

NINTH DAY - JANUARY 18, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION****NINTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 18, 2011

PRAYER

The prayer was offered by Chaplain Ismail Ozcan, Turkish American Society of Nebraska, Omaha.

ROLL CALL

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

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

CORRECTIONS FOR THE JOURNAL

The Journal for the eighth day was approved.

NOTICE OF COMMITTEE HEARINGS

Agriculture

Room 2102

Tuesday, January 25, 2011 1:30 p.m.

LB181
LB114
LB108

Room 1524

Tuesday, February 1, 2011 1:30 p.m.

LB126
LB200
LB160

(Signed) Tom Carlson, Chairperson

Urban Affairs

Room 1510

Tuesday, January 25, 2011 1:30 p.m.

LB54
LB57
LB308
LB309
LB335

(Signed) Amanda McGill, Chairperson

COMMUNICATION

Received communication to Dave Heineman, Governor, from Karen L. Haas, Clerk of the U.S. House of Representatives, pursuant to Section 2a(b) of Title 2 of the United States Code, stating the number of Representatives to which our state is entitled in the United States House of Representatives in the 113th Congress and in each subsequent Congress until a new reapportionment takes effect. (Certificate attached)

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB348	Business and Labor
LB349	Judiciary
LB350	Judiciary
LB351	Judiciary
LB352	Government, Military and Veterans Affairs
LB353	Transportation and Telecommunications
LB354	Agriculture
LB355	Agriculture
LB356	Agriculture
LB357	Revenue
LB358	Revenue
LB359	Revenue
LB360	Revenue
LB361	Revenue
LB362	Revenue
LB363	Revenue
LB364	Education
LB365	Government, Military and Veterans Affairs
LB366	Natural Resources

LB367	Government, Military and Veterans Affairs
LB368	Government, Military and Veterans Affairs
LB369	Natural Resources
LB370	Revenue
LB371	Banking, Commerce and Insurance
LB372	Education
LB373	Appropriations
LB374	Appropriations
LB375	Appropriations
LB376	Appropriations
LB377	Appropriations
LB378	Appropriations
LB379	Appropriations
LB380	Appropriations
LB381	Education
LB382	Nebraska Retirement Systems
LB383	Revenue
LB384	Revenue
LB385	Revenue
LB387	Banking, Commerce and Insurance
LB388	Banking, Commerce and Insurance
LB389	Revenue
LB390	Judiciary
LB391	Natural Resources
LB392	Natural Resources
LB393	Natural Resources
LB394	Agriculture
LB395	Natural Resources
LB396	Banking, Commerce and Insurance
LB397	Business and Labor
LB398	Judiciary
LB399	Government, Military and Veterans Affairs
LB400	Revenue
LB401	Health and Human Services
LB402	Judiciary
LB403	Education
LB404	Banking, Commerce and Insurance
LB405	Revenue
LB406	Health and Human Services
LB407	General Affairs
LB408	Judiciary
LB409	Banking, Commerce and Insurance
LB410	Banking, Commerce and Insurance
LB411	General Affairs
LB412	Government, Military and Veterans Affairs
LB413	Health and Human Services
LB414	Appropriations
LB415	Judiciary
LB416	Business and Labor

LB417	Urban Affairs
LB418	Transportation and Telecommunications
LB419	Government, Military and Veterans Affairs
LR23	Health and Human Services
LR28	Judiciary

(Signed) John Wightman, Chairperson
Executive Board

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 1, 4, 6, 7, 8, 10, 11, 12, and 13 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 1, 4, 6, 7, 8, 10, 11, 12, and 13.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 475. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1012.01 and 25-1012.02, Reissue Revised Statutes of Nebraska; to provide for garnishment of independent contractors providing services for the state or a political subdivision; and to repeal the original sections.

LEGISLATIVE BILL 476. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-508.01, 25-509.01, 25-510.02, 25-511.02, 25-512.01, 25-513.01, and 25-514.01, Reissue Revised Statutes of Nebraska, and sections 25-505.01, 25-506.01, and 25-507.01, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to service and return of summons; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 477. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend sections 60-1401, 60-1420, 60-1424, 60-1425, 60-1427, 60-1429, 60-1436, 60-1437, 60-1438, and 60-1438.01, Reissue Revised Statutes of Nebraska; to change provisions relating to manufacturers, distributors, and motor vehicle dealers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 478. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to insurance; to adopt the Nebraska Insurance Claims Fraud Prevention Act.

LEGISLATIVE BILL 479. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to minors; to amend section 29-4306, Reissue Revised Statutes of Nebraska; to authorize a minor to give consent to evidence collection and examination and treatment in cases of sexual assault and domestic violence; and to repeal the original section.

LEGISLATIVE BILL 480. Introduced by Krist, 10.

A BILL FOR AN ACT relating to public building commissions; to amend sections 13-1302 and 13-1304, Reissue Revised Statutes of Nebraska; to redefine a term; to provide for agreements relating to the use of certain areas of a project; and to repeal the original sections.

LEGISLATIVE BILL 481. Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Medical Radiography Practice Act; to amend section 38-1920, Reissue Revised Statutes of Nebraska, and sections 38-1901 and 38-1902, Revised Statutes Cumulative Supplement, 2010; to define terms; to provide authorization for certain activities by auxiliary personnel and cardiovascular technologists; to provide an exemption from licensure; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 482. Introduced by Utter, 33; Carlson, 38; Hadley, 37.

A BILL FOR AN ACT relating to the Industrial Relations Act; to amend sections 48-801, 48-801.01, 48-809, 48-816, 48-818, and 48-838, Reissue Revised Statutes of Nebraska; to define terms and provide provisions for industrial disputes involving municipal corporations; and to repeal the original sections.

LEGISLATIVE BILL 483. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2734.07, Reissue Revised Statutes of Nebraska; to change provisions relating to deductions for net operating losses and capital losses; and to repeal the original section.

LEGISLATIVE BILL 484. Introduced by Hadley, 37; Carlson, 38; Dubas, 34; Hansen, 42; Utter, 33; Wallman, 30.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend section 76-2308, Reissue Revised Statutes of Nebraska; to exclude certain soil sampling and monitoring activities from the definition of

excavation; and to repeal the original section.

LEGISLATIVE BILL 485. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Cultural Preservation Endowment Fund; to amend section 82-331, Revised Statutes Cumulative Supplement, 2010; to change funding provisions; and to repeal the original section.

LEGISLATIVE BILL 486. Introduced by Louden, 49; Heidemann, 1; Karpisek, 32; Mello, 5; Nordquist, 7; Pankonin, 2.

A BILL FOR AN ACT relating to the School Employees Retirement Act; to amend section 79-904.01, Reissue Revised Statutes of Nebraska, and section 79-902, Revised Statutes Cumulative Supplement, 2010; to redefine compensation; to prohibit the refund of certain contributions; and to repeal the original sections.

LEGISLATIVE BILL 487. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3226.11, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to flood protection and water quality enhancement bonds; and to repeal the original section.

LEGISLATIVE BILL 488. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to child support; to adopt the Child Support Transparency Act.

LEGISLATIVE BILL 489. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,144, Reissue Revised Statutes of Nebraska, and section 77-2711, Revised Statutes Cumulative Supplement, 2010; to authorize municipalities to receive sales tax information as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 490. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend sections 9-601, 9-603, and 9-607, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change restrictions on keno; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 491. Introduced by Mello, 5; Conrad, 46.

A BILL FOR AN ACT relating to state government; to amend sections 81-132, 81-1113, 81-1113.01, and 81-1115, Reissue Revised Statutes of

Nebraska; to change budget preparation provisions; to require biennial strategic plans and monthly performance measurements; and to repeal the original sections.

LEGISLATIVE BILL 492. Introduced by Mello, 5.

A BILL FOR AN ACT relating to appropriations; to state findings; to create the American Recovery and Reinvestment Act Energy Efficiency Retrofit Jobs Project; to change the use of previously appropriated funds to provide for grants; to provide duties for the State Energy Office; and to state intent relating to use of American Recovery and Reinvestment Act funds.

LEGISLATIVE BILL 493. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to amend sections 44-710.01 and 44-761, Reissue Revised Statutes of Nebraska; to provide health insurance coverage for dependents up to the age of twenty-six as prescribed; to eliminate the provision of health insurance coverage for dependents up to the age of thirty; to define terms; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 44-7,103, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 494. Introduced by Nordquist, 7; Ashford, 20; Campbell, 25; Howard, 9.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-914, Reissue Revised Statutes of Nebraska; to provide duties for the Department of Health and Human Services regarding applications for medical assistance; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 495. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to transportation; to amend sections 37-1212, 60-379, and 60-1402, Reissue Revised Statutes of Nebraska; to adopt the Boat Dealers Licensing Act; to change provisions relating to registration of boats and boat dealer trailer plates; to change membership on the Nebraska Motor Vehicle Industry Licensing Board; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 496. Introduced by Avery, 28.

A BILL FOR AN ACT relating to appropriations; to create the Centennial Mall Project Fund; and to provide for transfers of funds.

LEGISLATIVE BILL 497. Introduced by Howard, 9.

A BILL FOR AN ACT relating to public buildings; to amend sections 82-319, 85-106.01, and 85-304.01, Reissue Revised Statutes of Nebraska; to

change provisions relating to use of portions of appropriated funds for works of art in new construction; and to repeal the original sections.

LEGISLATIVE BILL 498. Introduced by Louden, 49.

A BILL FOR AN ACT relating to water; to amend sections 46-676.01, 46-677, and 46-706, Reissue Revised Statutes of Nebraska; to change provisions relating to in situ uranium mining; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 499. Introduced by Price, 3.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-602, 32-617, 32-628, 32-631, 32-632, 32-941, and 32-942, Reissue Revised Statutes of Nebraska, and section 32-939, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to filing for office, registration to vote, and voting; and to repeal the original sections.

LEGISLATIVE BILL 500. Introduced by Cook, 13.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-4,182 and 60-6,256, Reissue Revised Statutes of Nebraska; to change penalties relating to unlawful obstruction or interference of the view of an operator of a motor vehicle; and to repeal the original sections.

LEGISLATIVE BILL 501. Introduced by Cook, 13.

A BILL FOR AN ACT relating to elections; to amend section 32-620, Reissue Revised Statutes of Nebraska; to change provisions relating to ballot status for candidates for President and Vice President of the United States; and to repeal the original section.

LEGISLATIVE BILL 502. Introduced by Cook, 13.

A BILL FOR AN ACT relating to labor; to amend sections 48-1617, 48-1623, and 48-1624, Reissue Revised Statutes of Nebraska; to change provisions of the Nebraska Workforce Investment Act; and to repeal the original sections.

LEGISLATIVE BILL 503. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-623 and 32-627, Reissue Revised Statutes of Nebraska; to change provisions relating to filling a vacancy on a ballot; and to repeal the original sections.

LEGISLATIVE BILL 504. Introduced by Campbell, 25.

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

66-489, 66-4,105, 66-4,145, 66-4,146, 66-6,107, and 66-6,109, Reissue Revised Statutes of Nebraska; to change motor fuel tax rates; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 505. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to motor vehicle taxes; to amend sections 60-3,186 and 60-3,187, Reissue Revised Statutes of Nebraska; to change motor vehicle taxes on certain vehicles; to change the distribution of motor vehicle tax proceeds; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 506. Introduced by Wallman, 30.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-126, Reissue Revised Statutes of Nebraska; to change the definition of wages; and to repeal the original section.

LEGISLATIVE BILL 507. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend section 68-1708, Reissue Revised Statutes of Nebraska; to change provisions relating to education; to harmonize provisions; to provide a termination date; and to repeal the original section.

LEGISLATIVE BILL 508. Introduced by Bloomfield, 17; Brasch, 16; Carlson, 38; Fulton, 29; Harms, 48; Krist, 10; Larson, 40; Pirsch, 4; Schilz, 47; Schumacher, 22; Smith, 14.

A BILL FOR AN ACT relating to the Sexual Predator Residency Restriction Act; to amend section 29-4017, Reissue Revised Statutes of Nebraska, and section 29-4016, Revised Statutes Cumulative Supplement, 2010; to authorize certain residency restrictions near parks; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 509. Introduced by Nebraska Retirement Systems Committee: Nordquist, 7, Chairperson; Heidemann, 1; Karpisek, 32; Loudon, 49; Mello, 5; Pankonin, 2.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2301, 23-2302, 23-2308, 23-2319.01, 24-710, 42-1102, 72-1243, 79-408, 79-901, 79-903, 79-904, 79-904.01, 79-916, 79-926, 79-933.03, 79-933.05, 79-933.06, 79-941, 79-942, 79-944, 79-947, 79-955, 79-978.01, 79-987, 81-2014.01, 81-2041, 84-1301, 84-1501, 84-1503, and 84-1511, Reissue Revised Statutes of Nebraska, and sections 4-108, 23-2306, 24-701.01, 68-621, 79-902, 79-920, 79-9,113, 79-1003, 79-1028.01, 84-1307, and 84-1321.01, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to public benefits, fees, forfeited accounts, retirement annuities, presentation and filing deadlines, and participation age

requirements; to create a fund; to rename a retirement system; to provide requirements relating to cost-of-living adjustments, compliance audits, and preretirement planning programs; to eliminate a notification requirement, obsolete language, cost-of-living adjustment provisions, and the Law Enforcement Officers Retirement Survey Act; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 24-710.09, 24-710.10, 24-710.11, 50-417.02, 50-417.03, 50-417.04, 50-417.05, 50-417.06, 79-940, 79-947.03, 79-947.04, 79-947.05, 81-2027.05, 81-2027.06, and 81-2027.07, Reissue Revised Statutes of Nebraska, and sections 24-710.07, 79-947.01, and 81-2027.03, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

LEGISLATIVE BILL 510. Introduced by Nebraska Retirement Systems Committee: Nordquist, 7, Chairperson; Heidemann, 1; Karpisek, 32; Loudon, 49; Mello, 5; Pankonin, 2.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Act; to amend sections 79-9,113, 79-1003, and 79-1028.01, Revised Statutes Cumulative Supplement, 2010; to change the employee contribution rate; to eliminate obsolete language; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 511. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to tobacco; to amend sections 28-439, 28-1420, and 77-4007, Reissue Revised Statutes of Nebraska; to restrict the use and sale of blunt wrap tobacco wrappers as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 512. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to handguns; to amend sections 69-2409.01 and 71-935, Reissue Revised Statutes of Nebraska; to change provisions relating to mental health determinations regarding the possessing and purchasing of handguns; to provide procedures for the removal of adverse determinations; and to repeal the original sections.

LEGISLATIVE BILL 513. Introduced by Christensen, 44.

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

LEGISLATIVE BILL 514. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to insurance; to amend section 44-359, Reissue Revised Statutes of Nebraska; to provide for an additional recovery and attorney's fees for an unreasonable delay or denial of a claim as prescribed; to provide severability; and to repeal the original section.

LEGISLATIVE BILL 515. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to legislation; to adopt the Federal Health Care Nullification Act; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL 516. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2441, Reissue Revised Statutes of Nebraska; to authorize the carrying of concealed handguns in educational institutions by security personnel, administrators, or teaching staff as prescribed; and to repeal the original section.

LEGISLATIVE BILL 517. Introduced by Christensen, 44.

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

LEGISLATIVE BILL 518. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend sections 69-2441 and 69-2443, Reissue Revised Statutes of Nebraska; to change certain penalty and violations provisions; and to repeal the original sections.

LEGISLATIVE BILL 519. Introduced by Pirsch, 4.

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

LEGISLATIVE BILL 520. Introduced by Howard, 9; Ashford, 20.

A BILL FOR AN ACT relating to schools; to amend section 79-611, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to student transportation; and to repeal the original section.

LEGISLATIVE BILL 521. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to abortion; to amend sections 28-101, 28-325, 28-326, and 28-340, Revised Statutes Cumulative Supplement, 2010; to provide how certain drugs used to induce an abortion shall be administered; to provide for followup medical examinations and recordkeeping as prescribed; to provide for a civil action; to provide a penalty; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 522. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to schools; to adopt the High Performance Green Schools Transparency Act.

LEGISLATIVE BILL 523. Introduced by Pahls, 31.

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

LEGISLATIVE BILL 524. Introduced by McGill, 26; Dubas, 34; Hadley, 37; Mello, 5; Nordquist, 7; Schilz, 47.

A BILL FOR AN ACT relating to gift enterprises; to amend section 9-701, Reissue Revised Statutes of Nebraska; to define and authorize a savings promotion raffle; and to repeal the original section.

LEGISLATIVE BILL 525. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2010; to state intent; to require application for an amendment or waiver related to the medicaid state plan; to authorize transfers of funds to the University of Nebraska Medical Center; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 526. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to water; to amend section 46-294, Reissue Revised Statutes of Nebraska; to change provisions relating to water transfers; and to repeal the original section.

LEGISLATIVE BILL 527. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to natural resources districts; to amend sections 2-3225 and 77-3442, Revised Statutes Cumulative Supplement, 2010; to change tax levy authority as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 528. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to natural resources districts; to amend sections 2-3225 and 77-3442, Revised Statutes Cumulative Supplement, 2010; to change tax levy authority as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 529. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to real estate; to amend sections 76-2,112, 76-2,114, 81-15,173, and 81-15,176, Reissue Revised Statutes of Nebraska; to change provisions relating to conservation and preservation easements and the Nebraska Environmental Trust Act; and to repeal the original sections.

LEGISLATIVE BILL 530. Introduced by Council, 11.

A BILL FOR AN ACT relating to labor and employment; to adopt the Employee Credit Privacy Act.

LEGISLATIVE BILL 531. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to school districts; to amend section 79-1083.01, Reissue Revised Statutes of Nebraska, and section 79-1027, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to budget reserves; to change provisions relating to classroom expenditures; and to repeal the original sections.

LEGISLATIVE BILL 532. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the State Employees Retirement Act; to amend section 84-1301, Reissue Revised Statutes of Nebraska, and section 84-1307, Revised Statutes Cumulative Supplement, 2010; to provide for the potential transfer of certain Department of Labor employees into the state retirement system; and to repeal the original sections.

LEGISLATIVE BILL 533. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Niobrara Scenic River Act; to amend section 72-2007, Reissue Revised Statutes of Nebraska; to change provisions relating to the council membership; and to repeal the original section.

LEGISLATIVE BILL 534. Introduced by Smith, 14; Nelson, 6; Schilz, 47.

A BILL FOR AN ACT relating to health and human services; to adopt the Phototherapy Practice Act.

LEGISLATIVE BILL 535. Introduced by Utter, 33.

A BILL FOR AN ACT relating to insurance; to require a license to sell portable electronics insurance as prescribed; to provide powers and duties for the Director of Insurance; to create fees and penalties; and to provide an operative date.

LEGISLATIVE BILL 536. Introduced by Wightman, 36; Ashford, 20.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-2352, 30-2354, 76-238, and 76-902, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Uniform Real Property Transfer on Death Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 537. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-519 and 77-3442, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to budget limitations and property tax levy limitations; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 538. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-820, Reissue Revised Statutes of Nebraska; to change provisions relating to the disposition of firearms; and to repeal the original section.

LEGISLATIVE BILL 539. Introduced by Health and Human Services Committee: Campbell, 25, Chairperson; Bloomfield, 17; Cook, 13; Gloor, 35; Howard, 9; Krist, 10; Wallman, 30.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to require submission of a state plan amendment or waiver relating to coverage of adult emergency room visits; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 540. Introduced by Health and Human Services Committee: Campbell, 25, Chairperson; Cook, 13; Gloor, 35; Howard, 9; Krist, 10.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Reissue Revised Statutes of Nebraska; to require a waiver relating to coverage for family planning services; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 541. Introduced by Health and Human Services Committee: Campbell, 25, Chairperson; Bloomfield, 17; Cook, 13; Gloor, 35; Howard, 9; Krist, 10; Wallman, 30.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2010; to provide for contracts with third parties to promote the integrity of the medical assistance program and assist cost-containment efforts; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 542. Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-401, Revised Statutes Cumulative Supplement, 2010; to require general acute hospitals to offer vaccinations and to require hospital employees to be vaccinated or decline in writing; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 543. Introduced by Cook, 13.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to provide for a state outreach plan relating to the Supplemental Nutrition Assistance Program; to harmonize provisions; to repeal the original section; and to declare an emergency.

EXECUTIVE BOARD REPORT

Senator Wightman, Chairperson of the Executive Board, reported the appointments of the following members of the Legislature to the following special committees:

Education Commission of the States

Adams
Harms
Howard

State-Tribal Relations Committee

Bloomfield
Brasch
Coash
Dubas (VC)
Larson
Nordquist
Price (C)

(Signed) John Wightman, Chairperson
Legislative Council, Executive Board

NOTICE OF COMMITTEE HEARINGS

Judiciary

Room 1113

Wednesday, January 26, 2011 1:30 p.m.

LB296 (cancel)

Wednesday, January 26, 2011 1:30 p.m.

LB251

(Signed) Brad Ashford, Chairperson

Transportation and Telecommunications

Room 1113

Tuesday, January 25, 2011 1:30 p.m.

LB178

LB212

LB241

(Signed) Deb Fischer, Chairperson

Health and Human Services

Room 1510

Wednesday, January 26, 2011 1:30 p.m.

LB36

LB51

LB179

LB274

Thursday, January 27, 2011 1:30 p.m.

LB290

LB260

LB401

(Signed) Kathy Campbell, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 38. Introduced by Council, 11; Cook, 13.

WHEREAS, Bertha B. Myers was born September 12, 1921, in Omaha, Nebraska, to Archie B. and Sarah Young; and

WHEREAS, Bertha B. Myers was a loving and devoted mother, grandmother, and great-grandmother; and

WHEREAS, Bertha B. Myers graduated from Central High School in Omaha, received a bachelor's degree in music from Northwestern University in Chicago, and received a master's equivalent in counseling and guidance at the University of Nebraska at Omaha; and

WHEREAS, Bertha B. Myers taught music in the Omaha Public Schools and always challenged students to reach their highest potential; and

WHEREAS, Bertha B. Myers became Central High School's first African-American guidance counselor; and

WHEREAS, Bertha B. Myers composed and published the gospel anthem "I Will Lift Up Mine Eyes" in 1960 with Grace Burt Taylor; and

WHEREAS, Bertha B. Myers received many honors, including the Black Heritage Award, the Prince Hall Grand Mason Woman of the Year, and the Bethel Baptist Service Award; and

WHEREAS, Bertha B. Myers was active in numerous volunteer and professional organizations that assisted those in need and advanced the musical arts; and

WHEREAS, Bertha B. Myers was an active member of Zion Baptist Church in Omaha, serving as a church choir pianist, organist, and director for more than fifty years; and

WHEREAS, Bertha B. Myers died on January 7, 2011.

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

1. That the Legislature expresses its deep and sincere appreciation of Bertha B. Myers for her dedication and service to the people of Nebraska, her students, and her community.

2. That the Legislature extends its sympathy and condolences to the family of Bertha B. Myers.

3. That a copy of this resolution be sent to the family of Bertha B. Myers as a token of the high regard the people of Nebraska have for her and her achievements.

Laid over.

LEGISLATIVE RESOLUTION 39. Introduced by Council, 11; Ashford, 20; Nordquist, 7; Wightman, 36.

WHEREAS, failure to update our federal immigration system separates Nebraska families, destabilizes Nebraska communities, and creates uncertainty, inefficiency, and an unlevel playing field for Nebraska's businesses and economy; and

WHEREAS, the forced separation of working parents from their children weakens families and damages society; and

WHEREAS, failure to address the system where it can be fixed - at the federal level - has left states searching for solutions in ways that have been costly and divisive.

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

1. That the Legislature recommends the following basic principles as a guide for state and federal policy on immigration:

a. Immigration is a federal policy issue between the United States Government and other countries - not Nebraska and other countries. The Legislature urges the Nebraska Congressional Delegation to take action to create a workable immigration system that upholds our values and moves us forward;

b. The Legislature respects the rule of law and supports law enforcement's professional judgment and discretion. Local law enforcement resources should focus on criminal activities, not civil violations of federal code;

c. Strong families are the foundation of successful communities. The Legislature opposes policies that unnecessarily separate families. The Legislature champions policies that support families and improve the health, education, and well-being of all Nebraska children;

d. The Legislature acknowledges the important economic role immigrant Nebraskans play as workers, entrepreneurs, and taxpayers; and

e. Immigration is an important part of our past and our future. As in the past, immigrants are integrated into communities across Nebraska. We must adopt a humane approach to this reality, reflecting our values, history, and spirit of inclusion. The way we treat immigrants will say more about us as a society and less about our immigrant neighbors. Nebraska should always be a place that welcomes people of goodwill. Our communities and our future will be best served by doing so.

2. That the Legislature urgently calls upon the Nebraska Congressional Delegation and the United States Congress to enact thorough, commonsense, workable, and humane reforms that reflect the realities of our country's workforce needs and our families and represent America at its best.

3. That a copy of this resolution be delivered to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Nebraska Congressional Delegation.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR39 was referred to the Reference Committee.

UNANIMOUS CONSENT - Add Cointroducers

Senator Mello asked unanimous consent to add his name as cointroducer to LB37, LB355, and LB369. No objections. So ordered.

ADJOURNMENT

At 11:10 a.m., on a motion by Senator Carlson, the Legislature adjourned until 10:00 a.m., Wednesday, January 19, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

