

**SECOND DAY - JANUARY 6, 2011****LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION****SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 6, 2011

**PRAYER**

The prayer was offered by Pastor Nate Reckling, Countryside Alliance Church, Princeton.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Flood presiding.

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

**CORRECTIONS FOR THE JOURNAL**

The Journal for the first day was approved.

**MOTION - Adopt Temporary Rules**

Senator Utter moved that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1; provided that the temporary rules shall not continue after the tenth legislative day.

The motion prevailed.

**MESSAGES FROM THE GOVERNOR**

April 16, 2010

Mr. President, Speaker Flood  
and Members of the Legislature  
State Capitol Building  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individual is being appointed to the Nebraska Information Technology Commission:

Dan Shundoff, 2611 Country Club Lane, Kearney, NE 68845

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Information Technology Commission:

Doug Kristensen, 219 North Brown, Minden, NE 68959

Lance Hedquist, 905 E. 29th Street, South Sioux City, NE 68776

Patrick Flanagan, 7710 S. 45th Ave., Omaha, NE 68157

Harold Huggenberger, 3281 County Rd P 43, Fort Calhoun, NE 68023

Daniel Hoelsing, 101 7th Street, Laurel, NE 68745

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

May 1, 2010

Mr. President, Speaker Flood  
And Members of the Legislature  
State Capitol Building  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being reappointed to the State Personnel Board:

Samuel Seever, 6425 Lone Tree Drive, Lincoln, NE 68512

Brian Tessman, 12929 Jessie Avenue, Omaha, NE 68164

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

June 10, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as Director of the State Energy Office:

Ginger S. Langemeier, 2019 Raven Oaks Drive, Lincoln, NE 68521

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

June 18, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Accountability and Disclosure Commission:

Roger Bradford (Brad) von Gillern, 1532 North 159th Street, Omaha, NE 68118

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

June 28, 2010

Mr. President, Speaker Flood and

Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Ethanol Board:

Mark McColley, 13505 B Street, Omaha, NE 68144  
Michael Thede, 327 "R" Street, Palmer, NE 68864

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

June 28, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Robert "Bob" Culver Jr., 1008 Dodge St., #305, Omaha, NE 69102  
Donna Hastings, 212 Forest Blvd., Hastings, NE 68901  
Nana Smith, 2221 Sheridan Blvd., Lincoln, NE 68502

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

June 30, 2010

Mr. President, Speaker Flood and

Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Motor Vehicle Industry Licensing Board:

Blake Dillon, 1444 N. Nye Ave., Fremont, NE 68025

Contingent upon your approval, the following individual is being reappointed to the Nebraska Motor Vehicle Industry Licensing Board:

Fred Stone, 2710 Kucera Dr., Lincoln, NE 68502

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

July 8, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Natural Resources Commission:

Thomas Knutson, 102 Custer, St. Paul, NE 68873

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

July 14, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Technical Advisory Committee for Statewide Assessment:

Dallas Watkins, P.O. Box 94, Benkelman, NE 69021  
Wayne Camara, College Board, 45 Columbus Ave., New York, NY 10053

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

July 14, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Railway Council:

Frank Landis, 3400 Calvert, Lincoln, NE 68502  
John Rebensdorf, 651 North 57th Ave., Omaha, NE 68132  
Ralph Holzfastner, 77045 Road 343, Paxton, NE 69155  
Gary Rasmussen, Box 6, Elba, NE 68835

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

July 23, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Motor Vehicle Industry Licensing Board:

William Reeg, 1023 Hillcrest Road, Wayne, NE 68787

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

July 28, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the State Electrical Board:

Edwin Bergstraesser, 1300 SW 24th St., Lincoln, NE 68522  
Cory Mueller, 238 S. 2nd St., Seward, NE 68434

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

August 5, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Highway Commission:

E.J. Militti Jr., 1349 South 101st Street, Unit #115, Omaha, NE 68124

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

August 30, 2010

Mr. President, Speaker Flood  
and Members of the Legislature  
State Capitol Building  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Rural Health Advisory Commission:

Kathy Boswell, 214 West Second St., Allen, NE 68710  
Dr. Douglas Dilly, 101 Eden Rock Lane, Neligh, NE 68756  
Martin Fattig, 73091 643A Ave., Auburn, NE 68305  
Dr. Shawn Kralik, 438 23rd, West Point, NE 68788  
Sharon Vandegrift, 71015 560 Ave., Fairbury, NE 68352

Contingent upon your approval, the following individual is being appointed to the Nebraska Rural Health Advisory Commission:

Dr. Zachary Frey, 2332 N. 88th Street, Lincoln, NE 68507

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.



Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

August 31, 2010

Mr. President, Speaker Flood  
and Members of the Legislature  
State Capitol Building  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the State Board of Health:

Dr. Dale Michels, 11800 Van Dorn, Walton, NE 68461  
Roger Reamer, 1616 Karol Kay Blvd., Seward, NE 68434  
Dr. Daryl Wills, 1590 Park Terrace, Gering, NE 69341  
Janet Coleman, 6049 Franklin, Lincoln, NE 68506

Contingent upon your approval, the following individuals are being appointed to the State Board of Health:

Wayne Stuberg, 3708 Farnam St., Omaha, NE 68131  
Diane Jackson, 346 Gold St., Riverton, NE 68972  
Debra Parsow, 812 South 67th St., Omaha, NE 68106

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

September 10, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Board of Trustees of the Nebraska State Colleges:

Gary Bieganski, 706 Bordeaux Road, Chadron, NE 69337  
Carter Peterson, 502 Douglas Street, Wayne, NE 68787

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

September 10, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being  
reappointed to the Nebraska Child Abuse Prevention Fund Board:

Rev. Dr. Rebecca Brown, 7001 Edenton Road, Lincoln, NE 68516

Contingent upon your approval, the following individuals are being  
appointed to the Nebraska Child Abuse Prevention Fund Board:

Martha Parker, 2619 Browne Street, Omaha, NE 68111  
Brandon Verzal, 631 Sycamore Drive, Lincoln, NE 68510

The aforementioned appointees are respectfully submitted for your  
consideration. Copies of the certificates and background information are  
included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

September 10, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Community Corrections Council:

Jeffrey Davis, 1104 Crest Road, Papillion, NE 68046  
The Honorable Thomas Dorwart, 2310 11th Avenue, Sidney, NE 69162  
Frank Peak, 5523 N. 34th, Omaha, NE 68111

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

September 10, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Educational Telecommunications Commission:

Darlene Starman, 1030 Rockhurst, Lincoln, NE 68510

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

September 16, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Racing Commission:

Jeffrey Galyen, 3205 Golf View Drive, Norfolk, NE 68701

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

September 16, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Board of Educational Lands and Funds:

Charles Ward, HC 13, Box 701, Valentine, NE 69201

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

September 17, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being appointed to the Nebraska Arts Council:

Lynn Roper, 3227 South 29th St., Lincoln, NE 68502  
Mark Laughlin, 5106 California St., Omaha, NE 68132

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

November 8, 2010

Mr. President, Speaker Flood  
and Members of the Legislature  
State Capitol Building  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being  
reappointed to the State Emergency Response Commission:

Dana Miller, 110 21st St., Gering, NE 69341  
Tim Hofbauer, 2328 34th Street, Columbus, NE 68601  
Keith Hansen, 10700 Dawn Ave., Lincoln, NE 68516

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

November 9, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed  
to the State Racing Commission:

Kristopher Covi, 6526 S. 172nd Ave., Omaha, NE 68135

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

November 9, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the State Fair Board:

Tam Allan, 5405 A Street, Lincoln, NE 68510

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

November 15, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as the Director of the Department of Insurance:

Bruce Ramage, 9329 Krug Avenue, Omaha, NE 68124

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

November 16, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Board of Public Roads Classifications and Standards:

Timothy Weander, 17734 Castelar Circle, Omaha, NE 68145

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

December 2, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being reappointed to the Public Employees Retirement Board:

The Hon. Randall Rehmeier, 705 Wildwood Lane, Nebraska City, NE  
68410

Richard Wassinger, 1213 Cambridge Court, Plattsmouth, NE 68048

The aforementioned appointees are respectfully submitted for your

consideration. Copies of the certificates and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

December 20, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Foster Care Review Board:

Susan Staab, 10740 South 98th Street, Lincoln, NE 68526

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

December 20, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Investment Council:

John Maginn, 14001 Eagle Run Drive, Omaha, NE 68375

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.



Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

December 20, 2010

Mr. President, Speaker Flood and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being  
reappointed to the Nebraska Power Review Board:

Mark Graham, 6550 S. 34th Street, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your  
consideration. Copies of the certificate and background information are  
included for your review.

Sincerely,  
(Signed) Dave Heineman  
Governor

Enclosures

## REPORTS

The following reports were received by the Legislature:

### **Agriculture, Department of**

Commercial Dog and Cat Operator Inspection Act Fiscal Report for  
2009/10

### **Appropriations Committee, Legislative**

Agency Efficiency Review Plans (LB935, 2010)

### **Arts Council, Nebraska**

Nebraska Arts and Humanities Cash Fund Report

### **Auditor of Public Accounts**

Attestation Report of the Nebraska Motor Vehicle Industry Licensing  
Board for the year ended June 30, 2009

Audit Report of Nebraska Lottery for fiscal year ended June 30, 2010

Nebraska Public Employees Retirement Systems - State and County

Employees Retirement Plans for the year ended December 31, 2009

Revenue, Department of, Cigarette Tax Receipts, Attestation Report

**Banking and Finance, Nebraska Department of**

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

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

**Chief Information Officer, Office of the**

2009 Annual Report

Report on the Status of Enterprise Projects

**Children's Behavioral Health Oversight Committee**

2010 Report

**Coordinating Commission for Postsecondary Education**

2010 Biennial Report

Capital Construction Budget Recommendations and Prioritization for 2011-2013 Biennium

Postsecondary Education Operating Budget Recommendations for 2011-2013 Biennium

Postsecondary Education Operating Budget Recommendations/Capital Construction Budget Recommendations and Prioritization Executive Summaries

**Correctional Services, Department of**

Annual Report for the Work Ethic Camp

**Economic Development, Department of**

2009 Annual Performance Report (APR) for Nebraska's Housing and Community Development Program's Consolidated Plan

Local Civic, Cultural, and Convention Center Financing Fund 2010 Annual Report

Nebraska Advantage Annual Job Training Cash Fund Report

Nebraska Housing and Community Development Programs Proposed 2011 Annual Action Plan

**Education, Department of**

Report on the Status of Negotiations for 2011-2013 between the Nebraska Department of Education and the Nebraska Association of Public Employees/AFSCME, Local 61

**Environmental Quality, Department of**

2010 Annual Report

Clean Water State Revolving Fund Annual Report

Drinking Water State Revolving Fund Annual Report

**Equal Opportunity Commission, Nebraska**

Annual Report, Fiscal Year 2009/2010

**Fiscal Office, Legislative**

Monthly Consensus Estimate of General Fund Receipts

**Game and Parks Commission**

Game Law Investigation Cash Fund Annual Report

**Health and Human Services Committee, Legislature**

Health Care Facility Licensure Act Report (LB999, 2010)

**Health and Human Services, Department of**

2010 Nebraska Health Care Funding Act Report

Developmental Disabilities Court-Ordered Custody Act Report

Director's Report on the Proposal to Expand the Scope of Practice of

Optometrists

Division of Behavioral Health Division of Children and Family Services  
Annual Report (LB603)

Division of Children and Family Services 2009 Caseload Report

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

Supplemental Nutrition Assistance Program Benefits (formerly Food  
Stamp Program)

Women's Health Initiative Annual Report

**Information Technology Commission, Nebraska**

Progress Report of the Nebraska Information Technology Commission

Recommendations on Technology Investments for the FY2011-2013  
Biennium

**Innovation and Entrepreneurship Task Force**

Nebraska's Innovation and Entrepreneurial Ecosystem (LB1109, 2010)

**Investment Council**

Northern Ireland Reporting Requirements Report

Sustainability of Healthcare Transfer

**Investment Finance Authority, Nebraska (NIFA)**

2009 Series A, B, C, D, E, and F Community Development Loan Notes  
(City of Lincoln Program-2009) Reports

Agricultural Loans Report – Fiscal Year Ending 6-30-10

Clean Water State Revolving Fund Revenue Bonds and Drinking Water  
State Revolving Fund Revenue Bonds Notice

Clean Water State Revolving Fund Revenue Bonds Series 2010 B  
Quarterly Report

Series 2010A Drinking Water State Revolving Fund Revenue Bonds

Series 2010B Clean Water State Revolving Fund Revenue Bonds Notice

Single Family Housing Bonds and General Obligation Bonds Notice

**Labor, Department of**

Nebraska State Workforce Investment Board Significant Modifications to  
Nebraska's Strategic State Plan for PY 2010

Strategic Five-Year State Workforce Investment Plan for Title I of the  
Workforce Investment Act of 1998 and the Wagner-Peyser Act

Workforce Investment Act 2009 Annual Report

**Natural Resources, Department of**

2010 Biennial Report on the Nebraska Resources Development Fund

Annual Report and Plan of Work for the Nebraska State Water Planning  
and Review Process

Water Resources Cash Fund Uses for the Previous Fiscal Year 2009-2010

**Ombudsman/Public Counsel (See Public Counsel)**

**Parole, Board of**

36th Annual Report

**Performance Audit, Legislative**

Annual Report to the Legislature

**Power Review Board**

"Conditions Certain" Issues Annual Report

Sixteenth Biennial Report

**Propane Education and Research Safety Council, Nebraska**

Independent Auditors' Report Years Ended December 31, 2009 and 2008

**Public Counsel/Ombudsman**

Thirty-ninth Annual Report

**Public Service Commission**

2010 Annual Report on Telecommunications

**Research Division, Legislative**

Boards and Commissions in Nebraska, 2010

**Retirement Systems, Public Employees**

Annual Investment Reports for Year Ending 12/31/09

County Employees' Retirement System Cash Balance Benefit Fund,  
Actuarial Valuation Results as of January 1, 2010 for State Fiscal Year  
Ending June 30, 2012

County Equal Retirement Benefit Fund, Actuarial Valuation Results as of  
January 1, 2010 for Fiscal Year Ending June 30, 2011

Judges' Retirement Systems Fifty-eighth Actuarial Report for State Fiscal  
Year Ending June 30, 2012 and System Plan Year Beginning July 1,  
2010

Plan Investment Review prepared for State of Nebraska

School Retirement Systems Fifty-eighth Actuarial Report for State Fiscal  
Year Ending June 30, 2012 and System Plan Year Beginning July 1,  
2010

State Employees' Retirement System Cash Balance Benefit Fund,  
Actuarial Valuation Results as of January 1, 2010 for State Fiscal Year  
Ending June 30, 2012

State Equal Retirement Benefit Fund, Actuarial Valuation Results as of  
January 1, 2010 for State Fiscal Year Ending June 30, 2011

State Patrol Retirement Systems Fifty-eighth Actuarial Report for State  
Fiscal Year Ending June 30, 2012 and System Plan Year Beginning July  
1, 2010

**Revenue, Nebraska Department of**

Monthly Consensus Estimate of General Fund Receipts

Nebraska Lottery 2010 Annual Report and Resource Guide

**Roads, Nebraska Department of**

Board of Public Roads Classifications and Standards Specifying Criteria  
for Remote Roads as Required by LB 1068 (2008) Reports

State Highway Commission Quarterly Reports

Traffic Crash Facts 2009 Annual Report

**Rural Development Commission**

2010 Annual Report

**Sentencing and Recidivism Task Force**

LR171 (2009) Report

**State Fair Board**

Expenditures from State Fair Funds Account, July 1, 2009 through June  
30, 2010

**Southeast Community College**

Financial Condition of the Center, Funding Received from Nonstate  
Sources, Training Conducted, and Testing and Evaluation Services  
Provided

**Uniform State Laws, Nebraska Commission on**  
 Nebraska Commission on Uniform State Laws Report  
**University of Nebraska**

Nebraska Innovation Campus Annual Update of the Master Plan and  
 Business Plan

**CONFLICT OF INTEREST STATEMENT**

Pursuant to Rule 1, Sec. 19, Senator Heidemann has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

**2010 INTERIM REPORT  
 ON THE DISPOSITION OF  
 INTERIM STUDY RESOLUTIONS**

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
426	Examine issues relating to beekeeping and honey production and marketing		X	
444	Examine constraints under law to necessary vegetation abatement in relation to division fences		X	
445	Examine livestock disease mitigation and response capabilities of the department of Agriculture		X	
446	Develop a long-term streambed vegetation management framework			X
447	Compile and synthesize literature relating to relative societal benefits and tradeoffs of diverse models of agricultural production			X
448	Explore and recommend alternatives to fund the Water Resources Cash Fund		X	
452	Examine means to reduce general fund obligations	X		
453	Examine the concept of "food deserts"		X	
475	Examine means to avoid and reduce potential conflicts relating to pesticide applications		X	

## Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
460(1)	Relating to the implementation and funding of the Medicaid state plan amendment or waiver for secure residential and sub acute behavioral health services		X	
534(2)	To examine aspects of the Nebraska Economic Forecasting Advisory Board	X		
436(1)	Review, assess, and provide recommendations relating to the implementation of the Nebraska Health Care Funding Act	X		
452	Provide the Budget Reform Task Force shall continue until December 31, 2010		X	
535(3)	To evaluate and identify the objectives of the Criminalistics Laboratory Division of the Nebraska State Patrol	X		
463	To examine the feasibility of implementing a program similar to the State Stat management accountability process used for executive agencies in the State of Maryland			X
509(1)	To explore the implementation of ACCESS Nebraska relating to public benefits processing		X	
520	Examine the impact of illegal immigration on the state's budget			X

(1) Joint reference with Health and Human Services Committee

(2) Joint reference with Revenue Committee

(3) Joint reference with Judiciary Committee

## Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
439	Federal Health Care Insurance		X	
413	Real Property Appraiser Act		X	
503	Uniform Unincorporated Nonprofit Association Act		X	

483	Motor Vehicle Insurance Fraud		X	
334	Prescription Drug Coverage		X	
406	Physician and Patient Prescription Protection Act		X	
424	Uniform Commercial Code		X	
438	NE Trust Company Act			X

## Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
451	Interim study to examine issues relating to the Small Business Regulatory Flexibility Act proposed by LB709			X
486	Interim study to examine issues relating to the health, safety, and working conditions of Nebraska meat and poultry workers			X
494	Interim study to examine the effect of Nebraska's workers' compensation statutes on businesses, other than agricultural operations, that employ only related employees			X

## Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
433	Interim study to examine student expression in Nebraska's public schools			X
490	Interim study to examine imposing a limitation on how much a school's state aid can change from one year to the next			X
514	Interim study to examine Nebraska's capacity to best serve lower-educated workers through adult education programs			X
521	Interim study to examine whether Nebraska should repeal provisions allowing persons not lawfully present in the United States to pay resident tuition at postsecondary educational institutions			X

526	Interim study to examine the governing structure and function of Nebraska's higher education system			X
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## Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
482	Interim study to examine changes in Nebraska's demographics and the effect on governmental services			X

## General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
527	Interim study to examine issues under the jurisdiction of the General Affairs Committee			X
528	Interim study to examine issues regarding area restrictions in the Nebraska Liquor Control Act	X		

## Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
409	Interim study to examine the subject of online voter registration		X	
507	Interim study to examine ways to streamline all levels of government including, but not limited to, elimination, consolidation or reassignment		X	
470	Interim study to examine the issue of how political subdivisions may be impacted by the 2010 United States Census		X	
472	Interim study to examine the issue of using electronic and digital signatures on initiative and referendum petitions		X	
492	Interim study to examine issues relating to adding a fiftieth senator to the Legislature		X	



471	Interim study to examine issues under the jurisdiction of the Government, Military and Veterans Affairs Committee		X	
519	Interim study to examine issues relating to Firearms Freedom Acts which have been enacted or introduced by other state legislatures		X	
431	Interim study to examine how private sources of money given to public institutions should be disclosed		X	
423	Interim study to examine the way Nebraska awards electoral votes in presidential elections		X	

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
467	Interim study to conduct research and provide recommendations for implementing the federal Patient Protection and Affordable Care Act (federal healthcare act)	X		
372	Interim study to examine the potential effect of national health care reform proposals on Nebraska		X	
568	Interim study to review implementation of reforms by the Dept. of Health and Human Services regarding how children and families are served by the child welfare and juvenile services system in Nebraska		X	
436	Interim study to review, assess, and provide recommendations relating to the implementation of the Nebraska Health Care Funding Act	X		
513	Interim study to review the implementation of the Nebraska Behavioral Health Services Act by the Division of Behavioral Health of the Department of Health and Human Services	X		

501	Interim study to examine costs to the state and infant and child outcomes associated with not providing prenatal services through the Medicaid program to low-income women in Nebraska		X	
466	Interim study to examine the operation and accomplishments of the Drug Use Review and preferred drug list activities of the Division of Medicaid and Long-Term Care of the Department of Health and Human Services			X
509	Interim study to explore the implementation of ACCESS Nebraska relating to public benefits processing			X
512	Interim study to examine the responsibilities of Nebraska nonprofit corporations and health care delivery systems when implementing LB403, 2009, relating to immigration			X
425	Interim study to examine issues relating to brain injuries			X
459	Interim study to examine Nebraska's level of preparedness for emergencies and disasters, especially in relation to the state's children			X
502	Interim study to review the status of trauma care in Nebraska			X
460	Interim study relating to the implementation and funding of the Medicaid state plan amendment or waiver for secure residential and subacute behavioral health services			X
462	Interim study to examine the issues of payment responsibility and payment rates for medical care of county inmates and those in emergency protective custody			X
434	Interim study to examine the factors contributing to childhood obesity, as well as its consequences			X
485	Interim study to examine issues relating to the shortage of social workers			X

517	Interim study to review the operations and usefulness of the Regulation of Health Professions Act			X
464	Interim study to examine staffing requirements for nursing homes			X
493	Interim study to determine whether there are enough resources present in school to detect and treat mental illness in school-age children			X
515	Interim study to examine the benefits associated with the pulse oximetry procedure performed on newborns			X
489	Interim study to examine raising revenue from misdemeanors and felonies or from other sources to help fund a grant program for rural emergency medical services			X
440	Interim study to examine issues relating to mobile home parks			X
454	Interim study to conduct research and provide recommendations regarding for-profit, specialty, or physician-owned hospitals			X
427	Interim study to determine if hospitals in Nebraska are communicating their community benefit to community members and how newly licensed hospitals affect the cost of health care			X

## Judiciary

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
571	Study the implementation of Office of Violence Prevention created under LB63 (2009) and study the implementation of LB800 (2010)		X	
488	Interim study to analyze the provisions of LB756, a bill to adopt the Nebraska Uniform Real Property Transfer on Death Act, with current Nebraska law	X		

430	Interim study to examine Nebraska's laws regarding a person's right to self-defense by the use of force and to review the Castle Doctrine laws in other states		X	
535	Interim study to evaluate and identify the objectives of the Criminalistics Laboratory Division of the Nebraska State Patrol		X	
479	Interim study to review matters under the jurisdiction of the Judiciary Committee			X
495	Interim study to examine district probation offices			X
432	Interim study to examine Nebraska's child support collection methods			X
525	Interim study to examine Nebraska's laws on unlawful intrusion, stalking, and criminal trespass			X
522	Interim study to examine the legality of the State of Nebraska knowingly offering state benefits to illegal immigrants			X

## Natural Resources Committee

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
474	Interim study to examine aquifer depletions in the State of Nebraska			X
465	Interim study to examine the benefits associated with constructing another nuclear power plant in Fort Calhoun, Nebraska		X	
473	Interim study to examine the correlative rights doctrine			X
478	Interim study to examine proposals to create a statewide water planning commission or agency focusing on the development of a statewide water plan to manage Nebraska's water resources			X
435	Interim study to examine issues relating to oil and natural gas pipelines in Nebraska	X		

450	Interim study to examine the establishment of an electronic waste recycling program in Nebraska			X
481	Interim study to examine the practice of prescribed burning such as controlled burns and the function of prescribed burning managing plant and animal communities	X		
491	Interim study to examine requiring a boating education course in order to reduce the number of accidents	X		
523	Interim study to examine the impact of LB436 which established a statewide net metering policy			X
508	Interim study to examine the availability of land for hunters in the State of Nebraska		X	
524	Interim study to examine regulation of renewable energy generation in other states and in regional transmission organizations			X

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
421	Examine retirement plans administered by Nebraska Public Employees Retirement System and receive actuarial reports on defined benefit plans	Final Actuarial Reports released in January 2011		
422	Review and update the General Principles of Sound Retirement Planning	X		
477	Examine issues related to sustainability of defined benefit plans			Ongoing

Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
496	Wind energy	X		
504	Property tax relief	X		
505	Local Civic Financing Act	X		

510	Nebraska Advantage Act refunds	X		
566	Water compact funding			X
497	Commercial development			X
437	Interlocal agreements	X		
487	Film industry tax incentives	X		
498	Tax expenditure report	X		
499	Low income household taxes			X
500	Examine tax policies	X		
506	Valuation appeal procedures	X		
511	Local Civic Financing Act		X	
536	Gross receipts taxation	X		
534	Economic Forecasting Board		X	

#### Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
419	Determine the need to create a licensing process for NE boat dealers		X	
442	Examine the issues under the jurisdiction of the committee			X
443	Review and monitor the progress of the FCC's National Broadband Plan		X	
484	Examine issues relating to the towing industry		X	
516	Analyze the VTR System that is developed and maintained by the DMV.		X	
518	Review the efficiency of DMV's sole responsibility for driver's license issuance and collection of fees			X

#### Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred
324	Interim study to examine the need for public utility ratepayer assistance programs in the state		X	
384	Interim study to examine the fire sprinkler mandate contained in the 2009 building code		X	

449	Interim study to examine energy efficiency financing options and sources of funds for residential, commercial, and industrial property owners		X	
461	Interim study to examine the federal Americans with Disabilities Act as it relates to parking accessibility for handicapped or disabled persons			X
468	Interim study to examine the impact of the State of Nebraska's potential adoption of the 2009 International Energy Conservation Code		X	
469	Interim study to examine the economic development programs available to municipalities		X	
497	Interim study to examine urban and commercial area development laws, policies, and programs			X
533	Interim study to examine the State Natural Gas Regulation Act of 2003		X	

**COMMUNICATION**

Received a copy of Senate Joint Resolution No. 27 from the state of Alabama relating to claiming sovereignty under the Tenth Amendment to the Constitution of the United States over certain powers, serving notice to the federal government to cease and desist certain mandates, and providing that certain federal legislation be prohibited or repealed.

**COMMUNICATION**

Pursuant to 84-104.05 R.R.S. of Nebraska Governor Dave Heineman issued a proclamation declaring January 5, 2011, as George W. Norris Day.

**COMMITTEE ON COMMITTEES PRELIMINARY REPORT**

Senator Hansen offered the following Committee on Committees report:

	Agriculture - Carlson (C)		
Ashford	Brasch	Harr, B.	Karpisek
Larson	Lathrop	Wallman	
	Appropriations - Heidemann (C)		
Conrad	Fulton	Hansen	Harms
Mello	Nelson	Nordquist	Wightman

	Banking, Commerce and Insurance - Pahls (C)		
Christensen	Gloor	Langemeier	McCoy
Pankonin	Pirsch	Utter	
	Business and Labor - Lathrop (C)		
Ashford	Carlson	Harr, B.	McGill
Smith	Wallman		
	Education - Adams (C)		
Avery	Cornett	Council	Haar, K.
Howard	Schilz	Sullivan	
	General Affairs - Karpisek (C)		
Bloomfield	Brasch	Coash	Cook
Krist	Larson	Schumacher	
	Government, Military and Veterans Affairs - Avery (C)		
Brasch	Janssen	Karpisek	Krist
Pahls	Price	Sullivan	
	Health and Human Services - Campbell (C)		
Bloomfield	Cook	Gloor	Howard
Schumacher	Wallman		
	Judiciary - Ashford (C)		
Coash	Council	Harr, B.	Larson
Lathrop	Lautenbaugh	McGill	
	Natural Resources - Langemeier (C)		
Carlson	Christensen	Dubas	Haar, K.
McCoy	Schilz	Smith	
	Nebraska Retirement Systems - Nordquist (C)		
Heidemann	Karpisek	Louden	Mello
Pankonin			
	Revenue - Cornett (C)		
Adams	Fischer	Hadley	Louden
Pankonin	Pirsch	Utter	
	Transportation and Telecommunications - Fischer (C)		
Campbell	Dubas	Hadley	Janssen
Lautenbaugh	Louden	Price	
	Urban Affairs - McGill (C)		
Bloomfield	Coash	Cook	Krist
Schumacher	Smith		



Committee on Committees - Hansen (C)

District 1:	District 2:	District 3:
Adams	Ashford	Carlson
Conrad	Cornett	Fischer
Langemeier	Howard	Flood
Pankonin	Lathrop	Louden

Enrollment and Review - Larson (C)

Reference - Wightman (C)

Christensen	Fischer	Flood	Karpisek
Langemeier	Lathrop	Nelson (VC)	Pahls
Heidemann (nonvoting ex officio)			

Rules - Lautenbaugh (C)

Brasch	Dubas	Lathrop	Utter
Flood (ex officio)			

Executive Board - Wightman (C)

Christensen	Fischer	Flood	Karpisek
Langemeier	Lathrop	Nelson (VC)	Pahls
Heidemann (nonvoting ex officio)			

Intergovernmental Cooperation - Janssen (C)

Christensen	Cornett	Howard	Langemeier
Flood (nonvoting ex officio)			
Lt. Gov. Sheehy (nonvoting ex officio)			

**ANNOUNCEMENT**

The Committee on Committees elected Senator Howard as Vice Chairperson.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Republican River; to repeal a cost-share program that is no longer needed; and to outright repeal section 46-692, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 2.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to irrigation; to amend sections 2-1579, 46-2,141, 46-753, 46-1117, 46-1125, and 66-1519, Reissue Revised Statutes

of Nebraska; to eliminate obsolete statutes, the Water Policy Task Force, and the Water Policy Task Force Cash Fund; to harmonize provisions; to repeal the original sections; and to outright repeal sections 46-2,131, 46-2,132, 46-2,133, 46-2,134, 46-2,135, 46-2,136, 46-2,137, 46-2,138, 46-633, 46-634.01, and 46-1118, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 3.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Construction Lien Act; to eliminate obsolete provisions relating to the enforcement of certain liens; and to outright repeal section 52-158, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 4.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Small Business Development Authority; to eliminate obsolete provisions relating to the authority and a repealed fund; and to outright repeal section 58-326, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 5.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Research and Development Authority; to eliminate obsolete provisions; and to outright repeal section 58-443, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 6.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Judges Retirement Act; to amend section 24-701, Reissue Revised Statutes of Nebraska; to eliminate obsolete language relating to acting judges of the county court; and to repeal the original section.

**LEGISLATIVE BILL 7.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Court; to repeal a transitional provision relating to Laws 1992, LB360; and to outright repeal section 48-181, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 8.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to schools; to amend section 79-413, Reissue Revised Statutes of Nebraska, and section 79-1008.01, Revised Statutes Cumulative Supplement, 2010; to repeal a provision governing incentive payments to school districts that were to be made prior to July 1,

2004; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-1010, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 9.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-212, Reissue Revised Statutes of Nebraska; to change an erroneous reference to previous sections rather than the entire chapter; and to repeal the original section.

**LEGISLATIVE BILL 10.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Retirement Systems Committee; to amend section 50-417, Reissue Revised Statutes of Nebraska; to clarify the reference to committee; and to repeal the original section.

**LEGISLATIVE BILL 11.** Introduced by Executive Board: Wightman, 36, Chairperson.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-631, Reissue Revised Statutes of Nebraska; to correct a recodification internal reference error from 1943; and to repeal the original section.

**LEGISLATIVE BILL 12.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to criminal law; to amend sections 28-105, 29-2204, 29-2520, 29-2522, 29-2524, and 83-1,105.01, Reissue Revised Statutes of Nebraska; to change the statutes to reflect the Nebraska Supreme Court opinion *State v. Conover*, 270 Neb. 446, 703 N.W.2d 898 (2005); to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 13.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to criminal law; to amend sections 28-105, 29-2204, 29-2520, 29-2522, 29-2524, and 83-1,105.01, Reissue Revised Statutes of Nebraska; to change provisions relating to life imprisonment without parole; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 14.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to registers of deeds; to amend sections 25-529, 25-531, 25-2154, 33-109, 52-1004, 60-169, and 77-3903, Reissue Revised Statutes of Nebraska; to change and eliminate fees received by registers of deeds and clerks; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 33-112, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 15.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to courts; to allow aids of execution in district court to cross county lines.

**LEGISLATIVE BILL 16.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to courts; to amend section 24-301.02, Revised Statutes Cumulative Supplement, 2010; to change the composition of certain district court judicial districts; and to repeal the original section.

**LEGISLATIVE BILL 17.** Introduced by Wightman, 36.

A BILL FOR AN ACT relating to courts; to amend sections 25-1319, 25-1320, 25-1321, and 33-106, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the complete record of a case and court fees; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 25-1323, 25-1324, and 25-1325, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 18.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1022.02, Reissue Revised Statutes of Nebraska, and sections 79-1001, 79-1003, 79-1007.07, 79-1007.09, 79-1008.01, 79-1022, 79-1023, 79-1026.01, 79-1027, 79-1028.02, and 79-1031.01, Revised Statutes Cumulative Supplement, 2010; to redefine terms; to provide for distribution of allocations from the federal Education Jobs Fund as prescribed; to change provisions relating to certifications; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 19.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-405 and 28-416, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the Uniform Controlled Substances Act; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 20.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to controlled substances; to amend section 28-401.01, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Cumulative Supplement, 2010; to regulate the sale of methamphetamine precursors as prescribed; to define terms; to provide a penalty; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 21.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-710, 32-714, and 32-1038, Reissue Revised Statutes of Nebraska; to change provisions relating to ballots cast by presidential electors; and to repeal the original sections.

**LEGISLATIVE BILL 22.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to insurance; to adopt the Mandate Opt-Out and Insurance Coverage Clarification Act; to provide an operative date; and to provide severability.

**LEGISLATIVE BILL 23.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.20, Reissue Revised Statutes of Nebraska, and sections 81-885.14 and 81-885.19, Revised Statutes Cumulative Supplement, 2010; to change license renewal provisions and eliminate a fee exemption; to eliminate the requirements for pocket cards; and to repeal the original sections.

**LEGISLATIVE BILL 24.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend sections 81-885.49, 81-885.51, 81-885.52, and 81-885.53, Reissue Revised Statutes of Nebraska; to provide training requirements for licensees; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 25.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to real property; to amend sections 76-2402, 76-2405, 76-2407, 76-2416, 76-2417, 76-2418, 76-2421, 76-2422, 76-2423, 76-2425, 76-2427, 76-2429, 76-2430, and 81-885.17, Reissue Revised Statutes of Nebraska, and section 81-885.24, Revised Statutes Supplement, 2010; to define a term; to provide exemptions from certain requirements for asset management companies; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 26.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to real estate; to amend section 76-2,120, Reissue Revised Statutes of Nebraska; to adopt the Private Transfer Fee Obligation Act; to change a disclosure requirement; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 27.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to water; to amend sections 46-236 and 46-1224, Reissue Revised Statutes of Nebraska; to change provisions relating to appropriations for water power and water well registration fees;

and to repeal the original sections.

**LEGISLATIVE BILL 28.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Nebraska Chemigation Act; to amend sections 46-1117 and 46-1123, Reissue Revised Statutes of Nebraska; to change application and reporting requirements; and to repeal the original sections.

**LEGISLATIVE BILL 29.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Department of Environmental Quality; to amend sections 66-1519 and 81-15,162, Reissue Revised Statutes of Nebraska, and section 13-2042, Revised Statutes Cumulative Supplement, 2010; to change and eliminate provisions relating to the use of certain funds; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 30.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend section 81-1505, Reissue Revised Statutes of Nebraska; to change provisions relating to composting sites; and to repeal the original section.

**LEGISLATIVE BILL 31.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to water; to amend sections 46-240.01 and 46-290, Reissue Revised Statutes of Nebraska; to change provisions relating to supplemental agricultural appropriations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 32.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to water; to amend section 46-1654, Reissue Revised Statutes of Nebraska; to change provisions relating to dam and appropriation application approval; and to repeal the original section.

**LEGISLATIVE BILL 33.** Introduced by Loudon, 49; Carlson, 38; Hansen, 42; Utter, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201 and 77-5023, Reissue Revised Statutes of Nebraska, and section 79-1016, Revised Statutes Cumulative Supplement, 2010; to change valuation of agricultural land and horticultural land; to harmonize school aid provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 34.** Introduced by Loudon, 49; Campbell, 25; Carlson, 38; Utter, 33.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend sections 71-401 and 71-403, Revised Statutes Cumulative

Supplement, 2010; to define a term; to exempt convents from licensure as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 35.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,298, Reissue Revised Statutes of Nebraska; to change provisions relating to oversize vehicle permits; and to repeal the original section.

**LEGISLATIVE BILL 36.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to public water supplies; to amend section 71-3305, Reissue Revised Statutes of Nebraska; to provide for a vote on adding fluoride to the public water supply in certain cities and villages; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 37.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to audits; to amend sections 50-1213 and 84-305, Reissue Revised Statutes of Nebraska, and sections 77-2711 and 77-27,119, Revised Statutes Cumulative Supplement, 2010; to provide requirements relating to access to information by the Legislative Performance Audit Section and the Auditor of Public Accounts; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 38.** Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to public power districts; to amend section 70-619, Reissue Revised Statutes of Nebraska; to change provisions relating to membership on boards; and to repeal the original section.

**LEGISLATIVE BILL 39.** Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to civil rights; to amend sections 20-150, 20-151, 20-159, and 71-4728, Reissue Revised Statutes of Nebraska, and section 20-156, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to licensure of interpreters for deaf and hard of hearing persons; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 40.** Introduced by Hadley, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Reissue Revised Statutes of Nebraska; to change a sales tax exemption for health clinics; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 41.** Introduced by Hadley, 37.

A BILL FOR AN ACT relating to the Game Law; to amend sections

37-238, 37-405, 37-420, 37-421, 37-421.01, 37-427, 37-461, 37-464, 37-483, 37-484, 37-485, 37-487, 37-488, 37-489, 37-490, 37-492, 37-497, 37-498, 37-4,103, 37-503, and 37-512, Reissue Revised Statutes of Nebraska, and sections 37-327, 37-407, 37-411, 37-426, 37-431, and 37-450, Revised Statutes Cumulative Supplement, 2010; to change and eliminate provisions relating to fees, falconry, beaver and muskrat damage, controlled shooting areas, and possession of game; to change and eliminate provisions relating to licenses, permits, and stamps issued under the Game Law; to harmonize provisions; to repeal the original sections; and to outright repeal sections 37-460, 37-499, 37-4,100, 37-4,101, 37-4,102, and 37-562, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 42.** Introduced by Hadley, 37.

A BILL FOR AN ACT relating to building codes; to amend sections 18-132, 18-1915, and 23-172, Reissue Revised Statutes of Nebraska; to update references to the 2009 Uniform Plumbing Code for counties, cities, and villages; and to repeal the original sections.

**LEGISLATIVE BILL 43.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to trust deeds; to amend section 76-1002, Reissue Revised Statutes of Nebraska; to change provisions relating to the limiting of optional future advances; to correct an internal reference; and to repeal the original section.

**LEGISLATIVE BILL 44.** Introduced by McCoy, 39.

A BILL FOR AN ACT relating to trust deeds; to amend section 76-1005, Reissue Revised Statutes of Nebraska; to change provisions relating to power of sale conferred on a trustee; to provide for retroactive application; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 45.** Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Engineers and Architects Regulation Act; to amend sections 81-3403, 81-3429, 81-3441, 81-3442, 81-3443, 81-3444, 81-3445, 81-3446, 81-3449, 81-3451, 81-3452, and 81-3453, Reissue Revised Statutes of Nebraska, and section 81-3401, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to members of the Board of Engineers and Architects, enforcement procedures, disciplinary actions, exempted activities, licenses, and engineering examinations; to redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 46.** Introduced by Fulton, 29.

A BILL FOR AN ACT relating to the Barber Act; to amend sections 71-202.01 and 71-208.01, Reissue Revised Statutes of Nebraska; to define a term; to harmonize provisions; and to repeal the original sections.



**LEGISLATIVE BILL 47.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to railroad carriers; to amend section 86-164, Revised Statutes Cumulative Supplement, 2010; to include certain third parties in the definition of railroad carrier; and to repeal the original section.

**LEGISLATIVE BILL 48.** Introduced by Janssen, 15.

A BILL FOR AN ACT relating to immigration; to adopt the Illegal Immigration Enforcement Act; to provide penalties; and to provide severability.

**LEGISLATIVE BILL 49.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to real property; to change filing provisions relating to nonconsensual liens.

**LEGISLATIVE BILL 50.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-801.01, 77-2715.07, and 77-2734.03, Reissue Revised Statutes of Nebraska; to adopt the Elementary and Secondary Educational Opportunity Act; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 51.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to health clinics; to amend section 71-401, Revised Statutes Cumulative Supplement, 2010; to require patient transfer agreements as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 52.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to motorcycles; to amend section 60-6,279, Reissue Revised Statutes of Nebraska; to change helmet provisions; to require eye protection; and to repeal the original section.

### **MOTION - Escort Committees**

Senator Langemeier moved that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administering their oaths of office.

The motion prevailed.

**SENATOR LANGEMEIER PRESIDING**

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 53.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to schools; to amend section 79-611, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to free transportation for students in learning communities; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 54.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2147, Reissue Revised Statutes of Nebraska; to change provisions relating to tax-increment financing; and to repeal the original section.

**LEGISLATIVE BILL 55.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the State Energy Office; to amend sections 72-804, 72-805, 72-806, 81-1608, 81-1609, 81-1611, and 81-1614, Reissue Revised Statutes of Nebraska; to update references to the International Energy Conservation Code; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 56.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2104, Revised Statutes Cumulative Supplement, 2010; to update the reference to the National Electrical Code; and to repeal the original section.

**LEGISLATIVE BILL 57.** Introduced by Mello, 5.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend sections 18-2709 and 18-2717, Reissue Revised Statutes of Nebraska; to redefine a qualifying business; to remove a restriction on appropriations of funds; and to repeal the original sections.

**LEGISLATIVE BILL 58.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to education; to amend section 85-1412, Revised Statutes Cumulative Supplement, 2010; to provide for a study relating to dual-enrollment courses and career academies; and to repeal the original section.

**LEGISLATIVE BILL 59.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to community college funding; to amend

sections 81-1118.02 and 85-1535, Reissue Revised Statutes of Nebraska, and sections 13-518, 77-3442, 85-1418, 85-1503, 85-1517, and 90-517, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to aid to community colleges; to eliminate an obsolete reference; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 60.** Introduced by Krist, 10.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,122, Reissue Revised Statutes of Nebraska; to change provisions relating to compliance checks; and to repeal the original section.

**LEGISLATIVE BILL 61.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-311.08, Reissue Revised Statutes of Nebraska; to change and provide penalties relating to unlawful intrusion; and to repeal the original section.

**LEGISLATIVE BILL 62.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to counties; to amend sections 23-908 and 23-1111, Reissue Revised Statutes of Nebraska; to provide requirements for the budget revision process; to change requirements relating to the salaries of clerks and assistants of county officers; and to repeal the original sections.

**LEGISLATIVE BILL 63.** Introduced by Cornett, 45; Krist, 10; Mello, 5; Price, 3; Smith, 14.

A BILL FOR AN ACT relating to education; to ratify the Interstate Compact on Educational Opportunity for Military Children on behalf of the State of Nebraska with any other state legally joining thereon; and to create the State Council on Educational Opportunity for Military Children and the positions of compact commissioner and military family education liaison within the Department of Veterans' Affairs as prescribed.

**LEGISLATIVE BILL 64.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to wildlife; to amend sections 37-202, 37-209.01, 37-210.01, 37-246, and 37-478, Reissue Revised Statutes of Nebraska, and sections 29-818, 37-201, 37-477, 37-479, and 37-481, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to seized property, wildlife in captivity, and captive wildlife permits; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 65.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.57, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to C-BED projects; and to repeal the original section.

**LEGISLATIVE BILL 66.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend section 29-4106, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to DNA collection; and to repeal the original section.

**LEGISLATIVE BILL 67.** Introduced by Fischer, 43.

A BILL FOR AN ACT relating to occupant protection systems; to amend sections 60-6,267 and 60-6,268, Reissue Revised Statutes of Nebraska; to clarify references to required use of occupant protection systems and related enforcement; and to repeal the original sections.

**LEGISLATIVE BILL 68.** Introduced by Fulton, 29.

A BILL FOR AN ACT relating to hospitals; to amend section 71-2048.01, Reissue Revised Statutes of Nebraska; to permit certified nurse midwives to have clinical privileges; and to repeal the original section.

**LEGISLATIVE BILL 69.** Introduced by Louden, 49; Fischer, 43; Harms, 48; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1371, Reissue Revised Statutes of Nebraska; to change provisions relating to comparable sales; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 70.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Surplus Lines Insurance Act; to amend sections 44-5502, 44-5504, 44-5505, 44-5506, 44-5508, 44-5510, 44-5511, and 44-5515, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide an exemption for commercial purchasers; to change provisions relating to records, annual statements, tax payments, solvency requirements, and nonadmitted insurers; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 71.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Burial Pre-Need Sale Act; to amend section 12-1102, Revised Statutes Cumulative Supplement, 2010; to broaden the definition of trustee; and to repeal the original section.

**LEGISLATIVE BILL 72.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3,143, 44-402.01, 44-710.03, 44-710.04, 44-1540, 44-4803, and 44-4862, Reissue

Revised Statutes of Nebraska; to change provisions relating to unfair claims settlement practices, life insurance reserves, and sickness and accident insurance policy provisions; to provide requirements and define terms under the Nebraska Insurers Supervision, Rehabilitation, and Liquidation Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 73.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to amend sections 44-4217, 44-4219, 44-4220.02, 44-4223, 44-4224, 44-4225, and 77-918, Reissue Revised Statutes of Nebraska; to provide for a pool administrator under the Comprehensive Health Insurance Pool Act; to delete obsolete language; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 74.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-1,140, 8-355, 8-602, 8-1510, and 21-17,115, Revised Statutes Cumulative Supplement, 2010; to eliminate provisions relating to impairment of bank capital; to revise powers of state-chartered banks, building and loan associations, and credit unions; to change provisions relating to the schedule of fees; to change provisions relating to acquisitions and mergers; to provide operative dates; to repeal the original sections; to outright repeal section 8-132.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 75.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banking and finance; to amend sections 45-189, 45-190, and 45-742, Reissue Revised Statutes of Nebraska, and section 8-702, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to loan brokers, mortgage loan originators, and residential mortgage licensing; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 76.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-1101, 8-1704, 8-1707, 69-2103, 69-2104, and 69-2112, Reissue Revised Statutes of Nebraska, and section 8-1111, Revised Statutes Cumulative Supplement, 2010; to adopt updated federal laws in the areas of securities, commodities, and consumer rental purchase agreements; to change internal references; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 77.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to installment sales and loans; to amend sections 45-335, 45-336, 45-1002, and 45-1024, Reissue Revised Statutes of Nebraska; to change provisions relating to debt cancellation contracts and

debt suspension contracts; and to repeal the original sections.

**LEGISLATIVE BILL 78.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to the Public Funds Deposit Security Act; to amend sections 77-2387 and 77-2398, Reissue Revised Statutes of Nebraska; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 79.** Introduced by McGill, 26; Ashford, 20; Avery, 28; Campbell, 25; Christensen, 44; Cook, 13; Council, 11; Dubas, 34; Hadley, 37; Nordquist, 7; Wallman, 30.

A BILL FOR AN ACT relating to courts; to amend section 43-3701, Reissue Revised Statutes of Nebraska; to state intent; to create a fund; to provide for grants to court appointed special advocate programs; to provide duties; to create a court fee; to provide a duty for the Revisor of Statutes; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 80.** Introduced by McGill, 26; Avery, 28; Campbell, 25; Christensen, 44; Coash, 27; Council, 11; Dubas, 34; Hadley, 37; Howard, 9; Wallman, 30.

A BILL FOR AN ACT relating to juveniles; to amend section 43-285, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the department's care plan for certain juveniles; and to repeal the original section.

**LEGISLATIVE BILL 81.** Introduced by Cornett, 45; Fischer, 43; Fulton, 29; Heidemann, 1; Janssen, 15; Langemeier, 23; McCoy, 39; Pankonin, 2; Price, 3; Smith, 14.

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, and section 18-1214, Revised Statutes Cumulative Supplement, 2010; to prohibit the charging of a motor vehicle registration tax and the levying of a license or occupation tax on a nonresident as prescribed; to provide an operative date; to provide severability; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 82.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.10 and 77-2701.16, Reissue Revised Statutes of Nebraska; to redefine contractor or repairperson and gross receipts to exclude sod as prescribed; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 83.** Introduced by Coash, 27.

A BILL FOR AN ACT relating to the Local Civic, Cultural, and Convention

Center Financing Act; to amend sections 13-2701, 13-2702, 13-2703, 13-2707, 13-2708, 13-2709, and 13-2710, Reissue Revised Statutes of Nebraska, and sections 13-2610, 13-2704, 13-2705, 13-2706, 13-3108, and 77-5601, Revised Statutes Cumulative Supplement, 2010; to rename the act and a fund; to expand the purposes of the act; to provide for financial assistance as prescribed; to define terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 84.** Introduced by Fischer, 43; Campbell, 25; Hadley, 37; Loudon, 49.

A BILL FOR AN ACT relating to roads; to amend sections 39-2201, 39-2205, 39-2209, 39-2211, 39-2212, 39-2213, 39-2215.01, 39-2216, 39-2223, 39-2224, and 77-27,132, Reissue Revised Statutes of Nebraska; to adopt the Build Nebraska Act; to authorize issuance of highway bonds; to change distribution of sales tax revenue; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 85.** Introduced by Karpisek, 32; Coash, 27; Council, 11.

A BILL FOR AN ACT relating to adult guardianship jurisdiction; to amend sections 30-2603, 30-2607, 30-2610, 30-2611, 30-2616, 30-2636, 30-2639, and 30-2647, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; to harmonize provisions; to provide operative dates; and to repeal the original sections.

**LEGISLATIVE BILL 86.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-416, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to the legislative reference library; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 87.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to highways and bridges; to amend section 39-1811, Reissue Revised Statutes of Nebraska; to change provisions relating to mowing weeds in ditches as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 88.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Concealed Handgun Permit Act; to amend section 69-2429, Reissue Revised Statutes of Nebraska, and section 69-2427, Revised Statutes Cumulative Supplement, 2010; to define a term; to provide signage requirements and duties for the Nebraska State Patrol; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 89.** Introduced by Christensen, 44.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend section 81-2001, Reissue Revised Statutes of Nebraska; to change the qualifications of the Superintendent of Law Enforcement and Public Safety; to define a term; and to repeal the original section.

**LEGISLATIVE BILL 90.** Introduced by B. Harr, 8.

A BILL FOR AN ACT relating to secured transactions; to amend sections 9-105, 9-304, 9-307, 9-309, 9-316, 9-326, 9-406, 9-408, 9-502, 9-503, 9-507, 9-515, 9-518, and 9-607, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and sections 2A-103, 9-102, 9-311, 9-317, 9-506, and 9-516, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2010; to update uniform laws and change provisions relating to financing statements; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 9-521, Uniform Commercial Code, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 91.** Introduced by Price, 3.

A BILL FOR AN ACT relating to tractor testing; to amend section 2-2701.01, Reissue Revised Statutes of Nebraska; to increase the minimum horsepower of a tractor that is required to be tested; and to repeal the original section.

**LEGISLATIVE BILL 92.** Introduced by Howard, 9; Cook, 13; Cornett, 45; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to public child welfare services; to amend sections 68-1207 and 68-1207.01, Reissue Revised Statutes of Nebraska; to change provisions relating to caseloads; and to repeal the original sections.

**LEGISLATIVE BILL 93.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to state intent relating to administrators' salaries; and to declare an emergency.

**LEGISLATIVE BILL 94.** Introduced by Howard, 9; Christensen, 44; Cook, 13; Cornett, 45; McGill, 26; Wallman, 30.

A BILL FOR AN ACT relating to adoption; to amend sections 43-107, 43-109, and 43-146.01, Reissue Revised Statutes of Nebraska; to provide a requirement for the adoption of children committed to the Department of Health and Human Services; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 95.** Introduced by Howard, 9; Cook, 13; Cornett, 45; McGill, 26; Wallman, 30.



A BILL FOR AN ACT relating to infants; to require accreditation for lead agencies contracting with the Department of Health and Human Services as prescribed.

**LEGISLATIVE BILL 96.** Introduced by Revenue Committee: Cornett, 45, Chairperson; Adams, 24; Fischer, 43; Hadley, 37; Pirsch, 4; Utter, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,137.03, Reissue Revised Statutes of Nebraska; to change state aid to counties; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 97.** Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-202, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2010; to require the Secretary of State to provide uniform guidelines for election workers; and to repeal the original sections.

**LEGISLATIVE BILL 98.** Introduced by Fischer, 43; Heidemann, 1.

A BILL FOR AN ACT relating to highways and roads; to amend sections 39-1307 and 66-4,100, Reissue Revised Statutes of Nebraska; to provide powers relating to federal-aid transportation funds; and to repeal the original sections.

**LEGISLATIVE BILL 99.** Introduced by Coash, 27; Cornett, 45; Hadley, 37; Karpisek, 32; Lathrop, 12; Loudon, 49; McGill, 26; Mello, 5; Nordquist, 7; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to the Department of Economic Development; to amend section 13-2704, Revised Statutes Cumulative Supplement, 2010; to adopt the Nebraska Film Advantage Act; to provide for transfers from the Local Civic, Cultural, and Convention Center Financing Fund; to provide a termination date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 100.** Introduced by Coash, 27; Fulton, 29; Gloor, 35; McCoy, 39; McGill, 26.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2203, Reissue Revised Statutes of Nebraska; to provide for the criminal responsibility of intoxicated persons as prescribed; to change provisions relating to the defense of not responsible by reason of insanity; and to repeal the original section.

**LEGISLATIVE BILL 101.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to time; to amend sections 32-908 and 49-1301, Reissue Revised Statutes of Nebraska; to eliminate daylight saving

time; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 49-1302, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 102.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,298 and 60-6,301, Reissue Revised Statutes of Nebraska; to change provisions relating to vehicle loads; and to repeal the original sections.

**LEGISLATIVE BILL 103.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to water; to amend section 46-2,115, Reissue Revised Statutes of Nebraska; to change provisions relating to instream appropriations; and to repeal the original section.

**LEGISLATIVE BILL 104.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3,144 and 60-6,294, Reissue Revised Statutes of Nebraska; to change certain weight provisions; and to repeal the original sections.

**LEGISLATIVE BILL 105.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the State Boat Act; to amend section 37-1241.06, Reissue Revised Statutes of Nebraska, and section 37-1241.08, Revised Statutes Cumulative Supplement, 2010; to change restrictions on operation of motorboats and personal watercraft; to eliminate an obsolete provision; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 106.** Introduced by Schilz, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-318, 13-319, 13-322, 13-323, 13-324, 13-325, 13-326, 13-804, 13-2504, 39-2510, 39-2520, 77-2703.01, 77-2703.04, 77-2704.31, 77-2712.05, 77-4105, and 77-4106, Reissue Revised Statutes of Nebraska, and sections 77-2711, 77-5725, and 77-5726, Revised Statutes Cumulative Supplement, 2010; to name the County Option Sales Tax Act; to authorize a county sales tax for capital improvements for public safety services and transportation infrastructure projects; to require planning; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 107.** Introduced by Carlson, 38; Sullivan, 41.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-4004, 2-4005, 2-4006, and 2-4007, Reissue Revised Statutes of Nebraska; to change Grain Sorghum Development, Utilization, and Marketing Board provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 108.** Introduced by Carlson, 38.

A BILL FOR AN ACT relating to division fences; to amend section 34-112.01, Reissue Revised Statutes of Nebraska; to provide and change provisions relating to fence maintenance; and to repeal the original section.

**LEGISLATIVE BILL 109.** Introduced by Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-4322 and 2-4323, Reissue Revised Statutes of Nebraska; to eliminate certain registration provisions of the Agricultural Liming Materials Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 110.** Introduced by Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to amend sections 81-2,162.02, 81-2,162.04, 81-2,162.06, and 81-2,162.13, Reissue Revised Statutes of Nebraska; to eliminate soil conditioner registration in the Nebraska Commercial Fertilizer and Soil Conditioner Act; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-2,162.03, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 111.** Introduced by Gloor, 35.

A BILL FOR AN ACT relating to mental health boards; to amend section 71-915, Reissue Revised Statutes of Nebraska; to change the membership of mental health boards; and to repeal the original section.

**LEGISLATIVE BILL 112.** Introduced by Coash, 27; Campbell, 25.

A BILL FOR AN ACT relating to motor carriers; to amend sections 75-302 and 75-303, Reissue Revised Statutes of Nebraska; to define a term; to provide an exemption from regulation for comprehensive services transport; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 113.** Introduced by Dubas, 34.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1101 and 48-1104, Reissue Revised Statutes of Nebraska; to prohibit discrimination based upon an individual's credit history or credit report as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 114.** Introduced by Dubas, 34.

A BILL FOR AN ACT relating to agriculture; to provide for a standard for honey, labeling restrictions, and an action for damages as prescribed.

**LEGISLATIVE BILL 115.** Introduced by Council, 11.

A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act; to amend sections 13-919 and 13-920, Reissue Revised Statutes of Nebraska; to change limitation of action provisions; and to repeal the original sections.

**SENATOR COASH PRESIDING**

**LEGISLATIVE BILL 116.** Introduced by Avery, 28; Karpisek, 32; Loudon, 49; Price, 3; Sullivan, 41.

A BILL FOR AN ACT relating to the Veterans' Aid Income Fund; to amend section 80-401, Reissue Revised Statutes of Nebraska; to provide for use of the fund for the state veteran cemetery system; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 117.** Introduced by Avery, 28; Karpisek, 32; Price, 3.

A BILL FOR AN ACT relating to elections; to amend sections 32-1413 and 49-202, Reissue Revised Statutes of Nebraska; to change provisions relating to publication of notice of proposed constitutional amendments and initiative and referendum measures; and to repeal the original sections.

**LEGISLATIVE BILL 118.** Introduced by Avery, 28; Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 71-5326 and 77-27,136, Reissue Revised Statutes of Nebraska, and section 13-518, Revised Statutes Cumulative Supplement, 2010; to eliminate provisions relating to aid to natural resources districts; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 77-27,137.02, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

**LEGISLATIVE BILL 119.** Introduced by Avery, 28; Cornett, 45; Krist, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3,119, 77-27,137.01, 77-27,139.02, and 77-27,139.03, Reissue Revised Statutes of Nebraska; to change provisions relating to aid to incorporated municipalities; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 120.** Introduced by Avery, 28; Brasch, 16; Karpisek, 32; Price, 3; Sullivan, 41.

A BILL FOR AN ACT relating to the Risk Management Program; to amend sections 48-1,103, 81-8,239.01, and 81-8,239.02, Reissue Revised Statutes of Nebraska; to provide for the costs of administering the program to be paid

out of the Workers' Compensation Claims Revolving Fund and the State Insurance Fund; to eliminate the appropriation of General Fund money for the program; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 121.** Introduced by Avery, 28; Brasch, 16; Karpisek, 32; Sullivan, 41.

A BILL FOR AN ACT relating to the Volunteer Emergency Responders Recruitment and Retention Act; to amend section 35-1309, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to the State Fire Marshal; to harmonize provisions; to repeal the original section; and to outright repeal sections 35-1311.01 and 35-1321, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 122.** Introduced by Harms, 48.

A BILL FOR AN ACT relating to state buildings; to amend section 90-115, Reissue Revised Statutes of Nebraska; to rename an educational telecommunications building; and to repeal the original section.

**LEGISLATIVE BILL 123.** Introduced by Heidemann, 1; Adams, 24; Avery, 28; Cornett, 45; Council, 11; Dubas, 34; Fischer, 43; K. Haar, 21; Hansen, 42; Howard, 9; Krist, 10; Mello, 5; Schilz, 47; Sullivan, 41; Wightman, 36.

A BILL FOR AN ACT relating to schools; to amend sections 79-283 and 79-2,137, Reissue Revised Statutes of Nebraska, and section 79-267, Revised Statutes Cumulative Supplement, 2010; to provide for disciplinary actions against students and policies relating to cyber-bullying; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 124.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to adoption; to amend sections 43-107 and 43-123.01, Reissue Revised Statutes of Nebraska; to include cultural history in the medical histories of the biological parents; and to repeal the original sections.

**LEGISLATIVE BILL 125.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to children; to create and provide duties for the Children's Health Advisory Committee; to provide duties for the chief executive officer of the Department of Health and Human Services and the Commissioner of Education; to provide for and require schools to implement nutrition and physical activity standards; and to provide for rules and regulations.

**LEGISLATIVE BILL 126.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to marketing; to adopt the Children's Health and Responsible Corporate Marketing Act.

**LEGISLATIVE BILL 127.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to water; to amend sections 46-714, 46-715, and 46-717, Reissue Revised Statutes of Nebraska; to change provisions relating to input into determinations and management plans; and to repeal the original sections.

**LEGISLATIVE BILL 128.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to the DNA Identification Information Act; to amend section 29-4106, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to DNA collection; and to repeal the original section.

**LEGISLATIVE BILL 129.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-110, Revised Statutes Cumulative Supplement, 2010; to change the statute of limitations for crimes as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 130.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1022, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to determination of state aid; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 131.** Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2010; to delete obsolete transfer provisions; and to repeal the original section.

**LEGISLATIVE BILL 132.** Introduced by Dubas, 34; Coash, 27; Harms, 48; Karpisek, 32; Mello, 5; Nordquist, 7; Pirsch, 4; Schilz, 47; Sullivan, 41; Utter, 33.

A BILL FOR AN ACT relating to insurance; to adopt the Abortion Mandate Opt-Out Act.

**LEGISLATIVE BILL 133.** Introduced by Ashford, 20.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2261, Reissue Revised Statutes of Nebraska, and section 29-2269, Revised Statutes Cumulative Supplement, 2010; to require inclusion of sentencing costs in presentence investigation reports; to provide for rules and regulations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 134.** Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 49-801.01, Reissue Revised Statutes of Nebraska; to update references to the Internal Revenue Code of 1986; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 135.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-161, Reissue Revised Statutes of Nebraska; to change the date for remitting certain funds; and to repeal the original section.

**RESOLUTIONS****LEGISLATIVE RESOLUTION 1.** Introduced by Langemeier, 23.

WHEREAS, the Wahoo Warriors won the 2010 Class C State Softball Championship; and

WHEREAS, the Warriors defeated Ashland-Greenwood 12-4 in the championship game; and

WHEREAS, the Warriors finished their outstanding season with a record of twenty-six wins and only two losses; 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 Wahoo Warriors on winning the 2010 Class C State Softball Championship.

2. That a copy of this resolution be sent to the Wahoo Warriors and their coach, Katrina Christen.

Laid over.

**LEGISLATIVE RESOLUTION 2CA.** Introduced by Harms, 48.

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 IX, section 4:

IX-4 The Legislature shall provide by law for the election of such county and township officers as may be necessary and for the consolidation of county offices for two or more counties. Each; Provided, that each of the counties affected may disapprove such consolidation by a majority vote in each of such counties. The Legislature may provide by law for a county

manager form of county government in which county officers may be appointed, but such form shall be optional for each county and shall occur in any county only upon adoption by a majority vote.

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 allow the Legislature to provide for a county to adopt by majority vote a county manager form of government.

For

Against.

**LEGISLATIVE RESOLUTION 3CA.** Introduced by Fischer, 43.

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 XIII, section 1:

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid, ~~except; Provided,~~ that (1) if the Legislature determines by a three-fifths vote of the members elected thereto that ~~(1)-(a)~~ the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees, or state sales and use tax revenue and ~~(2)-(b)~~ the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; ~~and provided further, that~~ and (2) the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the State Board of Education may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for



parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

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 authorize the Legislature to irrevocably pledge sales and use tax revenue for highway construction bonds.

For

Against.

**LEGISLATIVE RESOLUTION 4.** Introduced by McCoy, 39; Louden, 49.

WHEREAS, Dean Gorsuch, from Gering, Nebraska, won the steer wrestling world championship at the 2010 Wrangler National Finals Rodeo held in Las Vegas, Nevada; and

WHEREAS, Dean Gorsuch is an accomplished professional rodeo cowboy who competes on the professional rodeo circuit; and

WHEREAS, the Legislature recognizes the outstanding achievements of Nebraska residents.

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

1. That the Legislature congratulates Dean Gorsuch on winning the steer wrestling world championship at the 2010 Wrangler National Finals Rodeo.

2. That a copy of this resolution be sent to Dean Gorsuch.

Laid over.

**LEGISLATIVE RESOLUTION 5CA.** Introduced by Krist, 10.

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 10:

III-10 Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ~~ninety-sixty~~ legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed ~~sixty-forty-five~~ 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 the Legislature shall constitute a quorum; the Legislature shall determine the rules of its proceedings and be the judge of the election, returns, and qualifications of its members, shall choose its own officers, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. No member shall be expelled except by a vote of two-thirds of all members elected to 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 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 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 reduce the maximum number of days for regular legislative sessions to sixty days in odd-numbered years and forty-five days in even-numbered years.

For

Against.

#### **LEGISLATIVE RESOLUTION 6.** Introduced by Karpisek, 32.

WHEREAS, the Exeter-Milligan Timberwolves won the 2010 Class D-1 State Volleyball Championship; and

WHEREAS, the Timberwolves defeated Howells High School in the championship match, giving the Timberwolves their second straight state title; and

WHEREAS, Heather Pribyl, Claire White, and Kelsey Moore were named by the Lincoln Journal Star to the Class D-1 All-Tournament team and the Class D-1 first-team All-State team; and

WHEREAS, Cassie Harre, Jackie Luzum, and Taylor Erdkamp earned honorable mention in Class D-1; 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 Exeter-Milligan Timberwolves on winning the 2010 Class D-1 State Volleyball Championship.

2. That a copy of this resolution be sent to the Exeter-Milligan Timberwolves and their coach, Darcy White.

Laid over.

**LEGISLATIVE RESOLUTION 7.** Introduced by Karpisek, 32.

WHEREAS, the Crete Cardinals won the 2010 Class B State Football Championship; and

WHEREAS, the Cardinals defeated Elkhorn High School 34-0 to win the state title, giving the Cardinals their fourth state title since 2000; and

WHEREAS, the Cardinals 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 Crete Cardinals on winning the 2010 Class B State Football Championship.

2. That a copy of this resolution be sent to the Crete Cardinals and their coach, Chuck McGinnis.

Laid over.

**LEGISLATIVE RESOLUTION 8.** Introduced by Mello, 5.

WHEREAS, the Omaha Jaycees recently named the 2010 recipients of the 78th Annual Ten Outstanding Young Omahans Award; and

WHEREAS, this award is annually presented to ten people between the ages of twenty-one and forty who exemplify excellence in both the professional and personal arenas while also taking an active role in the community; and

WHEREAS, the 2010 recipients of the 78th Annual Ten Outstanding Young Omahans Award are Mike Battershell, Jessica Gall, Daniel Lawse, Sharif Liwaru, Marjorie Maas, Carla O'Donnell-Rizzo, Kerri Peterson, Jacqueline Pueppke, Beth Riley, and Nichole Turgeon; and

WHEREAS, these ten individuals will be recognized at an award dinner to be held on Wednesday, January 26, 2011; and

WHEREAS, the Legislature recognizes outstanding individual achievements like receiving the 78th Annual Ten Outstanding Young Omahans Award.

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

1. That the Legislature congratulates Mike Battershell, Jessica Gall, Daniel Lawse, Sharif Liwaru, Marjorie Maas, Carla O'Donnell-Rizzo, Kerri Peterson, Jacqueline Pueppke, Beth Riley, and Nichole Turgeon on receiving the 78th Annual Ten Outstanding Young Omahans Award.

2. That a copy of this resolution be sent to Mike Battershell, Jessica Gall, Daniel Lawse, Sharif Liwaru, Marjorie Maas, Carla O'Donnell-Rizzo, Kerri Peterson, Jacqueline Pueppke, Beth Riley, and Nichole Turgeon.

Laid over.

**LEGISLATIVE RESOLUTION 9CA.** Introduced by Schilz, 47; Brasch, 16; Carlson, 38; Christensen, 44; Dubas, 34; Fischer, 43; Hansen, 42; Harms, 48; Heidemann, 1; Loudon, 49; Sullivan, 41.

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 VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land and subclasses of agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct ~~class~~ classes of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land and subclasses of agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the ~~class~~ subclasses of agricultural land and horticultural land as defined by the Legislature; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in

furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by 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 provide that the Legislature may define subclasses of agricultural land and horticultural land and provide for a different method of taxing such subclasses of land.

For

Against.

**LEGISLATIVE RESOLUTION 10.** Introduced by Gloor, 35; Dubas, 34.

WHEREAS, the Grand Island Central Catholic Crusaders won the 2010 Class C-1 State Volleyball Championship; and

WHEREAS, the Crusaders defeated Kearney Catholic High School in the championship match to give coach Sharon Zavala her ninth state volleyball title; and

WHEREAS, the state title marked the end of an era for the senior class of Crusaders, who finished with a remarkable record of 136-6; 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 Grand Island Central Catholic Crusaders on winning the 2010 Class C-1 State Volleyball Championship.

2. That a copy of this resolution be sent to the Crusaders and their coach, Sharon Zavala.

Laid over.

**LEGISLATIVE RESOLUTION 11.** Introduced by Gloor, 35; Dubas, 34.

WHEREAS, the Grand Island Senior High School wrestling team won the 2010 Flatwater Fracas Wrestling Tournament; and

WHEREAS, Grand Island Senior High School won six straight matches to defeat Kearney High School in the final dual and finished the two-day tournament with a record of 8-0; and

WHEREAS, Grand Island Senior High School has won the Flatwater Fracas Wrestling Tournament three years in a row; 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 Grand Island Senior High School wrestling team on winning the 2010 Flatwater Fracas Wrestling Tournament.

2. That a copy of this resolution be sent to the Grand Island Senior High School wrestling team and their coach, Mike Schadwinkel.

Laid over.

### ANNOUNCEMENTS

The Appropriations Committee elected Senator Harms as Vice Chairperson.

The Banking, Commerce and Insurance Committee elected Senator McCoy as Vice Chairperson.

The Transportation and Telecommunications Committee elected Senator Hadley as Vice Chairperson.

### RECESS

At 11:57 a.m., on a motion by Senator Carlson, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Flood presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Janssen, Larson, and Pankonin who were excused.

**PRESENTATION OF COLORS**

Presentation of Colors by the Nebraska Army and Air National Guard.

**INAUGURAL CEREMONIES**

Chief Justice Michael G. Heavican, administered the Oath of Office to the newly elected state officials.

**PRESIDENT SHEEHY PRESIDING**

Governor Dave Heineman delivered the following inaugural address:

**GOVERNOR'S INAUGURAL ADDRESS**

"Because of our work together over the past several years, Nebraska is a better place to live, to work, and to raise a family. Our job is to make it even better tomorrow. I am excited about the opportunities in front of us and I am enthusiastic about finding ways to resolve the challenges we face."

Mr. President, Mr. Speaker, Mr. Chief Justice, Members of the Legislature, Tribal Leaders, Distinguished Guests, Friends and Fellow Nebraskans;

I am honored and pleased to have the opportunity to continue as the 39th Governor of this great state.

I want to congratulate my fellow constitutional officers and the newly installed members of the Nebraska Legislature. It is an incredible opportunity to be able to serve the citizens of Nebraska.

A remarkable trust has been placed in our hands and it is our duty to make Nebraska's best interests our first priority. It is an awesome responsibility.

And as we reflect on today, our thoughts and prayers are with the Millard South families, and all Nebraska families, impacted by this tragedy.

As we begin this session, I look forward to working with you on the challenges that lie ahead. I have great respect for the Legislature.

I'm just as excited and passionate about being Governor today as I was when I first took the oath of office in January of 2005. I'm optimistic about our future because I believe in the people of Nebraska.

Our greatest asset is our people. Nebraskans are common-sense minded people. We don't spend money we don't have. We know when family income is down, reducing expenses is key. We understand that when business revenue is down, you have to tighten your belt. And that's exactly what Nebraskans expect us to do in state government.

One week from today I will present the members of this body with a balanced budget proposal that includes no tax increases. We've worked together in the past to control state spending. We know how to make tough decisions. It will require the elimination of some programs.

The days when state government could provide funding for every program are over.

Our previous work together has put Nebraska in better shape than most of America. The budget that I will submit capitalizes on our momentum. My focus will be on initiatives that further economic growth and that strengthen education.

We face difficult financial challenges and we will have to make hard decisions about the most important responsibilities of state government. Yet I will advocate that we have an extraordinary potential when it comes to making the strategic investments that will move Nebraska forward. We've improved Nebraska's business climate, but there's more work to do. We have good schools in our state but we must have even better schools in the future. We cannot ignore the academic achievement gaps that exist in Nebraska. They must be addressed.

Because of our work together over the past several years, Nebraska is a better place to live, to work, and to raise a family. Our job is to make it even better tomorrow. I am excited about the opportunities in front of us and I am enthusiastic about finding ways to resolve the challenges we face.

Nebraska is a very special place and we proudly call Nebraska our home.

Thank you.

## **SPEAKER FLOOD PRESIDING**

The Governor, Lt. Governor, their families, and other newly elected state officials were escorted from the Chamber.

## **VISITORS**

Visitor to the Chamber was Director General Jacqueline Liu from the Taipei Economic and Cultural Office, Kansas City, Missouri.

The Doctor of the Day was Dr. Bob Rauner from Lincoln.



**ADJOURNMENT**

At 2:40 p.m., on a motion by Senator Cook, the Legislature adjourned until 10:00 a.m., Friday, January 7, 2011.

Patrick J. O'Donnell  
Clerk of the Legislature

