

SEVENTH DAY - JANUARY 14, 2010
LEGISLATIVE JOURNAL
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 14, 2010

PRAYER

The prayer was offered by Reverend Jack Sample, Wood River.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:45 a.m., President Sheehy presiding.

The roll was called and all members were present.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance

Room 1507

Monday, January 25, 2010 1:30 p.m.

LB738
LB762
LB814

Tuesday, January 26, 2010 1:30 p.m.

LB890
LB891
LB892

(Signed) Rich Pahls, Chairperson

Business and Labor

Room 2102

Monday, January 25, 2010 1:30 p.m.

LB709
 LB729
 LB884
 LB913

(Signed) Steve Lathrop, Chairperson

Natural Resources

Room 1525

Thursday, January 21, 2010 1:30 p.m.

LB743
 LB871

Friday, January 22, 2010 1:30 p.m.

LB832

(Signed) Chris Langemeier, Chairperson

Revenue

Room 1524

Friday, January 22, 2010 1:30 p.m.

Robert W. Hotz - Tax Equalization and Review Commission

LB823

(Signed) Abbie Cornett, Chairperson

REPORTS

The following reports were received by the Legislature:

Health and Human Services, Department of

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

Insurance, Department of

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

Natural Resources, Department of

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

Revenue, Nebraska Department of

Charitable Gaming Division 2009 Annual Report

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 13, 2010, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Obst, Robert E.

Qwest Communications

Partington, Jim

Restaurant Association, Nebraska

Plucker, Julia

Bennington Public Schools

Beverage Operators of Nebraska, Responsible

Community Alliance, Inc.

Credit Union League and Affiliates, Nebraska

Kelley and Jerram, P.C.

Lamar Advertising Company

Nebraska School Activities Association

Radcliffe, Walter H. of Radcliffe & Associates

Enterprise Rent-A-Car

MOTION - Escort Governor

Senator Wightman moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

The motion prevailed.

The Chair appointed Senators Wightman, Rogert, Cook, Cornett, and Janssen to serve on said committee.

STATE OF THE STATE ADDRESS

*"Our roadmap is clear and my focus will be on three priorities:
Growing our economy by focusing on job creation; strengthening
Nebraska's education system so that our students can compete in the 21st
Century economy; and developing a more efficient government through
greater use of technology."
- Dave Heineman, Governor*

Mr. President, Mr. Speaker, Members of the Legislature, Tribal Chairmen, Distinguished Guests, Friends and Fellow Nebraskans:

As we enter a new decade, we have a unique opportunity to pause - to reflect on our past accomplishments and take the first step toward new endeavors. As a State, we are in an exceptional position to become an even more extraordinary place to live, to work and to raise a family.

Nebraska's financial health is stronger than most of our peers across America, because working together we have been fiscally responsible. Two months ago, Nebraska faced a \$335 million revenue shortfall. We acted quickly and decisively. We resolved this financial challenge by reducing spending, not by increasing taxes. Members of this body were in special session just 12 days. You passed the budget unanimously and I signed it into law immediately. No other state has acted as swiftly or spoken with one voice as Nebraska has in recent months. Senators, thank you for your work during the 2009 special session.

As a result, we are positioned to continue moving Nebraska forward. My focus for the coming year is to prepare our state to take advantage of new opportunities.

My vision for ensuring a strong future for Nebraska is summed up in three priorities: growing our economy, strengthening education, and developing an even more efficient government. Growing our economy means an every day focus on job creation.

Our efforts to modernize Nebraska's economic incentive programs, to lower taxes, and to prioritize investments have resulted in a stronger, more stable economy in Nebraska than in the rest of the country. In 2005, I worked with this body and we enacted the most comprehensive reform of our state's economic development programs since the 1980s.

I am pleased to report that the Nebraska Advantage is exceeding our expectations. Since its passage, 195 companies have decided to expand or locate in Nebraska. These companies plan to invest \$5.3 billion in our economy. When all projects are completed, nearly 16,000 new jobs will have been created.

Even as the national economic slowdown is impacting all states, our

recruiting efforts continue to pay dividends. Fifteen months ago, one of America's most well-known technology companies announced it would locate a data center and customer service center in the Omaha area. Both projects will be operational this year. Last month, a California technology company announced it was locating in Grand Island. This company will create 200 new jobs over the next three years.

In September, a successful and nationally-known retailer, headquartered in Kearney, announced an expansion of its distribution center using funding from Nebraska's Community Development Block Grant program. That same program is helping the communities of Aurora, Kearney, and South Sioux City develop new industrial power park sites for future economic growth. Last April, two central Nebraska companies announced a partnership that created 25 new jobs in Central City producing custom made cabinets that had previously been manufactured in China.

Working with the International Brotherhood of Electrical Workers, we used funding from Nebraska's Worker Training program to build a wind tower training facility that will help prepare our workers for the future growth of Nebraska's wind energy sector. Agriculture and ag-related businesses continue to be a solid and stable foundation of Nebraska's economy. Nebraska's insurance and financial services industry continues to expand.

In addition to our work to create jobs, the other important element to growing Nebraska's economy is our work to lower taxes. For too long, Nebraska has been a high tax state. But we are changing that.

Three years ago, we passed the largest tax relief package in the history of the State. We repealed the estate tax, eliminated the marriage penalty, repealed the sales tax on construction labor, and lowered income taxes. Prior to those changes, the Tax Foundation ranked Nebraska as one of America's Top 10 highest tax states. Their survey ranked Nebraska as having the 44th highest tax rates out of 50 states.

Today we have successfully reduced our ranking to 33rd, making Nebraska a more competitive and business-friendly state. That's progress, but we have more to do. Taxes are still too high.

The key to lowering taxes is to control spending. It requires difficult choices and it requires that we prioritize our investments.

During this national economic slowdown, we have seized the opportunity to make Nebraska more competitive. Many states have raised income or sales taxes – Nebraska has not. Many states spent beyond their means – Nebraska did not. We controlled our spending.

Because of the tough choices we have made, Nebraska is receiving national attention. According to Forbes, Nebraska is one of the Top 10 "Best States For Business." Business Week rated Nebraska as one of the Top 10 states

"Where Struggling Americans Can Find a Fresh Start." Mainstreet.com ranked Nebraska as the number one state for financial prosperity in their "Happiness Index." Nebraska has the second lowest unemployment rate in America. CNN Money just published a ranking of the Top 10 "Best Places to Live" in America for jobs. Three of the Top 8 places for jobs in America are in one state - Nebraska. They are Platte County, Sarpy County and Madison County.

There is more good news. The latest U.S. Census Bureau estimates indicated Nebraska's population growth in 2009 compared to the national growth rate was our best performance in nearly 50 years.

Nebraska is on the move in typical Nebraska fashion – making deliberate, disciplined, steady, and responsible progress. However, the next 12 to 18 months will be a time of uncertainty for our economy. Historically, as the national economy begins to recover, state tax revenues tend to lag behind.

To build on the progress of the past few years, it will be critical that we solve any additional revenue shortfalls by remaining committed to reducing spending. Preventing any future tax increases is crucial to continuing Nebraska's economic progress. Tax increases are job-killers, not job-creators. Whether it's a special session or a regular legislative session, I will oppose any attempt to increase income or sales taxes on Nebraskans.

The second key element to spurring future growth is strengthening Nebraska's education system. The world is changing. Our task is to prepare our sons and daughters to compete in a knowledge-based, technology-driven, global, free-market economy. Today's jobs require higher reading and math skills than was true 20 years ago.

In order to prepare our students for the 21st Century workplace, we need to transform our education system from pre-school all the way through college. We've begun that reform by restructuring the Nebraska P-16 Initiative. This partnership includes education leaders and policy makers.

As the new chair of the Nebraska P-16 Initiative, I am pleased to be working closely with my fellow co-chairs, including Senator Greg Adams, Chair of your Education Committee, Commissioner of Education, Dr. Roger Breed, University of Nebraska President J.B. Milliken, and Liz Koop, President and CEO of EducationQuest Foundation. We are united in our effort to strengthen Nebraska's education system.

For all students to succeed, Nebraska needs a common set of career-ready and college-ready academic standards. One of our first P-16 goals was to update Nebraska's high school graduation requirements by supporting a core curriculum of four years of English and three years of math, science and social studies. I am pleased to report that the State Board of Education has adopted these new high school graduation requirements starting with the 2014-2015 academic year, and just minutes ago, I approved the Rule 10

regulation updating Nebraska's graduation requirements for the first time since 1984.

Furthermore, the road to economic prosperity for us as a State and for individual students is a good education. The road out of poverty into a good job is a good education, and a good education starts with parents and early learning activities at home. It continues with outstanding early childhood programs, and as our children enter one of Nebraska's 253 school districts, the focus must be on learning.

Student success in the classroom is directly related to quality teachers and increased parental involvement. That's why in 2007, I began collaborating with the Nebraska Association of School Boards on a new award recognizing school districts that are successful in increasing parental involvement. In the last three years, we have honored school districts from Garden County, Sutherland, Cozad, Kearney, Loup City, St. Paul, Grand Island, Madison, Papillion-LaVista, and Millard for their parental involvement programs.

As good as Nebraska's schools are today, they must be even better in the future. Increasing student achievement means Nebraska needs a high quality teacher in every classroom, a high quality principal in every school, and a high quality superintendent leading every school district. Eliminating academic achievement gaps means changing the status quo. For example, high truancy rates are unacceptable. Superintendents, parents, law enforcement, county attorneys, and other community agencies need a high profile effort to ensure students are in school every day.

Additionally, Nebraska needs to reform its school day and school year. The needs of students have changed dramatically during the past century, yet our American education system continues to rely upon a 100-year-old school calendar. School districts need to examine their current school day and school year with a focus on increasing learning opportunities. School leaders and parents must work together to develop effective strategies to use time more effectively.

Tomorrow, Commissioner Breed and I will be submitting Nebraska's Race to the Top application to the federal Department of Education. Our commitment includes working with the University of Nebraska to develop a new Nebraska Virtual High School that will provide Nebraska's school districts with rigorous academic programs.

Imagine how a Nebraska Virtual High School could expand learning beyond the traditional school day and school year for both students and teachers. Every school district stands to benefit from this effort. For rural and urban school districts, it will provide access to a wider range of rigorous academic subjects, such as foreign languages and advanced math and science classes. For school districts with parents without internet access at home, schools could keep buildings open later in the evening for students to access these

academic programs online.

Imagine students spending more time in a virtual classroom between the hours of 3:30 p.m. and 8:30 p.m., and less time on the streets involved in drug and gang activities. Imagine students using Nebraska's Virtual High School from their home, a library or a community center during the summer. With innovative and creative thinking, we will expand learning opportunities well beyond the traditional school day and school year.

In Nebraska, we have an opportunity to create an education system with higher student achievement, increased accountability, improved teacher and principal effectiveness, and a reformed school day and school year. Change of this magnitude will require a redirection of current financial resources at the school district level, including diverting resources from lawyers and lobbyists to the classroom. It will require a continued prioritization of state resources, and I will continue to prioritize education. The focus must be on student learning, both individual achievement and student growth.

In a 21st Century, global economy, we must recognize that today's students need more than a high school education. Today's jobs require at least two years of college and in many cases four years of college. That's why Nebraska needs a top 10 college going rate and affordable access to higher education institutions. Like our K-12 school districts, the University of Nebraska, our state and community colleges, and our private colleges and universities need to re-examine their educational processes. Students need a clear path to degree completion in four years, not six years.

Our colleges and universities need to prioritize their investments as well as redirecting financial resources to higher priorities. Strengthening Nebraska's education system from pre-school through college is essential to Nebraska's future success. Now is the time to focus our attention on building an education system that meets the needs of modern students competing in a modern world.

The final component to keep Nebraska moving forward is to continue to develop a more efficient government by reforming the delivery of government services. By using technology, state government can become more efficient and more productive. For example, Nebraska is developing a statewide radio system to allow city, county, state, and federal agencies to communicate with each other. This project is a perfect example of how innovation can provide enhanced public safety that benefits every Nebraskan.

In addition, the technology that allows Nebraskans to file taxes electronically has also helped increase productivity and lower costs. More than 71 percent of Nebraska's tax returns were filed electronically last year. We have one of the highest e-filing rates in the nation.

The Department of Health and Human Services is using technology to

improve client services and modernize the delivery of economic assistance programs through a series of online applications known as ACCESSNebraska. More than 56,000 Nebraskans have taken advantage of the ability to apply for services online since last September. More than 30 percent of our citizens applying online do so outside of traditional work hours. Once fully implemented, the federal and state budget savings will be more than \$5 million annually.

Some of our most popular online services include hunting and fishing licenses from the Nebraska Game and Parks Commission, and the 511 feature offered by the Department of Roads providing real-time information on weather and road conditions across the State. Last year, more than 434,000 hunting and fishing licenses were purchased online. The Department of Roads 511 site logged more than 700,000 visits in December alone and more than 1.3 million visits in 2009.

Ladies and Gentlemen, although 2010 will be a challenging year for Nebraska and all states, it is essential that we continue to position Nebraska for future growth.

Our roadmap is clear and my focus will be on three priorities: Growing our economy by focusing on job creation; strengthening Nebraska's education system so that our students can compete in the 21st Century economy; and developing a more efficient government through greater use of technology.

We have worked hard to position Nebraska as an attractive place to live, to work and to raise a family, and I am confident that the year ahead will provide us with new opportunities to move Nebraska forward.

Thank you.

The committee escorted Governor Dave Heineman from the Chamber.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 935. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2009, LB 313, section 17; Laws 2009, LB 315, section 76; Laws 2009, First Special Session, LB 1, sections 15, 16, 17, 18, 20, 21, 22, 23, 27, 41, 87, 98, 104, 210, and 228; to define terms; to appropriate funds; to change certain appropriations; to provide for transfers; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 936. Introduced by Flood, 19.

A BILL FOR AN ACT relating to juvenile dispositions; to amend sections 29-2262.06 and 43-286, Reissue Revised Statutes of Nebraska; to authorize juvenile court-ordered conditions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 937. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to learning community coordinating councils; to amend section 32-546.01, Revised Statutes Supplement, 2009; to eliminate provisions relating to per diems; and to repeal the original section.

LEGISLATIVE BILL 938. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 68-907 and 68-911, Reissue Revised Statutes of Nebraska; to define a term; to provide for reimbursement of federally qualified health centers as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 939. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to support enforcement; to amend sections 43-1701, 43-1702, 43-1703, 43-1717, 43-1718.02, 43-1720, 43-1722, 43-1723, 43-1724, 43-1726, 43-1727, and 43-3330, Reissue Revised Statutes of Nebraska, and section 43-512.12, Revised Statutes Supplement, 2009; to change review procedures for support orders; to include the satisfaction of certain monetary judgments of an obligor by income withholding; to define and redefine terms and change terminology for support collection; to change provisions of the bank match system; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 940. Introduced by Janssen, 15; Fulton, 29; Lautenbaugh, 18; McCoy, 39; Schilz, 47.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend sections 68-1708, 68-1723, and 68-1724, Reissue Revised Statutes of Nebraska; to provide for drug-screening of applicants for and recipients of cash assistance benefits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 941. Introduced by Gay, 14.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-2605 and 38-2617, Reissue Revised Statutes of Nebraska, and section 38-2850, Revised Statutes Supplement, 2009; to redefine the practice of optometry to include dispensing contact lenses as prescribed; to provide for rules and regulations; to exclude certain activities from

regulation under the Pharmacy Practice Act; and to repeal the original sections.

LEGISLATIVE BILL 942. Introduced by Gay, 14.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.15, Revised Statutes Cumulative Supplement, 2008; to provide for a special shipping permit; to provide for a fee; and to repeal the original section.

LEGISLATIVE BILL 943. Introduced by Harms, 48; Louden, 49; Schilz, 47.

A BILL FOR AN ACT relating to the Civil Service Act; to amend sections 19-1825 and 19-1826, Reissue Revised Statutes of Nebraska; to provide for the merger of civil service commissions as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 944. Introduced by Harms, 48.

A BILL FOR AN ACT relating to schools; to amend section 79-580, Reissue Revised Statutes of Nebraska; to provide for publication on certain districts' web sites of claims allowed and proceedings of meetings; and to repeal the original section.

LEGISLATIVE BILL 945. Introduced by Harms, 48; Howard, 9.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-4,182, Revised Statutes Cumulative Supplement, 2008, and section 60-601, Revised Statutes Supplement, 2009; to prohibit using a handheld wireless communication device as prescribed while operating a motor vehicle; to provide exceptions; to provide penalties; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 946. Introduced by Hadley, 37.

A BILL FOR AN ACT relating to child support; to provide for postsecondary education subsidy orders; and to provide a duty for the Revisor of Statutes.

NOTICE OF COMMITTEE HEARINGS

Judiciary

Room 1113

Thursday, January 21, 2010 1:30 p.m.

LB694

LB695

LB746

LB784

LB844

Friday, January 22, 2010 1:30 p.m.

LB769

LB824

LB915

LB728

(Signed) Brad Ashford, Chairperson

General Affairs

Room 1510

Monday, January 25, 2010 1:30 p.m.

LB788

LB861

LB867

LB825

LR277CA

(Signed) Russ Karpisek, Chairperson

Education

Hearing Room 1525

Monday, January 25, 2010 1:30 p.m.

LB741

LB711

LB916

(Signed) Greg Adams, Chairperson

GENERAL FILE

LEGISLATIVE BILL 139. Title read. Considered.

Committee AM823, found on page 816, First Session, 2009, was considered.

SENATOR FISCHER PRESIDING

The committee amendment was adopted with 26 ayes, 2 nays, 13 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 4 nays, 10 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 475. Title read. Considered.

Committee AM830, found on page 862, First Session, 2009, was considered.

Senator Avery renewed the Avery-Stuthman amendment, AM1547, found on page 196, to the committee amendment.

The Avery-Stuthman amendment was adopted with 25 ayes, 0 nays, 14 present and not voting, and 10 excused and not voting.

The committee amendment, as amended, was adopted with 28 ayes, 0 nays, 11 present and not voting, and 10 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 12 present and not voting, and 10 excused and not voting.

LEGISLATIVE BILL 279. Title read. Considered.

Committee AM909, found on page 890, First Session, 2009, was adopted with 27 ayes, 0 nays, 10 present and not voting, and 12 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 947. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Community Development Block Grant Program; to amend sections 81-1201.04 and 81-1201.18, Reissue

Revised Statutes of Nebraska; to eliminate the Community Development Block Grant Program Advisory Committee; to transfer the duties of the committee to the Economic Development Commission; to repeal the original sections; and to outright repeal section 81-1201.08, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 948. Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 81-159 and 81-161, Reissue Revised Statutes of Nebraska; to change provisions relating to agency requisitions and competitive bidding; and to repeal the original sections.

LEGISLATIVE BILL 949. Introduced by Gloor, 35; Avery, 28; Campbell, 25; Carlson, 38; Christensen, 44; Coash, 27; Dierks, 40; Dubas, 34; Fischer, 43; Fulton, 29; Hadley, 37; Hansen, 42; Harms, 48; Howard, 9; Janssen, 15; Karpisek, 32; Lautenbaugh, 18; McCoy, 39; McGill, 26; Mello, 5; Pankonin, 2; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; Wightman, 36.

A BILL FOR AN ACT relating to the Building Construction Act; to amend sections 71-6401, 71-6403, 71-6405, and 71-6406, Reissue Revised Statutes of Nebraska; to change provisions relating to building codes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 950. Introduced by Nebraska Retirement Systems Committee: Pankonin, 2, Chairperson; Heidemann, 1; Karpisek, 32; Loudon, 49; Mello, 5; Nordquist, 7.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2310.04, 23-2315.01, 23-2319.02, 24-701.01, 79-902, 79-910.01, 79-915, 79-920, 79-951, 79-978, 79-990, 81-2016, 84-1310.01, 84-1311.03, 84-1314, 84-1321.01, 84-1323.01, and 84-1504, Reissue Revised Statutes of Nebraska, sections 23-2309.01 and 23-2310.05, Revised Statutes Cumulative Supplement, 2008, and sections 23-2306, 23-2308.01, 84-1307, and 84-1309.02, Revised Statutes Supplement, 2009; to change provisions relating to the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Nebraska State Patrol Retirement Act, and the State Employees Retirement Act regarding participation eligibility, uses of funds, disability eligibility, and retirement system options; to redefine terms; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 951. Introduced by Avery, 28; Krist, 10.

A BILL FOR AN ACT relating to elections; to amend sections 32-101, 32-808, and 32-939, Reissue Revised Statutes of Nebraska; to change provisions relating to early voting; to repeal the original sections; and to outright repeal section 32-939.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 952. Introduced by White, 8; Ashford, 20; Cook, 13; Cornett, 45; Council, 11; Gay, 14; Howard, 9; Lathrop, 12; Lautenbaugh, 18; McGill, 26; Mello, 5; Nelson, 6; Nordquist, 7; Price, 3; Rogert, 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2701.04, and 77-2701.16, Reissue Revised Statutes of Nebraska; to exempt certain public utility income for infrastructure replacement and sewer programs from sales tax as prescribed; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 953. Introduced by Coash, 27.

A BILL FOR AN ACT relating to medical services; to amend sections 47-703, 71-919, 71-922, and 71-926, Reissue Revised Statutes of Nebraska; to provide a rate of payment for certain medical services in emergency protective custody situations; and to repeal the original sections.

LEGISLATIVE BILL 954. Introduced by Giese, 17; Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend section 77-5726, Reissue Revised Statutes of Nebraska; to change provisions relating to refunds of local sales and use taxes; and to repeal the original section.

LEGISLATIVE BILL 955. Introduced by Giese, 17.

A BILL FOR AN ACT relating to correctional facilities; to amend sections 83-183.01 and 83-184, Reissue Revised Statutes of Nebraska; to adopt the Correctional Facility Reimbursement Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 956. Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Nebraska Scholarship Act; to amend sections 9-836.01, 85-1901, 85-1902, 85-1903, 85-1907, 85-1908, 85-1909, 85-1911, 85-1912, 85-1913, 85-1914, 85-1915, 85-1917, 85-1918, 85-1919, and 85-1920, Reissue Revised Statutes of Nebraska, section 85-1412, Revised Statutes Supplement, 2009, and section 9-812, Revised Statutes Supplement, 2009, as amended by section 1, Legislative Bill 2, One Hundred First Legislature, First Special Session, 2009; to rename the act and a fund; to redefine terms; to change provisions relating to awards; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 957. Introduced by Adams, 24.

A BILL FOR AN ACT relating to students; to amend section 85-1511, Reissue Revised Statutes of Nebraska, and section 79-318, Revised Statutes Supplement, 2009; to provide duties relating to sharing of student information for the State Board of Education, the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the community colleges; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 958. Introduced by Giese, 17; Conrad, 46; McGill, 26.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Reissue Revised Statutes of Nebraska; to exempt social security benefits, qualified retirement plan benefits, and government employee retirement benefits from state income taxation as prescribed; and to repeal the original section.

LEGISLATIVE BILL 959. Introduced by Lathrop, 12; Council, 11.

A BILL FOR AN ACT relating to insurance; to amend section 44-1525, Reissue Revised Statutes of Nebraska; to prohibit certain acts or practices having the effect of discrimination because of race, creed, national origin, or religion; and to repeal the original section.

LEGISLATIVE BILL 960. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to energy; to amend sections 70-2002 and 70-2003, Reissue Revised Statutes of Nebraska; to change provisions relating to net metering; and to repeal the original sections.

LEGISLATIVE BILL 961. Introduced by Council, 11; Ashford, 20; Carlson, 38; Coash, 27; Cook, 13; Giese, 17; Gloor, 35; Harms, 48; Karpisek, 32; Langemeier, 23; Lautenbaugh, 18; McCoy, 39; McGill, 26; Mello, 5; Pirsch, 4; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; White, 8.

A BILL FOR AN ACT relating to economic development; to amend sections 81-1203, 81-1205, and 81-1207, Reissue Revised Statutes of Nebraska, and section 81-1201.21, Revised Statutes Supplement, 2009, as amended by section 72, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to change provisions relating to certain training grants; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 962. Introduced by Council, 11; Campbell, 25; Coash, 27; Cook, 13; Fulton, 29; Gloor, 35; Haar, 21; Harms, 48; McGill, 26; Mello, 5; Nordquist, 7; Rogert, 16; Sullivan, 41; Wallman, 30; White, 8.

A BILL FOR AN ACT relating to students; to amend sections 79-219, 79-220, 79-221, and 79-222, Reissue Revised Statutes of Nebraska, and

sections 79-217 and 79-1601, Revised Statutes Supplement, 2009; to require blood lead testing prior to school enrollment; to provide for exceptions; to harmonize provisions; and to repeal the original sections.

RESOLUTION

LEGISLATIVE RESOLUTION 293. Introduced by McGill, 26; Adams, 24; Avery, 28; Carlson, 38; Christensen, 44; Conrad, 46; Cook, 13; Council, 11; Dierks, 40; Fischer, 43; Flood, 19; Fulton, 29; Gay, 14; Giese, 17; Gloor, 35; Hadley, 37; Hansen, 42; Harms, 48; Heidemann, 1; Howard, 9; Janssen, 15; Krist, 10; Langemeier, 23; Lathrop, 12; Lautenbaugh, 18; Loudon, 49; McCoy, 39; Mello, 5; Nelson, 6; Pahls, 31; Pankonin, 2; Pirsch, 4; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; White, 8; Wightman, 36.

WHEREAS, Haiti recently suffered a massive earthquake killing over one hundred thousand people and leaving much of its capitol city Port-au-Prince in ruins and its people homeless; and

WHEREAS, Haiti is our neighbor and, as the poorest nation in the Western Hemisphere, was poorly equipped to handle a natural disaster of such magnitude; and

WHEREAS, much of Port-au-Prince infrastructure has been destroyed, including the National Palace and the local United Nations headquarters; and

WHEREAS, there are many Nebraskans with loved ones, friends, or colleagues missing in Haiti; and

WHEREAS, the generosity of Nebraskans towards those in need is second to none.

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

1. That the Legislature sends its condolences to the nation of Haiti.
2. That the Legislature asks the citizens of Nebraska to send needed support to the country of Haiti.
3. That the Legislature thanks those Nebraska businesses, charities, and individuals that were quick to organize donations and supplies to send to Haiti.
4. That a copy of this resolution be sent to the government of Haiti.

Laid over.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

Room 1113

Monday, January 25, 2010 1:30 p.m.

LB816

LB719

LB831

LB856

LB725

(Signed) Deb Fischer, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator Gloor asked unanimous consent to add his name as cointroducer to LB880. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. Stuart Embury from Holdrege.

ADJOURNMENT

At 12:03 p.m., on a motion by Senator Karpisek, the Legislature adjourned until 10:00 a.m., Tuesday, January 19, 2010.

Patrick J. O'Donnell
Clerk of the Legislature