# SIXTY-FIRST DAY - APRIL 11, 2011

## LEGISLATIVE JOURNAL

# ONE HUNDRED SECOND LEGISLATURE FIRST SESSION

## SIXTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska Monday, April 11, 2011

#### PRAYER

The prayer was offered by Pastor Lance Berndt, Good Shepherd Lutheran Church, Lincoln.

## ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Gloor presiding.

The roll was called and all members were present except Senators Carlson and Wightman who were excused; and Senators Louden and McCoy who were excused until they arrive.

## CORRECTIONS FOR THE JOURNAL

The Journal for the sixtieth day was approved.

## **COMMITTEE REPORTS**

**Enrollment and Review** 

**LEGISLATIVE BILL 637.** Placed on Select File with amendment. ER85 is available in the Bill Room.

# **LEGISLATIVE BILL 617.** Placed on Select File with amendment. ER84

- 1. On page 1, strike lines 2 through 10 and insert
- 2 "sections 84-907, 84-907.09, and 84-920, Reissue Revised Statutes
- 3 of Nebraska; to provide and change requirements and duties relating
- 4 to adoption and promulgation of rules and regulations; to harmonize
- 5 provisions; to repeal the original sections; and to declare an
- 6 emergency.".

(Signed) Tyson Larson, Chairperson

## PRESENTED TO THE GOVERNOR

Presented to the Governor on April 8, 2011, at 11:43 a.m. were the following: LBs 27, 31, 32, 237, 34, 105, 207e, 218, 259, 260, 342, 543e, 563e, 621e, 100, 230, 90, 90A, 329, 20, 41, 45, 465e, 468, 509e, and 546.

(Signed) Jamie Kruse Clerk of the Legislature's Office

# MESSAGE FROM THE GOVERNOR

April 8, 2011

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

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

Contingent upon your approval, the following individual is being appointed to the Nebraska Liquor Control Commission:

Bryan Tuma, 5421 NW Fairway 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

#### GENERAL FILE

**LEGISLATIVE BILL 463.** Senator Ashford renewed his amendment, AM1131, found on page 1128, to the committee amendment.

The Ashford amendment was adopted with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

Committee AM754, found on page 857 and considered on page 1086, as amended, was renewed.

The committee amendment, as amended, was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Senator Ashford withdrew his amendment, AM1046, found on page 1028.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

# LEGISLATIVE BILL 463A. Title read. Considered.

Senator Ashford renewed his amendment, AM1050, found on page 1029.

The Ashford amendment was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 500. Title read. Considered.

## SENATOR SULLIVAN PRESIDING

Committee AM717, found on page 802, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

#### AMENDMENTS - Print in Journal

Senator Campbell filed the following amendment to <u>LB177</u>: AM1124

(Amendments to E & R amendments, ER83)

- 1. On page 10, line 11, strike the new matter; and in
- 2 line 22 strike "Native American" and insert "Indian as defined in
- 3 section 43-1503".
- 4 2. On page 11, line 10, strike "kinship"; and in line
- 5 27 strike "department" and insert "Department of Health and Human
- 6 Services".

# Senator Coash filed the following amendment to <u>LB112</u>: AM1141

# (Amendments to AM361)

- 1. On page 3, after line 10, insert the following new
- 2 subdivision:
- 3 "(12) Licensed care transportation services means
- 4 transportation provided by an entity licensed by the Department of
- 5 Health and Human Services as a child-caring agency as defined in
- 6 section 71-1902 or child-placing agency as defined in such section
- 7 or a child care facility licensed under the Child Care Licensing
- 8 Act to a client of the entity or facility when the person providing
- 9 transportation services also assists and supervises the passenger
- or, if the client is a minor, to a family member of a minor

- 11 when it is necessary for agency or facility staff to accompany
- or facilitate the transportation in order to provide necessary
- 13 services and support to the minor. Licensed care transportation
- 14 services must be incidental to and in furtherance of the social
- 15 services provided by the entity or facility to the transported
- 16 <u>client;</u>"; in line 11 strike "(12)", show as stricken, and insert
- 17 "(13)"; in line 16 strike "(13)", show as stricken, and insert
- 18 "(14)"; in line 21 strike "(14)", show as stricken, and insert 19 "(15)"; in line 23 strike "(15)", show as stricken, and insert
- 20 "(16)"; and in line 27 strike "(16)", show as stricken, and insert
- "(17)". 21
- 22 2. On page 4, line 9, strike "(17)", show as stricken,
- and insert "(18)"; in line 14 strike "(18)" and insert "(19)"; in 1
- line 19 strike "(19)" and insert "(20)"; and in line 25 strike "(20)" and insert "(21)". 3
- 4 3. On page 7, line 15, strike "and"; in line 20 strike
- 5 the period and insert "; and"; and after line 20 insert the
- 6 following new subdivision:
- 7 "(14) A motor carrier engaged in licensed care
- 8 transportation services if the motor carrier files a certificate
- 9 with the commission that such provider meets the minimum
- 10 driver standards, insurance requirements, and equipment standards
- prescribed by the commission. Insurance requirements established by 11
- 12 the commission shall be consistent with the insurance requirements
- 13 established by the Department of Health and Human Services for
- 14 attended services, residential care transportation services, and
- 15 supported transportation services.".

# Senator Karpisek filed the following amendment to LB279: AM1123

- 1 1. In the Standing Committee amendments, AM694, on page
- 1, line 9, strike beginning with "otherwise" through "section"
- and insert "in a beer wholesaler"; and in lines 11 and 12 before
- "wholesaler" insert "beer". 4
- 5 2. On page 2, lines 14 and 24, after "53-123.02" insert
- "or 53-123.03".

# Senator Flood filed the following amendment to LB388: AM1136

# (Amendments to E & R amendments, ER59)

- 1 1. Insert the following new sections:
- 2 Sec. 9. (1) The Industrial Recovery Fund is created.
- 3 The fund shall be administered by the Department of Economic
- 4 Development. Any money in the fund available for investment
- 5 shall be invested by the state investment officer pursuant to
- 6 the Nebraska Capital Expansion Act and the Nebraska State Funds
- 7 Investment Act.
- 8 (2) The department may provide assistance from the fund
- to a political subdivision impacted by a sudden and significant

- 10 private-sector entity closure or downsizing that will have a
  - significant impact on the community. The assistance shall be used
- 12 to mitigate the economic impact of the closure or downsizing by
- 13 making necessary improvements to the buildings and infrastructure,
- 14 or both, related to the assets of the private-sector entity.
  - (3) The fund shall consist of funds remitted for deposit
- 16 in the fund pursuant to section 58-708. If the fund balance
- 17 exceeds one million dollars, deposits to the fund pursuant to such
- 18 section shall cease until the fund balance is less than one million
- 19 dollars.

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- 20 Sec. 13. Section 58-708, Reissue Revised Statutes of
- 21 Nebraska, is amended to read:
- 22 58-708 (1) During each calendar year in which funds are 1 available from the Affordable Housing Trust Fund for use by the
  - Department of Economic Development, the department shall allocate
  - a specific amount of funds, not less than twenty-five percent,
- 4 to each congressional district. Entitlement area funds allocated
- 5 under this section that are not awarded to an eligible project
- 6 from within the entitlement area within one year shall be made
- 7 available for distribution to eligible projects elsewhere in the
- 8 state. The department shall announce a grant and loan application
- 9 period of at least ninety days duration for all nonentitlement
- 10 areas. In selecting projects to receive trust fund assistance,
- 11 the department shall develop a qualified allocation plan and give
- 12 first priority to financially viable projects that serve the lowest
- 13 income occupants for the longest period of time. The qualified
- 14 allocation plan shall:
- 15 (a) Set forth selection criteria to be used to determine
- housing priorities of the housing trust fund which are appropriateto local conditions, including the community's immediate need
- 18 for affordable housing, proposed increases in home ownership,
- 19 private dollars leveraged, level of local government support and
- 20 participation, and repayment, in part or in whole, of financial
- 20 participation, and repayment, in part of in whole, of
- 21 assistance awarded by the fund; and
- 22 (b) Give first priority in allocating trust fund
- 23 assistance among selected projects to those projects which serve
- 24 the lowest income occupant and are obligated to serve qualified
- 25 occupants for the longest period of time.
- 26 (2) The department shall fund in order of priority as
- 27 many applications as will utilize available funds less actual
  - 1 administrative costs of the department in administering the
    - program. In administering the program the department may contract
  - 3 for services or directly provide funds to other governmental
  - 4 entities or instrumentalities.
  - 5 (3) The department may recapture any funds which were
    - allocated to a qualified recipient for an eligible project through
  - 7 an award agreement if such funds were not utilized for eligible
- 8 costs within the time of performance under the agreement and
- 9 are therefor no longer obligated to the project. The recaptured

- 10 funds shall be credited to the Industrial Recovery Fund except as
- provided in section 9 of this act.
- 12 2. Renumber the remaining sections and correct the
- 13 repealer accordingly.

## REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Tuma, Bryan - Nebraska Liquor Control Commission - General Affairs

(Signed) John Nelson, Vice Chairperson Executive Board

### BILL ON FIRST READING

The following bill was read for the first time by title:

**LEGISLATIVE BILL 600A.** Introduced by Campbell, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 600, One Hundred Second Legislature, First Session, 2011; and to declare an emergency.

## **UNANIMOUS CONSENT - Add Cointroducers**

Senators Avery, B. Harr, and Dubas asked unanimous consent to add their names as cointroducers to LB600. No objections. So ordered.

#### VISITORS

Visitors to the Chamber were 16 twelfth-grade students and teachers from Dorchester; 23 twelfth-grade students and teacher from Diller Odell High School, Odell; 10 fourth-grade students and teacher from Lyons-Decatur School, Lyons; and 96 fourth-grade students and teachers from St. Wenceslaus School, Omaha.

#### RECESS

At 12:03 p.m., on a motion by Speaker Flood, the Legislature recessed until 1:30 p.m.

## AFTER RECESS

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

#### ROLL CALL

The roll was called and all members were present except Senators Carlson, Pankonin, and Wightman who were excused; and Senators Christensen, Karpisek, Lautenbaugh, and Schilz who were excused until they arrive.

# **COMMITTEE REPORTS**

**Enrollment and Review** 

**LEGISLATIVE BILL 255.** Placed on Final Reading Second.

**LEGISLATIVE BILL 366.** Placed on Final Reading Second. ST15

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "and" in line 4 through "funding" in line 5 has been struck.

(Signed) Tyson Larson, Chairperson

#### COMMITTEE REPORT

Enrollment and Review

# **LEGISLATIVE BILL 384.** Placed on Select File with amendment. ER86

- 1 1. On page 1, strike lines 2 through 10 and insert
- 2 "77-123, 77-202,12, 77-702, 77-1301, 77-1303, 77-1311, 77-1311,03,
- 3 77-1315, 77-1315.01, 77-1317, 77-1318, 77-1504, 77-1504.01,
- 4 77-1514, 77-3519, 77-5001, 77-5003, 77-5005, 77-5008, 77-5015,
- 5 77-5017, 77-5022, 77-5024.01, and 77-5027, Reissue Revised Statutes
- 6 of Nebraska, and sections 77-202.04, 77-1502, 77-1507, 77-5004,
- 7 77-5007, 77-5016, 77-5018, and 77-5019, Revised Statutes Cumulative
- 8 Supplement, 2010; to change provisions relating to preliminary
- 9 real property valuations and notices, filings, hearings, protests,
- 10 and appeals regarding property taxes as prescribed; to change
- 11 provisions relating to homestead exemptions and county boards of
- 12 equalization; to change provisions relating to membership and
- 13 powers and duties of the Tax Equalization and Review Commission; to
- 14 eliminate obsolete provisions; to harmonize provisions; to provide
- 15 operative dates; to provide severability; to repeal the original
- 16 sections; and to declare an emergency.".

(Signed) Tyson Larson, Chairperson

#### GENERAL FILE

# **LEGISLATIVE BILL 357.** Title read. Considered.

# SENATOR LANGEMEIER PRESIDING

Senator Heidemann offered the following amendment: AM1147

- 1. On page 2, line 13, after "77-27,142.02." insert "No
- 2 election shall be held to impose a sales and use tax of two
- 3 percent unless the municipality has a general fund tax levy of
- 4 at least forty cents per one hundred dollars of taxable valuation
- 5 of property subject to the levy at the time the governing body
- 6 adopts the ordinance to impose the two-percent sales and use tax
- 7 and has had a general fund tax levy of at least forty cents per
- 8 one hundred dollars of taxable valuation of property subject to the
- 9 levy for at least one municipal fiscal year prior to adoption of
- 10 the ordinance.".

## SENATOR MCGILL PRESIDING

# SENATOR COASH PRESIDING

#### SENATOR LANGEMEIER PRESIDING

### SENATOR COASH PRESIDING

Pending.

#### **AMENDMENTS - Print in Journal**

Senator Council filed the following amendment to <u>LB200</u>: AM1150

- 1. In the Standing Committee amendments, AM645, on page
- 2 1, strike beginning with "and" in line 1 through line 12 and insert
- 3 a period; and strike lines 16 and 17.
- 4 2. Strike sections 8 and 9 and insert the following
- 5 sections:
- 6 Sec. 6. Any funds administered by a community development
- 7 entity under the Nebraska Healthy Food Financing Initiative Act
- 8 that are recovered as loan repayments or in any other manner may be
- 9 utilized by the community development entity to provide financial
- 10 assistance to other eligible projects subject to the approval of
- 11 the Department of Economic Development.
- 12 Sec. 7. It is the intent of the Legislature that
- 13 three hundred thousand dollars of the unobligated balance of
- the appropriation for fiscal years 2010-11 and 2011-12 for Program
- 15 134 be reappropriated to the Department of Economic Development to

- 16 carry out the purposes of this legislative bill.
- 3. On page 2, line 1, strike "6" and insert "7".
- 4. On page 3, line 11, strike "Rural Development
- 19 Commission" and insert "Department of Economic Development"; in
- 20 lines 12 and 18 strike "financing program" and insert "program
- 21 of financial assistance"; in line 14 after the period insert
- 22 "Financial assistance includes: (a) Grants; (b) loans made
- 23 in participation with a financial institution pursuant to a
- 1 contract, the terms and conditions of which shall be determined
- 2 by the Department of Economic Development in conjunction with
- 3 the financial institution; and (c) interest rate assistance on
- 4 loans made through a financial institution."; in line 15 strike
- 5 "commission" and insert "department"; in lines 20 and 21 strike
- 6 "underwrite loans,"; and in line 22 strike "financing programs" and
- 7 insert "programs of financial assistance".
- 8 5. On page 5, line 5, strike "The" and insert "If
- 9 applicable, the"; and strike beginning with "For" in line 7 through
- 10 line 11 and any amendments thereto.
- 6. On page 6, line 2, strike "commission" and insert
- 12 "department".

# Senator Janssen filed the following amendment to <u>LB648</u>: AM1142

# (Amendments to E & R amendments, ER80)

- 1 1. Insert the following new section:
- 2 Sec. 3. Section 71-1902, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 71-1902 Except as otherwise provided in this section,
- 5 no person shall furnish or offer to furnish foster care for
- 6 two or more children from different families without having
- 7 in full force and effect a written license issued by the
- 8 department upon such terms and conditions as may be prescribed
- 9 by general rules and regulations adopted and promulgated by the
- 10 department. The department may issue a time-limited, nonrenewable
- 11 provisional license to an applicant who is unable to comply
- 12 with all licensure requirements and standards, is making a good
- 13 faith effort to comply, and is capable of compliance within the
- 14 time period stated in the license. The department may issue a
- 15 time-limited, nonrenewable probationary license to a licensee who
- 16 agrees to establish compliance with rules and regulations that,
- 17 when violated, do not present an unreasonable risk to the health,
- 18 safety, or well-being of the foster children in the care of the
- 19 applicant. No license shall be issued pursuant to this section
- 20 unless the applicant has completed the required hours of training
- 21 in foster care as prescribed by the department.
- All nonprovisional and nonprobationary licenses issued
  - 1 under sections 71-1901 to 71-1906.01 shall expire two years from
- 2 the date of issuance and shall be subject to renewal under the
- 3 same terms and conditions as the original license, except that if

- 4 a licensee submits a completed renewal application thirty days or
- 5 more before the license's expiration date, the license shall remain
- 6 in effect until the department either renews the license or denies
- 7 the renewal application. No license issued pursuant to this section
- 8 shall be renewed unless the licensee has completed the required
- 9 hours of training in foster care in the preceding twelve months as
- 10 prescribed by the department. For the issuance or renewal of each
- nonprovisional and nonprobationary license, the department shall
- 12 charge a fee of fifty dollars for a group home, fifty dollars for a
- 13 child-caring agency, and fifty dollars for a child-placing agency.
- 14 For the issuance of each provisional license and each probationary
- 15 license, the department shall charge a fee of twenty-five dollars
- 16 for a group home, twenty-five dollars for a child-caring agency,
- 17 and twenty-five dollars for a child-placing agency. A license may
- 18 be revoked for cause, after notice and hearing, in accordance with
- 19 rules and regulations adopted and promulgated by the department.
- 20 For purposes of this section:
- 21 (1) Foster family home means any home which provides 22 twenty-four-hour care to children who are not related to the foster 23 parent by blood or adoption;
- 24 (2) Group home means a home which is operated under the 25 auspices of an organization which is responsible for providing 26 social services, administration, direction, and control for the 27 home and which is designed to provide twenty-four-hour care for
  - 1 children and youth in a residential setting;
  - (3) Child-caring agency means an organization which is 3 incorporated organized as a corporation or a limited liability
  - 4 company for the purpose of providing care for children in buildings
  - maintained by the organization for that purpose; and
  - 6 (4) Child-placing agency means an organization which is
  - authorized by its articles of incorporation and by its license to
  - 8 place children in foster family homes.
  - 2. Renumber the remaining section and correct internal
- references and the repealer section accordingly.

# Senator Louden filed the following amendment to <u>LB384</u>: AM1132

(Amendments to Standing Committee amendments, AM944)

- 1. Strike sections 20 and 21 and insert the following new 1
- 2 sections:
- Sec. 20. Section 77-5003. Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 77-5003 (1) The Tax Equalization and Review Commission
- 6 is created. The Tax Commissioner has no supervision, authority,
- or control over the actions or decisions of the commission
- 8 relating to its duties prescribed by law. The commission shall
- 9 have three commissioners, one from each congressional district, and
- 10 beginning on and after January 1, 2002, the commission shall have
- 11 four commissioners. One at-large commissioner shall be appointed

- 12 in addition to the commissioners representing the congressional
- 13 districts. All commissioners shall be appointed by the Governor
- 14 with the approval of a majority of the members of the Legislature.
- 15 The salaries of the commissioners shall be fixed by the Governor.
- 16 (2) The term of the commissioner from district 1 expires
- 17 January 1, 2010, the term of the commissioner from district 2
- 18 expires January 1, 2012, and the term of the commissioner from
- 19 district 3 expires January 1, 2008. The term of the at-large
- 20 commissioner expires on January 1, 2008. After the terms of
- 21 the commissioners are completed as provided in this section,
- 22 subsection, each subsequent term shall be for six years beginning
  - and ending on January 1 of the applicable year. Vacancies occurring
  - during a term shall be filled by appointment for the unexpired
  - 3 term. Upon the expiration of his or her term of office, a
- 4 commissioner shall continue to serve until his or her successor has
- 5 been appointed.

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- 6 (3) The Governor shall designate one commissioner, who 7 is an attorney admitted to practice before the Nebraska Supreme 8 Court, to serve as the chairperson of the commission from January 9 1, 2002, through December 31, 2003. Beginning on January 1, 2004,
- 10 the The commission shall designate pursuant to rule and regulation
- 11 its chairperson and vice-chairperson on a two-year, rotating basis
- 12 among the commissioners who are attorneys admitted to practice
- 13 before the Nebraska Supreme Court.
- 14 (4) A commissioner may be removed by the Governor for 15 misfeasance, malfeasance, or willful neglect of duty or other cause 16 after notice and a public hearing unless notice and hearing are 17 expressly waived in writing by the commissioner.
- 18 Sec. 21. Section 77-5004. Revised Statutes Cumulative
- 19 Supplement, 2010, is amended to read: 20
- 77-5004 (1) Each commissioner shall be a qualified voter 21 and resident of the state and, for each commissioner representing 22 a congressional district, a domiciliary of the district he or she 23 represents.
- 24 (2) Each commissioner shall devote his or her full time 25 and efforts to the discharge of his or her duties and shall not 26 hold any other office under the laws of this state, any city or 27 county in this state, or the United States Government while serving 1 on the commission. Each commissioner shall possess:
  - 2 (a) Appropriate knowledge of terms commonly used in or 3 related to real property appraisal and of the writing of appraisal 4 reports; 5
  - (b) Adequate knowledge of depreciation theories, cost 6 estimating, methods of capitalization, and real property appraisal mathematics:
- 8 (c) An understanding of the principles of land economics, 9 appraisal processes, and problems encountered in the gathering, 10 interpreting, and evaluating of data involved in the valuation of

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- 11 real property, including complex industrial properties and mass appraisal techniques;
- 13 (d) Knowledge of the law relating to taxation, civil and 14 administrative procedure, due process, and evidence in Nebraska;
- 15 (e) At least thirty hours of successfully completed 16 class hours in courses of study, approved by the Real Property 17 Appraiser Board, which relate to appraisal and which include the 18 fifteen-hour National Uniform Standards of Professional Appraisal 19 Practice Course. If a commissioner has not received such training 20 prior to his or her appointment, such training shall be completed 21 within one year after appointment; and
- (f) Such other qualifications and skills as reasonably 23 may be requisite for the effective and reliable performance of the 24 commission's duties.
- (3) One At least one commissioner shall possess any the 26 certification or training required to become a licensed residential 27 real property appraiser as set forth in section 76-2230.
  - (4) Prior to January 1, 2002, the chairperson, and on and 2 after January 1, 2002, at At least two commissioners, shall have been engaged in the practice of law in the State of Nebraska for at 4 least five years, which may include prior service as a judge, and 5 shall be currently admitted to practice before the Nebraska Supreme 6 Court.
- (5) No commissioner or employee of the commission shall 8 hold any position of profit or engage in any occupation or business 9 interfering with or inconsistent with his or her duties as a 10 commissioner or employee. A person is not eligible for appointment 11 and may not hold the office of commissioner or be appointed by the 12 commission to or hold any office or position under the commission 13 if he or she holds any official office or position.
- (6)(a) (6) Each commissioner who meets the requirements 15 of subsection (4) of this section on or after January 1, 2002, 16 shall annually attend a seminar or class of at least two days' duration that is: 17
- 18 (i) (a) Sponsored by a recognized assessment or appraisal 19 organization, in each of these areas: Utility and railroad 20 appraisal; appraisal of complex industrial properties; appraisal 21 of other hard to assess properties; and mass appraisal, residential 22 or agricultural appraisal, or assessment administration; or
- 23 (ii) (b) Pertaining to management, law, civil or 24 administrative procedure, or other knowledge or skill necessary for 25 performing the duties of the office.
- 26 (b) (7) Each commissioner who does not meet the 27 requirements of subsection (4) of this section on or after January 1, 2002, shall within two years after his or her appointment attend 2 at least thirty hours of instruction that constitutes training for 3 judges or administrative law judges.

- 4  $\frac{7}{8}$  The commissioners shall be considered employees
- 5 of the state for purposes of sections 81-1320 to 81-1328 and
- 6 84-1601 to 84-1615.
- 7  $\frac{(8)\cdot(9)}{(9)}$  The commissioners shall be reimbursed as
- 8 prescribed in sections 81-1174 to 81-1177 for their actual and
- 9 necessary expenses in the performance of their official duties
- 10 pursuant to the Tax Equalization and Review Commission Act.

## **VISITORS**

Visitors to the Chamber were 36 fourth-grade students and teachers from La Vista West, La Vista; members of Leadership Westside from Omaha; 31 eighth-grade students, teacher, and sponsors from Dundy County Stratton, Benkelman; and 12 eighth-grade students and teacher from Mullen.

## ADJOURNMENT

At 4:00 p.m., on a motion by Senator B. Harr, the Legislature adjourned until 9:00 a.m., Tuesday, April 12, 2011.

Patrick J. O'Donnell Clerk of the Legislature