

TENTH DAY - JANUARY 19, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION****TENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 19, 2011

PRAYER

The prayer was offered by Senator Dubas.

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 Hadley and Nelson who were excused; and Senator Christensen who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB303	Nebraska Retirement Systems (rereferred)
LB386	Business and Labor
LB420	Transportation and Telecommunications
LB421	Natural Resources
LB422	Banking, Commerce and Insurance
LB423	Revenue
LB424	Banking, Commerce and Insurance
LB425	Government, Military and Veterans Affairs
LB426	Revenue
LB427	Agriculture
LB428	Revenue
LB429	Revenue
LB430	Revenue
LB431	Health and Human Services
LB432	Revenue

LB433	Health and Human Services
LB434	Banking, Commerce and Insurance
LB435	Banking, Commerce and Insurance
LB436	Revenue
LB437	Urban Affairs
LB438	Urban Affairs
LB439	Revenue
LB440	Education
LB441	Revenue
LB442	Natural Resources
LB443	Government, Military and Veterans Affairs
LB444	Government, Military and Veterans Affairs
LB445	Education
LB446	Education
LB447	Judiciary
LB448	Banking, Commerce and Insurance
LB449	Government, Military and Veterans Affairs
LB450	Appropriations
LB451	Judiciary
LB452	Judiciary
LB453	Banking, Commerce and Insurance
LB454	Banking, Commerce and Insurance
LB455	Banking, Commerce and Insurance
LB456	Health and Human Services
LB457	Revenue
LB458	Natural Resources
LB459	Agriculture
LB460	Judiciary
LB461	Judiciary
LB462	Banking, Commerce and Insurance
LB463	Judiciary
LB464	Appropriations
LB465	Health and Human Services
LB466	Health and Human Services
LB467	Health and Human Services
LB468	Health and Human Services
LB469	Judiciary
LB470	General Affairs
LB471	Urban Affairs
LB472	Business and Labor
LB473	Agriculture
LB474	Nebraska Retirement Systems
LR29CA	Business and Labor
LR30	Executive Board
LR37	Health and Human Services

(Signed) John Wightman, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARINGS
Government, Military and Veterans Affairs

Room 1507

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

Samuel Seever - State Personnel Board

LB139
LB150
LB444
LB230
LB266

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

LB171
LB172
LB218

Friday, January 28, 2011 1:30 p.m.

LB187
LB188
LB224
LB228

(Signed) Bill Avery, Chairperson

COMMITTEE REPORT
Banking, Commerce and Insurance

The Banking, Commerce and Insurance Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Bruce Ramage - Director, Department of Insurance

Aye: 8 Senators Christensen, Gloor, Langemeier, McCoy, Pahls, Pankonin, Pirsch, Utter. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Rich Pahls, Chairperson

ANNOUNCEMENTS

The Building Maintenance Committee elected Senator Hansen as Vice Chairperson.

The Intergovernmental Cooperation Committee elected Senator Langemeier as Vice Chairperson.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 15, 16, 17, and 18 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 15, 16, 17, and 18.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 544. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-724, Reissue Revised Statutes of Nebraska; to change provisions relating to civics education; and to repeal the original section.

LEGISLATIVE BILL 545. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to correctional facilities; to amend section 47-702, Reissue Revised Statutes of Nebraska; to establish a copay for medical services as prescribed; and to repeal the original section.

LEGISLATIVE BILL 546. Introduced by Gloor, 35; Ashford, 20; Avery, 28; Campbell, 25; Carlson, 38; Christensen, 44; Dubas, 34; Hadley, 37; Hansen, 42; Harms, 48; McCoy, 39; Nelson, 6; Schilz, 47; Schumacher, 22; Smith, 14; Wightman, 36.

A BILL FOR AN ACT relating to the state building code; to amend sections 71-6403, 71-6405, and 71-6406, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the adoption of the International Residential Code; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 547. Introduced by Cook, 13.

A BILL FOR AN ACT relating to community colleges; to provide for a study of state aid to community colleges.

LEGISLATIVE BILL 548. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to learning communities; to amend sections 32-567, 79-769, 79-2102.01, and 79-2104.01, Reissue Revised Statutes of

Nebraska, and sections 32-546.01, 32-555.01, 32-604, 79-1013, 79-1014, 79-2104, 79-2110, 79-2113, and 79-2118, Revised Statutes Cumulative Supplement, 2010; to change, transfer, and eliminate provisions relating to learning communities; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; to outright repeal section 79-2117, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

LEGISLATIVE BILL 549. Introduced by Council, 11.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 59-1608.04, Reissue Revised Statutes of Nebraska; to state intent; to create and provide for the Nebraska Youth Conservation Program; to provide duties for the commission; to provide for rules and regulations and a report; to create a fund; to provide for the transfer of funds; to change provisions relating to the State Settlement Cash Fund; to provide a duty for the Revisor of Statutes; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 550. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-606, Revised Statutes Cumulative Supplement, 2010; to clarify provisions regarding incumbent filing deadlines; and to repeal the original section.

LEGISLATIVE BILL 551. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Burial Pre-Need Sale Act; to amend section 12-1106, Reissue Revised Statutes of Nebraska; to change a dollar limitation as prescribed; and to repeal the original section.

LEGISLATIVE BILL 552. Introduced by Nordquist, 7; McGill, 26.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2010; to prohibit impersonation by electronic means as prescribed; to provide civil and criminal penalties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 553. Introduced by McGill, 26.

A BILL FOR AN ACT relating to the Delayed Deposit Services Licensing Act; to amend sections 45-901, 45-906, 45-915, 45-919, 45-921, 45-925, and 45-927, Reissue Revised Statutes of Nebraska; to state intent; to prohibit certain 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 554. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the State Boat Act; to amend sections 53-123.04 and 53-123.11, Reissue Revised Statutes of Nebraska, and section 37-1201, Revised Statutes Cumulative Supplement, 2010; to prohibit open containers of alcohol in or on a vessel, motorboat, or personal watercraft as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 555. Introduced by Harms, 48.

A BILL FOR AN ACT relating to the State Employees Collective Bargaining Act; to amend sections 81-1369, 81-1371, 81-1372, 81-1373, 81-1375, 81-1378, 81-1379, 81-1381, 81-1382, 81-1383, 81-1384, 81-1385, 81-1386, and 81-1387, Reissue Revised Statutes of Nebraska; to eliminate Special Masters and obsolete provisions; to change procedure and appeal provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 81-1374, 81-1380, 81-1389, and 81-1390, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 556. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to counties; to amend section 22-161.01, Revised Statutes Cumulative Supplement, 2010; to change boundaries of certain counties; to repeal the original section; and to outright repeal section 22-141, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 557. Introduced by Dubas, 34; Gloor, 35.

A BILL FOR AN ACT relating to surgical technology; to amend sections 71-401 and 71-403, Revised Statutes Cumulative Supplement, 2010; to define terms; to provide requirements for health care facilities; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 558. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to schools; to amend section 79-769, Reissue Revised Statutes of Nebraska; to change provisions relating to focus schools and focus programs; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 559. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.01, Reissue Revised Statutes of Nebraska; to change the income tax rate; and to repeal the original section.

LEGISLATIVE BILL 560. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Reissue Revised Statutes of Nebraska; to provide for sales and use tax on services as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 561. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska; to change the sales tax rate; and to repeal the original section.

LEGISLATIVE BILL 562. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to cities and villages; to amend sections 14-109, 15-203, 16-205, and 17-525, Reissue Revised Statutes of Nebraska; to change provisions relating to license and occupation taxes; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 563. Introduced by Utter, 33.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-354, Revised Statutes Cumulative Supplement, 2010; to authorize the commission to convey certain real estate for park purposes; to prescribe conditions relating to the conveyance, operation, and maintenance of the real estate; to provide duties for the commission; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 564. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to labor; to amend sections 48-801, 48-808, 48-809, 48-810, 48-811, 48-812, 48-813, 48-816, 48-816.01, 48-817, 48-819.01, 48-825, 81-1369, 81-1371, 81-1373, 81-1382, 81-1383, 81-1385, and 81-1387, Reissue Revised Statutes of Nebraska; to change and eliminate provisions of the Industrial Relations Act and the State Employee Collective Bargaining Act; to harmonize provisions; to provide an operative date; to provide for severability; to repeal the original sections; and to outright repeal sections 48-811.02, 48-816.02, 48-818, 48-819, 48-823, 48-842, and 81-1390, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 565. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to firearms; to amend sections 28-101 and 28-1201, Revised Statutes Cumulative Supplement, 2010; to require notice of firearm storage by a retailer upon sale and require the secure storage of firearms as prescribed; to provide criminal penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 566. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to elections; to amend sections 32-1302 and 32-1403, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2010; to provide for electronic signatures on recall, initiative, and referendum petitions; to provide powers and duties; to provide fees; to create a fund; to provide penalties; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 567. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,104, Reissue Revised Statutes of Nebraska; to change provisions relating to licensee violations; and to repeal the original section.

LEGISLATIVE BILL 568. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to the State Treasurer; to amend section 84-602, Revised Statutes Cumulative Supplement, 2010; to provide duties relating to benefits for certain state employees as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 569. Introduced by Coash, 27.

A BILL FOR AN ACT relating to labor; to amend section 4-114, Revised Statutes Cumulative Supplement, 2010; to require employers to e-verify the immigration status of new employees; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 570. Introduced by Coash, 27; McGill, 26.

A BILL FOR AN ACT relating to cemeteries; to amend section 77-2704.15, Reissue Revised Statutes of Nebraska, and section 12-101, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to Wyuka Cemetery; to exempt certain cemetery purchases from sales and use taxes as prescribed; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 571. Introduced by Price, 3.

A BILL FOR AN ACT relating to liens; to amend sections 52-2001 and 76-874, Reissue Revised Statutes of Nebraska; to change provisions relating to homeowners' association and condominium association liens; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 572. Introduced by Price, 3.

A BILL FOR AN ACT relating to learning communities; to limit transfers relating to elementary learning centers as prescribed.

LEGISLATIVE BILL 573. Introduced by Price, 3.

A BILL FOR AN ACT relating to the Emergency Management Act; to amend sections 60-6,232 and 81-829.36, Reissue Revised Statutes of Nebraska; to define and authorize the use of amber lights by storm spotters; to provide duties for the Nebraska Emergency Management Agency; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 574. Introduced by Price, 3.

A BILL FOR AN ACT relating to prescriptions; to amend section 38-2870, Reissue Revised Statutes of Nebraska; to adopt the Electronic Prescription Transmission Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 575. Introduced by Price, 3.

A BILL FOR AN ACT relating to education; to adopt the Military Children Educational Opportunity Act; and to provide severability.

LEGISLATIVE BILL 576. Introduced by Wightman, 36; Flood, 19.

A BILL FOR AN ACT relating to the Nebraska statutes; to amend section 49-707, Reissue Revised Statutes of Nebraska; to create a fund; to change disposition of certain receipts; and to repeal the original section.

LEGISLATIVE BILL 577. Introduced by Wightman, 36; Carlson, 38.

A BILL FOR AN ACT relating to aeronautics; to amend section 3-404, Reissue Revised Statutes of Nebraska, and section 3-126, Revised Statutes Cumulative Supplement, 2010; to provide for an application fee for the construction of certain structures; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 578. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to pipelines; to require proof of financial responsibility as prescribed.

LEGISLATIVE BILL 579. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to public power; to amend section 70-1025, Reissue Revised Statutes of Nebraska; to change provisions relating to content of a power supply plan as prescribed; and to repeal the original section.

LEGISLATIVE BILL 580. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to energy; to create the Energy Auditor

Advisory Board; to provide powers and duties; and to create a fund.

LEGISLATIVE BILL 581. Introduced by K. Haar, 21.

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 582. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to students; to adopt the Student Expression Act.

LEGISLATIVE BILL 583. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to presidential elections; to adopt the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote.

LEGISLATIVE BILL 584. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-301, Reissue Revised Statutes of Nebraska; to provide for registration of motor vehicles and trailers without payment of fees for persons deployed in the armed forces of the United States and the Nebraska National Guard; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 585. Introduced by Business and Labor Committee: Lathrop, 12, Chairperson; Cook, 13; B. Harr, 8; Smith, 14; Wallman, 30.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

LEGISLATIVE BILL 586. Introduced by Business and Labor Committee: Lathrop, 12, Chairperson; Cook, 13; B. Harr, 8; Smith, 14; Wallman, 30.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

LEGISLATIVE BILL 587. Introduced by Nordquist, 7.

A BILL FOR AN ACT relating to compressed natural gas; to amend sections 66-1519, 66-1810, and 66-1825, Reissue Revised Statutes of Nebraska; to provide for a grant program; to provide funding and create a

fund; to change provisions relating to jurisdictional utilities and natural gas public utilities; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 588. Introduced by Nordquist, 7; Mello, 5.

A BILL FOR AN ACT relating to the Conveyance Safety Act; to amend sections 48-2501, 48-2502, 48-2503, 48-2504, 48-2506, 48-2507, 48-2508, 48-2512, 48-2521, 48-2522, 48-2525, 48-2526, and 48-2529, Reissue Revised Statutes of Nebraska; to change powers, duties, membership, and rename the committee; to eliminate duties of the commissioner; to change provisions relating to conveyances; to harmonize provisions; to repeal the original sections; and to outright repeal section 48-2509, Reissue Revised Statutes of Nebraska.

COMMITTEE REPORTS

Transportation and Telecommunications

LEGISLATIVE BILL 67. Placed on General File.

LEGISLATIVE BILL 158. Placed on General File.

(Signed) Deb Fischer, Chairperson

NOTICE OF COMMITTEE HEARINGS

Executive Board

Room 2102

Wednesday, January 26, 2011 12:00 p.m.

LB264

LB326

(Signed) John Wightman, Chairperson

Judiciary

Room 1113

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

LB129

LB390

LB201

LB202

LB203

(Signed) Brad Ashford, Chairperson

Revenue

Room 1524

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

LB119 (reschedule)
LB383

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

LB96 (reschedule)
LB106

Friday, January 28, 2011 1:30 p.m.

LB118 (reschedule)

(Signed) Abbie Cornett, Chairperson

Natural Resources

Room 1525

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

LB41
LB421

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

Mark McColley - Nebraska Ethanol Board
Michael Thede - Nebraska Ethanol Board

LB27
LB31
LB32
LB366

Friday, January 28, 2011 1:30 p.m.

LB207
LB342

(Signed) Chris Langemeier, Chairperson

ANNOUNCEMENT

The Legislative Performance Audit Committee elected Senator Harms as Chairperson and Senator Mello as Vice Chairperson.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 589. Introduced by Smith, 14.

A BILL FOR AN ACT relating to state highways; to amend section 39-1359, Reissue Revised Statutes of Nebraska; to allow for encroachments on the state highway system for special events held by counties, cities, or villages as prescribed; to provide a duty for the Department of Roads; and to repeal the original section.

LEGISLATIVE BILL 590. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to tobacco; to amend sections 59-1520, 59-1523, 69-502, 69-2702, 69-2703, 69-2705, 69-2706, 69-2708, 69-2709, 69-2710, 69-2711, 77-2601, 77-2603, 77-2604, 77-2605, 77-2607, 77-2608, 77-2610, 77-2612, 77-2613, 77-2614, 77-2615, 77-2615.01, 77-2620, and 77-2622, Reissue Revised Statutes of Nebraska; to change and provide provisions relating to cigarette taxation; to provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 591. Introduced by Gloor, 35.

A BILL FOR AN ACT relating to health and human services; to amend sections 38-178, 38-182, 71-448, 71-529, 71-539, 71-540, 71-541, 71-542, 71-543, and 71-544, Reissue Revised Statutes of Nebraska; to provide for syndromic surveillance reporting by health care providers as prescribed; to require the Department of Health and Human Services to develop a syndromic surveillance program; to provide grounds for discipline of credentials for failure to report; to change provisions relating to the exchange of immunization information; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 592. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to adopt the Nebraska Commodity Industry Development Act; and to provide a penalty.

LEGISLATIVE BILL 593. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to safety inspections; to amend sections 48-720, 48-721, 48-722, 48-723, 48-724, 48-725, 48-726, 48-727, 48-730, 48-731, 48-732, 48-736, and 48-743, Reissue Revised Statutes of Nebraska;

to change and eliminate provisions of the Boiler Inspection Act; to harmonize provisions; to repeal the original sections; and to outright repeal section 48-733, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 594. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to safety inspections; to amend sections 48-1802, 48-1803, 48-1805, 48-1811, 48-1812, 48-2501, 48-2502, 48-2506, 48-2507, 48-2508, 48-2511, 48-2512, 48-2512.01, 48-2513, 48-2514, 48-2515, 48-2516, 48-2518, 48-2519, 48-2533, 81-401, and 81-405, Reissue Revised Statutes of Nebraska; to change and eliminate provisions of the Nebraska Amusement Ride Act, and the Conveyance Safety Act; to eliminate a fund; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 48-1801, 48-1802, 48-1803, 48-1804, 48-1804.01, 48-1805, 48-1806, 48-1807, 48-1808, 48-1809, 48-1811, 48-1812, 48-1813, 48-1814, 48-1815, 48-1816, 48-1817, 48-1818, 48-1819, 48-1820, 48-2501, 48-2502, 48-2503, 48-2504, 48-2506, 48-2507, 48-2508, 48-2509, 48-2510, 48-2511, 48-2512, 48-2512.01, 48-2513, 48-2514, 48-2515, 48-2516, 48-2517, 48-2518, 48-2519, 48-2520, 48-2521, 48-2522, 48-2523, 48-2524, 48-2525, 48-2526, 48-2527, 48-2528, 48-2529, 48-2530, 48-2531, 48-2532, and 48-2533, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 595. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to water resources; to amend section 2-3226.04, Reissue Revised Statutes of Nebraska, and sections 2-3225, 2-3226.05, 2-3226.08, and 2-3226.09, Revised Statutes Cumulative Supplement, 2010; to adopt the Water Resources Revolving Loan Fund Act; to change provisions relating to use of property tax and occupation tax proceeds and river-flow enhancement bond proceeds as prescribed; to provide duties for natural resources districts; to provide for transfers of funds; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 596. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-717, Reissue Revised Statutes of Nebraska; to provide for standing for certain parties with respect to proceedings affecting integrated management plans as prescribed; and to repeal the original section.

LEGISLATIVE BILL 597. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to counties; to amend sections 22-417, 23-114.04, 23-1901.01, 32-211, 32-218, 32-520, 32-521, and 39-1506, Reissue Revised Statutes of Nebraska; to require consolidation of certain county offices in certain counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 598. Introduced by Fulton, 29; Campbell, 25.

A BILL FOR AN ACT relating to foster care; to amend section 43-1312, Reissue Revised Statutes of Nebraska; to change the timing for certain permanency hearings; and to repeal the original section.

LEGISLATIVE BILL 599. Introduced by Campbell, 25; Ashford, 20; Nordquist, 7.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-915, Reissue Revised Statutes of Nebraska, and sections 4-110 and 68-901, Revised Statutes Cumulative Supplement, 2010; to provide for coverage for certain children as prescribed; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 600. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to health care facilities; to adopt the Nursing Facility Quality Assurance Assessment Act; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 601. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to child care; to amend section 43-536, Reissue Revised Statutes of Nebraska; to state findings; to change provisions relating to child care reimbursement rates; and to repeal the original section.

LEGISLATIVE BILL 602. Introduced by Campbell, 25.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-909, Reissue Revised Statutes of Nebraska; to provide duties for the Department of Health and Human Services; and to repeal the original section.

LEGISLATIVE BILL 603. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.10, Reissue Revised Statutes of Nebraska; to exempt fees and admissions charged by student organizations at institutions of higher education from sales taxation; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 604. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the state government; to adopt the Private Attorney Retention Sunshine Act; and to provide severability.

LEGISLATIVE BILL 605. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to elections; to amend sections 32-107, 32-108, 32-114, 32-115, 32-221, 32-302, 32-306, 32-307, 32-308, 32-311.01, 32-314, 32-321, 32-325, 32-807, 32-813, 32-901, 32-902, 32-904, 32-906, 32-907, 32-910, 32-912, 32-913, 32-914, 32-916, 32-917, 32-918, 32-919, 32-920, 32-921, 32-922, 32-923, 32-925, 32-927, 32-929, 32-933, 32-934, 32-935, 32-936, 32-937, 32-938, 32-940, 32-941, 32-944, 32-945, 32-947, 32-952, 32-953, 32-1001, 32-1027, 32-1041, 32-1302, 32-1307, 32-1403, 32-1502, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519, 32-1528, 32-1530, 32-1531, and 32-1532, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-310, 32-816, 32-915, and 32-1002, Revised Statutes Cumulative Supplement, 2010; to provide for voter registration on election day as prescribed; to change provisions relating to voter registration and voting; to require presentation of identification to vote; to provide exceptions; to provide for provisional ballots; to change requirements for identification for certain first-time voters; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-318.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 606. Introduced by Avery, 28; Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1401, 49-1403, 49-1467, and 49-1469, Reissue Revised Statutes of Nebraska; to define a term; to require reporting regarding electioneering communication; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 607. Introduced by Avery, 28; Nordquist, 7.

A BILL FOR AN ACT relating to health and human services; to state intent; to provide duties for the Department of Health and Human Services and the Tax Commissioner regarding children's eligibility for medicaid and the state children's medical assistance program.

LEGISLATIVE BILL 608. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to economic development; to amend sections 13-2701, 13-2702, 13-2707, 13-2708, 13-2709, and 77-4106, Reissue Revised Statutes of Nebraska, and sections 13-2610, 13-2704, 13-2705, 13-2706, and 77-5726, Revised Statutes Cumulative Supplement, 2010; to adopt the Local Innovation Economic Development Act; to create a grant program relating to refunds of local option sales taxes; to create a fund; to change the distribution of funds under the Convention Center Facility Financing Assistance Act; to expand the purposes of 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 609. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to correctional facilities; to amend section 83-183.01, Reissue Revised Statutes of Nebraska, and section 83-184, Revised Statutes Cumulative Supplement, 2010; to adopt the Correctional Facility Reimbursement Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 610. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to recall; to amend sections 32-628, 32-1205, 32-1301, 32-1302, 32-1303, 32-1304, 32-1305, 32-1306, 32-1308, and 32-1309, Reissue Revised Statutes of Nebraska; to provide for recall of an official elected or appointed to a state elective office; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 611. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to the Legislature; to provide for a biennial review of state agency programs and services by legislative committees.

LEGISLATIVE BILL 612. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to civil procedure; to increase the statute of limitations for plaintiffs suffering injury from sexual assault as a child; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 613. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to liens; to amend sections 52-2001 and 76-874, Reissue Revised Statutes of Nebraska; to change certain lien provisions relating to homeowners' associations and condominiums; and to repeal the original sections.

LEGISLATIVE BILL 614. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to liens; to amend section 76-874, Reissue Revised Statutes of Nebraska; to adopt the Homeowners' Association Lien Act; to change and eliminate provisions relating to homeowners' association condominium association liens; to repeal the original section; to outright repeal section 52-2001, Reissue Revised Statutes of Nebraska; and to declare an emergency.

NOTICE OF COMMITTEE HEARING
Nebraska Retirement Systems

Room 1525

Thursday, January 27, 2011 12:10 p.m.

LB474
LB303

(Signed) Jeremy Nordquist, Chairperson

SENATOR LANGEMEIER PRESIDING**BILLS ON FIRST READING**

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

LEGISLATIVE BILL 615. Introduced by Krist, 10.

A BILL FOR AN ACT relating to learning communities; to amend section 79-2101, Reissue Revised Statutes of Nebraska, and sections 79-2,104, 79-528, 79-2104, 79-2104.02, 79-2110, and 79-2118, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to access to student records, reporting, and diversity plans; to redefine a term; to change powers and duties of learning community coordinating councils; to provide for memoranda of understanding with the State Department of Education; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 616. Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Department of Administrative Services; to require the department to submit a report to the Legislature regarding the potential for privatization of the management of the state's real property; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 617. Introduced by Mello, 5.

A BILL FOR AN ACT relating to administrative rules and regulations; to amend sections 84-901, 84-905.01, 84-906.01, 84-907, 84-907.04, 84-907.06, 84-908, and 84-920, Reissue Revised Statutes of Nebraska; to define a term; to create a legislative committee and provide duties as prescribed; to change and eliminate provisions relating to review of proposed rules and regulations; to harmonize provisions; to repeal the original sections; and to outright repeal sections 84-907.07 and 84-907.10, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 618. Introduced by B. Harr, 8; Bloomfield, 17; Council, 11; Gloor, 35; Smith, 14.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1204.04, Revised Statutes Cumulative Supplement, 2010; to authorize possession of firearms as prescribed for school or school event security; and to repeal the original section.

LEGISLATIVE BILL 619. Introduced by Larson, 40.

A BILL FOR AN ACT relating to the Industrial Relations Act; to amend sections 48-801, 48-811.02, 48-816, 79-852, and 79-2116, Reissue Revised Statutes of Nebraska, and section 79-1028.01, Revised Statutes Cumulative Supplement, 2010; to remove school districts, learning communities, and educational service units from the provisions of the act; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-1028, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 620. Introduced by Larson, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.01, 77-2715, 77-2715.01, 77-2715.07, 77-2716.01, 77-2717, 77-2727, 77-2734.02, and 77-3804, Reissue Revised Statutes of Nebraska, and section 77-2734.01, Revised Statutes Cumulative Supplement, 2010; to change income tax rates and calculations, exemptions, and deductions; to eliminate tax credits; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-2715.02 and 77-2716.03, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 621. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Game and Parks Commission; to authorize the commission to convey certain real estate for park purposes; to prescribe conditions relating to the conveyance, operation, and maintenance of the real estate; and to declare an emergency.

LEGISLATIVE BILL 622. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to seized firearms; to amend section 29-820, Reissue Revised Statutes of Nebraska, and section 28-1204.04, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the confiscation and destruction of firearms as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 623. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Industrial Relations Act; to amend sections 48-811, 48-816, and 48-818, Reissue Revised Statutes of Nebraska; to change provisions relating to the effect of filing a petition, commission powers, and determination of wages and conditions of employment; and to repeal the original sections.

LEGISLATIVE BILL 624. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the State Employees Collective Bargaining Act; to amend section 81-1373, Reissue Revised Statutes of Nebraska; to change bargaining unit provisions; and to repeal the original section.

LEGISLATIVE BILL 625. Introduced by Fulton, 29.

A BILL FOR AN ACT relating to driving under the influence; to amend sections 60-6,197.03 and 60-6,197.06, Reissue Revised Statutes of Nebraska; to change and eliminate certain penalties relating to driving under the influence; to provide a penalty for driving under the influence with a child in the motor vehicle; to harmonize provisions; to repeal the original sections; and to outright repeal section 60-6,197.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 626. Introduced by Mello, 5.

A BILL FOR AN ACT relating to recycling; to amend section 81-1504.01, Reissue Revised Statutes of Nebraska, and sections 13-2039 and 81-15,160, Revised Statutes Cumulative Supplement, 2010; to adopt the Electronics Recycling and Job Creation Act; to prohibit landfill disposal of certain electronic devices as prescribed; to provide for reports and for grants from the Waste Reduction and Recycling Incentive Fund; to provide duties for the Director of Environmental Quality; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 627. Introduced by Mello, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2734.03, 81-1558, and 81-1561, Reissue Revised Statutes of Nebraska, and section 81-15,160, Revised Statutes Cumulative Supplement, 2010; to adopt the Remanufacturing and Job Creation Act; to provide an income tax credit for recycled or composted materials; to provide a termination date; to provide funding; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 628. Introduced by Cook, 13.

A BILL FOR AN ACT relating to personal property; to provide that the governing body of certain political subdivisions may make a donation of a motor vehicle as prescribed.

LEGISLATIVE BILL 629. Introduced by Sullivan, 41; Dubas, 34; K. Haar, 21.

A BILL FOR AN ACT relating to pipelines; to adopt the Hazardous Liquid

Pipeline Reclamation and Recovery Act; to provide severability; and to declare an emergency.

LEGISLATIVE BILL 630. Introduced by McGill, 26.

A BILL FOR AN ACT relating to applied behavior analysis; to amend sections 38-186 and 38-3101, Reissue Revised Statutes of Nebraska, and sections 38-101 and 38-121, Revised Statutes Cumulative Supplement, 2010; to adopt the Applied Behavior Analysis Practice Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 631. Introduced by Cook, 13.

A BILL FOR AN ACT relating to elections; to amend sections 32-938 and 32-941, Reissue Revised Statutes of Nebraska, and sections 32-101 and 32-808, Revised Statutes Cumulative Supplement, 2010; to provide for a permanent early voting request list; to provide powers and duties; to change provisions relating to early voting; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 632. Introduced by Avery, 28.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2010; to provide for an adjustment to income for certain depreciation; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 633. Introduced by Adams, 24.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to certain tax levies and certain bonds; to authorize refunding bonds as prescribed; and to repeal the original section.

PRESIDENT SHEEHY PRESIDING

LEGISLATIVE BILL 634. Introduced by Adams, 24.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to tax levy authority as prescribed; and to repeal the original section.

LEGISLATIVE BILL 635. Introduced by Adams, 24.

A BILL FOR AN ACT relating to schools; to amend sections 79-703, 79-757, and 79-2104.01, Reissue Revised Statutes of Nebraska, and section 79-318, Revised Statutes Cumulative Supplement, 2010; to change duties of the State Board of Education; to provide for performance measures and priority schools pursuant to the Quality Education Accountability Act; to

harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 636. Introduced by Adams, 24.

A BILL FOR AN ACT relating to learning communities; to amend section 79-2101, Reissue Revised Statutes of Nebraska, and sections 79-2,104, 79-528, 79-2104, 79-2104.02, 79-2110, and 79-2118, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to access to student records, reporting, and diversity plans; to redefine a term; to change powers and duties of learning community coordinating councils; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 637. Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Coordinating Commission for Postsecondary Education; to amend sections 77-2704.12, 85-1604, 85-1620, and 85-1643, Reissue Revised Statutes of Nebraska, and section 85-1412, Revised Statutes Cumulative Supplement, 2010; to adopt the Postsecondary Institution Act; to eliminate and replace provisions and penalties relating to the authorization of out-of-state institutions of higher education and private colleges; to add and eliminate duties for the commission; to change provisions relating to the Private Postsecondary Career School Act; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 85-1101, 85-1102, 85-1103, 85-1103.01, 85-1103.02, 85-1104, 85-1105, 85-1106, 85-1107, 85-1108, 85-1109, 85-1110, 85-1110.01, and 85-1111, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 638. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to public records; to provide requirements and restrictions for access and use of county records.

LEGISLATIVE BILL 639. Introduced by Schumacher, 22.

A BILL FOR AN ACT relating to limited liability companies; to amend sections 21-112, 21-118, 21-142, and 21-2654, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to articles of organization and charging orders; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 640. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to cities of the first class; to amend section 16-1023, Reissue Revised Statutes of Nebraska; to state findings and intent; to clarify that a city and its firefighters may engage in retirement benefit negotiations; and to repeal the original section.

LEGISLATIVE BILL 641. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-134 and 53-197, Reissue Revised Statutes of Nebraska; to provide for reporting of offenses to the commission by law enforcement officers as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 642. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-5601, Revised Statutes Cumulative Supplement, 2010; to authorize the Department of Revenue to enter into certain contracts for products and services; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 643. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes Cumulative Supplement, 2010; to provide additional records that may be withheld; and to repeal the original section.

LEGISLATIVE BILL 644. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to attorneys; to amend section 7-102, Reissue Revised Statutes of Nebraska; to change requirements for licensure; to provide for a fee; and to repeal the original section.

LEGISLATIVE BILL 645. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to water; to require inclusion of established surface water use and established ground water use in certain agreements between a natural resources district and the Department of Natural Resources as prescribed.

LEGISLATIVE BILL 646. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to emergency medical services; to amend sections 38-1207, 48-101.01, and 71-8215, Reissue Revised Statutes of Nebraska; to redefine terms; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 647. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to courts; to provide that the use of a foreign law, legal code, or system in decisions renders such decisions void and unenforceable if the law, legal code, or system violates the fundamental liberties, rights, and privileges of the State of Nebraska.

LEGISLATIVE BILL 648. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to foster care; to amend section 43-1314, Reissue Revised Statutes of Nebraska; to change review and hearing notice and right to participate provisions; and to repeal the original section.

LEGISLATIVE BILL 649. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to courts; to require legislative recommendations for guardians ad litem for children and youth.

LEGISLATIVE BILL 650. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to foster care; to amend section 71-1902, Reissue Revised Statutes of Nebraska; to require a statement of rights and responsibilities for those providing foster care; and to repeal the original section.

LEGISLATIVE BILL 651. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to foster care; to amend section 43-1318, Reissue Revised Statutes of Nebraska; to authorize a program audit and survey of the foster care system; and to repeal the original section.

LEGISLATIVE BILL 652. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-518, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to penalties for theft; and to repeal the original section.

LEGISLATIVE BILL 653. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to water resources; to amend section 46-288, Reissue Revised Statutes of Nebraska; to provide for interbasin water transfers without a permit as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 654. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to elections; to amend sections 32-620, 32-714, and 32-813, Reissue Revised Statutes of Nebraska; to provide filing requirements for candidates for President and Vice President of the United States; to provide powers and duties for the Secretary of State; to prohibit certain acts by presidential electors; to provide a penalty; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-712, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 655. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3226.05, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to an occupation tax; and to repeal the original section.

LEGISLATIVE BILL 656. Introduced by Janssen, 15.

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

LEGISLATIVE BILL 657. Introduced by Janssen, 15; Karpisek, 32.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-502, Reissue Revised Statutes of Nebraska; to change and eliminate student residency provisions; to provide for applicability and intent; and to repeal the original section.

LEGISLATIVE BILL 658. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to handguns; to amend section 69-2404, Reissue Revised Statutes of Nebraska; to change the fee for obtaining a handgun certificate; and to repeal the original section.

LEGISLATIVE BILL 659. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to driving under the influence; to amend section 60-6,196, Reissue Revised Statutes of Nebraska; to prohibit driving with certain controlled substances in bodily fluids; to provide an affirmative defense; and to repeal the original section.

LEGISLATIVE BILL 660. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-401.01, Reissue Revised Statutes of Nebraska; to create an offense for providing a bodily fluid sample containing a controlled substance; to provide penalties; to provide an absolute affirmative defense; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 661. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,104.01, Reissue Revised Statutes of Nebraska; to change the fee for specialty license plates; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 662. Introduced by Cook, 13.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2010; to provide for a demonstration program regarding bundled payments; to provide duties for the Department of Health and Human Services; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 663. Introduced by Nordquist, 7; Cook, 13; McGill, 26; Mello, 5.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to provide for elimination of asset testing relating to the Supplemental Nutrition Assistance Program; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 664. Introduced by Nelson, 6.

A BILL FOR AN ACT relating to labor; to amend sections 23-2518.01, 25-2618, 49-506, 49-617, 79-1028, 79-2116, 81-8,303, 81-1108, 81-1307.01, 81-1307.02, 81-1316, 81-1317, 81-1346, 81-1348, 84-901, 84-1603, and 85-1411, Reissue Revised Statutes of Nebraska, and sections 11-201, 13-520, 77-3442, 79-1028.01, Revised Statutes Cumulative Supplement, 2010; to repeal the Industrial Relations Act and the State Employees Collective Bargaining Act; to prohibit public employers and employees from collective bargaining and from strikes, slowdown, or other work stoppage; to provide a penalty; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 48-801, 48-801.01, 48-802, 48-803, 48-804, 48-804.01, 48-804.02, 48-804.03, 48-805, 48-806, 48-807, 48-808, 48-809, 48-810, 48-810.01, 48-811, 48-811.01, 48-811.02, 48-812, 48-813, 48-814, 48-815, 48-816, 48-816.01, 48-816.02, 48-817, 48-818, 48-819, 48-819.01, 48-821, 48-822, 48-823, 48-824, 48-825, 48-837, 48-838, 48-842, 79-852, 81-1317.01, 81-1369, 81-1370, 81-1371, 81-1372, 81-1373, 81-1374, 81-1375, 81-1376, 81-1377, 81-1378, 81-1379, 81-1380, 81-1381, 81-1382, 81-1383, 81-1384, 81-1385, 81-1386, 81-1387, 81-1388, 81-1389, 81-1390, and 85-1,119, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 665. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-311, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to criminal child enticement and to define a term; and to repeal the original section.

LEGISLATIVE BILL 666. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to Local, Civic, Cultural, and Convention Center Act; to amend section 13-2702, Reissue Revised Statutes of Nebraska, and section 13-2704, Revised Statutes Cumulative Supplement, 2010; to provide funding for economic development; and to repeal the

original sections.

LEGISLATIVE BILL 667. Introduced by Flood, 19.

A BILL FOR AN ACT relating to alcohol; to amend sections 28-306, 29-215, 37-1238.01, 37-1254.01, 37-1254.02, 37-1254.03, 37-1254.05, 37-1254.07, 37-1254.08, 37-1295, 53-180, 53-180.05, 60-498, 60-4,110, 60-4,118.06, 60-4,129, 60-4,164, 60-4,182, 60-601, 60-6,196, 60-6,197, 60-6,197.02, 60-6,197.03, 60-6,197.09, 60-6,198, 60-6,211.04, 60-6,211.05, 84-205, and 84-913.03, Reissue Revised Statutes of Nebraska, and sections 28-101, 29-901, 29-2259.01, and 37-1201, Revised Statutes Cumulative Supplement, 2010; to prohibit transportation of a minor by an intoxicated driver; to change and eliminate penalties and the determination of penalties relating to motor vehicle homicide and operating a motor vehicle under the influence; to change provisions relating to blood and breath alcohol content testing; to require operator's license impoundment as a condition of bail as prescribed; to change ignition interlock provisions; to change provisions relating to enforcement of the State Boat Act and operating a boat, personal watercraft, or motor vehicle under the influence; to change provisions and a penalty relating to the crime and penalty of procuring alcohol for a minor or a mentally incompetent person; to eliminate administrative license revocation; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-498.01, 60-498.02, 60-498.03, 60-498.04, and 60-6,197.05, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 668. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-456.01, Revised Statutes Cumulative Supplement, 2010; to change penalties relating to the purchase, receipt, or acquisition of pseudoephedrine or phenylpropanolamine; and to repeal the original section.

LEGISLATIVE BILL 669. Introduced by Flood, 19.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-2,108.01, 43-2,108.02, 43-2,108.03, 43-2,108.04, and 43-2,108.05, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to sealing of records; and to repeal the original sections.

LEGISLATIVE BILL 670. Introduced by Flood, 19.

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

LEGISLATIVE BILL 671. Introduced by Flood, 19.

A BILL FOR AN ACT relating to sex offenders; to amend sections

25-21,271, 29-4004, and 29-4006, Revised Statutes Cumulative Supplement, 2010; to prohibit a sex offender from changing his or her name; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 672. Introduced by Flood, 19.

A BILL FOR AN ACT relating to the documentary stamp tax; to amend section 76-902, Reissue Revised Statutes of Nebraska; to exempt certain deeds from taxation; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 673. Introduced by Flood, 19.

A BILL FOR AN ACT relating to family law; to amend sections 42-371, 43-2920, 43-2922, and 43-2929, Reissue Revised Statutes of Nebraska; to change provisions relating to release of judgment and subordination of support order liens; to provide intent and procedures for child custody, child support, parenting time, and visitation proceedings involving a military parent; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 674. Introduced by B. Harr, 8.

A BILL FOR AN ACT relating to labor and employment; to prohibit or restrict certain electronic monitoring by employers; and to provide for fines.

LEGISLATIVE BILL 675. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-106, 28-401.01, 60-498.02, 60-4,129, 60-601, 60-697, 60-698, 60-6,197.02, 60-6,197.03, and 60-6,198, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Cumulative Supplement, 2010; to change penalties for Class W misdemeanors; to prohibit having controlled substances in bodily fluids; to provide penalties; to provide affirmative defenses; to change provisions relating to the duty to stop in the event of an accident and driving under the influence of alcohol or drugs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 676. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Mental Health Commitment Act; to amend section 71-919, Reissue Revised Statutes of Nebraska; to change provisions relating to emergency protective custody; and to repeal the original section.

LEGISLATIVE BILL 677. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-310, Reissue Revised Statutes of Nebraska, and sections 28-308 and 28-309, Revised Statutes Cumulative Supplement, 2010; to provide

penalties for assault on a health care provider as prescribed; to define a term; to provide for signs; and to repeal the original sections.

LEGISLATIVE BILL 678. Introduced by Lathrop, 12.

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 679. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to retirement; to amend sections 24-701, 24-721, 24-732, 29-2709, 33-103, 33-103.01, 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03, 33-126.06, 48-155.01, 81-2014, 84-1301, 84-1309, 84-1320, 84-1325, 84-1333, and 84-1501, Reissue Revised Statutes of Nebraska, and sections 25-2804, 84-1317, and 84-1331, Revised Statutes Cumulative Supplement, 2010; to provide for new judges and members of the Nebraska State Patrol to become members of the State Employees Retirement Act; to redefine terms; to provide for a fee, retirement age options and requirements for members of the Nebraska State Patrol, and the filling of judicial vacancies; to eliminate obsolete language; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 680. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2301, 42-1102, 79-408, 79-979, 79-2116, 84-1301, 84-1501, and 84-1511, Reissue Revised Statutes of Nebraska, and sections 4-108, 68-621, 79-902, 79-1003, and 79-1028.01, Revised Statutes Cumulative Supplement, 2010; to adopt the School Employees Cash Balance Retirement Act; to limit the application of the School Employees Retirement Act as prescribed; to create funds; to provide a penalty; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 681. Introduced by Karpisek, 32; Larson, 40; McGill, 26.

A BILL FOR AN ACT relating to gambling; to amend section 9-648, Reissue Revised Statutes of Nebraska, and section 9-1,101, Revised Statutes Cumulative Supplement, 2010; to create a fund; to change the distribution of taxes on lotteries as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 682. Introduced by Mello, 5; Ashford, 20; Cook, 13; Council, 11; Krist, 10; Lathrop, 12; Nordquist, 7.

A BILL FOR AN ACT relating to public utilities; to adopt the Major Gas,

Water, and Sewer Infrastructure Improvement and Replacement Assistance Act; and to create a fund.

LEGISLATIVE BILL 683. Introduced by Mello, 5.

A BILL FOR AN ACT relating to storm water management; to amend section 81-1178, Reissue Revised Statutes of Nebraska; to create the Storm Water Management Commission; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 684. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to economic development; to amend section 81-1201.13, Reissue Revised Statutes of Nebraska; to change provisions relating to an advisory committee for travel and tourism; and to repeal the original section.

LEGISLATIVE BILL 685. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend sections 81-1255 and 81-1258, Reissue Revised Statutes of Nebraska; to change provisions relating to the use of funds and the members of committees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 686. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Veterinary Medicine and Surgery Practice Act; to amend section 38-3321, Revised Statutes Cumulative Supplement, 2010; to provide an exception for transplantation of bovine embryos; and to repeal the original section.

LEGISLATIVE BILL 687. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-131, Reissue Revised Statutes of Nebraska, and section 38-3301, Revised Statutes Cumulative Supplement, 2010; to provide for issuance of a veterinarian locum tenens; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 688. Introduced by Smith, 14.

A BILL FOR AN ACT relating to retirement; to require certain law enforcement officers and firefighters to work until the age of fifty-five in order to receive full retirement benefits; to prohibit elective officers from participating in a pension or retirement plan as prescribed; and to provide an operative date.

LEGISLATIVE BILL 689. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to human trafficking; to amend section 28-830, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Cumulative Supplement, 2010; to define terms; to provide an affirmative defense and for treatment of victims; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 690. Introduced by Brasch, 16; Bloomfield, 17; Carlson, 38; Christensen, 44; Fulton, 29; Hansen, 42; Heidemann, 1; Janssen, 15; Krist, 10; Langemeier, 23; Larson, 40; Lautenbaugh, 18; McCoy, 39; Schilz, 47; Schumacher, 22; Smith, 14; Wallman, 30.

A BILL FOR AN ACT relating to abortion; to amend sections 71-6901, 71-6902, 71-6903, 71-6904, 71-6905, 71-6906, 71-6907, and 71-6908, Reissue Revised Statutes of Nebraska, and section 38-2021, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to consent and parental notification; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 691. Introduced by Brasch, 16; Bloomfield, 17; Carlson, 38; Hansen, 42; Schilz, 47.

A BILL FOR AN ACT relating to state government; to provide requirements relating to purchasing biobased products.

LEGISLATIVE BILL 692. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend section 81-1174, Revised Statutes Cumulative Supplement, 2010; to change requirements for the reimbursement of expenses as prescribed; and to repeal the original section.

LEGISLATIVE BILL 693. Introduced by Carlson, 38.

A BILL FOR AN ACT relating to alcoholic liquor; to adopt the Alcoholic Liquor Liability Act; and to provide an operative date.

LEGISLATIVE BILL 694. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Evidence Rules; to amend section 27-1103, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to certain medical evidence; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 695. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.01, Reissue Revised Statutes of Nebraska; to change the income tax rate; and to repeal the original section.

LEGISLATIVE BILL 696. Introduced by Nordquist, 7; Howard, 9.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-915, Reissue Revised Statutes of Nebraska, and section 68-901, Revised Statutes Cumulative Supplement, 2010; to state intent; to change provisions and provide duties for the Department of Health and Human Services relating to redeterminations of children's eligibility; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 697. Introduced by Coash, 27; Fulton, 29; Langemeier, 23.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-615 and 37-618, Reissue Revised Statutes of Nebraska; to provide for a hearing regarding privileges and permits suspended or revoked in other jurisdictions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 698. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to motor fuel; to amend sections 66-1214 and 89-186, Reissue Revised Statutes of Nebraska; to eliminate labeling requirements for alcohol-blended fuel; and to repeal the original sections.

RESOLUTIONS

LEGISLATIVE RESOLUTION 40CA. Introduced by Pirsch, 4.

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

Section 1. At the general election in November 2012 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 add a new section 25 to Article XV:

XV-25 Fishing, trapping, and hunting are a valued part of the heritage of the people and will be a right forever preserved for the people subject to reasonable restrictions as prescribed by law.

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 preserve the right to fish, trap, and hunt subject to reasonable restrictions as prescribed by law.

For

Against.

LEGISLATIVE RESOLUTION 41. Introduced by Nordquist, 7; Adams, 24; Ashford, 20; Avery, 28; Campbell, 25; Carlson, 38; Coash, 27; Conrad, 46; Cook, 13; Council, 11; Dubas, 34; Fischer, 43; Flood, 19; Fulton, 29; Gloor, 35; K. Haar, 21; Hadley, 37; Hansen, 42; Harms, 48; B. Harr, 8; Howard, 9; Karpisek, 32; Krist, 10; Langemeier, 23; Larson, 40; Lathrop, 12; McCoy, 39; McGill, 26; Mello, 5; Nelson, 6; Pankonin, 2; Pirsch, 4; Schilz, 47; Schumacher, 22; Sullivan, 41; Wallman, 30; Wightman, 36.

WHEREAS, Theodore "Ted" C. Sorensen, a Nebraska native, a graduate of Lincoln High School, and an alumnus of the University of Nebraska and the University of Nebraska College of Law, died October 31, 2010, at the age of eighty-two; and

WHEREAS, Ted Sorensen was born to a family dedicated to public service, with his father, Christian Sorensen, serving as Nebraska's Attorney General from 1929-1933 and his brother, Philip Sorensen, serving as Nebraska's Lieutenant Governor from 1965-1967; and

WHEREAS, Ted Sorensen took great pride in his Nebraska roots and was a dedicated supporter of the University of Nebraska; and

WHEREAS, as a young lawyer, Ted Sorensen left Nebraska for Washington, D.C., and was hired by John F. Kennedy, the newly elected United States Senator from Massachusetts; and

WHEREAS, Ted Sorensen became a trusted advisor, speechwriter, counselor, confidante, and friend to President John F. Kennedy; and

WHEREAS, Ted Sorensen helped lead this country as an advisor in both domestic and foreign policy to President Kennedy's administration during defining moments in our nation's history; and

WHEREAS, Ted Sorensen was a brilliant and accomplished author whose words helped to inspire a generation through President Kennedy's speeches and also captured history through his integral role in the composition of President Kennedy's Pulitzer Prize-winning Profiles in Courage, as well as Sorensen's own works, including the biography Kennedy and his memoir, Counselor: A Life at the Edge of History; and

WHEREAS, Ted Sorensen was awarded a National Humanities Medal in 2009 for advancing the understanding of modern politics; and

WHEREAS, Ted Sorensen was an accomplished lawyer and a Democratic political strategist whose legacy will be the power of his words and the people they inspired; and

WHEREAS, Ted Sorensen is survived by his wife, Gillian, his daughter, Juliet, and his sons, Eric, Stephen, and Philip.

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

1. That the Legislature honors the memory of Theodore "Ted" C. Sorensen and his many contributions and achievements.

2. That the Legislature expresses and extends its sympathy and condolences to the family of Ted Sorensen.

3. That a copy of this resolution be sent to the family of Ted Sorensen.

Laid over.

LEGISLATIVE RESOLUTION 42. Introduced by Utter, 33.

WHEREAS, Tanar Fairchild has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Tanar has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Tanar installed a new piece of playground equipment at Juniata Elementary School; and

WHEREAS, only five percent of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Tanar, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Tanar Fairchild on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Tanar Fairchild.

Laid over.

LEGISLATIVE RESOLUTION 43. Introduced by Utter, 33.

WHEREAS, the Hastings St. Cecilia Bluehawks won the 2010 Class C-2 State Football Championship, the school's second consecutive state championship in football; and

WHEREAS, the Bluehawks' victory marked the first time in school history that a team won back-to-back state championships in football; and

WHEREAS, the Bluehawks finished their season with a perfect record of 13-0; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Hastings St. Cecilia Bluehawks on winning the 2010 Class C-2 State Football Championship.

2. That a copy of this resolution be sent to the Hastings St. Cecilia Bluehawks and their coach, Carl Tesmer.

Laid over.

LEGISLATIVE RESOLUTION 44CA. Introduced by Pirsch, 4.

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

Section 1. At the general election in November 2012 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 III, sections 6 and 10:

III-6 The Legislature shall consist of not more than fifty members and not less than thirty members. ~~The sessions of the Legislature shall be annual except as otherwise provided by this constitution or as may be otherwise provided by law.~~

III-10 ~~Beginning with the year 1975, regular~~ Regular sessions of the Legislature shall be held ~~annually, in odd-numbered years~~ commencing at 10 a.m. on the first Wednesday ~~after the first Monday in January of each year. February.~~ The terms of the members of the Legislature shall commence on the first day of the regular session and, notwithstanding the provisions of Article III, section 7, of this Constitution, the preceding terms shall terminate on such date. The duration of regular sessions held shall not exceed ninety legislative days ~~in odd-numbered years unless extended by a vote of four-fifths of all members elected to of the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature.~~ Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment. The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided. A majority of the members ~~elected to of~~ the Legislature shall constitute a quorum. ~~The ; the~~ Legislature shall determine the rules of its proceedings, ~~and~~ be the judge of the election, returns, and qualifications of its members, ~~shall and~~ choose its own officers, including a Speaker to preside when the Lieutenant Governor ~~shall be is~~ absent, incapacitated, or ~~shall act acting~~ as Governor. No member shall be expelled except by a vote of two-thirds of all members ~~elected to of~~ the Legislature, and no member shall be twice expelled for the same offense. The Legislature may punish by imprisonment any person not a member thereof who ~~shall be is~~ guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person ~~shall persist~~ persists in such disorderly or contemptuous behavior.

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 provide for regular sessions of the Legislature only in odd-numbered years, to change the date on which regular sessions will commence, to change the date on which the terms of members will commence, and to change the date on which the terms of certain members will terminate.

For

Against.

LEGISLATIVE RESOLUTION 45CA. Introduced by Pirsch, 4.

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

Section 1. At the general election in November 2012 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 add a new section 12 to Article XVII:

XVII-12 (1) For purposes of this section, state elective office means the office of Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, member of the Legislature, and member of a board or commission established by this Constitution with one or more election districts of more than one county.

(2) Any official elected or appointed to a state elective office may be recalled from office at any time through the procedure and in the manner provided for by law. The procedure shall be known as recall and shall be in addition to any other method of removal from office provided by this Constitution.

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 provide for recall of holders of state elective office as prescribed by law.

For

Against.

LEGISLATIVE RESOLUTION 46CA. Introduced by Pirsch, 4.

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

Section 1. At the general election in November 2012 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 III, section 13:

III-13 The style of all bills shall be, Be it enacted by the people of the State of Nebraska, and no law shall be enacted except by bill. No bill shall be passed by the Legislature unless by the assent of a majority of all members elected to the Legislature and the yeas and nays on the question of final passage of any bill shall be entered upon the journal, except that any bill that imposes a tax or license fee or increases the rate of a tax or the

amount of a license fee shall require a two-thirds vote of all the members elected to the Legislature.

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 require a two-thirds vote of the Legislature to approve any bill that imposes or increases a tax or license fee.

For

Against.

LEGISLATIVE RESOLUTION 47. Introduced by Lathrop, 12; Coash, 27; Harms, 48; Karpisek, 32.

WHEREAS, the One Hundredth Legislature, Second Session, 2008, adopted Legislative Resolution 283 to establish the Developmental Disabilities Special Investigative Committee of the Legislature, and the One Hundred First Legislature, First Session, 2009, adopted Legislative Resolution 11 to reauthorize the Developmental Disabilities Special Investigative Committee of the Legislature. The committee was authorized to study the quality of care and related staffing issues at the Beatrice State Developmental Center, investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, and determine how and why such services to the developmentally disabled were permitted to decline to the level documented in the United States Department of Justice report; and

WHEREAS, the committee issued a report of its findings and recommendations on December 15, 2008. Among other findings, the committee concluded that the state was likely to lose its federal medicaid funding for the Beatrice State Developmental Center, that various improvements needed to be made to the community-based programs, and that the developmental disability waiting list included 1,865 families who, absent some change in direction by the State of Nebraska, would remain on the waiting list indefinitely. The committee also made various recommendations for improvement of services to the developmentally disabled in the State of Nebraska. Those recommendations related not only to improvements at the Beatrice State Developmental Center but also to community-based programs as well as the provision of services to the developmentally disabled individuals who would otherwise sit indefinitely on the state's waiting lists. To ensure that the recommendations of the committee would be implemented, the committee recommended that the Legislature continue oversight of these issues: "The LR 283 Committee should be reauthorized at the beginning of the next legislative session. This investigative committee should work with the Health and Human Services Committee to ensure that the terms of the DOJ Consent Decree as well as the recommendations herein are implemented in a timely fashion."

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and reappoint the special committee of the Legislature known as the Developmental Disabilities Special Investigative Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the executive board. The executive board shall appoint the chairperson and vice-chairperson of the committee with consideration being given to reappointing the current chairperson and vice-chairperson. The executive board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board is also authorized to hire outside legal counsel, consultants, and investigators as required by the committee. The committee shall be an investigative committee and is hereby authorized to hold hearings and issue subpoenas as is deemed necessary by the committee.

2. The Developmental Disabilities Special Investigative Committee of the Legislature is hereby authorized to continue to study the quality of care and related staffing issues at the Beatrice State Developmental Center. The committee shall also continue to investigate the placement and quality of care statewide for the developmentally disabled in Nebraska, including the determination of whether adequate funding and capacity exists for persons to be served in the community, options for service provisions for current residents of the Beatrice State Developmental Center at other twenty-four-hour care facilities in the state, and the staffing practices at twenty-four-hour care facilities and the relationship of those practices to the quality of care provided to the developmentally disabled. The committee shall also review the processes of how the Division of Developmental Disabilities of the Department of Health and Human Services determines eligibility for services for individuals who are in need of services, as well as the processes utilized by the division to determine when individuals who have received services by the division are no longer eligible for such services. The committee shall also provide oversight to ensure that the terms of the United States Department of Justice Consent Decree and the recommendations from the Report of the Developmental Disabilities Special Investigative Committee dated December 15, 2008, are implemented in a timely fashion.

3. The Developmental Disabilities Special Investigative Committee of the Legislature shall issue a report with its findings as the circumstances warrant.

4. The Developmental Disabilities Special Investigative Committee of the Legislature is hereby authorized to continue its work until the beginning of the One Hundred Second Legislature, Second Session.

Laid over.

LEGISLATIVE RESOLUTION 48. Introduced by Flood, 19.

WHEREAS, the Lutheran High Northeast Eagles won the 2010 Class C-2 State Volleyball Championship; and

WHEREAS, the Eagles' victory was the school's first state championship in any sport and the first state championship in volleyball by any Norfolk school; and

WHEREAS, Head Coach Kathy Gebhardt, Assistant Coach Carey Portwood, and Assistant Coach Nancy Boche did a tremendous job of guiding the Eagles to the state championship; and

WHEREAS, the Eagles were led to the state championship by the following team members: AnneMarie Becker; Karissa Blank; Shelby Boche; Kelsey Dinkel; Kendra Dinkel; Elizabeth Gebhardt; Megan Gebhardt; Katrina Hughes; Jessica Masters; Alesha Rosberg; Amber Rosberg; Paige Sunderman; Mandi Uecker; Mallory Weaver; Becky Wessel; and Jill Winkelbauer.

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

1. That the Legislature congratulates the Lutheran High Northeast Eagles on winning the 2010 Class C-2 State Volleyball Championship.

2. That a copy of this resolution be sent to the Lutheran High Northeast Eagles and their coaches.

Laid over.

LEGISLATIVE RESOLUTION 49. Introduced by Flood, 19.

WHEREAS, the Norfolk Catholic Knights won the 2010 Class C-1 State Football Championship; and

WHEREAS, the Knights finished the season undefeated at 13-0; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Norfolk Catholic Knights on winning the 2010 Class C-1 State Football Championship.

2. That a copy of this resolution be sent to the Norfolk Catholic Knights and their coach, Jeff Bellar.

Laid over.

LEGISLATIVE RESOLUTION 50. Introduced by Harms, 48; Louden, 49.

WHEREAS, the Western Nebraska Community College volleyball team won the 2010 National Junior College Athletic Association Division I Volleyball Championship; and

WHEREAS, the Western Nebraska Community College volleyball team has won the national championship two times in the last four years; and

WHEREAS, the Western Nebraska Community College volleyball team finished their outstanding season with a record of 43-4.

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

1. That the Legislature congratulates the Western Nebraska Community College volleyball team on winning the 2010 National Junior College Athletic Association Division I Volleyball Championship.

2. That a copy of this resolution be sent to the Western Nebraska Community College volleyball team and their coaches.

Laid over.

LEGISLATIVE RESOLUTION 51CA. Introduced by Heidemann, 1.

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

Section 1. At the general election in November 2012 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 III, section 24:

III-24(1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services, or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.

(3)(a) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for the following purposes, as directed by the Legislature:

(i) The first five hundred thousand dollars after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund;

(ii) ~~Forty-four and one-half~~ Twenty-two and one-fourth percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be

~~transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act; Water Resources Cash Fund;~~

(iii) Twenty-two and one-fourth percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Board of Regents of the University of Nebraska for the Nebraska Innovation Campus through 2038 and shall be transferred to the General Fund beginning in 2039;

~~(iii)-(iv) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education as the Legislature may direct;~~

~~(iv)-(v) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and~~

~~(v)-(vi) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund.~~

(b) No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of the Legislature.

(4) Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

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 change the distribution of state lottery revenue, to provide funding for the Water Resources Cash Fund and the Nebraska Innovation Campus, and to eliminate funding for the Nebraska Environmental Trust Fund.

For

Against.

COMMITTEE REPORTS

Education

LEGISLATIVE BILL 18. Placed on General File.

LEGISLATIVE BILL 59. Placed on General File.

(Signed) Greg Adams, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 135. Placed on General File.

LEGISLATIVE BILL 170. Placed on General File.

(Signed) Deb Fischer, Chairperson

VISITORS

Visitors to the Chamber were Ilene Grossman and Tim Anderson from the Council of State Governments; and Senator Carlson's wife, Margo Carlson, from Holdrege, Jan Stuckey from Plattsmouth, and Ann Havekost from Lincoln.

The Doctor of the Day was Dr. John Lohrberg from Waterloo.

ADJOURNMENT

At 12:22 p.m., on a motion by Senator McCoy, the Legislature adjourned until 9:45 a.m., Thursday, January 20, 2011.

Patrick J. O'Donnell
Clerk of the Legislature