restrictions, and an action for damages as prescribed.

**LEGISLATIVE BILL 115.** Introduced by Council, 11.

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.

**SENATOR COASH PRESIDING**

**LEGISLATIVE BILL 116.** Introduced by Avery, 28; Karpisek, 32; Loudon, 49; Price, 3; Sullivan, 41.

A BILL FOR AN ACT relating to the Veterans' Aid Income Fund; to amend section 80-401, Reissue Revised Statutes of Nebraska; to provide for use of the fund for the state veteran cemetery system; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 117.** Introduced by Avery, 28; Karpisek, 32; Price, 3.

A BILL FOR AN ACT relating to elections; to amend sections 32-1413 and 49-202, Reissue Revised Statutes of Nebraska; to change provisions relating to publication of notice of proposed constitutional amendments and initiative and referendum measures; and to repeal the original sections.

**LEGISLATIVE BILL 118.** Introduced by Avery, 28; Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 71-5326 and 77-27,136, Reissue Revised Statutes of Nebraska, and section 13-518, Revised Statutes Cumulative Supplement, 2010; to eliminate provisions relating to aid to natural resources districts; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 77-27,137.02, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

**LEGISLATIVE BILL 119.** Introduced by Avery, 28; Cornett, 45; Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3,119, 77-27,137.01, 77-27,139.02, and 77-27,139.03, Reissue Revised Statutes of Nebraska; to change provisions relating to aid to incorporated municipalities; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 120.** Introduced by Avery, 28; Brasch, 16; Karpisek, 32; Price, 3; Sullivan, 41.

A BILL FOR AN ACT relating to the Risk Management Program; to amend sections 48-1,103, 81-8,239.01, and 81-8,239.02, Reissue Revised Statutes of Nebraska; to provide for the costs of administering the program to be paid



out of the Workers' Compensation Claims Revolving Fund and the State Insurance Fund; to eliminate the appropriation of General Fund money for the program; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 121.** Introduced by Avery, 28; Brasch, 16; Karpisek, 32; Sullivan, 41.

A BILL FOR AN ACT relating to the Volunteer Emergency Responders Recruitment and Retention Act; to amend section 35-1309, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to the State Fire Marshal; to harmonize provisions; to repeal the original section; and to outright repeal sections 35-1311.01 and 35-1321, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 122.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to state buildings; to amend section 90-115, Reissue Revised Statutes of Nebraska; to rename an educational telecommunications building; and to repeal the original section.

**LEGISLATIVE BILL 123.** Introduced by Heidemann, 1; Adams, 24; Avery, 28; Cornett, 45; Council, 11; Dubas, 34; Fischer, 43; K. Haar, 21; Hansen, 42; Howard, 9; Krist, 10; Mello, 5; Schilz, 47; Sullivan, 41; Wightman, 36.

A BILL FOR AN ACT relating to schools; to amend sections 79-283 and 79-2,137, Reissue Revised Statutes of Nebraska, and section 79-267, Revised Statutes Cumulative Supplement, 2010; to provide for disciplinary actions against students and policies relating to cyber-bullying; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 124.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to adoption; to amend sections 43-107 and 43-123.01, Reissue Revised Statutes of Nebraska; to include cultural history in the medical histories of the biological parents; and to repeal the original sections.

**LEGISLATIVE BILL 125.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to children; to create and provide duties for the Children's Health Advisory Committee; to provide duties for the chief executive officer of the Department of Health and Human Services and the Commissioner of Education; to provide for and require schools to implement nutrition and physical activity standards; and to provide for rules and regulations.

**LEGISLATIVE BILL 126.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to marketing; to adopt the Children's Health and Responsible Corporate Marketing Act.

**LEGISLATIVE BILL 127.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to water; to amend sections 46-714, 46-715, and 46-717, Reissue Revised Statutes of Nebraska; to change provisions relating to input into determinations and management plans; and to repeal the original sections.

**LEGISLATIVE BILL 128.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend section 29-4106, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to DNA collection; and to repeal the original section.

**LEGISLATIVE BILL 129.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-110, Revised Statutes Cumulative Supplement, 2010; to change the statute of limitations for crimes as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 130.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1022, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to determination of state aid; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 131.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2010; to delete obsolete transfer provisions; and to repeal the original section.

**LEGISLATIVE BILL 132.** Introduced by Dubas, 34; Coash, 27; Harms, 48; Karpisek, 32; Mello, 5; Nordquist, 7; Pirsch, 4; Schilz, 47; Sullivan, 41; Utter, 33.

A BILL FOR AN ACT relating to insurance; to adopt the Abortion Mandate Opt-Out Act.

**LEGISLATIVE BILL 133.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2261, Reissue Revised Statutes of Nebraska, and section 29-2269, Revised Statutes Cumulative Supplement, 2010; to require inclusion of sentencing costs in presentence investigation reports; to provide for rules and regulations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 134.** Introduced by Cornett, 45.

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

**LEGISLATIVE BILL 135.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-161, Reissue Revised Statutes of Nebraska; to change the date for remitting certain funds; and to repeal the original section.

**RESOLUTIONS****LEGISLATIVE RESOLUTION 1.** Introduced by Langemeier, 23.

WHEREAS, the Wahoo Warriors won the 2010 Class C State Softball Championship; and

WHEREAS, the Warriors defeated Ashland-Greenwood 12-4 in the championship game; and

WHEREAS, the Warriors finished their outstanding season with a record of twenty-six wins and only two losses; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Wahoo Warriors on winning the 2010 Class C State Softball Championship.

2. That a copy of this resolution be sent to the Wahoo Warriors and their coach, Katrina Christen.

Laid over.

**LEGISLATIVE RESOLUTION 2CA.** Introduced by Harms, 48.

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

Section 1. At the general election in November 2012 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article IX, section 4:

IX-4 The Legislature shall provide by law for the election of such county and township officers as may be necessary and for the consolidation of county offices for two or more counties. Each; Provided, that each of the counties affected may disapprove such consolidation by a majority vote in each of such counties. The Legislature may provide by law for a county

manager form of county government in which county officers may be appointed, but such form shall be optional for each county and shall occur in any county only upon adoption by a majority vote.

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 the Legislature to provide for a county to adopt by majority vote a county manager form of government.

For

Against.

**LEGISLATIVE RESOLUTION 3CA.** Introduced by Fischer, 43.

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

Section 1. At the general election in November 2012 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article XIII, section 1:

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid, ~~except; Provided,~~ that (1) if the Legislature determines by a three-fifths vote of the members elected thereto that ~~(1)-(a)~~ the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees, or state sales and use tax revenue and ~~(2)-(b)~~ the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; ~~and provided further, that~~ and (2) the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the State Board of Education may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for

parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

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 authorize the Legislature to irrevocably pledge sales and use tax revenue for highway construction bonds.

For

Against.

**LEGISLATIVE RESOLUTION 4.** Introduced by McCoy, 39; Louden, 49.

WHEREAS, Dean Gorsuch, from Gering, Nebraska, won the steer wrestling world championship at the 2010 Wrangler National Finals Rodeo held in Las Vegas, Nevada; and

WHEREAS, Dean Gorsuch is an accomplished professional rodeo cowboy who competes on the professional rodeo circuit; and

WHEREAS, the Legislature recognizes the outstanding achievements of Nebraska residents.

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

1. That the Legislature congratulates Dean Gorsuch on winning the steer wrestling world championship at the 2010 Wrangler National Finals Rodeo.

2. That a copy of this resolution be sent to Dean Gorsuch.

Laid over.

**LEGISLATIVE RESOLUTION 5CA.** Introduced by Krist, 10.

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

Section 1. At the general election in November 2012 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 10:

III-10 Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ~~ninety-sixty~~ legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed ~~sixty-forty-five~~ legislative days in

even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature. Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment. The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided. A majority of the members elected to the Legislature shall constitute a quorum; the Legislature shall determine the rules of its proceedings and be the judge of the election, returns, and qualifications of its members, shall choose its own officers, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. The Legislature may punish by imprisonment any person not a member thereof who shall be guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

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 reduce the maximum number of days for regular legislative sessions to sixty days in odd-numbered years and forty-five days in even-numbered years.

For

Against.

#### **LEGISLATIVE RESOLUTION 6.** Introduced by Karpisek, 32.

WHEREAS, the Exeter-Milligan Timberwolves won the 2010 Class D-1 State Volleyball Championship; and

WHEREAS, the Timberwolves defeated Howells High School in the championship match, giving the Timberwolves their second straight state title; and

WHEREAS, Heather Pribyl, Claire White, and Kelsey Moore were named by the Lincoln Journal Star to the Class D-1 All-Tournament team and the Class D-1 first-team All-State team; and

WHEREAS, Cassie Harre, Jackie Luzum, and Taylor Erdkamp earned honorable mention in Class D-1; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Exeter-Milligan Timberwolves on winning the 2010 Class D-1 State Volleyball Championship.

2. That a copy of this resolution be sent to the Exeter-Milligan Timberwolves and their coach, Darcy White.

Laid over.

**LEGISLATIVE RESOLUTION 7.** Introduced by Karpisek, 32.

WHEREAS, the Crete Cardinals won the 2010 Class B State Football Championship; and

WHEREAS, the Cardinals defeated Elkhorn High School 34-0 to win the state title, giving the Cardinals their fourth state title since 2000; and

WHEREAS, the Cardinals finished the season undefeated at 13-0; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Crete Cardinals on winning the 2010 Class B State Football Championship.

2. That a copy of this resolution be sent to the Crete Cardinals and their coach, Chuck McGinnis.

Laid over.

**LEGISLATIVE RESOLUTION 8.** Introduced by Mello, 5.

WHEREAS, the Omaha Jaycees recently named the 2010 recipients of the 78th 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 2010 recipients of the 78th Annual Ten Outstanding Young Omahans Award are Mike Battershell, Jessica Gall, Daniel Lawse, Sharif Liwaru, Marjorie Maas, Carla O'Donnell-Rizzo, Kerri Peterson, Jacqueline Pueppke, Beth Riley, and Nichole Turgeon; and

WHEREAS, these ten individuals will be recognized at an award dinner to be held on Wednesday, January 26, 2011; and

WHEREAS, the Legislature recognizes outstanding individual achievements like receiving the 78th Annual Ten Outstanding Young Omahans Award.

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

1. That the Legislature congratulates Mike Battershell, Jessica Gall, Daniel Lawse, Sharif Liwaru, Marjorie Maas, Carla O'Donnell-Rizzo, Kerri Peterson, Jacqueline Pueppke, Beth Riley, and Nichole Turgeon on receiving the 78th Annual Ten Outstanding Young Omahans Award.

2. That a copy of this resolution be sent to Mike Battershell, Jessica Gall, Daniel Lawse, Sharif Liwaru, Marjorie Maas, Carla O'Donnell-Rizzo, Kerri Peterson, Jacqueline Pueppke, Beth Riley, and Nichole Turgeon.

Laid over.

**LEGISLATIVE RESOLUTION 9CA.** Introduced by Schilz, 47; Brasch, 16; Carlson, 38; Christensen, 44; Dubas, 34; Fischer, 43; Hansen, 42; Harms, 48; Heidemann, 1; Louden, 49; Sullivan, 41.

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

Section 1. At the general election in November 2012 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land and subclasses of agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct ~~class~~ classes of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land and subclasses of agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the ~~class~~ subclasses of agricultural land and horticultural land as defined by the Legislature; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in



furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

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

A constitutional amendment to provide that the Legislature may define subclasses of agricultural land and horticultural land and provide for a different method of taxing such subclasses of land.

For

Against.

**LEGISLATIVE RESOLUTION 10.** Introduced by Gloor, 35; Dubas, 34.

WHEREAS, the Grand Island Central Catholic Crusaders won the 2010 Class C-1 State Volleyball Championship; and

WHEREAS, the Crusaders defeated Kearney Catholic High School in the championship match to give coach Sharon Zavala her ninth state volleyball title; and

WHEREAS, the state title marked the end of an era for the senior class of Crusaders, who finished with a remarkable record of 136-6; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Grand Island Central Catholic Crusaders on winning the 2010 Class C-1 State Volleyball Championship.

2. That a copy of this resolution be sent to the Crusaders and their coach, Sharon Zavala.

Laid over.

**LEGISLATIVE RESOLUTION 11.** Introduced by Gloor, 35; Dubas, 34.

WHEREAS, the Grand Island Senior High School wrestling team won the 2010 Flatwater Fracas Wrestling Tournament; and

WHEREAS, Grand Island Senior High School won six straight matches to defeat Kearney High School in the final dual and finished the two-day tournament with a record of 8-0; and

WHEREAS, Grand Island Senior High School has won the Flatwater Fracas Wrestling Tournament three years in a row; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Grand Island Senior High School wrestling team on winning the 2010 Flatwater Fracas Wrestling Tournament.

2. That a copy of this resolution be sent to the Grand Island Senior High School wrestling team and their coach, Mike Schadwinkel.

Laid over.

### ANNOUNCEMENTS

The Appropriations Committee elected Senator Harms as Vice Chairperson.

The Banking, Commerce and Insurance Committee elected Senator McCoy as Vice Chairperson.

The Transportation and Telecommunications Committee elected Senator Hadley as Vice Chairperson.

### RECESS

At 11:57 a.m., on a motion by Senator Carlson, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Flood presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Janssen, Larson, and Pankonin who were excused.

**PRESENTATION OF COLORS**

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

**INAUGURAL CEREMONIES**

Chief Justice Michael G. Heavican, administered the Oath of Office to the newly elected state officials.

**PRESIDENT SHEEHY PRESIDING**

Governor Dave Heineman delivered the following inaugural address:

**GOVERNOR'S INAUGURAL ADDRESS**

"Because of our work together over the past several years, Nebraska is a better place to live, to work, and to raise a family. Our job is to make it even better tomorrow. I am excited about the opportunities in front of us and I am enthusiastic about finding ways to resolve the challenges we face."

Mr. President, Mr. Speaker, Mr. Chief Justice, Members of the Legislature, Tribal Leaders, Distinguished Guests, Friends and Fellow Nebraskans;

I am honored and pleased to have the opportunity to continue as the 39th Governor of this great state.

I want to congratulate my fellow constitutional officers and the newly installed members of the Nebraska Legislature. It is an incredible opportunity to be able to serve the citizens of Nebraska.

A remarkable trust has been placed in our hands and it is our duty to make Nebraska's best interests our first priority. It is an awesome responsibility.

And as we reflect on today, our thoughts and prayers are with the Millard South families, and all Nebraska families, impacted by this tragedy.

As we begin this session, I look forward to working with you on the challenges that lie ahead. I have great respect for the Legislature.

I'm just as excited and passionate about being Governor today as I was when I first took the oath of office in January of 2005. I'm optimistic about our future because I believe in the people of Nebraska.

Our greatest asset is our people. Nebraskans are common-sense minded people. We don't spend money we don't have. We know when family income is down, reducing expenses is key. We understand that when business revenue is down, you have to tighten your belt. And that's exactly what Nebraskans expect us to do in state government.

One week from today I will present the members of this body with a balanced budget proposal that includes no tax increases. We've worked together in the past to control state spending. We know how to make tough decisions. It will require the elimination of some programs.

The days when state government could provide funding for every program are over.

Our previous work together has put Nebraska in better shape than most of America. The budget that I will submit capitalizes on our momentum. My focus will be on initiatives that further economic growth and that strengthen education.

We face difficult financial challenges and we will have to make hard decisions about the most important responsibilities of state government. Yet I will advocate that we have an extraordinary potential when it comes to making the strategic investments that will move Nebraska forward. We've improved Nebraska's business climate, but there's more work to do. We have good schools in our state but we must have even better schools in the future. We cannot ignore the academic achievement gaps that exist in Nebraska. They must be addressed.

Because of our work together over the past several years, Nebraska is a better place to live, to work, and to raise a family. Our job is to make it even better tomorrow. I am excited about the opportunities in front of us and I am enthusiastic about finding ways to resolve the challenges we face.

Nebraska is a very special place and we proudly call Nebraska our home.

Thank you.

## **SPEAKER FLOOD PRESIDING**

The Governor, Lt. Governor, their families, and other newly elected state officials were escorted from the Chamber.

## **VISITORS**

Visitor to the Chamber was Director General Jacqueline Liu from the Taipei Economic and Cultural Office, Kansas City, Missouri.

The Doctor of the Day was Dr. Bob Rauner from Lincoln.

**ADJOURNMENT**

At 2:40 p.m., on a motion by Senator Cook, the Legislature adjourned until 10:00 a.m., Friday, January 7, 2011.

Patrick J. O'Donnell  
Clerk of the Legislature



**THIRD DAY - JANUARY 7, 2011****LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION****THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 7, 2011

**PRAYER**

The prayer was offered by Senator Christensen.

**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 Senator Pankonin who was excused.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the second day was approved.

**ANNOUNCEMENT**

The Nebraska Retirement Systems Committee elected Senator Louden as Vice Chairperson.

**REPORTS**

The following reports were received by the Legislature:

**Education, Department of**

2010 Status of the Programs Report, Programs of the Excellence in Teaching Act

**Workers' Compensation Court**

68th Annual Report

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 136.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Board of Pardons; to amend section 83-1,130, Reissue Revised Statutes of Nebraska; to change the number of years between appearances before the board from two years to five years; and to repeal the original section.

**LEGISLATIVE BILL 137.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3001, Reissue Revised Statutes of Nebraska; to change provisions relating to postconviction relief; and to repeal the original section.

**LEGISLATIVE BILL 138.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2433, Revised Statutes Cumulative Supplement, 2010; to change application requirements relating to residency; and to repeal the original section.

**LEGISLATIVE BILL 139.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the County Purchasing Act; to amend sections 23-3104 and 23-3115, Reissue Revised Statutes of Nebraska; to allow for the sale of mobile equipment as surplus personal property; to increase the monetary restriction on the sale of surplus personal property; and to repeal the original sections.

**LEGISLATIVE BILL 140.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to health and human services; to amend section 81-6,120, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to criminal background checks required for transportation services; and to repeal the original section.

**LEGISLATIVE BILL 141.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes Cumulative Supplement, 2010; to provide additional records that may be withheld; and to repeal the original section.

**LEGISLATIVE BILL 142.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend sections 28-915.01, 49-1401, 49-1415, 49-1446, 49-1446.04,



















































**FOURTH DAY - JANUARY 10, 2011**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION**

**FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, January 10, 2011

**PRAYER**

The prayer was offered by Reverend Steve Flader, South Gate United Methodist Church, Lincoln.

**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 Cook, Council, Heidemann, Howard, and Lautenbaugh who were excused; and Senator Pirsch who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the third day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB1	General File
LB2	General File
LB3	General File
LB4	General File
LB5	General File
LB6	General File
LB7	General File
LB8	General File
LB9	General File
LB10	General File
LB11	General File
LB12	Judiciary
LB13	Judiciary
LB14	Government, Military and Veterans Affairs

LB15	Judiciary
LB16	Judiciary
LB17	Judiciary
LB18	Education
LB19	Judiciary
LB20	Judiciary
LB21	Government, Military and Veterans Affairs
LB22	Banking, Commerce and Insurance
LB23	Banking, Commerce and Insurance
LB24	Banking, Commerce and Insurance
LB25	Banking, Commerce and Insurance
LB26	Banking, Commerce and Insurance
LB27	Natural Resources
LB28	Natural Resources
LB29	Natural Resources
LB30	Natural Resources
LB31	Natural Resources
LB32	Natural Resources
LB33	Revenue
LB34	Health and Human Services
LB35	Transportation and Telecommunications
LB36	Health and Human Services
LB37	Government, Military and Veterans Affairs
LB38	Natural Resources
LB39	Health and Human Services
LB40	Revenue
LB41	Natural Resources
LB42	Urban Affairs
LB43	Banking, Commerce and Insurance
LB44	Banking, Commerce and Insurance
LB45	Health and Human Services
LB46	Health and Human Services
LB47	Transportation and Telecommunications
LB48	Judiciary
LB49	Banking, Commerce and Insurance
LB50	Revenue
LB51	Health and Human Services
LB52	Transportation and Telecommunications
LB53	Education
LB54	Urban Affairs
LB55	Urban Affairs
LB56	General Affairs
LB57	Urban Affairs
LB58	Education
LB59	Education
LB60	General Affairs
LB61	Judiciary
LB62	Government, Military and Veterans Affairs
LB63	Education



LB64	Natural Resources
LB65	Revenue
LB66	Judiciary
LB67	Transportation and Telecommunications
LB68	Health and Human Services
LB69	Revenue
LB70	Banking, Commerce and Insurance
LB71	Banking, Commerce and Insurance
LB72	Banking, Commerce and Insurance
LB73	Banking, Commerce and Insurance
LB74	Banking, Commerce and Insurance
LB75	Banking, Commerce and Insurance
LB76	Banking, Commerce and Insurance
LB77	Banking, Commerce and Insurance
LB78	Banking, Commerce and Insurance
LB79	Judiciary
LB80	Judiciary
LB81	Revenue
LB82	Revenue
LB83	Revenue
LB84	Revenue
LB85	Judiciary
LB86	Executive Board
LB87	Transportation and Telecommunications
LB88	Judiciary
LB89	Government, Military and Veterans Affairs
LB90	Banking, Commerce and Insurance
LB91	Agriculture
LB92	Health and Human Services
LB93	Appropriations
LB94	Judiciary
LB95	Health and Human Services
LB96	Revenue
LB97	Government, Military and Veterans Affairs
LB98	Transportation and Telecommunications
LB99	Revenue
LB100	Judiciary
LB101	Government, Military and Veterans Affairs
LB102	Transportation and Telecommunications
LB103	Natural Resources
LB104	Transportation and Telecommunications
LB105	Natural Resources
LB106	Revenue
LB107	Agriculture
LB108	Agriculture
LB109	Agriculture
LB110	Agriculture
LB111	Health and Human Services
LB112	Transportation and Telecommunications

LB113	Business and Labor
LB114	Agriculture
LB115	Judiciary
LB116	Government, Military and Veterans Affairs
LB117	Government, Military and Veterans Affairs
LB119	Revenue
LB121	Urban Affairs
LB122	Government, Military and Veterans Affairs
LB123	Education
LB124	Judiciary
LB125	Health and Human Services
LB126	Agriculture
LB127	Natural Resources
LB128	Judiciary
LB129	Judiciary
LB130	Education
LB131	Appropriations
LB132	Banking, Commerce and Insurance
LB133	Judiciary
LB134	Revenue
LB135	Transportation and Telecommunications
LR2CA	Government, Military and Veterans Affairs
LR3CA	Transportation and Telecommunications
LR5CA	Executive Board
LR9CA	Revenue

Allan, Tam - Nebraska State Fair Board - Agriculture  
 Bergstraesser, Edwin - State Electrical Board - General Affairs  
 Bieganski, Gary - Board of Trustees of the Nebraska State Colleges -  
 Education  
 Boswell, Kathy - Nebraska Rural Health Advisory Commission - Health and  
 Human Services  
 Brown, Rebecca - Nebraska Child Abuse Prevention Fund Board - Health  
 and Human Services  
 Camara, Wayne - Technical Advisory Committee for Statewide Assessment  
 - Education  
 Coleman, Janet - State Board of Health - Health and Human Services  
 Covi, Kristopher - State Racing Commission - General Affairs  
 Culver, Robert "Bob", Jr. - Nebraska Arts Council - General Affairs  
 Davis, Jeffrey - Community Corrections Council - Judiciary  
 Dillon, Blake - Nebraska Motor Vehicle Industry Licensing Board -  
 Transportation and Telecommunications  
 Dilly, Douglas - Nebraska Rural Health Advisory Commission - Health and  
 Human Services  
 Dorwart, Thomas - Community Corrections Council - Judiciary  
 Fattig, Martin - Nebraska Rural Health Advisory Commission - Health and  
 Human Services  
 Flanagan, Patrick - Nebraska Information Technology Commission -  
 Transportation and Telecommunications

Frey, Zachary - Nebraska Rural Health Advisory Commission - Health and Human Services

Galyen, Jeffrey - State Racing Commission - General Affairs

Graham, Mark - Nebraska Power Review Board - Natural Resources

Hansen, Keith - State Emergency Response Commission - Government, Military and Veterans Affairs

Hastings, Donna - Nebraska Arts Council - General Affairs

Hedquist, Lance - Nebraska Information Technology Commission - Transportation and Telecommunications

Hoelsing, Daniel - Nebraska Information Technology Commission - Transportation and Telecommunications

Hofbauer, Tim - State Emergency Response Commission - Government, Military and Veterans Affairs

Holzfaster, Ralph - Nebraska Railway Council - Transportation and Telecommunications

Huggenberger, Harold - Nebraska Information Technology Commission - Transportation and Telecommunications

Jackson, Diane - State Board of Health - Health and Human Services

Knutson, Thomas - Nebraska Natural Resources Commission - Natural Resources

Kralik, Shawn - Nebraska Rural Health Advisory Commission - Health and Human Services

Kristensen, Doug - Nebraska Information Technology Commission - Transportation and Telecommunications

Landis, Frank - Nebraska Railway Council - Transportation and Telecommunications

Langemeier, Ginger S. - Director, State Energy Office - Natural Resources

Laughlin, Mark - Nebraska Arts Council - General Affairs

Maginn, John - Nebraska Investment Council - Nebraska Retirement Systems

McColley, Mark - Nebraska Ethanol Board - Natural Resources

Michels, Dale - State Board of Health - Health and Human Services

Militti, E.J., Jr. - State Highway Commission - Transportation and Telecommunications

Miller, Dana - State Emergency Response Commission - Government, Military and Veterans Affairs

Mueller, Cory - State Electrical Board - General Affairs

Parker, Martha - Nebraska Child Abuse Prevention Fund Board - Health and Human Services

Parsow, Debra - State Board of Health - Health and Human Services

Peak, Frank - Community Corrections Council - Judiciary

Peterson, Carter - Board of Trustees of the Nebraska State Colleges - Education

Ramge, Bruce - Director, Department of Insurance - Banking, Commerce and Insurance

Rasmussen, Gary - Nebraska Railway Council - Transportation and Telecommunications

Reamer, Roger - State Board of Health - Health and Human Services

Rebensdorf, John - Nebraska Railway Council - Transportation and Telecommunications  
 Reeg, William - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
 Rehmeier, Randall - Public Employees Retirement Board - Nebraska Retirement Systems  
 Roper, Lynn - Nebraska Arts Council - General Affairs  
 Seever, Samuel - State Personnel Board - Government, Military and Veterans Affairs  
 Shundoff, Dan - Nebraska Information Technology Commission - Transportation and Telecommunications  
 Smith, Nana - Nebraska Arts Council - General Affairs  
 Staab, Susan - Foster Care Review Board - Health and Human Services  
 Starman, Darlene - Nebraska Educational Telecommunications Commission - Education  
 Stone, Fred - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
 Stuberg, Wayne - State Board of Health - Health and Human Services  
 Tessman, Brian - State Personnel Board - Government, Military and Veterans Affairs  
 Thede, Michael - Nebraska Ethanol Board - Natural Resources  
 Vandegrift, Sharon - Nebraska Rural Health Advisory Commission - Health and Human Services  
 Verzal, Brandon - Nebraska Child Abuse Prevention Fund Board - Health and Human Services  
 von Gillern, Roger Bradford "Brad" - Nebraska Accountability and Disclosure Commission - Government, Military and Veterans Affairs  
 Ward, Charles - Board of Educational Lands and Funds - Education  
 Wassinger, Richard - Public Employees Retirement Board - Nebraska Retirement Systems  
 Watkins, Dallas - Technical Advisory Committee for Statewide Assessment - Education  
 Weander, Timothy - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
 Wills, Daryl - State Board of Health - Health and Human Services

(Signed) John Wightman, Chairperson  
 Executive Board

### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 7, 2011, 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, Public Affairs Group

Agri-Business Association, Nebraska  
Lincoln Police Union  
Manheims 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.

Amack, Angela K.  
Advocacy and Issue Management, Inc.  
Columbus Public Schools  
Electrical Workers, International Brotherhood of  
Fire Fighters Association, Nebraska Professional  
Grand Island Public Schools  
Nielsen, Coleen J.

American Communications Group, Inc.  
American Cancer Society  
American Heart Association  
Behavioral Health Organizations, Nebraska Association of  
Center for Rural Affairs  
Child Healthcare Alliance, 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  
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  
Wind Coalition, The  
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  
Barefoot, Linda  
Purdue Pharma LP  
Bateman, Joseph R.  
Union Pacific Railroad  
Beattie, George  
Bankers Association, Nebraska  
Becker, Jill  
Black Hills Corporation (formerly Aquila)  
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  
Boddy, Heath  
Health Care Association, Nebraska  
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

Bromm, Curt  
AFLAC  
Cable Communications Association, Nebraska  
KZ Co.  
Verizon Wireless

Bromm, Jason  
Bromm, Curtis A.

Bruckner, Traci  
Center for Rural Affairs

Bruning, Deonne L.  
Cox Communications  
Northern Natural Gas  
U. S. Cellular

Buntain, David R.  
Medical Association, Nebraska  
Regions I, II and V Services

Burroughs, Sheila K.  
Certified Public Accountants, Nebraska Society of

Byers, Thomas L.  
Magellan Midstream Partners

Campbell, Mary  
Lincoln Public Schools

Carlson, Kyle  
Planned Parenthood of the Heartland

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
- Cook, Autumn Foster  
Nebraska Friends of Midwives
- Courtney, Robert  
AARP
- Cover, Joni R.  
Pharmacists Association, Nebraska
- Cox, Christopher  
National Rifle Association Institute for Legislative Action
- Crouchley, Daniel G.  
Metropolitan Utilities District
- Cunningham, Douglas  
Affiliated Foods Midwest
- Cunningham, James R.  
Catholic Conference, Nebraska
- Cutshall & Nowka  
Anheuser-Busch Companies  
Area Agencies on Aging, Nebraska Association of  
BryanLGH Health System  
County Attorneys Association, Nebraska  
Dietetic Association, Nebraska  
Digital Gaming Solutions, Inc.  
Elkhorn Public Schools  
Family Physicians, Nebraska Academy of  
Funeral Directors Association, Nebraska  
Home & Community Health Agencies, Nebraska Association of  
Metropolitan Utilities District  
Nebraska Public Power District  
Nebraska State College Systems, Board of Trustees of the  
NET Foundation for Television  
Peetz & Company  
Pfizer, Inc.  
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

Duensing, David A.  
ABATE of Nebraska, Inc.

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

Eppler, 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

Evans, Eric A.  
Advocacy Services, Inc., Nebraska

Faustman, Nick  
Hospital Association, Nebraska

Ferrell, Beth Bazyn  
County Officials, Nebraska Association of

Fischer-Lempke, Marla J.  
ARC of Nebraska

Forbes, Jarrod  
United Healthcare Services, Inc. and Affiliates

Forrest, Sarah  
Voices for Children

- Fraizer, Theodore D. (Tad)  
Insurance Association, American  
Mutual of Omaha Insurance Company  
Updowntowners, Inc.
- Freeman, Clayton  
Alzheimer's Association, Midlands Chapter
- Freeman, Jessica  
Nebraska Friends of Midwives
- Fritz, Teresa Stitcher  
Alzheimer's Association of the Great Plains
- Gage, Suzanne  
Americans United for Life
- Gay, Tim  
Husch Blackwell Sanders, LLP
- 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
- Goldberg, Jordan  
Center for Reproductive Rights
- 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
- Gutierrez, Carlos I.  
Consumer Healthcare Products Association
- Habben, Jon  
Rural Community School Association, Nebraska
- 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
- Hammer, Mike L.  
Hammer, Mike L.
- Hansen, John K.  
Farmers Union, Nebraska
- Harding, William A.  
League of Nebraska Municipalities

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.)

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

Hunt, Billi  
Dupont

Husch Blackwell Sanders, LLP  
Chiropractic Physicians Association, Nebraska  
Crown Cork and Seal Company, Inc.  
Home Instead, Inc.  
Indoor Tanning Association, Nebraska  
Papio-Missouri Natural Resources District, Nebraska  
Wal-Mart Stores, Inc.  
Waste Management

Intermill, Mark  
AARP

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

- Horsemens Benevolent & Protective Association  
 Intellectual Disabilities Services Providers, Nebraska  
 Johnson, DeMaris/The Johnson Group  
 LeadingAge (formerly Homes and Services for the Aging, Nebraska Association of)  
 Magellan Health Services, Inc.  
 Mosaic  
 National Rifle Association Institute for Legislative Action  
 Nurse Anesthetists, Nebraska Association of  
 Optometric Association, Nebraska  
 Podiatric Medical Association, Nebraska  
 Jensen, S. Michael  
   Great Plains Communications  
 Johnson, DeMaris  
   Financial Services Association, Nebraska  
 Johnson, DeMaris - The Johnson Group  
   Bromm, Curtis A.  
   Cable Communications Association, Nebraska  
   County Attorneys Association, Nebraska  
   Industrial Energy Users of Nebraska  
   Jensen, Ronald/Jensen & Associates  
   LeadingAge (formerly Homes and Services for the Aging, Nebraska Association of)  
   Water Resources Association, Nebraska  
 Johnson, Kevin  
   AstraZeneca Pharmaceuticals  
 Johnson, Kimberly  
   United Parcel Service  
 Johnson, Larry A.  
   Trucking Association, Nebraska  
 Johnson, Mary A.  
   Mueller Robak LLC  
 Jordison, John C.  
   Great Plains Communications  
 Jordison, Thomas R.  
   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  
   EHPV (Big Red) Lottery Services, LLC d/b/a Big Red Keno  
   Father Flanagans Boys Home aka Boys Town  
   KVC Behavioral Healthcare Nebraska, Inc.  
   Vigilnet America Inc.  
 Kay, Sara A.  
   AIA Nebraska

Keigher & 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

Keigher, Timothy P.  
Community College Association, Nebraska  
Keigher & Associates, LLC  
Petroleum Marketers & Convenience Store Assn., Nebraska

Kelley and Jerram, P.C.  
Douglas County, Nebraska  
Eastern Nebraska Human Services Agency  
Elevator Industry Work Preservation  
Fraternal Order of Police, Nebraska  
Omaha Exposition & Racing, Inc.

Kelley Governmental Relations, LLC  
Beverage Operators of Nebraska, Responsible  
Brix Wine and Spirits  
Johnson Brothers of Nebraska  
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

Kidman, Victoria  
State Farm Insurance Companies

Kilgarin, Karen  
Education Association, Nebraska State

Kissel Erickson and 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
- Professional Surveyors Association of Nebraska
- Ralston Public School District
- Regional Administrators, Nebraska Association of
- Sarpy County, United Cities of
- Telecare Corporation
- TransCanada Pipelines Limited
- West Corporation
- Kissel, Gordon
  - Kissel/E&S Associates, LLC
- Koch, Kristen
  - Cattlemen, Inc., Nebraska
- 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
- Kulesher Jarecke, Kate M.
  - Athletic Trainers Association, Nebraska State
  - Brain Injury Association of Nebraska (formerly Brain Injury Group of Nebraska (BIG-N))
- Lange, Robert G.
  - Ameritas Life Insurance Corporation
- Levy, David C.
  - Bluestem LLC
  - Electronic Disposal Technologies, Inc.
  - Midwest Wind Energy
- Licht, Alice L.
  - Agri-Business Association, Nebraska
  - Anderson Management Services, Inc.
  - Auctioneers Association, Nebraska
  - Automotive Recycling Industry of 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  
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.  
Lostroh, David L.  
Christian Home Educators Association, Nebraska  
Lucey, Scott  
ABATE of Nebraska, Inc.  
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  
Martinez, Larry M.  
Glaxo Smith Kline  
Mass, Ken E.  
AFL-CIO, Nebraska State  
McBride, David S.  
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  
McGuire, Mark D.  
Cameco (formerly Crow Butte) Resources, Inc.  
Education Association, Nebraska State  
McKenzie, Janis M.  
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  
Peetz & Company

Mikkelsen, Brian  
Education Association, Nebraska State

Miller, Amy  
ACLU Nebraska

Mills, Jack D.  
Risk Management Association, Nebraska Intergovernmental

Mischo, Craig  
Bayer Health Care

Moylan, James H.  
Beverage Association, Nebraska Licensed  
Reynolds American (formerly RJ Reynolds Tobacco)

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.  
Eye Physicians and Surgeons, Nebraska Academy of  
First Data Corporation  
General Contractors of America, NE Chapter, Associated  
Home Builders Association, Nebraska State  
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

Mueller, William J.  
Mueller Robak LLC

Munguia, Roberto F.  
Burlington Northern Santa Fe

Murphy, Jeremy P.  
Catholic Conference, Nebraska

Nabb, Douglas  
Fremont Public Schools

Nathan, Robbie  
AARP

Neville, Brennan S.  
National Indemnity Company

Nickerson, Jocelyn S.  
Humane Society of the United States, The

Nielsen, Coleen J.  
Advocacy and Issue Management Inc.  
Amack, Angela K.  
Criminal Defense Attorneys Association, Nebraska  
Insurance Information Service, Nebraska  
Medco Health Solutions, Inc. and Affiliates  
Merck Sharp & Dohme Corp. and its Affiliates  
State Farm Insurance Companies

Nilsen, Patrick M.  
Carpenters, North Central States Regional Council of

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 (Withdrawn 01/06/2011)  
Humanities Council, Nebraska  
Nebraskans Against the Death Penalty  
Nebraskans for the Arts  
Nucor Corporation  
Nurses Association, Nebraska  
Omaha Public Power District  
Omaha Public Schools  
SourceGas Distribution, LLC  
Teradata  
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
- Olhausen, Vaun C.  
Novartis Pharmaceuticals Corporation
- 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  
Wineries and Grape Growers Association, Nebraska
- Pack, Mary M.  
Radcliffe, Walter H. of Radcliffe & Associates
- Paden, Nicholas  
Broadband Coalition, Nebraska  
Cambridge Telephone Company  
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

Partington, Jim  
Restaurant Association, Nebraska

Passarelli, Angelo D.  
Millard Public Schools

Pearce, Denise K.  
City of Lincoln

Peez, Natalie, Peez & Company  
Alegent Health  
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)  
Nurse Practitioners, Nebraska  
Omaha Zoological Society  
Tenaska

Peters, William E.  
Burlington Northern Santa Fe  
Cigar Association of America, Inc.

Peterson, Alan E.  
ACLU Nebraska

Peterson, Patricia Schuett  
Investment Finance Authority, Nebraska

Petsch, Jean M.  
General Contractors, Associated (NE Building Chapter)

Pierson, Darwin R.  
Oil & Gas Association, Nebraska Independent

Plofchan, Paul  
Pfizer, Inc.

Pollock, Andy  
Gottsch Enterprises  
Morrison Enterprises, LLC  
Nebraska Energy Export Association  
NorthWestern Energy  
Progressive Swine Technologies  
Waste Connections, Inc.

Polt, Brendon A.  
Health Care Association, Nebraska

Popken, Kent T.  
Qwest Communications

Prenda, Amy  
Cutshall & Nowka

Propst, Kevin  
Papio Valley Preservation Association

Ptacek, Patrick J.

Grain and Feed Association, Nebraska  
 Schmit Industries  
 Radcliffe, Walter H. of Radcliffe & Associates  
 2013 US Senior Open Local Organizing Committee  
 Altria Client Services Inc. and its Affiliates (formerly Philip Morris USA 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)  
 Enterprise Rent-A-Car  
 Fair Board, Nebraska State  
 Father Flanagans Boys Home aka Boys Town  
 Father Flanagans Boys Home d/b/a Boys Town National Research Hospital  
 Health Care Association, Nebraska  
 Health Underwriters, Nebraska Association of  
 Home Builders Association, Nebraska State  
 Indigenous Peoples Fund  
 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)  
 Nebraskans for Public Health Funding  
 Optometric Association, Nebraska  
 Property Casualty Insurers Association of America  
 Pyrotechnics Association, Nebraska  
 Realtors Association, Nebraska  
 Republic National Distributing Company (Formerly Wholesale Liquor Distributors Association, Nebraska)  
 Sanofi Pasteur, (MultiState Associates, Inc on behalf of)  
 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  
Riley, Christopher T.  
Archer Daniels Midland Company  
Ring, Kenneth T.  
AARP  
Riskowski, Al  
Family Council, Nebraska  
Robak, Kim M.  
Mueller Robak LLC  
Rogert, Kent  
Burt County Economic Development Corp.  
Learning Community of Douglas and Sarpy County  
Omaha Area Board of Realtors  
Root, David  
Medco Health Solutions, Inc. and Affiliates  
Ryan, Beth  
Cutshall & Nowka  
Sahling-Zart, Shelley R.  
Lincoln Electric System  
Schaefer, Matthew T.  
Mueller Robak LLC  
Schafer, Andrea R.  
Norris Public Power District  
Scherer, Larry  
Education Association, Nebraska State  
Schimek, Herbert H.  
Westside Community Schools  
Schleppenbach, Greg  
Catholic Conference, Nebraska  
Schmit Industries, Inc.  
Ethanol Producers, Assoc. of Nebraska  
Schmit-Albin, Julie  
Nebraska Right to Life  
Schuller, Lynne  
Horsemen's Benevolent & Protective Association  
Propane Gas Association, Nebraska  
Schultz, William E.

Marksmanship Association, Nebraska  
Schumacher, Jearlyn  
Nurse-Midwives, American College of, Nebraska Affiliate  
Sears, T. Jay  
Education Association, Nebraska State  
Sedlacek, Ronald J.  
Chamber of Commerce & Industry, Nebraska  
Husch Blackwell Sanders, LLP  
Sheard, James W., Jr.  
Nebraska Change to Win Coalition c/o Teamsters Local 554  
Siefken, Kathy  
Grocery Industry Association, Nebraska  
Shazam  
Spatz, John  
School Boards, Nebraska Association of  
Stilmock, Gerald M.  
Brandt, Horan, Hallstrom and Stilmock  
Sullivan, J. Scott  
Credit Union League and Affiliates, Nebraska  
Swanson, Heather  
Nurse-Midwives, American College of, Nebraska Affiliate  
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  
Vasina, Mark A.  
Nebraskans for Peace, Inc.  
Veak, Becky  
Children & Families Foundation, Nebraska  
Vodvarka, Dan  
Certified Public Accountants, Nebraska Society of  
Wagner, Connie  
Licensed Practical Nurse Association of Nebraska  
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  
Wieczorek, Bridget  
Nurse-Midwives, American College of, Nebraska Affiliate

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  
 Wachiska Audubon Society

Withem, Ron  
 University of Nebraska

Wolf, Jesse  
 Education Association, Nebraska State

Woods, Kara  
 Johnson, DeMaris/The Johnson Group

Wray, Connie M.  
 ABATE of Nebraska, Inc.

Wray, James J.  
 ABATE of Nebraska, Inc.

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

Zulkowski, Katie W.  
 Mueller Robak LLC

Zumwinkle, Mike  
 Cargill/Excel

### **PROPOSED RULES CHANGES**

The Rules Committee offered the following proposed rules changes:

#### **PROPOSED RULES CHANGE 1**

**Rule 7, Sec. 3. Motion, in Writing, Withdrawal.** (a) A motion shall be either stated by the presiding officer or read by the Clerk before a vote is

taken. All motions shall be submitted in writing if requested by the presiding officer or any senator.

Once motions are stated they may be withdrawn or modified by the mover before a decision, amendment, or ordering of a vote has been made. A motion to reconsider may be withdrawn only with unanimous consent or a majority vote of the elected members.

When a question is under debate, no motion shall be considered except one of the following, which motions shall take precedence in the order stated.

- a. To recess
- b. To adjourn
- c. For cloture
- d. To reconsider
- e. For the previous question
- f. To postpone to a time certain
- g. To recommit to a committee
- h. To amend
- i. To postpone indefinitely

Such motions shall have precedence in the order in which they are arranged except as provided for in Rule 1, Section 17. Motions to postpone indefinitely and amend do not yield to each other.

When any of the following motions shall be made, any action on such motion shall be delayed at least one legislative day and the motion shall be printed in the Legislative Journal:

- a. Motion to postpone indefinitely on General File or Select File, unless the introducer(s) of the bill, or the committee chairperson in the case of committee bills, request(s) that the motion to postpone indefinitely be considered immediately without the one day delay.
- b. Motion to place on General File pursuant to Rule 3, Section 20(b).
- c. Motion to place bills on General File, notwithstanding the action of a standing committee.

(b) When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

(c) Amendments to the title shall be made by the Enrollment and Review Committee.

(d) No motion, proposition, or subject, different from that under consideration, shall be admitted under color of amendment. Any amendment that is not germane is out of order. Germane amendments relate only to details of the specific subject of the bill and must be in a natural and logical sequence to the subject matter of the original proposal. A nongermane amendment includes one that relates to a substantially different subject.



(e) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. Once a division is ordered by the presiding officer, each component shall be treated as a separate and distinct proposition. For purposes of germaneness, even if a question is germane prior to a request for division, each and every other component or proposition of the divided question will be subject to germaneness rulings. Once a vote or change has occurred on any of the divisible questions, the remaining divided sections may not be withdrawn without a majority of those voting or without unanimous consent. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert. Such call for division shall not be allowed when considering motions under Rule 6, Section 6.

(f) When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be considered first.

**Rule 7, Sec. 7. Reconsideration.** (a) When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move for a reconsideration thereof. A motion to reconsider must be made on the same day the original question was decided or on the next legislative day, except when it be to reconsider the vote on a bill which lacked the constitutional majority on Final Reading. In such case, it must be made on the same day the original question was decided or on one of the next three legislative days. A motion to reconsider must be disposed of by the Legislature within five legislative days after making the same or it shall be deemed defeated. A motion to reconsider may be withdrawn only with unanimous consent or a majority vote of the elected members. If the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

*Motion to reconsider cannot be withdrawn without leave. Rule 7, Section 3.*

(b) Every motion to reconsider shall take preference over all other questions, except a motion to recess, to adjourn, or for cloture.

(c) For its adoption, a motion to reconsider shall require the vote of a majority of the elected members, except:

- i Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading, then a three-fifths vote shall be required for adoption.
- ii Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading with the emergency

- clause attached, but which received the constitutional majority with the emergency clause stricken and the purpose of the motion is to again add the emergency clause, then a two-thirds vote of the elected members shall be required for adoption.
- iii Where such motion be to reconsider the vote on a motion to pass a bill notwithstanding the objections of the Governor or for override of a line-item veto, then a three-fifths vote shall be required for adoption.
  - iv Where such motion be to reconsider the vote on a motion to suspend the rules, then a three-fifths vote shall be required for adoption.

(d) For a bill on General File, no motion to reconsider shall be in order until the bill has failed to advance three times; for a bill on Select File, no motion to reconsider shall be in order until the bill has failed to advance two times; for a bill passed on Final Reading, no motion to reconsider shall be in order except by the introducer of the bill, for technical or clarifying amendments.

(e) Whenever a bill is returned from the Governor for further action pursuant to the Legislature's request for such return, motions for reconsideration necessarily incident to opening a bill for further action shall be admitted regardless of the time limitation otherwise imposed by this rule.

### **PROPOSED RULES CHANGE 2**

**Rule 6, Sec. 7. Final Reading.** No bill shall be voted on for final passage until:

- (a) After five legislative days following the introduction of the bill.
- (b) One legislative day after its reference to Final Reading.
- (c) ~~Printed copies of The~~ The bill in its final form, as amended, shall have been available to members ~~and on their desks~~ for at least one legislative day.

### **PROPOSED RULES CHANGE 3**

**Rule 1, Sec. 17. Speaker's Major Proposals.** The Speaker shall be authorized to: (a) Designate up to five bills, or resolutions proposing to amend the Constitution, as major proposals during each legislative session. Determinations made by the Speaker pursuant to this subsection shall be limited to bills or resolutions previously designated as a committee priority, senator priority, or a general appropriation bill and approved by a vote of two-thirds of the Executive Board. During the 2011 Session, the Speaker may designate any of the redistricting bills as major proposals with the approval of two-thirds of the Executive Board. Provided, the Speaker shall be allowed to designate one additional major proposal which shall be limited to the bill dealing with the redistricting of legislative districts subject to the approval of two-thirds of the Executive Board.

- (b) Require each committee to which a major proposal has been referred to:
- (1) hold a public hearing by a date certain as agreed to by the Speaker and committee chairperson.
  - (2) take action, including voting to advance the measure with or without amendments to the full Legislature, voting to indefinitely postpone the measure, or taking a vote on the measure that does not result in the measure's advancement or indefinite postponement. Committee action as defined above must be taken by a date certain as determined by the Speaker and committee chairperson.
- (c) Determine the scheduling of the proposal and the order of amendments and motions to be considered.

**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. 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.~~ The committee, with approval of a

majority of its members, may introduce bills at any time 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 4**

#### **Rule 3, Sec. 20.**

**Add a new sub-section (c) and renumber the remaining section.**

(c) Any amendment offered which is substantially the same as a pending bill shall require a three-fifths vote of the elected members if offered within twenty calendar days of the committee hearing.

#### **ANNOUNCEMENT**

The Revenue Committee elected Senator Utter as Vice Chairperson.

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 206.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to personal property; to amend sections 60-1801, 60-1802, 60-1803, 60-1807, 60-1808, 60-1901, 60-1904, and 60-1907, Reissue Revised Statutes of Nebraska; to name an act; to define terms; to delete obsolete provisions; to provide for disposition of abandoned camper units; to provide a penalty; to change provisions relating to abandoned vehicles; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 207.** Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-354, Revised Statutes Cumulative Supplement, 2010; to authorize the commission to convey certain real estate for park purposes; to prescribe conditions relating to the conveyance, operation, and maintenance of the real estate; to provide duties for the commission; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 208.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend sections 70-1015 and 76-3001, Reissue Revised Statutes of Nebraska, and sections 70-1001.01, 70-1013, and 70-1014.02, Revised Statutes Cumulative Supplement, 2010; to provide waiver and injunctive relief powers to the board as prescribed; to redefine terms; and to repeal the original sections.

**LEGISLATIVE BILL 209.** Introduced by Cornett, 45; Hadley, 37; Heidemann, 1; Schilz, 47; Utter, 33; Wightman, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,144, Reissue Revised Statutes of Nebraska; to change a provision relating to the proceeds of local sales and use taxes; and to repeal the original section.

**LEGISLATIVE BILL 210.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-2609, 72-258.03, 77-702, 77-1327, 77-1783.01, 77-2704.50, 77-2705.01, 77-2708, 77-2709, 81-1260, and 81-15,164, Reissue Revised Statutes of Nebraska, and sections 13-3107 and 81-8,128, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the due dates for certain sales tax returns, sales and use taxes, and certain fees; to change provisions relating to school lands, qualifications of the Property Tax Administrator, data reporting, personal liability for corporate taxes, common or contract carrier exemption certificates, and supervision of the State Athletic Commissioner; to eliminate the Greenbelt Advisory Committee; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 77-1355, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 211.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-324, 13-2814, 77-2703, 77-2703.03, 77-2704.10, and 77-27,143, Reissue Revised Statutes of Nebraska, and section 77-2712.03, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to collection of sales tax on rented and leased motor vehicles, direct mail sourcing, a sales and use tax exemption for certain food, and the streamlined sales and use tax agreement; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 212.** Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Dubas, 34; Hadley, 37; Janssen, 15; Lautenbaugh, 18; Louden, 49; Price, 3.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,193.01, 60-3,221, 60-462.01, 60-4,147.02, and 75-393, Reissue Revised Statutes of Nebraska, and sections 18-1739, 75-363, and 75-364, Revised Statutes Cumulative Supplement, 2010; to adopt revisions of federal laws and regulations and a registration reciprocity agreement by reference; to change provisions relating to towing trailers; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 213.** Introduced by Pankonin, 2.

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

**LEGISLATIVE BILL 214.** Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 32-312, 32-517, 32-518, 32-520, 32-521, 32-522, 32-523, 32-525, 32-526, 32-528, 32-529, 32-557, 32-610, 32-618, and 32-810, Reissue Revised Statutes of Nebraska, and sections 32-519 and 32-524, Revised Statutes Cumulative Supplement, 2010; to require nonpartisan ballots for nomination and election of county and city officers; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 215.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-462, 60-462.02, 60-479, 60-479.01, 60-484, 60-487, 60-4,113, 60-4,114, 60-4,115, 60-4,117, 60-4,120, 60-4,121, 60-4,122, 60-4,127, 60-4,144, 60-4,149, 60-4,150, 60-4,151, and 60-4,181, Reissue Revised Statutes of Nebraska; 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 provide implementation dates; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 216.** Introduced by Coash, 27; Fulton, 29.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend sections 60-301 and 60-3,100, Reissue Revised Statutes of Nebraska; to change license plate issuance and display provisions for certain motor vehicles; to provide for a fee; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 217.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Telecommunications Relay System Act; to amend sections 86-301, 86-303, and 86-314, Reissue Revised Statutes of Nebraska, and section 86-313, Revised Statutes Cumulative Supplement, 2010; to define and eliminate terms; to change provisions relating to surcharges for wireless service; to state intent; to harmonize provisions; to repeal the original sections; and to outright repeal section 86-309, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 218.** 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 change provisions relating to personnel exempt from the State Personnel System; and to repeal the original section.

**LEGISLATIVE BILL 219.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to health care; to adopt the Health Care Freedom Act.

**LEGISLATIVE BILL 220.** Introduced by Fischer, 43.

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

**LEGISLATIVE BILL 221.** Introduced by Janssen, 15.

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 222.** Introduced by Gloor, 35; Campbell, 25.

A BILL FOR AN ACT relating to the Nebraska Regulation of Health Professions Act; to amend section 71-6221, Reissue Revised Statutes of Nebraska; to change provisions regarding changes in scope of practice; and to repeal the original section.

**LEGISLATIVE BILL 223.** Introduced by Karpisek, 32.

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

**LEGISLATIVE BILL 224.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-1301, 32-1302, 32-1303, 32-1304, 32-1306, and 32-1308, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to recall; to require notification as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 225.** Introduced by Campbell, 25; Gloor, 35.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-129, Reissue Revised Statutes of Nebraska; to change provisions relating to issuance of credentials as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 226.** Introduced by Gloor, 35; Bloomfield, 17; Carlson, 38; Coash, 27; Dubas, 34; Hadley, 37; Lautenbaugh, 18; McCoy, 39; Utter, 33; Wallman, 30.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2010; to provide for assault with a bodily fluid against a public safety officer; to provide penalties; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 227.** Introduced by Mello, 5; Dubas, 34; K. Haar, 21.

A BILL FOR AN ACT relating to the State Energy Office; to amend sections 81-1601, 81-1603, 81-1605, and 81-1606, Reissue Revised Statutes of Nebraska, and section 81-1607.01, Revised Statutes Cumulative Supplement, 2010; to require a state energy assessment; to provide duties to the office; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 228.** Introduced by Mello, 5; Dubas, 34; K. Haar, 21.

A BILL FOR AN ACT relating to the Deferred Building Renewal Act; to amend sections 81-173 and 81-190, Reissue Revised Statutes of Nebraska; to provide for energy audits to be conducted under the act; to require a report; to remove obsolete language; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-191.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 229.** Introduced by Fischer, 43; Carlson, 38; Christensen, 44; Dubas, 34; Langemeier, 23; McCoy, 39; Schilz, 47.

A BILL FOR AN ACT relating to water resources; to amend section 81-15,174, Reissue Revised Statutes of Nebraska, and section 61-218, Revised Statutes Cumulative Supplement, 2010; to transfer funds from the Nebraska Environmental Trust Fund to the Water Resources Cash Fund as prescribed; to provide an additional purpose for expenditure as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.



**LEGISLATIVE BILL 230.** Introduced by Sullivan, 41; Campbell, 25; Hansen, 42; Karpisek, 32; Krist, 10; Price, 3; Schumacher, 22.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to access to public records; and to repeal the original section.

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 15.** Introduced by Pankonin, 2.

WHEREAS, Gerald "Jerry" Heylmun, son of Bruce and Carol Heylmun, while a sophomore at Conestoga High School, completed the requirements to attain the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest advancement 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: Tenderfoot; Second Class; First Class; Star; Life; and finally Eagle. Throughout his Scouting experience, Jerry Heylmun has learned, been tested on, and been recognized for various Scouting skills; and

WHEREAS, Jerry Heylmun served his troop in a variety of leadership roles, including Chaplain Aide, Librarian, Patrol Leader, and Senior Patrol Leader. To achieve the rank of Eagle Scout, Jerry earned thirty-one merit badges, ten more than the required twenty-one badges, and completed a community service project approved by the troop and the scout council; and

WHEREAS, for his Eagle Scout community service project, Jerry Heylmun directed thirty-one people in the construction of a new trail at Schramm State Park in Louisville, Nebraska. The original trail was near a dangerous ravine. Jerry's newly designed trail is farther from the ravine and safer for trail users, especially children from a nearby 4-H camp. Jerry also relocated barriers, built new park benches, and coordinated donations of time, cash, and materials for his project. By completing his service project, Jerry fulfilled a personal goal that he has had since fifth grade; and

WHEREAS, the redesigned and enhanced trail at Schramm State Park in Louisville will more safely serve the citizens of Cass County for many years in the future.

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

1. That the Legislature congratulates Gerald "Jerry" Heylmun for the exemplary achievement of fulfilling the requirements for obtaining the rank of Eagle Scout.

2. That a copy of this resolution be sent to Jerry Heylmun.

Laid over.

**LEGISLATIVE RESOLUTION 16.** Introduced by Pankonin, 2.

WHEREAS, Ed Kasl has provided great consistency and continuity and a stable learning environment for more than twenty years as the superintendent of the Louisville Public Schools; and

WHEREAS, only six superintendents in Nebraska have had a longer tenure in one school than Superintendent Ed Kasl; and

WHEREAS, Superintendent Ed Kasl's professional training for his career began thirty-six years ago with a Bachelor's degree in Mathematics, followed in the 1970s by Masters' degrees in Education and Administration; and

WHEREAS, Superintendent Ed Kasl's visionary leadership has helped to position the Louisville School District as one of the finest in Nebraska. Superintendent Kasl has provided direction in the development of an instructional delivery system, based on a curriculum that prepares students for success in the twenty-first century; and

WHEREAS, to recognize the respect and appreciation demonstrated by Superintendent Ed Kasl for the Louisville Public Schools, in May 2010 he was named Superintendent of the Year for Region Six of the Nebraska Association of School Administrators.

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

1. That the Legislature expresses its appreciation for the achievements of Superintendent Ed Kasl and for his positive impact on the State of Nebraska.

2. That a copy of this resolution be sent to Superintendent Kasl and the Louisville Public Schools.

Laid over.

**LEGISLATIVE RESOLUTION 17.** Introduced by Pankonin, 2.

WHEREAS, Andrew Parker, son of Jeff and Janice Parker and a junior at Nebraska City High School, completed the requirements to attain the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest advancement 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, Andrew Parker has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, Andrew Parker served his troop in a variety of leadership roles, including patrol leader, assistant patrol leader, senior patrol leader, troop guide, and junior assistant scout master. To achieve the rank of Eagle Scout, Andrew earned thirty-five merit badges, fourteen more than the required twenty-one badges, and completed a community service project approved by the troop and the scout council; and

WHEREAS, for his Eagle Scout community service project, Andrew Parker devoted more than seventy-one hours to create low maintenance landscaping for the new Northside Elementary School in Nebraska City. The project involved thirty-one volunteers who, under Andrew's direction, spent almost two hundred forty-seven man hours leveling planting areas, planting one hundred eighty-seven assorted plants, shrubs, and trees, installing a weed barrier, applying mulch, and watering the new plants. To complete the project, Andrew collaborated with a local nursery to design the landscaping plan and sought implementation approval from the local school board; and

WHEREAS, the newly designed grounds of the Northside Elementary School in Nebraska City will provide scenic beauty for the citizens of Otoe County for many years.

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

1. That the Legislature congratulates Andrew Parker for the exemplary achievement of fulfilling the requirements for attaining the rank of Eagle Scout.

2. That a copy of this resolution be sent to Andrew Parker.

Laid over.

**LEGISLATIVE RESOLUTION 18.** Introduced by Pankonin, 2.

WHEREAS, Jeff Talmon, son of Larry and Marcia Talmon and a junior at Nebraska City High School, completed the requirements to attain the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest advancement 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, Jeff Talmon has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, Jeff Talmon served his troop in a variety of leadership roles, including chaplain, assistant patrol leader, patrol leader, assistant senior patrol leader, senior patrol leader, and junior assistant scoutmaster. To achieve the rank of Eagle Scout, Jeff earned twenty-nine merit badges, eight more than the required twenty-one badges, and completed a community service project approved by the troop and the scout council; and

WHEREAS, for his Eagle Scout community service project, Jeff Talmon directed thirteen volunteers who spent one hundred seventy-two man hours to create parking improvements at Steinhart Park in Nebraska City. The project included replacing broken parking curbs, straightening existing parking curbs, and installing new cement parking curbs. A park bench was also rebuilt. To complete the project, Jeff sought plan and design approval from scout leaders and the Nebraska City public properties manager,

tabulated and recorded hours spent on the project, and created a before and after photographic record of the work that was performed; and

WHEREAS, the redesigned and enhanced facilities at Steinhart Park in Nebraska City will more safely and conveniently serve the citizens of Otoe County for many years.

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

1. That the Legislature congratulates Jeff Talmon for the exemplary achievement of fulfilling the requirements for attaining the rank of Eagle Scout.

2. That a copy of this resolution be sent to Jeff Talmon.

Laid over.

**LEGISLATIVE RESOLUTION 19CA.** Introduced by Avery, 28.

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

Section 1. At the general election in November 2012 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article IV, section 5:

IV-5 ~~All civil officers~~ A civil officer of this state shall be liable to impeachment for any misdemeanor in office or for any misdemeanor related to the election by which such officer was elected to the office.

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 misdemeanors related to election to office are grounds for impeachment of civil officers.

For

Against.

### **NOTICE OF COMMITTEE HEARINGS**

Banking, Commerce and Insurance

Room 1507

Tuesday, January 18, 2011 1:30 p.m.

Bruce Ramage - Department of Insurance

LB70

LB71

LB72

LB73

(Signed) Rich Pahls, Chairperson

Education

Room 1525

Tuesday, January 18, 2011 1:30 p.m.

LB18

LB59

(Signed) Greg Adams, Chairperson

### **ANNOUNCEMENTS**

The Natural Resources Committee elected Senator Schilz as Vice Chairperson.

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

### **UNANIMOUS CONSENT - Add Cointroducers**

Senators Hansen, Karpisek, McCoy, and Schilz asked unanimous consent to add their names as cointroducers to LB48. No objections. So ordered.

### **VISITOR**

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

### **ADJOURNMENT**

At 11:03 a.m., on a motion by Senator Gloor, the Legislature adjourned until 10:00 a.m., Tuesday, January 11, 2011.

Patrick J. O'Donnell  
Clerk of the Legislature



**FIFTH DAY - JANUARY 11, 2011**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION**

**FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, January 11, 2011

**PRAYER**

The prayer was offered by Senator Hansen.

**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 Lautenbaugh and Pankonin who were excused; and Senators Cornett, Heidemann, and Pirsch who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fourth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB118	Revenue
LB120	Appropriations
LB136	Judiciary
LB137	Judiciary
LB138	Judiciary
LB139	Government, Military and Veterans Affairs
LB140	Health and Human Services
LB141	Business and Labor
LB142	Government, Military and Veterans Affairs
LB143	Government, Military and Veterans Affairs
LB144	Health and Human Services
LB145	Education
LB146	Urban Affairs
LB147	Judiciary
LB148	Education

LB149	Education
LB150	Government, Military and Veterans Affairs
LB151	Business and Labor
LB152	Business and Labor
LB153	Business and Labor
LB154	Natural Resources
LB155	Natural Resources
LB156	Natural Resources
LB157	Judiciary
LB158	Transportation and Telecommunications
LB159	Urban Affairs
LB160	Agriculture
LB161	Government, Military and Veterans Affairs
LB162	Revenue
LB163	Transportation and Telecommunications
LB164	Transportation and Telecommunications
LB165	Revenue
LB166	Health and Human Services
LB167	Judiciary
LB168	Government, Military and Veterans Affairs
LB169	Government, Military and Veterans Affairs
LB170	Transportation and Telecommunications
LB171	Government, Military and Veterans Affairs
LB172	Government, Military and Veterans Affairs
LB173	Government, Military and Veterans Affairs
LB174	Revenue
LB175	Government, Military and Veterans Affairs
LB176	Government, Military and Veterans Affairs
LB177	Health and Human Services
LB178	Transportation and Telecommunications
LB179	Health and Human Services
LB180	Health and Human Services
LB181	Agriculture
LB182	Transportation and Telecommunications
LB183	Transportation and Telecommunications
LB184	Business and Labor
LB185	Transportation and Telecommunications
LB186	Government, Military and Veterans Affairs
LB187	Government, Military and Veterans Affairs
LB188	Government, Military and Veterans Affairs
LB189	Business and Labor
LB190	Urban Affairs
LB191	Judiciary
LB192	Education
LB193	General Affairs
LB194	General Affairs
LB195	Executive Board
LB196	Banking, Commerce and Insurance
LB197	Judiciary



LB198 Government, Military and Veterans Affairs  
LB199 Health and Human Services  
LB200 Agriculture  
LB201 Judiciary  
LB202 Judiciary  
LB203 Judiciary  
LB204 Education  
LB205 Banking, Commerce and Insurance

(Signed) John Wightman, Chairperson  
Executive Board

**NOTICE OF COMMITTEE HEARINGS**

Agriculture

Room 2102

Tuesday, January 18, 2011 1:30 p.m.

Tam Allan - Nebraska State Fair Board

LB109  
LB110

(Signed) Tom Carlson, Chairperson

Education

Room 1525

Tuesday, January 18, 2011 1:30 p.m.

LB123

(Signed) Greg Adams, Chairperson

**CONFLICT OF INTEREST STATEMENT**

Pursuant to Rule 1, Sec. 19, Senator Schumacher has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 231.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-611, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to issuing a bad check; and to repeal the original section.

**LEGISLATIVE BILL 232.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to self-defense; to amend section 28-1410, Reissue Revised Statutes of Nebraska; to authorize protection of an unborn child; to define terms; and to repeal the original section.

**LEGISLATIVE BILL 233.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Legislature; to amend section 32-508, Reissue Revised Statutes of Nebraska; to state intent; to change the number of members of the Legislature; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 234.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to public assistance; to amend section 68-130, Reissue Revised Statutes of Nebraska; to change provisions relating to county office and service facilities; and to repeal the original section.

**LEGISLATIVE BILL 235.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-413, 79-1008.02, 79-1009, 79-1015.01, 79-1025, and 79-1029, Reissue Revised Statutes of Nebraska, and sections 77-3446, 79-1003, 79-1005.01, 79-1007.04, 79-1007.07, 79-1007.09, 79-1007.10, 79-1007.11, 79-1007.16, 79-1007.18, 79-1008.01, 79-1017.01, 79-1023, and 79-1030, Revised Statutes Cumulative Supplement, 2010; to change and eliminate provisions relating to state aid to schools; to harmonize provisions; to repeal the original sections; to outright repeal sections 79-1005.02, 79-1007.01, 79-1007.02, 79-1010, 79-1022.02, 79-1026, 79-1028, and 79-1083.03, Reissue Revised Statutes of Nebraska, and sections 79-1007.19, 79-1007.24, and 79-1026.01, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

**LEGISLATIVE BILL 236.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1015.01, 79-1025, and 79-1029, Reissue Revised Statutes of Nebraska, and sections 77-3446,

79-1003, 79-1005.01, 79-1007.10, 79-1007.11, 79-1007.18, 79-1023, and 79-1030, Revised Statutes Cumulative Supplement, 2010; to change and eliminate provisions relating to state aid to schools; to harmonize provisions; to repeal the original sections; to outright repeal sections 79-1022.02, 79-1026, 79-1028, and 79-1083.03, Reissue Revised Statutes of Nebraska, and section 79-1026.01, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

**LEGISLATIVE BILL 237.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to prescription drugs; to state intent; and to provide for creation of a prescription drug monitoring program.

**LEGISLATIVE BILL 238.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-125, 48-145.01, 48-155, 48-156, 48-170, 48-178, 48-180, 48-182, 48-185, and 48-1,110, Reissue Revised Statutes of Nebraska; to eliminate review by a three-judge panel; to authorize modification of awards and orders; to harmonize provisions; to provide operative provisions; to repeal the original sections; and to outright repeal sections 48-179 and 48-181, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 239.** Introduced by Janssen, 15.

A BILL FOR AN ACT relating to elections; to amend sections 32-110.02, 32-311.01, 32-321, 32-902, 32-914, 32-938, 32-944, 32-947, 32-953, 32-1027, 60-4,115, and 60-4,181, Reissue Revised Statutes of Nebraska, and sections 32-915 and 32-1002, Revised Statutes Cumulative Supplement, 2010; to require presentation of a government-issued photographic identification document to vote; to provide exceptions; to provide for provisional ballots; to change requirements for identification for certain first-time voters; to change provisions for issuance of state identification cards; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-318.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 240.** Introduced by Nordquist, 7; Campbell, 25; Cook, 13; Hadley, 37; Mello, 5.

A BILL FOR AN ACT relating to insurance; to amend section 81-1178, Reissue Revised Statutes of Nebraska; to create the Nebraska Insurance Choices Exchange Task Force; to provide powers and duties for the task force; to require a report; to provide a termination date; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 241.** Introduced by Hadley, 37.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-126, 60-139, 60-140, 60-142, and 60-344, Reissue Revised Statutes of

Nebraska; to redefine parts vehicle; to require use of a bill of sale for a parts vehicle; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 242.** Introduced by Hadley, 37.

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, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to assault, assault on an officer, and offenses by a confined person; and to repeal the original sections.

**LEGISLATIVE BILL 243.** Introduced by Carlson, 38; Hadley, 37; Hansen, 42; B. Harr, 8; Karpisek, 32; Price, 3; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to water; to amend section 46-2,140, Reissue Revised Statutes of Nebraska; to change membership provisions relating to the Republican River Basin Water Sustainability Task Force; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 244.** Introduced by Carlson, 38.

A BILL FOR AN ACT relating to highways; to amend section 39-218, Reissue Revised Statutes of Nebraska; to allow certain signs along scenic byways as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 245.** Introduced by Carlson, 38; Fulton, 29; Smith, 14.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-146.02, Reissue Revised Statutes of Nebraska; to provide for release of employee medical records as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 246.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend section 81-2026, Reissue Revised Statutes of Nebraska; to provide benefits to a surviving spouse that has remarried; and to repeal the original section.

**LEGISLATIVE BILL 247.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-703, Reissue Revised Statutes of Nebraska; to adopt the Classrooms First Act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 248.** Introduced by Dubas, 34.

A BILL FOR AN ACT relating to fires; to amend sections 81-520.01, 81-520.03, 81-520.04, and 81-520.05, Reissue Revised Statutes of Nebraska; to change provisions relating to burning permits and range-management burning; to provide for land-management burning; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 249.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-177, Reissue Revised Statutes of Nebraska; to provide for a waiver of restrictions on sales of alcoholic liquor near a campus of a college or university; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 250.** Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Dubas, 34; Hadley, 37; Janssen, 15; Lautenbaugh, 18; Price, 3.

A BILL FOR AN ACT relating to motor carriers; to amend section 75-303, Reissue Revised Statutes of Nebraska; to exempt limousine service from regulation; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 251.** Introduced by Council, 11.

A BILL FOR AN ACT relating to courts; to amend sections 33-103, 33-106, 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03, 33-126.04, and 33-126.06, Reissue Revised Statutes of Nebraska, and section 25-2804, Revised Statutes Cumulative Supplement, 2010; to change fees; and to repeal the original sections.

**LEGISLATIVE BILL 252.** Introduced by Cornett, 45; Fischer, 43; Hadley, 37; Larson, 40; Smith, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2703, Reissue Revised Statutes of Nebraska; to exempt admissions to indoor tanning services from sales and use taxes; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 253.** Introduced by Larson, 40; Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-6203, Revised Statutes Cumulative Supplement, 2010; to eliminate provisions relating to a tax credit relative to wind energy generating facilities; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 254.** 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 for applicability; and to repeal the original sections.

**LEGISLATIVE BILL 255.** Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Campbell, 25; Dubas, 34; Hadley, 37; Janssen, 15; Lautenbaugh, 18; Louden, 49; Price, 3.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 74-1313, 75-401, and 75-426, Reissue Revised Statutes of Nebraska; to eliminate certain duties of the Public Service Commission relating to railroads; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 256.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the State Racing Commission; to amend section 2-1201, Revised Statutes Cumulative Supplement, 2010; to change terms of certain members; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 257.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Nebraska Telecommunications Regulation Act; to amend section 86-143, Reissue Revised Statutes of Nebraska; to remove a filing requirement for telecommunications companies as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 258.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to land surveying; to amend sections 23-1901, 23-1908, 23-1911, 25-223, 39-1311.02, 81-8,108, 81-8,109, 81-8,110.01, 81-8,118, 81-8,119.01, 81-8,120, 81-8,122.01, 81-8,123, 81-8,126, and 81-8,127, Reissue Revised Statutes of Nebraska, and section 81-8,110.07, Revised Statutes Cumulative Supplement, 2010; to provide that the entry of a surveyor onto any land is not criminal trespass; to provide duties for land surveyors and for damages as prescribed; to provide for limitations on actions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 259.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to railroads; to amend sections 37-914 and 74-1427, Reissue Revised Statutes of Nebraska; to eliminate the Nebraska Railway Council, the Light-Density Rail Line Assistance Act, and funds; to provide duties for the Department of Roads; to change provisions relating to the use of local tax funds for light-density rail lines as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal

sections 74-1401, 74-1402, 74-1402.01, 74-1403, 74-1404, 74-1405, 74-1405.01, 74-1405.02, 74-1405.03, 74-1406, 74-1407.01, 74-1408, 74-1410, 74-1410.01, 74-1411, 74-1411.01, 74-1412, 74-1412.01, 74-1413, 74-1414, 74-1415, 74-1415.01, 74-1415.03, 74-1415.04, 74-1415.05, 74-1415.06, 74-1419.02, 74-1420, 74-1420.01, 74-1420.02, 74-1420.03, 74-1428.01, 74-1428.02, 74-1428.03, and 74-1429, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 260.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to sports-related injuries; to adopt the Concussion Awareness Act; and to provide an operative date.

**LEGISLATIVE BILL 261.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-604, Reissue Revised Statutes of Nebraska; to provide a direct seller exemption; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 262.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to labor; to amend sections 44-3,158 and 48-144.03, Reissue Revised Statutes of Nebraska; to eliminate certain health and safety regulations, penalties, a program, a fund, and a committee; to harmonize provisions; to repeal the original sections; and to outright repeal sections 48-401, 48-402, 48-403, 48-404, 48-405, 48-406, 48-407, 48-408, 48-409, 48-410, 48-411, 48-412, 48-413, 48-414, 48-415, 48-416, 48-417, 48-419, 48-420, 48-421, 48-422, 48-423, 48-424, 48-425, 48-426, 48-427, 48-428, 48-429, 48-430, 48-431, 48-432, 48-433, 48-434, 48-435, 48-436, 48-437, 48-438, 48-439, 48-440, 48-441, 48-442, 48-443, 48-444, 48-445, and 48-446, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 263.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to labor; to eliminate the Nebraska Worker Training Board; and to outright repeal section 48-622.03, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 264.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to state government; to amend sections 30-241, 81-176, and 81-1108.33, Reissue Revised Statutes of Nebraska, and section 12-1301, Revised Statutes Cumulative Supplement, 2010; to provide requirements for certain acquisitions of real property, structures, or improvements; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 265.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to family support; to amend section

81-3120, Reissue Revised Statutes of Nebraska; to change provisions relating to department petty cash funds; and to repeal the original section.

**LEGISLATIVE BILL 266.** Introduced by Sullivan, 41; Brasch, 16.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1410, Reissue Revised Statutes of Nebraska; to change provisions relating to closed sessions; and to repeal the original section.

**LEGISLATIVE BILL 267.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to change provisions relating to Supplemental Nutrition Assistance Benefits; and to repeal the original section.

**LEGISLATIVE BILL 268.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to banking and finance; to amend section 8-101.01, Revised Statutes Cumulative Supplement, 2010; to require return to the payee of insufficient funds checks, drafts, assignments of funds, and similar signed orders as prescribed; to provide powers and duties for the Department of Banking and Finance; to provide for a civil penalty; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 269.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Delayed Deposit Services Licensing Act; to amend sections 45-901, 45-910, and 45-927, Reissue Revised Statutes of Nebraska; to change provisions relating to fees and the distribution of fees; to create a fund; to provide powers and duties for the Director of Banking and Finance; and to repeal the original sections.

**LEGISLATIVE BILL 270.** Introduced by Executive Board; Wightman, 36, Chairperson; Christensen, 44; Fischer, 43; Flood, 19; Heidemann, 1; Karpisek, 32; Langemeier, 23; Nelson, 6; Pahls, 31.

A BILL FOR AN ACT relating to the Public Counsel; to amend sections 81-8,240 and 81-8,244, Reissue Revised Statutes of Nebraska; to eliminate duties and positions relating to county or municipal correctional and jail facilities, mental health and veterans institutions, regional behavioral health authorities, and community-based behavioral health services providers; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 271.** Introduced by Executive Board; Wightman, 36, Chairperson; Christensen, 44; Fischer, 43; Flood, 19; Heidemann, 1; Karpisek, 32; Langemeier, 23; Pahls, 31.



A BILL FOR AN ACT relating to the Legislature; to amend sections 50-401.01, 50-1206, and 50-1304, Reissue Revised Statutes of Nebraska, and section 71-465, Revised Statutes Cumulative Supplement, 2010; to eliminate the office of Legislative Research and the position of Director of Research; to harmonize provisions; to repeal the original sections; and to outright repeal section 50-416, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 272.** Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-1,110, Reissue Revised Statutes of Nebraska; to provide for confidentiality and limited access to first-injury reports; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 273.** Introduced by Dubas, 34.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1009, Reissue Revised Statutes of Nebraska, and sections 79-1001, 79-1003, and 79-1018.01, Revised Statutes Cumulative Supplement, 2010; to define and redefine terms; to change provisions relating to net option students; to provide for converted contracts and converted contract option students; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 274.** Introduced by Gloor, 35; Bloomfield, 17; Campbell, 25; Dubas, 34; Fulton, 29; Hadley, 37; Krist, 10; Schumacher, 22; Wallman, 30.

A BILL FOR AN ACT relating to dispensed drugs and devices; to amend sections 71-2421 and 71-2453, Reissue Revised Statutes of Nebraska; to change provisions relating to return of dispensed drugs and devices; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 275.** Introduced by Fulton, 29; Avery, 28; Coash, 27; K. Haar, 21; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-912, Reissue Revised Statutes of Nebraska; to change provisions relating to escape; and to repeal the original section.

**LEGISLATIVE BILL 276.** Introduced by Council, 11; Conrad, 46.

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, 29-3928, 29-3929, 29-3930, 55-480, and 83-1,110.02, Reissue Revised Statutes of Nebraska, and sections 29-3922 and 83-4,143, Revised Statutes Cumulative Supplement, 2010; to change a penalty from death to life imprisonment without

possibility of parole and change other penalties as prescribed; to eliminate capital punishment and obsolete provisions; to provide for retroactive applicability of a 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, 29-2811, 83-1,105.01, and 83-1,132, Reissue Revised Statutes of Nebraska, and sections 29-2537, 29-2538, 29-2539, 29-2540, 29-2541, 29-2542, 29-2543, 29-2546, 83-964, 83-965, 83-966, 83-967, 83-968, 83-969, 83-970, 83-971, and 83-972, Revised Statutes Cumulative Supplement, 2010.

**LEGISLATIVE BILL 277.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to counties; to amend section 81-1255, Reissue Revised Statutes of Nebraska; to provide for the advice of a visitors committee to the governing body of a county; and to repeal the original section.

**LEGISLATIVE BILL 278.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to counties; to amend section 23-1114, Reissue Revised Statutes of Nebraska; to authorize county officer and employee salary and reimbursable expenses payments to be made by electronic funds transfer or direct deposit as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 279.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-169.01, Reissue Revised Statutes of Nebraska; to change provisions regarding an interest in licensed wholesalers; and to repeal the original section.

**LEGISLATIVE BILL 280.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to insurance; to amend section 44-1525, Reissue Revised Statutes of Nebraska; to adopt the Discretionary Clause Prohibition Act; to create an unfair trade practice in the business of insurance; to harmonize provisions; to provide severability; and to repeal the original section.

**LEGISLATIVE BILL 281.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 53-186, 53-186.01, and 60-6,211.08, Reissue Revised Statutes of Nebraska; to change provisions relating to consumption of alcoholic beverages and open containers as prescribed; to define a term; to

harmonize provisions; and to repeal the original sections.

## RESOLUTION

**LEGISLATIVE RESOLUTION 20.** Introduced by Dubas, 34.

WHEREAS, trap shooting is one of the three major forms of competitive clay pigeon shooting and is growing in popularity throughout the United States and Nebraska; and

WHEREAS, trap shooting games were originally meant for hunters to develop their skills, but have obtained international recognition and are encouraged by sports associations; and

WHEREAS, trap shooting is considered to be an exciting and challenging sport where many people, young and old, male and female, of all abilities, compete in trap shooting events; and

WHEREAS, trap shooting has been a sport since at least 1793, when real birds were used. Clay targets were introduced in the 1880s; and

WHEREAS, Olympic trap is one of the International Shooting Sport Federation shooting events, introduced to the Olympic program in 1900. The current version of the sport was introduced in 1950; and

WHEREAS, the Game and Parks Commission sponsors the annual Cornhusker Trapshoot, which is the largest youth trap shoot in the United States; and

WHEREAS, trap shooting competitions promote tourism in Nebraska by bringing in participants and their families from around the country to stay in motels, eat in restaurants, shop in retail stores, and purchase products from vendors at events; and

WHEREAS, a great deal of coordination and discipline is needed for trap shooting. Trap shooting tests a player's skills in marksmanship and strategy and improves confidence of youth who may not possess the physical attributes to compete in other competitive sports offered at their schools; and

WHEREAS, the goal of any program of youth trap shooting should be to provide instruction and promote gun safety, personal responsibility, and sportsmanship among primary and secondary students; and

WHEREAS, many state organizations award scholarships to college-bound trap shooters based on citizenship, scholarship, and need. Many youth trap shooters are now attending college with the help of those scholarships; and

WHEREAS, our youth should have the opportunity and be encouraged to participate in trap shooting in the same manner as other youth extracurricular activities, including football, baseball, softball, basketball, track, scouting, or band; and

WHEREAS, the school boards of every Nebraska school district are encouraged to promote and include trap shooting as a high school sport.

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

1. That the Legislature hereby encourages the school boards of every school district in the State of Nebraska, in conjunction with the Game and

Parks Commission, to voluntarily promote and include trap shooting as a high school sport for the youth of our state.

2. That a copy of this resolution be sent to the Commissioner of Education, the Game and Parks Commission, the Nebraska School Activities Association, and the Cornhusker Trapshoot.

Laid over.

### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR20 was referred to the Reference Committee.

### **ANNOUNCEMENTS**

The Business and Labor Committee elected Senator Cook as Vice Chairperson.

The Urban Affairs Committee elected Senator Coash as Vice Chairperson.

### **NOTICE OF COMMITTEE HEARINGS**

Transportation and Telecommunications

Room 1113

Tuesday, January 18, 2011 1:30 p.m.

LB67  
LB135  
LB158  
LB170

(Signed) Deb Fischer, Chairperson

Judiciary

Room 1113

Wednesday, January 19, 2011 1:30 p.m.

LB19  
LB20  
LB66  
LB128  
LB136

Thursday, January 20, 2011 1:30 p.m.

LB157  
LB85  
LB124  
LB94  
LB79

(Signed) Brad Ashford, Chairperson

Health and Human Services

Room 1510

Wednesday, January 19, 2011 1:30 p.m.

LB39  
LB144  
LB34  
LB111

Thursday, January 20, 2011 1:30 p.m.

LB180  
LB45  
LB46  
LB68

(Signed) Kathy Campbell, Chairperson

Urban Affairs

Room 1510

Tuesday, January 18, 2011 1:30 p.m.

LB146  
LB159

(Signed) Amanda McGill, Chairperson

**VISITOR**

The Doctor of the Day was Dr. Christi Keim from Lincoln.

**ADJOURNMENT**

At 11:28 a.m., on a motion by Senator Coash, the Legislature adjourned until 9:00 a.m., Wednesday, January 12, 2011.

Patrick J. O'Donnell  
Clerk of the Legislature

**SIXTH DAY - JANUARY 12, 2011****LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 12, 2011

**PRAYER**

The prayer was offered by Senator Heidemann.

**ROLL CALL**

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

The roll was called and all members were present except Senator Council who was excused; and Senators Cornett and Utter who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB206	Transportation and Telecommunications
LB207	Natural Resources
LB208	Natural Resources
LB209	Revenue
LB210	Revenue
LB211	Revenue
LB212	Transportation and Telecommunications
LB213	Appropriations
LB214	Government, Military and Veterans Affairs
LB215	Transportation and Telecommunications
LB216	Transportation and Telecommunications
LB217	Transportation and Telecommunications
LB218	Government, Military and Veterans Affairs
LB219	Health and Human Services
LB220	Transportation and Telecommunications

LB221	Health and Human Services
LB222	Health and Human Services
LB223	Banking, Commerce and Insurance
LB224	Government, Military and Veterans Affairs
LB225	Health and Human Services
LB226	Judiciary
LB227	Natural Resources
LB228	Government, Military and Veterans Affairs
LB229	Natural Resources
LB230	Government, Military and Veterans Affairs
LR19CA	Government, Military and Veterans Affairs

(Signed) John Wightman, Chairperson  
Executive Board

**NOTICE OF COMMITTEE HEARINGS**  
Government, Military and Veterans Affairs

Room 1507

Wednesday, January 19, 2011 2:00 p.m.

LB14  
LB89  
LB122

Thursday, January 20, 2011 1:30 p.m.

LB37  
LB62  
LB101  
LB116

Friday, January 21, 2011 1:30 p.m.

LB97  
LB161  
LB117  
LB168

(Signed) Bill Avery, Chairperson

**ANNOUNCEMENT**

The General Affairs Committee elected Senator Krist as Vice Chairperson.



**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 282.** Introduced by Louden, 49.

A BILL FOR AN ACT relating to the Commission on Indian Affairs; to amend section 81-2514, Revised Statutes Cumulative Supplement, 2010; to appropriate funds to the Designated Collection Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 283.** Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110, Revised Statutes Cumulative Supplement, 2010; to provide for a tax levy and bond authority relating to energy efficiency projects as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 284.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1320.02, Reissue Revised Statutes of Nebraska; to change provisions relating to unlawful picketing of a funeral; and to repeal the original section.

**LEGISLATIVE BILL 285.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to veterans; to amend sections 80-317 and 80-401.03, Reissue Revised Statutes of Nebraska; to change application procedures for Nebraska veterans homes; to change eligibility for assistance from the Nebraska Veterans' Aid Fund; and to repeal the original sections.

**LEGISLATIVE BILL 286.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.15, Reissue Revised Statutes of Nebraska; to change provisions relating to a shipping license fee; and to repeal the original section.

**MOTION - Adopt Permanent Rules**

Senator Lautenbaugh moved to adopt the permanent rules for the One Hundred Second Legislature, First Session, and any special sessions held during the 2011 calendar year.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 1, found on page 135, to Rule 7, Sec. 3 and Rule 7, Sec. 7.

The Rules Committee's proposed rules change, Proposed Rules Change 1, was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused

and not voting.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 2, found on page 138, to Rule 6, Sec. 7.

The Rules Committee's proposed rules change, Proposed Rules Change 2, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 3, found on page 138, to Rule 1, Sec. 17 and Rule 3, Sec. 6.

The Rules Committee's proposed rules change, Proposed Rules Change 3, was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 4, found on page 140, to Rule 3, Sec. 20.

Senator Langemeier offered the following amendment to the Rules Committee's proposed rules change, Proposed Rules Change 4:

**Amend Proposed Rules Change 4**

After the word amendment in line 1 add "other than a committee amendment"

Change "twenty" to "ten"

The Langemeier amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

The Rules Committee's proposed rules change, Proposed Rules Change 4, as amended, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senator Pahls offered the following proposed rules change:

**Rule 8, 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, (7) a list of each statutory sales and use tax exemption for tangible personal property and the annual estimated loss to the General Fund

as a result of each express exemption, and (8) economic conditions affecting the State of Nebraska.

Senator Pahls withdrew his proposed rules change.

The Lautenbaugh motion to adopt permanent rules, as amended, prevailed with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 287.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to education; to amend section 79-536, Reissue Revised Statutes of Nebraska, and sections 79-1003.01 and 79-1103, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to summer school and early childhood education summer sessions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 288.** Introduced by Mello, 5.

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

**LEGISLATIVE BILL 289.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 39-2215, 39-2215.01, 39-2216, 60-101, 60-119.01, 60-123, 60-137, 60-301, 60-302, 60-306, 60-336.01, 60-339, 60-386, 60-388, 60-393, 60-395, 60-398, 60-3,113, 60-3,166, 60-3,200, 60-471, 60-501, 60-601, 60-605, 60-6,348, and 60-6,349, Reissue Revised Statutes of Nebraska, and section 23-187, Revised Statutes Cumulative Supplement, 2010; to allow operation of low-speed vehicles on highways as prescribed; to define and redefine terms; to require titling and registration for low-speed vehicles; to provide powers for counties; to change and eliminate provisions relating to the use of alternative fuels; to change provisions relating to motor vehicle registration; to change and provide fees relating to the use of alternative fuels; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 66-684, 66-685, 66-686, 66-687, 66-688, 66-691, 66-694, and 66-695, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 290.** Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to health care; to amend section 71-464, Reissue Revised Statutes of Nebraska; to change information required to be given to a patient upon request; and to repeal the original section.

**LEGISLATIVE BILL 291.** Introduced by Nelson, 6; Carlson, 38; Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-141, Reissue Revised Statutes of Nebraska; to change provisions relating to periodic payment modification; and to repeal the original section.

**LEGISLATIVE BILL 292.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Nebraska Accountability and Disclosure Commission; to amend section 49-14,120, Reissue Revised Statutes of Nebraska; to eliminate per diems for members of the commission as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 293.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to pawnbrokers and junk dealers; to amend section 69-204, Reissue Revised Statutes of Nebraska; to change provisions relating to reclaiming property by an owner; and to repeal the original section.

**LEGISLATIVE BILL 294.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-179, Reissue Revised Statutes of Nebraska; to prohibit sales during certain hours to persons who are twenty-one years old; and to repeal the original section.

**LEGISLATIVE BILL 295.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-2408 and 60-2410, Reissue Revised Statutes of Nebraska; to change provisions relating to towing and storage; to provide powers and duties for the Public Service Commission; and to repeal the original sections.

**LEGISLATIVE BILL 296.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-404 and 29-1603, Reissue Revised Statutes of Nebraska; to eliminate the oath requirements for filing of a criminal complaint and for verifying of informations; and to repeal the original sections.

**LEGISLATIVE BILL 297.** Introduced by Dubas, 34; Heidemann, 1.

A BILL FOR AN ACT relating to the Local, Civic, Cultural, and Convention Center Act; to amend sections 13-2701, 13-2702, 13-2703, 13-2707, and 13-2710, Reissue Revised Statutes of Nebraska, and sections

13-2610, 13-2704, 13-3108, and 77-5601, Revised Statutes Cumulative Supplement, 2010; to rename the act; to define and redefine terms; to provide funding for community centers; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 298.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1409, 28-1410, 28-1411, and 28-1416, Reissue Revised Statutes of Nebraska; to change provisions relating to self-protection; and to repeal the original sections.

**LEGISLATIVE BILL 299.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to horseracing; to amend sections 2-1205, 2-1226, and 2-1228, Reissue Revised Statutes of Nebraska; to authorize contracts for live race meetings as prescribed; to change requirements for a license to conduct horseracing or to simulcast horseracing; and to repeal the original sections.

**LEGISLATIVE BILL 300.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to victims of tragedies; to amend sections 81-8,239.01 and 84-1410, Reissue Revised Statutes of Nebraska, and sections 81-1801, 81-1801.02, 81-1818, and 81-1822, Revised Statutes Cumulative Supplement, 2010; to change and eliminate provisions relating to the Community Trust; to state intent; to change provisions relating to closed sessions of public bodies; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 301.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-412 and 43-416, Reissue Revised Statutes of Nebraska, and sections 43-2,108.03, 43-2,108.04, and 43-2,108.05, Revised Statutes Cumulative Supplement, 2010; to change and provide provisions for sealing of records; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 302.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to courts; to provide for an analysis and restructuring plan for the court system by the Supreme Court.

**LEGISLATIVE BILL 303.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to investment of state funds; to eliminate the restriction on investments in certain corporations doing business in Northern Ireland; and to outright repeal sections 72-1246.06, 72-1246.07, and 72-1246.08, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 304.** Introduced by McGill, 26.

A BILL FOR AN ACT relating to public health; to amend section 71-503.01, Reissue Revised Statutes of Nebraska; to provide for treatment relating to sexually transmitted disease as prescribed; to provide for immunity; to provide for rules and regulations; to provide for confidentiality and exemptions as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 305.** Introduced by Larson, 40; Avery, 28; Brasch, 16; Carlson, 38; Christensen, 44; Dubas, 34; Hansen, 42; Louden, 49; Schilz, 47; Schumacher, 22; Wallman, 30.

A BILL FOR AN ACT relating to agriculture; to amend sections 54-857 and 54-1901, Reissue Revised Statutes of Nebraska; to state intent to implement a state meat and poultry inspection program under federal law; to provide powers and duties to the Department of Agriculture; to create a fund and transfer funds; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 306.** Introduced by Larson, 40.

A BILL FOR AN ACT relating to animals; to amend section 54-901, Reissue Revised Statutes of Nebraska; to require certain entities to provide care and shelter to equine animals; to provide a penalty; and to repeal the original section.

**LEGISLATIVE BILL 307.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend section 81-2041, Reissue Revised Statutes of Nebraska; to require a member participating in DROP to continue making required contributions; and to repeal the original section.

**LEGISLATIVE BILL 308.** Introduced by Urban Affairs Committee: McGill, 26, Chairperson; Coash, 27; Cook, 13; Krist, 10; Schumacher, 22; Smith, 14.

A BILL FOR AN ACT relating to municipalities; to amend sections 17-107 and 17-208, Revised Statutes Cumulative Supplement, 2010; to provide for terms of office for certain officers; and to repeal the original sections.

**LEGISLATIVE BILL 309.** Introduced by Urban Affairs Committee: McGill, 26, Chairperson; Coash, 27; Cook, 13; Krist, 10; Schumacher, 22; Smith, 14.

A BILL FOR AN ACT relating to municipalities; to provide for reapportionment of special assessments as prescribed.

**LEGISLATIVE BILL 310.** Introduced by McGill, 26.

A BILL FOR AN ACT relating to domestic violence; to amend sections 28-311.09, 42-903, 42-924, and 42-924.01, Reissue Revised Statutes of Nebraska; to change provisions relating to protection order petitions, definitions, and penalties; to provide for appointment of counsel for certain protection order hearings; and to repeal the original sections.

**LEGISLATIVE BILL 311.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,104, Reissue Revised Statutes of Nebraska; to change penalties for violations by licensees domiciled outside the state as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 312.** Introduced by Coash, 27; Avery, 28; Fulton, 29; Karpisek, 32; McCoy, 39; Pankonin, 2.

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

**LEGISLATIVE BILL 313.** Introduced by Nordquist, 7; Campbell, 25; Harms, 48; Howard, 9; McGill, 26.

A BILL FOR AN ACT relating to schools; to amend section 79-714, Reissue Revised Statutes of Nebraska; to adopt the Tobacco-Free Schools Act; to change provisions relating to accreditation; and to repeal the original section.

**LEGISLATIVE BILL 314.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-183, Reissue Revised Statutes of Nebraska; to provide an exception for wine relating to certain sales practices; and to repeal the original section.

**LEGISLATIVE BILL 315.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.11, Reissue Revised Statutes of Nebraska, and section 81-885.01, Revised Statutes Cumulative Supplement, 2010; to permit licensure of real estate salespersons as individuals, corporations, partnerships, and limited liability companies; and to repeal the original sections.

**LEGISLATIVE BILL 316.** Introduced by Heidemann, 1; Wallman, 30.

A BILL FOR AN ACT relating to the Optometry Practice Act; to amend sections 38-2604, 38-2607, 38-2608, and 38-2614, Reissue Revised Statutes of Nebraska, and sections 38-2605 and 38-2617, Revised Statutes

Cumulative Supplement, 2010; to redefine terms; to change provisions relating to the practice of optometry; to change provisions relating to certification; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 317.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to unincorporated nonprofit associations; to adopt the Nebraska Revised Uniform Unincorporated Nonprofit Association Act; and to provide an operative date.

**LEGISLATIVE BILL 318.** Introduced by Cornett, 45; Adams, 24; Hadley, 37; Louden, 49; Utter, 33.

A BILL FOR AN ACT relating to homestead exemptions; to amend section 77-3505, Reissue Revised Statutes of Nebraska; to redefine qualified claimant; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 319.** Introduced by Cornett, 45; Adams, 24; Hadley, 37; Louden, 49; Utter, 33.

A BILL FOR AN ACT relating to homestead exemptions; to amend section 77-3523, Reissue Revised Statutes of Nebraska; to change reimbursement amounts to taxing agencies; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 320.** Introduced by Cornett, 45; Adams, 24; Hadley, 37; Louden, 49; Utter, 33.

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 homestead exemption income limitations; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 321.** Introduced by Cornett, 45; Adams, 24; Hadley, 37; Louden, 49; Utter, 33.

A BILL FOR AN ACT relating to homestead exemptions; to amend sections 77-3501.01 and 77-3505.02, Reissue Revised Statutes of Nebraska; to change definitions and calculations; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 322.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to insurance; to provide requirements for insurers for prescription drug coverage; to state findings and intent; and to provide a duty for the Revisor of Statutes.

**LEGISLATIVE BILL 323.** Introduced by Cornett, 45; Schilz, 47.



A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend section 77-5723, Reissue Revised Statutes of Nebraska, and sections 77-5725, 77-5726, and 77-5735, Revised Statutes Cumulative Supplement, 2010; to change application procedures and local option sales and use tax refunds; to provide for applicability; and to repeal the original sections.

**LEGISLATIVE BILL 324.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to adoption; to amend sections 43-107, 43-109, 43-146.01, 43-146.02, 43-146.05, 43-146.06, and 43-146.07, Reissue Revised Statutes of Nebraska; to require a fetal alcohol spectrum disorders evaluation or statement prior to adoption of a child who is a ward of the state as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 325.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for behavioral health care as prescribed.

**LEGISLATIVE BILL 326.** Introduced by Janssen, 15.

A BILL FOR AN ACT relating to government; to eliminate the Legislative Committee on Intergovernmental Cooperation and the Governor's Committee on Intergovernmental Cooperation; and to outright repeal sections 81-816, 81-817, and 81-819, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 327.** Introduced by Campbell, 25.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,190, Reissue Revised Statutes of Nebraska; to change the motor vehicle fee as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 328.** Introduced by Fischer, 43; Langemeier, 23.

A BILL FOR AN ACT relating to water resources; to amend section 46-233, Reissue Revised Statutes of Nebraska; to provide for amendment of instream hydropower appropriations to recognize certain other purposes as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 329.** Introduced by Cook, 13.

A BILL FOR AN ACT relating to the State Energy Office; to amend sections 72-804, 72-805, 72-806, 81-1608, 81-1609, 81-1611, 81-1614, 81-1615, 81-1616, 81-1618, and 81-1620, Reissue Revised Statutes of Nebraska; to update references to the International Energy Conservation Code; to change provisions relating to the Nebraska Energy Code; and to repeal the original sections.

**LEGISLATIVE BILL 330.** Introduced by Cook, 13; Karpisek, 32.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend section 38-1130, Reissue Revised Statutes of Nebraska; to change functions authorized and authorization requirements for licensed dental hygienists; and to repeal the original section.

**LEGISLATIVE BILL 331.** Introduced by Education Committee: Adams, 24, Chairperson; Avery, 28; Cornett, 45; K. Haar, 21; Howard, 9; Sullivan, 41.

A BILL FOR AN ACT relating to educational telecommunications; to amend section 79-1316, Reissue Revised Statutes of Nebraska; to change powers and duties relating to a network; and to repeal the original section.

**LEGISLATIVE BILL 332.** Introduced by Education Committee: Adams, 24, Chairperson; Avery, 28; Cornett, 45; K. Haar, 21; Howard, 9; Sullivan, 41.

A BILL FOR AN ACT relating to the Board of Educational Lands and Funds; to amend section 72-201, Reissue Revised Statutes of Nebraska; to change provisions relating to compensation; and to repeal the original section.

**LEGISLATIVE BILL 333.** Introduced by Education Committee: Adams, 24, Chairperson; Avery, 28; Cornett, 45; K. Haar, 21; Howard, 9; Sullivan, 41.

A BILL FOR AN ACT relating to schools; to amend sections 79-703, 79-760.04, 79-760.05, 79-1108, and 79-1108.02, Reissue Revised Statutes of Nebraska, and sections 9-812, 79-810, 79-8,133, 79-8,137.01, 79-8,137.05, 79-8,139, 79-1012, and 79-2104.02, Revised Statutes Cumulative Supplement, 2010; to change and eliminate allocation provisions relating to the Education Innovation Fund; to change provisions relating to a certification fund and fees, the Attracting Excellence to Teaching Program, the Enhancing Excellence in Teaching Program, and allocation and transfer of certain funds as prescribed; to eliminate provisions relating to multicultural education and a student achievement coordinator; to harmonize provisions; to repeal the original sections; to outright repeal sections 79-719, 79-720, 79-721, 79-722, 79-723, and 79-11,150, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 334.** Introduced by Education Committee: Adams, 24, Chairperson; Avery, 28; Cornett, 45; K. Haar, 21; Howard, 9; Sullivan, 41.

A BILL FOR AN ACT relating to universities and colleges; to amend sections 2-3815, 2-5003, 38-2620, 38-2622, 81-1273, 81-1275, 85-214,

85-215, and 85-1005, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to a poultry pathologist, an aquaculturist, the Nebraska Optometry Education Assistance Contract Program, the Nebraska Business Development Center, the agricultural laboratory in Box Butte County, and the Nebraska Safety Center; to harmonize provisions; to repeal the original sections; and to outright repeal sections 85-1,104.01, 85-209, 85-210, 85-211, and 85-212, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 335.** Introduced by McGill, 26.

A BILL FOR AN ACT relating to cities and villages; to amend sections 16-321.01 and 17-568.02, Reissue Revised Statutes of Nebraska; to provide for the waiver of bidding procedures as prescribed; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 336.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Commission; to amend section 53-110, Reissue Revised Statutes of Nebraska; to authorize employment by staff of the commission as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 337.** Introduced by Fulton, 29; Avery, 28.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend sections 23-362, 23-2301, 39-2204, 60-1409, 66-738, 72-1255, 77-2608, and 84-1301, Reissue Revised Statutes of Nebraska; to change timeframes for certain audits; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 338.** Introduced by Howard, 9; Conrad, 46; Cook, 13; Dubas, 34; K. Haar, 21; Lathrop, 12; Mello, 5; Nordquist, 7; Wallman, 30.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 16-321.01, 17-568.02, 60-3,100, 73-301, 73-304, 73-306, 81-145, 81-146, 81-153, 81-154, 81-159, 81-1108.16, and 81-1118.03, Reissue Revised Statutes of Nebraska; to provide preference requirements for services and personal property contracts as prescribed; to provide powers and duties for the Director of Administrative Services and the materiel division; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 339.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-258, Revised Statutes Cumulative Supplement, 2010; to change predisposition evaluation provisions; and to repeal the original section.

**LEGISLATIVE BILL 340.** Introduced by Dubas, 34; Fischer, 43; Fulton, 29; K. Haar, 21; Sullivan, 41.

A BILL FOR AN ACT relating to pipelines; to amend sections 57-1101, 57-1102, 57-1103, 57-1104, 57-1105, and 57-1106, Reissue Revised Statutes of Nebraska; to adopt the Hazardous Liquid Pipeline Notification Act; to change provisions relating to eminent domain for pipelines; to provide severability; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 341.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to workers' compensation benefits; to amend sections 43-1709, 48-149, and 48-161, Reissue Revised Statutes of Nebraska; to include workers' compensation benefits as income for support payments; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 342.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to drainage districts; to amend section 31-409, Reissue Revised Statutes of Nebraska; to change the hours of annual elections as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 343.** Introduced by Brasch, 16.

A BILL FOR AN ACT relating to land surveying; to amend sections 81-8,109, 81-8,110.02, 81-8,110.12, 81-8,110.13, 81-8,117, 81-8,121, 81-8,122, and 81-8,122.02, Reissue Revised Statutes of Nebraska; to redefine a term; to change land surveyor registration requirements; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 344.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to municipal counties; to amend sections 13-2801 and 13-2810, Reissue Revised Statutes of Nebraska; to change creation provisions; to provide for development of a plan to merge governmental services; to change voting requirements to establish a municipal county; and to repeal the original sections.

**LEGISLATIVE BILL 345.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to economic development; to amend section 13-208, Reissue Revised Statutes of Nebraska; to adopt the Economic Gardening Technical Assistance Act; to provide funding and a termination date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 346.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation

Court; to amend section 48-152, Reissue Revised Statutes of Nebraska; to authorize contempt and other sanctions; and to repeal the original section.

**LEGISLATIVE BILL 347.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.21, Reissue Revised Statutes of Nebraska, and section 81-885.24, Revised Statutes Cumulative Supplement, 2010; to authorize interest-bearing trust accounts as prescribed; to harmonize provisions; and to repeal the original sections.

## RESOLUTION

**LEGISLATIVE RESOLUTION 21.** Introduced by Janssen, 15.

WHEREAS, the United States Congress passed and the President signed into law the federal Patient Protection and Affordable Care Act, Public Law 111-148, on March 23, 2010; and

WHEREAS, the Patient Protection and Affordable Care Act, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, comprises America's comprehensive federal health care reform, which is commonly referred to as the Affordable Care Act; and

WHEREAS, the result of the Affordable Care Act will be to create a government takeover of the health care industry that will increase health care costs, raise taxes, hurt senior citizens, destroy jobs, reduce the quality of care that Americans will receive, restrict consumer choice, limit individuals' access to private health insurance, and reduce the ability of American companies to compete; and

WHEREAS, the Affordable Care Act will constrain the freedom of individuals to choose their own doctor and will interfere with individuals' ability to make personal health care decisions; and

WHEREAS, the Affordable Care Act will cause spending for health care to escalate and policymakers to ration care as a cost-containment measure; and

WHEREAS, according to the Congressional Budget Office, the Affordable Care Act could cause millions of Americans who receive health insurance through their employer to lose their health insurance coverage. In addition, the Congressional Budget Office reports that premiums in the individual and small group markets may substantially increase; and

WHEREAS, the United States Department of Health and Human Services will dictate what benefits insurers must offer and how much they may charge; and

WHEREAS, in view of the fact that physicians lose money servicing government patients on medicare and medicaid, the Affordable Care Act will increase this problem by further reducing medicare and medicaid fees to doctors and hospitals and will discourage persons from entering the health care field; and

WHEREAS, the Affordable Care Act will increase taxes on employers who do not offer adequate insurance and will increase taxes on investment

income, which in turn will reduce capital available for job expansion, reduce economic growth, and result in fewer jobs for Americans; and

WHEREAS, the Affordable Care Act will harm seniors by making cuts from the medicare budget, causing seniors to lose the health insurance coverage they currently possess; and

WHEREAS, the Affordable Care Act will add to the national debt; and

WHEREAS, the provisions of the Affordable Care Act aimed at reducing health care spending address the symptoms of the cost of health care rather than the root causes of growth in health care spending.

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

1. That the Legislature rejects the Affordable Care Act and calls for the repeal of the Affordable Care Act by the Congress of the United States.

2. That it is the opinion of the Legislature that all individuals should have the right to make decisions about their health care, and no law should be in effect that restricts a person's freedom of choice of private health care systems or private plans of any type.

3. That it is the opinion of the Legislature that no law should interfere with a person's or entity's right to pay directly for lawful medical services, nor should any law impose 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 plan.

4. That the Clerk of the Legislature transmit copies of this Legislative Resolution to the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, and the Nebraska Congressional Delegation.

Laid over.

### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR21 was referred to the Reference Committee.

### **RESOLUTION**

**LEGISLATIVE RESOLUTION 22.** Introduced by Fulton, 29.

WHEREAS, Article I of the United States Constitution begins "All legislative powers herein granted shall be vested in a Congress"; and

WHEREAS, the Congress has exceeded the legislative powers granted in the Constitution thereby encroaching on the powers that are "reserved to the states respectively, or to the people" as the Tenth Amendment affirms and the rights "retained by the people" to which the Ninth Amendment refers; and

WHEREAS, this encroachment includes the accumulation of federal debt, which combined with interest represents a future tax, and is of such great proportion that responsibility for its payment will be passed to future,

unborn generations of Americans to assume without their consent, thereby disparaging their rights; and

WHEREAS, this encroachment also includes compelling state and local governments to comply with federal laws and regulations without accompanying funding for such mandates; and

WHEREAS, in Federalist No. 85, Alexander Hamilton wrote in reference to Article V of the Constitution and the calling of a convention for the purpose of proposing amendments that, "We may safely rely on the disposition of the State legislatures to erect barriers against the encroachments of the national authority"; and

WHEREAS, the Constitution should be amended in order to halt federal encroachment and restore a proper balance between the powers of Congress and those of the several states and to prevent the denial or disparagement of the rights retained by the people.

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

1. That the Legislature hereby applies to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the purpose of proposing a constitutional amendment that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures.

2. That the Nebraska Delegation to such convention, when called, shall propose the following amendment:

"Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed."

3. That a copy of this resolution be sent to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Nebraska congressional delegation so that they may be apprised of the sense of the Legislature in this matter.

## **NOTICE OF COMMITTEE HEARINGS**

Revenue

Room 1524

Wednesday, January 19, 2011 1:30 p.m.

LB134

LB210

LB211

Thursday, January 20, 2011 1:30 p.m.

LB96  
LB118  
LB119

Friday, January 21, 2011 1:30 p.m.

LB81

(Signed) Abbie Cornett, Chairperson

Natural Resources

Room 1525

Wednesday, January 19, 2011 2:00 p.m.

LB229

(Signed) Chris Langemeier, Chairperson

Nebraska Retirement Systems

Room 1525

Monday, January 24, 2011 9:00 a.m.

Randall Rehmeier - Public Employees Retirement Board  
Richard Wassinger - Public Employees Retirement Board  
John Maginn - Nebraska Investment Council

(Signed) Jeremy Nordquist, Chairperson

Judiciary

Room 1113

Friday, January 21, 2011 1:30 p.m.

LB12  
LB13  
LB61  
LB88  
LB100

(Signed) Brad Ashford, Chairperson



**UNANIMOUS CONSENT - Add Cointroducers**

Senator Conrad asked unanimous consent to add her name as cointroducer to LB200. No objections. So ordered.

Senator Conrad asked unanimous consent to add her name as cointroducer to LB145. No objections. So ordered.

Senator Heidemann asked unanimous consent to add his name as cointroducer to LB230. No objections. So ordered.

Senator Pankonin asked unanimous consent to add his name as cointroducer to LB84. No objections. So ordered.

Senator Nordquist asked unanimous consent to add his name as cointroducer to LB123. No objections. So ordered.

Senator Karpisek asked unanimous consent to add his name as cointroducer to LB286. No objections. So ordered.

**VISITOR**

The Doctor of the Day was Dr. Dale Michels from Lincoln.

**ADJOURNMENT**

At 10:59 a.m., on a motion by Senator Heidemann, the Legislature adjourned until 9:30 a.m., Thursday, January 13, 2011.

Patrick J. O'Donnell  
Clerk of the Legislature

