

**SECOND DAY - JANUARY 7, 2010**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FIRST LEGISLATURE**  
**SECOND SESSION**

**SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 7, 2010

**PRAYER**

The prayer was offered by Senator Dierks.

**ROLL CALL**

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

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

**CORRECTIONS FOR THE JOURNAL**

The Journal for the first day was approved.

**ANNOUNCEMENT**

The Government, Military and Veterans Affairs Committee elected Senator Price as Vice Chairperson.

**SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR273 was referred to the Reference Committee.

**2009 INTERIM REPORT  
ON THE DISPOSITION OF  
INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
42	Study to identify means to stimulate farm to school programs	X		
103	Examine duties of riparian landowners for invasive vegetation removal		X	
104	Examine policy considerations in development of grain indemnity funds		X	
112	Examine Nebraska Law of Division Fences		X	
130	Review Nebraska Pure Food Act in relation to home based food businesses			X
218	Examine means of promoting export of Nebraska agricultural products			X
228	Examine means to support and stimulate organic agricultural production			X
229	Study impact of federal and state actions eliminating horse slaughter as a disposal option for equines		X	
240	Examine means to encourage responsible livestock development through community partnerships		X	

Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
155*	Behavioral Health Provider Rates			X
157*	Health Care Funding Act		X	
176	Tourism Event Marketing		X	
178*	Nebraska Scholarship Act		X	
209*	HHS Service Delivery			X
224	Budget Reform Task Force			X(1)

\* Jointly referenced

(1) Initial Report being prepared

## Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
220	Regulation of the business of insurance			X
129	Restrict use of the word bank		X	
145	UCC relating to secured transactions		X	
132	Payment of insurance proceeds to a city or village		X	
114	Delayed Deposit Services Licensing Act			X
188	Use of credit information for insurance purposes			X
146	Enact Uniform Limited Partnership Act		X	
147	Revise Uniform Limited Liability Company Act		X	
208	Economic development tools			X
217	Entrepreneurship and private funding programs			X

## Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
144	Commission on Industrial Relations		X	
185	Employee Misclassification		X	
123	Workplace safety			X
186	Workers' compensation insurance premiums			X
231	Job creation in disadvantaged rural communities			X

## Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
116	Interim study to examine issues relating to early childhood education and kindergarten eligibility		X	

117	Interim study to determine the positive and negative outcomes that could result from aligning the school fiscal year with the state fiscal year			X
118	Interim study to examine issues under the jurisdiction of the Education Committee			X
121	Interim study to examine the structure, authority, and mission of the Nebraska School Activities Association			X
131	Interim study to examine school accountability	X		
149	Interim study to examine how school finance data is reported to the public and what type of information would assist the Legislature in evaluating the cost effectiveness of state aid for K-12 education	X		
153	Interim study to examine whether Nebraska should repeal statutes that allow persons not lawfully present in the United States to pay resident tuition at Nebraska postsecondary educational institutions			X
*165	Interim study to examine issues relating to the adoption of a corporate and individual income tax credit scholarship program			X
**167	Interim study to examine the issue of homeless youth in Nebraska			X
172	Interim study to analyze the education and training available that could lead to careers in high-demand industries in Nebraska			X
175	Interim study to examine ways to increase financial literacy in Nebraska through financial literacy education classes			X
***178	Interim study to examine the need-based financial aid program that was created by the Legislature relating to higher education			X

180	Interim study to examine the role of educational service units within learning communities			X
206	Interim study to examine issues relating to learning communities			X
219	Interim study to determine ways the state can play a role in reducing truanancies among Nebraska's K-12 students			X
262	Interim study to examine issues relating to postsecondary education			X

\* - Joint study with the Revenue Committee

\*\* - Joint study with the Health and Human Services Committee

\*\*\* - Joint study with the Appropriations Committee

Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
96	Interim study to examine the responsiveness of state agencies when they are requested to provide information to the Legislature		X	

General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
196	Interim study to determine whether the Nebraska Liquor Control Act should be updated with respect to retail licenses		X	
197	Interim study to review matters under the jurisdiction of the General Affairs Committee			X
199	Interim study to examine the situation in Whiteclay, Nebraska, regarding the sale of alcohol and its secondary effects	X		
230	Interim study to examine matchup or lineup video gaming devices that award monetary prizes	X		
238	Interim study to examine the proliferation of retail liquor licenses			X

## Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
163	Interim study to examine issues which fall under the jurisdiction of the Nebraska Accountability and Disclosure Commission	X		
119	Interim study to examine the initiative and referendum process and how petitions are circulated		X	
127	Interim study to examine the issue of election day registration		X	
126	Interim study to examine issues under the jurisdiction of the Government, Military and Veterans Affairs Committee		X	
82	Interim study to examine issues relating to the Grand Island Veterans' Home		X	
162	Interim study to examine the competitive bidding statutes for the purchase of machinery and equipment		X	
151	Interim study to consider and recommend funding strategies for the improvement of the Centennial Mall area of the Nebraska State Capitol Environs District	X		

## Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
158	Interim study to conduct research and provide recommendations for reform of Nebraska's health care delivery system and health care financing system (Select Committee)		X	
156	Interim study to identify the statutory powers and duties of the Department of Health and Human Services and to prioritize the programs and services administered by the department		X	

157	Interim study to review, assess, and provide recommendations relating to the implementation of the Nebraska Health Care Funding Act (w/Appropriations)		X	
150	Interim study to examine the Department of Health and Human Services' plan to contract for delivery of medicaid services using an at-risk capitated managed care model		X	
209	Interim study to examine the implications of requiring communities to partner with the state in the delivery of health and human services previously provided by state employees		X	
227	Interim study to conduct research and make recommendations relating to peer support for mental health consumers		X	
159	Interim study to examine the future need for health care workers in Nebraska		X	
160	Interim study to review and provide recommendations relating to the statewide telehealth network		X	
155	Interim study to provide recommendations and examine issues relating to rates paid by the state to providers of publicly-funded behavioral health services (w/Appropriations)		X	
136	Interim study to examine the public psychiatric rehabilitation in secure settings that is available to chronically and severely impaired mentally ill persons residing in Nebraska		X	
164	Interim study to examine the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and its implementation in Nebraska		X	
234	Interim study to review current statutes and regulations related to community-based developmental disability service providers		X	

179	Interim study to examine the requirements and conditions of the state's contract with Magellan Behavioral Health Services		X	
168	Interim study to examine the factors contributing to childhood obesity		X	
167	Interim study to examine the issue of homeless youth in Nebraska (w/Education)		X	
174	Interim study to examine ways to provide low-income families with access to high quality child care		X	
148	Interim study to evaluate the State of Nebraska's wellness program and provide policy options		X	
194	Interim study to examine unintended pregnancies and sexually transmitted diseases		X	

## Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
109	Interim study to examine the issue of juvenile overcrowding in youth detention centers		X	
113	Interim study to examine whether Nebraska should update provisions of the Nebraska Criminal Code relating to the degrees and types of homicides that may be charged under Nebraska law			X
138	Interim study to examine issues under the jurisdiction of the Judiciary Committee		X	
183	Interim study to examine creating a specialized magistrate for the state's largest courts			X
184	Interim study to examine the process by which the Division of Children and Family Services of the Dept. of Health and Human Services places Nebraska citizens on the central register of child protection cases		X	

189	Interim study to examine Nebraska's court-appointed special advocate programs			X
191	Interim study to examine Nebraska's laws regarding a persons' right in their home to defend another person's life by reasonable force and to review the Castle Doctrine laws		X	
225	Interim study to examine the actions other states and organizations have taken to strengthen marriage and reduce divorce through policy change and marriage education			X
226	Interim study to examine medical malpractice liability		X	
233	Interim study to examine judicial resources and the allocation of judicial resources		X	
236	Interim study to examine in vitro fertilization			X
237	Interim study to evaluate the period of time juveniles are involved in the Nebraska juvenile court system			X
239	Interim study to assess the effectiveness of existing community corrections programs			X

Natural Resources Committee

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
83	Interim study relating to expanded development of wind energy in Nebraska	X		
128	Interim study to examine issues relating to the laws of Nebraska governing the management and use of Nebraska surface water and ground water	X		
235	Interim study to examine water issues		X	
181	Interim study to examine the feasibility and benefits of restructuring the natural resources districts	X		

124	Interim study to examine the use of eminent domain by natural resources districts for the taking of private land for development or management of recreational trails or corridors	X		
122	Interim study to examine the feasibility of making the Game and Parks Commission a code agency			X
115	Interim study to review issues under the jurisdiction of the Natural Resources Committee			X
101	Interim study to examine issues relating to the impact of additional well development on water use by domestic wells in areas of the state where ground water supplies are limited		X	
193	Interim study to examine the impact of LB436 which established a statewide net metering policy	X		
195	Interim study to examine energy efficiency		X	
221	Interim study to determine ways the State of Nebraska could promote energy conservation in commercial buildings and residential properties		X	
222	Interim study to examine granting the Department of Environmental Quality the statutory authority to file and collect environmental liens on property			X

## Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
120	Examine the history and structure of salary and retirement packages available to Nebraska public school employees	X		
133	Study retirement issues related to military leave and persons returning to employment following military leave		X	

134	Examine the public employees retirement systems administered by the Public Employees Retirement Board		X	
135	Study pension benefits offered to professional firefighters in cities of the first class			X
137	Determine whether a reserve is necessary for the defined benefit retirement plans prior to the Legislature's approval of any benefit improvements			X
198	Study 529 college savings plans, including their performance and administration		X	

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
161	Interim study to examine Nebraska's sales and use tax provisions	X		
97	Interim study to examine the major sources of state and local tax revenue	X		
166	Interim study to conduct a comprehensive review of state and local taxes in Nebraska	X		
212	Interim study to examine the valuation of agricultural land for tax purposes in Nebraska and in surrounding states	X		
214	Interim study to examine local government levy limits and property tax proposals that have been implemented since 1995	X		
165	Interim study to examine issues relating to the adoption of a corporate and individual income tax credit scholarship program (Education/Revenue)			X
263	Interim study to investigate and review matters and issues arising during the interim which are within the jurisdiction of the Revenue Committee			X

95	Interim study to examine the needs, resources, and responsibilities of the Dept. of Revenue and its divisions			X
106	Interim study to examine the economic impact of retirement income on the State of Nebraska and the most appropriate way to tax such income		Public Hearing	
139	Interim study to examine the tax climate for Nebraska's retired citizens		Public Hearing	
140	Interim study to examine the quality of jobs created under the Nebraska Advantage and Nebraska Super Advantage programs			X
182	Interim study to examine issues relating to recruiting and retaining volunteer firefighters and volunteer emergency medical care providers		Public Hearing	
210	Interim study to determine whether lodging taxes should apply to home rentals			X
211	Interim study to determine whether sales tax collected on heating fuels should be changed to an excise tax			X
213	Interim study to determine whether current business tax incentive programs should be changed when jobs were part of a bankrupt entity			X
215	Interim study to examine the current processes and procedures in statute applicable to county boards of equalization		Public Hearing	
141	Interim study to examine the subject matter of LB 474, 2009, that would have required the state and its governmental subdivisions to pay property tax on property that was not being used for a public purpose			X
173	Interim study to examine the film industry in Nebraska and whether tax incentives could be used to encourage future economic growth			X

200	Interim study to determine if Thurston County is entitled to automatic state aid payments and a reimbursement for law enforcement on the reservations			X
232	Interim study to examine the occupation taxes imposed on wireless telecommunication services			X
241	Interim study to examine the valuation processes of real property			X

Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
152	Highway funding	X		
143	Off-road vehicles		X	
142	T&T Jurisdiction			X
192	School permits		X	
102	Expressway system		X	
154	School transportation booster seats		X	
177	Enhanced Wireless 911 Fund			X
88	LPD-learner's permit issuance			X
187	Vehicle Towing laws		X	

Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
203	Examine the cost-effectiveness of upgrading the Nebraska Energy Code for new commercial construction			X
201	Examine LB381, which would have created the Community Improvement District Act and the Transportation Development District Act			X
205	Review the status of current state law regarding the various building and construction codes currently in use by cities and villages			X
190	Review the current practice of issuing handicapped parking permits			X

207	Examine the statutory means by which a city of the primary class would establish a separate transit authority			X
216	Identify the range of occupations taxes which are currently levied by cities and villages in Nebraska			X
202	Investigate the full range of powers granted to municipalities which involved jurisdiction over residents in areas outside of municipal boundaries			X
204	Review matters under the jurisdiction of the Urban Affairs Committee			X

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 766.** Introduced by Gloor, 35.

A BILL FOR AN ACT relating to the Nebraska Center for Nursing Act; to amend section 71-1796, Reissue Revised Statutes of Nebraska; to repeal a termination date; to harmonize provisions; to repeal the original section; to outright repeal section 71-17,100, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 767.** Introduced by Price, 3.

A BILL FOR AN ACT relating to counties; to amend sections 23-187 and 23-192, Revised Statutes Supplement, 2009; to require inclusion of notice provisions in certain county motor vehicle ordinances; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 768.** Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to county government; to provide for the termination of township boards within certain counties as prescribed.

**LEGISLATIVE BILL 769.** Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to marriage licenses; to amend section 42-106, Reissue Revised Statutes of Nebraska; to prevent a county clerk's liability as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 770.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to state government; to amend sections

49-501.01 and 49-508, Reissue Revised Statutes of Nebraska; to change provisions relating to the distribution of the session laws and journal of the Legislature; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 771.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-115, 28-201, 28-931, 28-931.01, 28-932, 28-933, and 28-1212.01, Reissue Revised Statutes of Nebraska, and sections 28-309, 28-929, 28-930, 28-1206, 28-1212.04, 28-1354, 29-401, 29-901, 29-901.01, 29-1912, and 43-250, Revised Statutes Supplement, 2009; to change provisions relating to criminal offenses against a pregnant woman, criminal attempt, assault, assault on an officer, offenses by a confined person, deadly weapons, firearms, arrest procedures, bail, conditions of release from custody, discovery, and juveniles in custody; and to repeal the original sections.

**LEGISLATIVE BILL 772.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to motor vehicles operators' licenses; to amend sections 60-4,108 and 60-682, Reissue Revised Statutes of Nebraska, sections 60-462 and 60-479, Revised Statutes Cumulative Supplement, 2008, and section 60-6,197.06, Revised Statutes Supplement, 2009; to change and provide penalties for driving on a revoked license as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 773.** Introduced by Wightman, 36; Carlson, 38; Harms, 48; Schilz, 47.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,294.01, Reissue Revised Statutes of Nebraska, sections 60-102, 60-123, 60-302, and 60-339, Revised Statutes Cumulative Supplement, 2008, and sections 60-101 and 60-301, Revised Statutes Supplement, 2009; to exempt manure-spreading implements from titling and registration requirements and weight and load restrictions; to define a term; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 774.** Introduced by Haar, 21; Dierks, 40; Hadley, 37; Loudon, 49; Pirsch, 4; White, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Reissue Revised Statutes of Nebraska; to change provisions relating to sales taxation of net metering; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 775.** Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 39-2510, 39-2520, 77-2703.01, 77-2703.04, 77-2704.31, 77-2711,

77-2712.05, 77-4105, 77-4106, 77-5725, and 77-5726, Reissue Revised Statutes of Nebraska; to authorize creation of transportation development districts; to authorize a local sales tax; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 776.** Introduced by Hansen, 42.

A BILL FOR AN ACT relating to respite care; to state findings; and to state intent relating to appropriations.

**LEGISLATIVE BILL 777.** Introduced by McCoy, 39; Krist, 10; Price, 3.

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

**LEGISLATIVE BILL 778.** Introduced by Coash, 27; Cornett, 45; Fulton, 29.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Umbilical Cord Blood Information Act.

**LEGISLATIVE BILL 779.** Introduced by Lathrop, 12; Ashford, 20; Avery, 28; Cook, 13; Cornett, 45; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-2602, 13-2605, 13-2607, 13-2609, 13-2702, 13-2703, 13-2704, 13-2705, 13-2706, and 13-2707, Reissue Revised Statutes of Nebraska, section 13-2603, Revised Statutes Cumulative Supplement, 2008, section 13-2610, Revised Statutes Supplement, 2009, and section 13-2704, Reissue Revised Statutes of Nebraska, as amended by section 8, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to change provisions under the Convention Center Facility Financing Assistance Act and the Local Civic, Cultural, and Convention Center Financing Act; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 780.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-151, Reissue Revised Statutes of Nebraska, and section 48-1,110, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to personal injuries; to provide applicability; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 781.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to urban growth districts; to amend section 18-2901, Revised Statutes Supplement, 2009; to change provisions relating

to such districts as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 782.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend section 81-1023, Reissue Revised Statutes of Nebraska, section 60-3,105, Revised Statutes Cumulative Supplement, 2008, and sections 60-301 and 60-3,104, Revised Statutes Supplement, 2009; to change and eliminate provisions relating to the issuance of distinctive license plates for governmental units; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 60-3,106, Revised Statutes Cumulative Supplement, 2008.

**LEGISLATIVE BILL 783.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-103 and 53-177, Revised Statutes Supplement, 2009; to change and eliminate restrictions on sale of alcoholic liquor at retail; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 784.** Introduced by Loudon, 49; Giese, 17.

A BILL FOR AN ACT relating to law enforcement training; to amend section 81-1410, Reissue Revised Statutes of Nebraska; to change provisions relating to admission; and to repeal the original section.

**LEGISLATIVE BILL 785.** Introduced by Carlson, 38; Utter, 33.

A BILL FOR AN ACT relating to natural resources districts; to amend section 46-739.01, Revised Statutes Supplement, 2009; to provide an exception to required approval of certain water transfers or program participation; and to repeal the original section.

**LEGISLATIVE BILL 786.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-172, Reissue Revised Statutes of Nebraska; to eliminate the prohibition on adding alcohol to beer; to harmonize provisions; to repeal the original section; and to outright repeal section 53-174, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 787.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Nebraska Information Technology Commission; to amend section 86-515, Reissue Revised Statutes of Nebraska; to provide for an additional member to serve on the commission as appointed by the Legislature as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 788.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-125, Reissue Revised Statutes of Nebraska, and section 53-103, Revised Statutes Supplement, 2009; to change provisions relating to managers; and to repeal the original sections.

**LEGISLATIVE BILL 789.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to the Local Civic, Cultural, and Convention Center Financing Act; to amend section 13-2705, Reissue Revised Statutes of Nebraska; to change grant dollar limits; and to repeal the original section.

**LEGISLATIVE BILL 790.** Introduced by Nordquist, 7; Lathrop, 12; Mello, 5.

A BILL FOR AN ACT relating to the medical assistance program; to require the Department of Health and Human Services to compile a report relating to employed recipients.

**LEGISLATIVE BILL 791.** Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to the Secretary of State; to provide for the electronic filing of documents as prescribed.

**LEGISLATIVE BILL 792.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to controlled substances; to amend section 28-405, Revised Statutes Supplement, 2009; to add to and change schedules of controlled substances; and to repeal the original section.

**LEGISLATIVE BILL 793.** Introduced by Dubas, 34; Carlson, 38; Dierks, 40; Louden, 49; Schilz, 47.

A BILL FOR AN ACT relating to the Legislature; to prohibit fund transfers and appropriations without specific authorization.

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 275.** Introduced by Campbell, 25.

WHEREAS, Terri and Loren Neujahr and their children, Andrew and Ashley, of Lincoln were named the Lancaster County Kiwanis Farm Family of the Year for 2009; and

WHEREAS, to be eligible for the Lancaster County Kiwanis Farm Family of the Year award, the Neujahrs first had to win the Farm Family of the Year award from one of several Kiwanis clubs in Lancaster County; and

WHEREAS, the Neujahrs won the Farm Family of the Year award from the Waverly Kiwanis Club; and

WHEREAS, the Lancaster County Kiwanis Farm Family of the Year award recognizes excellence in soil and water conservation, community service, and local leadership.

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

1. That the Legislature congratulates Terri, Loren, Andrew, and Ashley Neujahr on being named the Lancaster County Kiwanis Farm Family of the Year for 2009.

2. That a copy of this resolution be sent to the Neujahr family.

Laid over.

**LEGISLATIVE RESOLUTION 276CA.** Introduced by Pirsch, 4.

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

Section 1. At the general election in November 2010 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 2:

VIII-2 Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary: (1) The property of the state and its governmental subdivisions shall constitute a separate class of property and shall be exempt from taxation to the extent such property is used by the state or governmental subdivision for public purposes authorized to the state or governmental subdivision by this Constitution or the Legislature. To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law; (2) the Legislature by general law may classify and exempt from taxation property owned by and used exclusively for agricultural and horticultural societies and property owned and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user; (3) household goods and personal effects, as defined by law, may be exempted from taxation in whole or in part, as may be provided by general law, and the Legislature may prescribe a formula for the determination of value of household goods and personal effects; (4) the Legislature by general law may provide that the increased value of land by reason of shade or ornamental trees planted along the highway shall not be taken into account in the assessment of such land; (5) the Legislature, by general law and upon any terms, conditions, and restrictions it prescribes, may provide that the increased value of real property resulting from improvements designed primarily for energy conservation may be exempt from taxation; (6) the value of a home

substantially contributed by the United States Department of Veterans Affairs for a paraplegic veteran or multiple amputee shall be exempt from taxation during the life of such veteran or until the death or remarriage of his or her surviving spouse; (7) the Legislature may exempt from an intangible property tax life insurance and life insurance annuity contracts and any payment connected therewith and any right to pension or retirement payments; (8) the Legislature may exempt inventory from taxation; (9) the Legislature may define and classify personal property in such manner as it sees fit, whether by type, use, user, or owner, and may exempt any such class or classes of property from taxation if such exemption is reasonable or may exempt all personal property from taxation; (10) no property shall be exempt from taxation except as permitted by or as provided in this Constitution; (11) the Legislature may by general law provide that a portion of the value of any residence actually occupied as a homestead by any classification of owners as determined by the Legislature shall be exempt from taxation; ~~and~~ (12) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the increased value of real property resulting from improvements designed primarily for the purpose of renovating, rehabilitating, or preserving historically significant real property may be, in whole or in part, exempt from taxation; and (13) the Legislature may by general law, and upon any terms, conditions, and restrictions it prescribes, provide that the value of real property, the use of which is donated to the state or a governmental subdivision of the state for public purposes, shall be, in whole or in part, exempt from taxation.

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

A constitutional amendment to permit the Legislature to exempt from taxation the value of real property, the use of which is donated to the state or a governmental subdivision of the state for public purposes.

For

Against.

Referred to the Reference Committee.

### ANNOUNCEMENT

The Urban Affairs Committee elected Senator Coash as Vice Chairperson.

### UNANIMOUS CONSENT - Add Cointroducers

Senator McCoy asked unanimous consent to add his name as cointroducer to LB693. No objections. So ordered.

Senators Campbell and Stuthman asked unanimous consent to add their names as cointroducers to LB710. No objections. So ordered.

Senator Dubas asked unanimous consent to add her name as cointroducer to LB740. No objections. So ordered.

Senator Cook asked unanimous consent to add her name as cointroducer to LB746. No objections. So ordered.

Senators Avery and Stuthman asked unanimous consent to add their names as cointroducers to LB754. No objections. So ordered.

Senator Nelson asked unanimous consent to add his name as cointroducer to LR271CA. No objections. So ordered.

### **WITHDRAW - Cointroducer**

Senator Pirsch withdrew his name as cointroducer to LR271CA.

### **ADJOURNMENT**

At 10:47 a.m., on a motion by Senator Carlson, the Legislature adjourned until 10:00 a.m., Friday, January 8, 2010.

Patrick J. O'Donnell  
Clerk of the Legislature

