

NINTH DAY - JANUARY 20, 2009

LEGISLATIVE JOURNAL

**ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION**

NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 20, 2009

PRAYER

The prayer was offered by Pastor Todd Burpo, Crossroads Wesleyan Church, Imperial.

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 and Council who were excused; and Senator Dierks who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighth day was approved.

REFERENCE COMMITTEE REPORT

The Executive Board submits the following report:

LB/LR	Committee
LB288	Health and Human Services
LB289	Appropriations
LB290	Health and Human Services
LB291	Health and Human Services
LB292	Judiciary
LB293	Banking, Commerce and Insurance
LB294	Revenue
LB295	Government, Military and Veterans Affairs
LB296	Revenue
LB297	Banking, Commerce and Insurance
LB298	Appropriations
LB299	Education
LB300	Natural Resources
LB301	Health and Human Services

LB302	Revenue
LB303	Revenue
LB304	Judiciary
LB305	Judiciary
LB306	Judiciary
LB307	Judiciary
LB308	Revenue
LB309	Revenue
LB310	Health and Human Services
LB311	Appropriations
LB312	Appropriations
LB313	Appropriations
LB314	Appropriations
LB315	Appropriations
LB316	Appropriations
LB317	Appropriations
LB318	Appropriations
LB319	Health and Human Services
LB320	Transportation and Telecommunications
LB321	Government, Military and Veterans Affairs
LB322	Government, Military and Veterans Affairs
LB323	Transportation and Telecommunications
LB324	Government, Military and Veterans Affairs
LB325	Government, Military and Veterans Affairs
LB326	Banking, Commerce and Insurance
LB327	Banking, Commerce and Insurance
LB328	Banking, Commerce and Insurance
LB329	Transportation and Telecommunications
LB330	Transportation and Telecommunications
LB331	Transportation and Telecommunications
LB332	Judiciary
LB333	Judiciary
LB334	Transportation and Telecommunications
LB335	Revenue
LB336	Revenue
LB337	Government, Military and Veterans Affairs
LB338	Urban Affairs
LB339	Urban Affairs
LB340	Education
LB341	Health and Human Services
LB342	Health and Human Services
LB343	Judiciary
LB344	Judiciary
LB345	Judiciary
LB346	Health and Human Services
LB347	Judiciary
LB348	Government, Military and Veterans Affairs
LB349	Government, Military and Veterans Affairs
LB350	Government, Military and Veterans Affairs

LB351 Judiciary
LB352 Judiciary
LB353 Judiciary
LB354 Judiciary
LB355 General Affairs

Keller, Bradley B. - Stem Cell Research Advisory Committee - Health and Human Services
Morris, Rebecca - Stem Cell Research Advisory Committee - Health and Human Services
Roop, Dennis R. - Stem Cell Research Advisory Committee - Health and Human Services
Spangrude, Gerald - Stem Cell Research Advisory Committee - Health and Human Services

(Signed) John Wightman, Chairperson
Executive Board

ANNOUNCEMENTS

The Building Maintenance Committee elected Senator Hansen as Vice Chairperson.

The Legislative Performance Audit Committee elected Senator Harms as Chairperson.

The Legislative Performance Audit Committee elected Senator Nantkes as Vice Chairperson.

NOTICE OF COMMITTEE HEARINGS

Transportation and Telecommunications

Room 1113

Tuesday, January 27, 2009 1:30 p.m.

LB48
LB219
LB331
LB28

(Signed) Deb Fischer, Chairperson

Agriculture

Room 2102

Tuesday, January 27, 2009 1:30 p.m.

LB130
LB142
LB231
LB71

(Signed) Tom Carlson, Chairperson

Banking, Commerce and Insurance

Room 1507

Tuesday, January 27, 2009 1:30 p.m.

LB259

Tuesday, January 27, 2009 1:30 p.m.

LB113 (cancel)

(Signed) Rich Pahls, Chairperson

Education

Room 1525

Tuesday, January 27, 2009 1:30 p.m.

LB340
LB283
LB299
LB103

(Signed) Greg Adams, Chairperson

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 2, 3, and 4 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 2, 3, and 4.

SENATOR LANGEMEIER PRESIDING**BILLS ON FIRST READING**

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

LEGISLATIVE BILL 417. Introduced by Friend, 10.

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

LEGISLATIVE BILL 418. Introduced by Price, 3.

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

LEGISLATIVE BILL 419. Introduced by Hadley, 37.

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

LEGISLATIVE BILL 420. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Revised Statutes Cumulative Supplement, 2008; to change a sales tax exemption for health clinics; to provide a sales tax exemption for health care practitioner facilities; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 421. Introduced by Nordquist, 7.

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

MOTION - Adopt Permanent Rules

Senator Lautenbaugh moved to adopt the permanent rules for the One Hundred First Legislature, First Session, and any special sessions held during the 2009 calendar year.

The Rules Committee renewed the proposed rules changes, Proposed Rules Change 1, found on page 188, to Rule 7, Sec. 4, Rule 6, Sec. 3, and Rule 6, Sec. 5.

The Rules Committee's proposed rules change, Proposed Rules Change 1, was adopted with 38 ayes, 0 nays, 8 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 189, to Rule 6, Sec. 15.

The Rules Committee's proposed rules change, Proposed Rules Change 2, was adopted with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 3, found on page 189, to Rule 2, Sec. 10.

Senator Pirsch moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

The Rules Committee's proposed rules change, Proposed Rules Change 3, was adopted with 30 ayes, 14 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 4, found on page 190, to Rule 1, Sec. 12.

The Rules Committee's proposed rules change, Proposed Rules Change 4, was adopted with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 5, found on page 190, to Rule 6, Sec. 14.

The Rules Committee withdrew the proposed rules change, Proposed Rules Change 5.

The Rules Committee renewed the proposed rules change, Proposed Rules

Change 6, found on page 190, to Rule 1, Sec. 19.

The Rules Committee's proposed rules change, Proposed Rules Change 6, was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 7, found on page 190, to Rule 6, Sec. 3.

The Rules Committee's proposed rules change, Proposed Rules Change 7, was adopted with 32 ayes, 6 nays, 5 present and not voting, and 6 excused and not voting.

The Rules Committee renewed the proposed rules change, Proposed Rules Change 8, found on page 190, to Rule 6, Sec. 4.

The Rules Committee's proposed rules change, Proposed Rules Change 8, was adopted with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

The Rules Committee renewed the proposed rules changes, Proposed Rules Change 9, found on page 191, to Rule 3, Sec. 4 and new Sec. 6.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 422. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to veterans; to amend section 80-401.01, Reissue Revised Statutes of Nebraska; to define veteran of the Global War on Terror; and to repeal the original section.

LEGISLATIVE BILL 423. Introduced by Cornett, 45.

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

LEGISLATIVE BILL 424. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend sections 24-703 and 24-703.03, Reissue Revised Statutes of Nebraska; to change the mandatory contribution rates; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 425. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend section 81-2017, Reissue Revised Statutes of Nebraska; to change the mandatory contribution rates; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 426. Introduced by Pankonin, 2.

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

LEGISLATIVE BILL 427. Introduced by Pankonin, 2.

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

LEGISLATIVE BILL 428. Introduced by Christensen, 44.

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

LEGISLATIVE BILL 429. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-183, Reissue Revised Statutes of Nebraska; to change provisions relating to employment of persons committed to the Department of Correctional Services; and to repeal the original section.

LEGISLATIVE BILL 430. Introduced by Christensen, 44; Janssen, 15.

A BILL FOR AN ACT relating to firearms; to amend sections 69-2427, 69-2430, 69-2433, and 69-2441, Revised Statutes Cumulative Supplement, 2008; to limit the power of cities and villages to regulate the ownership, possession, or transportation of firearms; to change concealed handgun permit issuance provisions; to provide a residency exception for members of the United States Armed Forces with respect to concealed handgun permits; to authorize security personnel to carry concealed handguns in places of worship as prescribed; to provide for concealed handgun permit reciprocity; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 431. Introduced by McGill, 26.

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

LEGISLATIVE BILL 432. Introduced by Nelson, 6.

A BILL FOR AN ACT relating to state government; to amend sections 69-1317 and 77-2205, Reissue Revised Statutes of Nebraska; to change provisions relating to confidential information, professional finder's fees, and warrants; and to repeal the original sections.

LEGISLATIVE BILL 433. Introduced by Lathrop, 12.

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

LEGISLATIVE BILL 434. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to counties; to amend sections 23-202, 23-294, and 23-295, Revised Statutes Cumulative Supplement, 2008; to change ballot questions regarding township organization; and to repeal the original sections.

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

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 71-1559 and 71-4604.01, Revised Statutes Cumulative Supplement,

2008; to eliminate limitations on certain fees; to create and eliminate funds; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 436. Introduced by Haar, 21.

A BILL FOR AN ACT relating to public power districts; to amend section 70-1012, Reissue Revised Statutes of Nebraska; to provide for net metering; to state findings; to define terms; to provide duties for electric suppliers and customer-generators; to require a report; to exempt qualified facilities from approval by the Nebraska Power Review Board; to provide severability; and to repeal the original section.

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

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

LEGISLATIVE BILL 438. Introduced by Fischer, 43.

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

LEGISLATIVE BILL 439. Introduced by Fischer, 43.

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

LEGISLATIVE BILL 440. Introduced by Council, 11; Cook, 13.

A BILL FOR AN ACT relating to the Student Diversity Scholarship Program Act; to amend sections 85-9,178 and 85-9,182, Reissue Revised Statutes of Nebraska; to change provisions relating to the diversity criteria as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 441. Introduced by Council, 11; Cook, 13.

A BILL FOR AN ACT relating to transcripts; to amend sections 14-813 and 19-2424, Reissue Revised Statutes of Nebraska; to change provisions relating to the costs of transcripts of certain municipal proceedings; and to repeal the original sections.

LEGISLATIVE BILL 442. Introduced by Council, 11.

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

LEGISLATIVE BILL 443. Introduced by Christensen, 44.

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

LEGISLATIVE BILL 444. Introduced by Christensen, 44.

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

LEGISLATIVE BILL 445. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Health Insurance Access Act; to amend sections 44-5302, 44-5303, 44-5306, and 44-5307, Reissue Revised Statutes of Nebraska, and section 44-5305, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to legislative intent, defined terms, and policy or contract eligibility and requirements; and to repeal the original sections.

LEGISLATIVE BILL 446. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Engineers and Architects Regulation Act; to amend sections 81-3401 and 81-3432, Reissue Revised Statutes of Nebraska; to provide for a loan repayment program for graduates; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 447. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend section 77-5209, Revised Statutes Cumulative Supplement, 2008; to change qualification provisions; and to repeal the original section.

LEGISLATIVE BILL 448. Introduced by Campbell, 25.

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

LEGISLATIVE BILL 449. Introduced by Campbell, 25; Loudon, 49.

A BILL FOR AN ACT relating to the School Employees Retirement Act; to

amend section 79-954, Reissue Revised Statutes of Nebraska; to change provisions relating to the cessation of disability retirement allowance as prescribed; and to repeal the original section.

LEGISLATIVE BILL 450. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Nebraska State Capitol Environs District; to amend section 90-303, Reissue Revised Statutes of Nebraska; to change a height restriction within the district; and to repeal the original section.

LEGISLATIVE BILL 451. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Hearing Aid Instrument Dispensers and Fitters Practice Act; to amend sections 37-413, 38-101, 38-121, 38-167, 38-507, 38-511, 38-512, 38-524, 38-1501, 38-1502, 38-1503, 38-1504, 38-1505, 38-1506, 38-1507, 38-1508, 38-1509, 38-1510, 38-1511, 38-1512, 38-1513, 38-1514, 38-1515, 38-1516, 38-1517, 38-1518, 69-2603, and 86-275, Reissue Revised Statutes of Nebraska, and section 48-120, Revised Statutes Cumulative Supplement, 2008; to rename the act and the applicable license; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 452. Introduced by Avery, 28.

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

LEGISLATIVE BILL 453. Introduced by Rogert, 16.

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

LEGISLATIVE BILL 454. Introduced by Lathrop, 12.

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

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

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

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

LEGISLATIVE BILL 456. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend sections 79-1104.01, 79-1104.05, 84-612, and 84-613, Reissue Revised Statutes of Nebraska; to eliminate completed transfers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 457. Introduced by Friend, 10.

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

LEGISLATIVE BILL 458. Introduced by Harms, 48.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1721, Revised Statutes Cumulative Supplement, 2008; to provide for vocational training as prescribed; and to repeal the original section.

LEGISLATIVE BILL 459. Introduced by Harms, 48.

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

LEGISLATIVE BILL 460. Introduced by Friend, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Revised Statutes Cumulative Supplement, 2008; to change a sales tax exemption for nonprofit hospitals; and to repeal the original section.

LEGISLATIVE BILL 461. Introduced by Adams, 24.

A BILL FOR AN ACT relating to the State Department of Education; to amend sections 79-305, 79-306, 79-310, 79-313, and 79-317, Reissue Revised Statutes of Nebraska; to change provisions relating to the Commissioner of Education and the State Board of Education; and to repeal the original sections.

LEGISLATIVE BILL 462. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-531, Reissue Revised Statutes of Nebraska; to change provisions

relating to human immunodeficiency virus testing; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 463. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to veterinary medicine and surgery; to amend sections 38-3301, 38-3302, 38-3314, and 38-3321, Reissue Revised Statutes of Nebraska; to provide for licensure of animal therapists; to change provisions relating to the practice of veterinary medicine and surgery; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 464. Introduced by Gay, 14.

A BILL FOR AN ACT relating to schools; to amend section 79-217, Reissue Revised Statutes of Nebraska; to require booster immunizations as prescribed for students entering seventh grade; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 465. Introduced by Christensen, 44.

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

LEGISLATIVE BILL 466. Introduced by Wallman, 30.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 61-218, 66-1345.01, and 66-1345.02, Revised Statutes Cumulative Supplement, 2008; to eliminate an excise tax on corn and grain sorghum; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 467. Introduced by McCoy, 39; Price, 3.

A BILL FOR AN ACT relating to cities and villages; to amend sections 14-117, 15-104, 15-111, 15-112, 16-117, 16-122, and 17-402, Reissue Revised Statutes of Nebraska; to require voter approval for actions related to annexation of cities or villages; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 468. Introduced by Karpisek, 32.

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

LEGISLATIVE BILL 469. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to revenue and taxation; to create the Agricultural Land Valuation Task Force; to provide powers and duties; to

provide for termination; to state intent; and to declare an emergency.

LEGISLATIVE BILL 470. Introduced by Pirsch, 4.

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

LEGISLATIVE BILL 471. Introduced by Fulton, 29; Haar, 21; McCoy, 39.

A BILL FOR AN ACT relating to public power districts; to amend section 70-1014.01, Reissue Revised Statutes of Nebraska; to change provisions relating to special generation applications; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 472. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to scrap metal; to amend section 69-404, Revised Statutes Cumulative Supplement, 2008; to change payment terms relating to copper and catalytic converters; and to repeal the original section.

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

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

LEGISLATIVE BILL 474. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to property exempt from property taxes; and to repeal the original section.

LEGISLATIVE BILL 475. Introduced by Stuthman, 22.

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

Revised Statutes of Nebraska.

LEGISLATIVE BILL 476. Introduced by Stuthman, 22; Sullivan, 41.

A BILL FOR AN ACT relating to education; to adopt the Center for Student Leadership and Extended Learning Act.

LEGISLATIVE BILL 477. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to water; to amend sections 46-290, 46-291, 46-701, 46-706, 46-707, and 46-739, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to water transfer permits; to require reports of title as prescribed; to provide for filing instruments of transfer of water rights; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 478. Introduced by Rogert, 16.

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

LEGISLATIVE BILL 479. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to early childhood education; to amend section 79-1102.01, Reissue Revised Statutes of Nebraska; to change provisions relating to enrollment age; and to repeal the original section.

LEGISLATIVE BILL 480. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-518 and 13-520, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to the Nebraska Budget Act; to change levy limitations; to repeal the original sections; and to declare an emergency.

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

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

LEGISLATIVE BILL 482. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-731, Reissue Revised Statutes of

Nebraska, and sections 46-713 and 46-714, Revised Statutes Cumulative Supplement, 2008; to eliminate obsolete language; to change provisions relating to meetings; and to repeal the original sections.

LEGISLATIVE BILL 483. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-714, Revised Statutes Cumulative Supplement, 2008; to provide duties for natural resources districts relating to water well permits as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 484. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to insurance; to provide for the partial payment of the proceeds of an insurance policy to a city or village by ordinance as prescribed; and to provide powers and duties for cities, villages, and the Department of Insurance.

LEGISLATIVE BILL 485. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.39 and 77-2704.13, Reissue Revised Statutes of Nebraska, and sections 77-2701, 77-2701.04, and 77-2701.16, Revised Statutes Cumulative Supplement, 2008; to exempt natural gas from sales and use taxes; to impose an excise tax on natural gas; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 486. Introduced by Karpisek, 32.

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

LEGISLATIVE BILL 487. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to emergency responders; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2008; to adopt the Volunteer Emergency Responders Incentive Act; to provide for an income tax credit as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 488. Introduced by Gloor, 35; Avery, 28; Price, 3.

A BILL FOR AN ACT relating to veterans; to amend section 80-316, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for domiciliary and nursing home care and subsistence; and to repeal the original section.

LEGISLATIVE BILL 489. Introduced by Sullivan, 41; Dubas, 34; Flood,

19; Gloor, 35; Hadley, 37; Karpisek, 32; Rogert, 16; Stuthman, 22; Wallman, 30.

A BILL FOR AN ACT relating to health care; to adopt the Area Health Education Centers Act.

LEGISLATIVE BILL 490. Introduced by Giese, 17.

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

LEGISLATIVE BILL 491. Introduced by Haar, 21.

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

LEGISLATIVE BILL 492. Introduced by Haar, 21.

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

LEGISLATIVE BILL 493. Introduced by Karpisek, 32.

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

LEGISLATIVE BILL 494. Introduced by McCoy, 39; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to dogs; to amend section 54-622, Reissue Revised Statutes of Nebraska, and sections 54-617, 54-620, 54-623, 54-623.01, and 54-624, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to dangerous dogs; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 495. Introduced by Friend, 10.

A BILL FOR AN ACT relating to cities and villages; to amend section 19-916, Reissue Revised Statutes of Nebraska; to change provisions relating to additions and platting as prescribed; and to repeal the original section.

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

A BILL FOR AN ACT relating to traffic enforcement; to amend sections 18-1729 and 60-680, Reissue Revised Statutes of Nebraska, and sections

60-4,182, 60-601, and 60-605, Revised Statutes Cumulative Supplement, 2008; to authorize enforcement of traffic control signal violations by an automated traffic enforcement system as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 497. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to driving under the influence; to amend section 29-2259.01, Reissue Revised Statutes of Nebraska, and sections 60-4,115, 60-4,118.06, 60-6,197.01, 60-6,197.03, and 60-6,211.05, Revised Statutes Cumulative Supplement, 2008; to change provisions and change and provide penalties relating to ignition interlock devices; to eliminate a fund; to harmonize provisions; to repeal the original sections; to outright repeal section 60-6,211.10, Revised Statutes Cumulative Supplement, 2008; and to declare an emergency.

LEGISLATIVE BILL 498. Introduced by Fulton, 29; Avery, 28; Campbell, 25; Coash, 27; Haar, 21; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to cemeteries; to amend section 12-101, Reissue Revised Statutes of Nebraska; to add trustees to the board of Wyuka Cemetery; to delete obsolete provisions; to harmonize provisions; to repeal the original section; and to declare an emergency.

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

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

LEGISLATIVE BILL 500. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to cemeteries; to amend sections 16-242 and 17-936, Reissue Revised Statutes of Nebraska, and section 12-402, Revised Statutes Cumulative Supplement, 2008; to authorize certain cities and villages to use funds for the general care of cemeteries as prescribed; to harmonize provisions; and to repeal the original sections.

NOTICE OF COMMITTEE HEARINGS

Appropriations

Room 1003

Tuesday, January 27, 2009 1:30 p.m.

LB135

(Signed) Lavon Heidemann, Chairperson

Urban Affairs

Room 1510

Tuesday, January 27, 2009 1:30 p.m.

LB338

LB339

(Signed) Mike Friend, Chairperson

Revenue

Room 1524

Wednesday, January 28, 2009 1:30 p.m.

LB26

LB218

(Signed) Abbie Cornett, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 8. Introduced by Heidemann, 1.

WHEREAS, the Pawnee City Indians won the 2008 Class D Boys Track State Championship; and

WHEREAS, the Pawnee City boys track team defeated the second place team by four and one-half points and the third place team by fourteen and one-half points at the state meet; and

WHEREAS, Bryan Austin qualified for state competition and placed first in the high jump, first in the long jump, and eighth in the four by one hundred relay; and

WHEREAS, Alex Wood qualified for state competition and placed first in the pole vault; and

WHEREAS, Ian Slama qualified for state competition and placed second in the shot put at the state meet; and

WHEREAS, Caleb Wood qualified for state competition and tied for fifth in the pole vault; and

WHEREAS, Taylor Baumert, J.J. Dunn, and Ben Blecha qualified for state competition and placed eighth in the four by one hundred relay; and

WHEREAS, John Musil, Kent Niss, Jace Bausch, Brad Gyhra, and Kent Dunn also qualified for state competition; and

WHEREAS, throughout the year the Pawnee City boys' track team demonstrated that hard work, dedication, and discipline produces remarkable results; and

WHEREAS, such an achievement is made possible not only by the team's performance and coaching guidance, but also through the support of parents, teachers, administrators, and the community.

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

1. That the Legislature recognizes and congratulates the Pawnee City Indians boys' track team for their achievement in claiming the 2008 Class D Boys Track State Championship.

2. That coaches Alan Strong, Candy Sejkora, Drew Offner, Tyler Ferebee, and Rob Voigtlander be applauded for their efforts in teaching, coaching, and providing guidance to the young men on the track team.

3. That a copy of this resolution be sent to the Pawnee City boys' track team and head coach Alan Strong.

Laid over.

LEGISLATIVE RESOLUTION 9. Introduced by Fulton, 29.

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

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

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

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

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

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

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

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

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR7 was referred to the Reference Committee.

Pursuant to Rule 4, Section 8, LR9 was referred to the Reference Committee.

UNANIMOUS CONSENT - Add Cointroducers

Senator Nordquist asked unanimous consent to add his name as cointroducer to LB92 and LB262. No objections. So ordered.

Senator Cornett asked unanimous consent to add her name as cointroducer to LB160 and LB162. No objections. So ordered.

Senator Rogert asked unanimous consent to add his name as cointroducer to LB254, LB374, and LB375. No objections. So ordered.

Senator Janssen asked unanimous consent to add his name as cointroducer to LB285. No objections. So ordered.

Senators Campbell and Stuthman asked unanimous consent to add their names as cointroducers to LB346. No objections. So ordered.

Senator Mello asked unanimous consent to add his name as cointroducer to LB381. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Carlson withdrew his name as cointroducer to LB162.

VISITORS

Visitors to the Chamber were Pack 15, Den 2 of the Cornhusker Council from Lincoln; and Jared Rehtschler from Imperial.

The Doctor of the Day was Dr. David Hoelting from Pender.

ADJOURNMENT

At 12:05 p.m., on a motion by Speaker Flood, the Legislature adjourned until 10:00 a.m., Wednesday, January 21, 2009.

Patrick J. O'Donnell
Clerk of the Legislature