

FIFTY-FIFTH DAY - MARCH 30, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION****FIFTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 30, 2011

PRAYER

The prayer was offered by Senator Harms.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Gloor presiding.

The roll was called and all members were present except Senator Wightman who was excused; and Senators Campbell, Coash, Cornett, Lautenbaugh, Loudon, Mello, Nordquist, Schilz, and Smith who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1003, line 35, strike "Kramer" and insert "Kremer".
The Journal for the forty-fourth day was approved as corrected.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 558. Placed on Select File with amendment.
ER65

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 79-769, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 79-769 (1) Any one or more member school districts of a
- 6 learning community may establish one or more focus programs, focus
- 7 schools, or magnet schools. If included as part of the diversity
- 8 plan of a learning community, the focus school or focus program
- 9 shall be eligible for a focus school and program allowance pursuant
- 10 to section 79-1007.05. ~~pursuant to the diversity plan developed by~~
- 11 ~~the learning community coordinating council.~~
- 12 (2) Focus schools, focus programs, and magnet schools may
- 13 be included in pathways across member school districts pursuant to

14 the diversity plan developed by the learning community coordinating
15 council pursuant to section 79-2104.

16 (3) If multiple member school districts collaborate on a
17 focus program, focus school, or magnet school, ~~one member school~~
18 ~~district shall be designated as the primary school district.~~
19 ~~The primary school district shall maintain legal, financial, and~~
20 ~~academic responsibility for such focus program, focus school, or~~
21 ~~magnet school.~~ the school districts shall form a joint entity
22 pursuant to the Interlocal Cooperation Act for the purpose of
23 creating, implementing, and operating such focus program, focus
1 school, or magnet school. The agreement creating such joint entity
2 shall address legal, financial, and academic responsibilities and
3 the assignment to participating school districts of students
4 enrolled in such focus program, focus school, or magnet school
5 who reside in nonparticipating school districts.

6 (4) For purposes of this section:

7 (a) Focus program means a program that does not have
8 an attendance area, whose enrollment is designed so that the
9 socioeconomic diversity of the students attending the focus program
10 reflects as nearly as possible the socioeconomic diversity of
11 the student body of the learning community, which has a unique
12 curriculum with specific learning goals or teaching techniques
13 different from the standard curriculum, which may be housed in a
14 building with other public school programs, and which may consist
15 of either the complete education program for participating students
16 or part of the education program for participating students;

17 (b) Focus school means a school that does not have
18 an attendance area, whose enrollment is designed so that the
19 socioeconomic diversity of the students attending the focus school
20 reflects as nearly as possible the socioeconomic diversity of
21 the student body of the learning community, which has a unique
22 curriculum with specific learning goals or teaching techniques
23 different from the standard curriculum, and which is housed in a
24 building that does not contain another public school program;

25 (c) Magnet school means a school having a home attendance
26 area but which reserves a portion of its capacity specifically
27 for students from outside the attendance area who will contribute
1 to the socioeconomic diversity of the student body of such school
2 and which has a unique curriculum with specific learning goals or
3 teaching techniques different from the standard curriculum; and

4 (d) Pathway means elementary, middle, and high school
5 focus programs, focus schools, and magnet schools with coordinated
6 curricula based on specific learning goals or teaching techniques.

7 Sec. 2. Original section 79-769, Reissue Revised Statutes
8 of Nebraska, is repealed.

9 2. On page 1, strike beginning with "and" in line 3
10 through "provisions" in line 4 and insert ", focus programs, and
11 magnet schools".

LEGISLATIVE BILL 512. Placed on Select File with amendment.
ER68

- 1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:
- 3 Section 1. Section 69-2402, Reissue Revised Statutes of
4 Nebraska, is amended to read:
- 5 69-2402 For purposes of sections 69-2401 to 69-2425:
- 6 (1) Antique handgun or pistol ~~shall mean~~ means any
7 handgun or pistol, including those with a matchlock, flintlock,
8 percussion cap, or similar type of ignition system, manufactured
9 in or before 1898 and any replica of such a handgun or pistol
10 if such replica (a) is not designed or redesigned for using
11 rimfire or conventional centerfire fixed ammunition or (b) uses
12 rimfire or conventional centerfire fixed ammunition which is no
13 longer manufactured in the United States and which is not readily
14 available in the ordinary channels of commercial trade;
- 15 (2) Criminal history record check ~~shall include~~ includes
16 a check of the criminal history records of the Nebraska State
17 Patrol and a check of the Federal Bureau of Investigation's
18 National Instant Criminal Background Check System; ~~and~~
- 19 (3) Firearm-related disability means a person is not
20 permitted to (a) purchase, possess, ship, transport, or receive a
21 firearm under either state or federal law, (b) obtain a certificate
22 to purchase, lease, rent, or receive transfer of a handgun under
23 section 69-2404, or (c) obtain a permit to carry a concealed
1 handgun under the Concealed Handgun Permit Act; and
2 (3)-(4) Handgun ~~shall mean~~ means any firearm with a
3 barrel less than sixteen inches in length or any firearm designed
4 to be held and fired by the use of a single hand.
- 5 Sec. 2. Section 69-2409.01, Reissue Revised Statutes of
6 Nebraska, is amended to read:
- 7 69-2409.01 (1) For purposes of sections 69-2401 to
8 69-2425, the Nebraska State Patrol shall be furnished ~~upon the~~
9 ~~patrol's request~~ with only such information as may be necessary
10 for the sole purpose of determining whether an individual is
11 disqualified from purchasing or possessing a handgun pursuant to
12 state ~~or federal~~ law or is subject to the disability provisions
13 of 18 U.S.C. 922(d)(4) and (g)(4). Such information shall be
14 furnished by the Department of Health and Human Services. The
15 clerks of the various courts shall furnish to the Department of
16 Health and Human Services; and Nebraska State Patrol, as soon
17 as practicable but within thirty days after the an order of
18 commitment or finding and the discharge is issued or after removal
19 of firearm-related disabilities pursuant to section 7 of this
20 act, all information necessary to set up and maintain the data
21 base required by this section. This information shall include (a)
22 information regarding those persons who are currently receiving
23 mental health treatment pursuant to a commitment order of a mental
24 health board or who have been discharged, and (b) information

25 regarding those persons who have been committed to treatment
 26 pursuant to section 29-3702, and (c) information regarding those
 27 persons who have had firearm-related disabilities removed pursuant
 1 to section 7 of this act. The mental health board shall notify
 2 the Department of Health and Human Services and the Nebraska State
 3 Patrol when such disabilities have been removed. The Department of
 4 Health and Human Services shall also maintain in the data base
 5 a listing of persons committed to treatment pursuant to section
 6 29-3702. ~~Information regarding mental health board commitments and~~
 7 ~~commitments pursuant to section 29-3702 shall not be retained~~
 8 ~~in the data base maintained by the department on persons who~~
 9 ~~have been discharged from those commitments more than five years~~
 10 ~~previously. Any such~~ To ensure the accuracy of the data base, any
 11 information maintained or disclosed under this subsection shall
 12 remain privileged and confidential and shall not be redisclosed or
 13 utilized for any other purpose. ~~be updated, corrected, modified,~~
 14 or removed, as appropriate, and as soon as practicable, from any
 15 data base that the state or federal government maintains and makes
 16 available to the National Instant Criminal Background Check System.
 17 The procedures for furnishing ~~such~~ the information shall guarantee
 18 that no information is released beyond what is necessary for
 19 purposes of this section.

20 (2) In order to comply with sections 69-2401 and 69-2403
 21 to 69-2408 and this section, the Nebraska State Patrol shall
 22 provide to the chief of police or sheriff of an applicant's place
 23 of residence or a licensee in the process of a criminal history
 24 record check pursuant to section 69-2411 only the information
 25 regarding whether or not the applicant is disqualified from
 26 purchasing or possessing a handgun.

27 (3) Any person, agency, or mental health board
 1 participating in good faith in the reporting or disclosure of
 2 records and communications under this section is immune from any
 3 liability, civil, criminal, or otherwise, that might result by
 4 reason of the action.

5 (4) Any person who intentionally causes the Nebraska
 6 State Patrol to request information pursuant to this section
 7 without reasonable belief that the named individual has submitted
 8 a written application under section 69-2404 or has completed a
 9 consent form under section 69-2410 shall be guilty of a Class II
 10 misdemeanor in addition to other civil or criminal liability under
 11 state or federal law.

12 Sec. 3. Section 69-2433, Revised Statutes Cumulative
 13 Supplement, 2010, is amended to read:

14 69-2433 An applicant shall:

15 (1) Be at least twenty-one years of age;

16 (2) Not be prohibited from purchasing or possessing a
 17 handgun by 18 U.S.C. 922, as such section existed on January 1,
 18 2005;

19 (3) Possess the same powers of eyesight as required under
 20 section 60-4,118 for a Class O operator's license. If an applicant
 21 does not possess a current Nebraska motor vehicle operator's
 22 license, the applicant may present a current optometrist's or
 23 ophthalmologist's statement certifying the vision reading obtained
 24 when testing the applicant. If such certified vision reading meets
 25 the vision requirements prescribed by section 60-4,118 for a Class
 26 O operator's license, the vision requirements of this subdivision
 27 shall have been met;

1 (4) Not have pled guilty to, not have pled nolo
 2 contendere to, or not have been convicted of a felony under
 3 the laws of this state or under the laws of any other jurisdiction;

4 (5) Not have pled guilty to, not have pled nolo
 5 contendere to, or not have been convicted of a misdemeanor crime
 6 of violence under the laws of this state or under the laws of any
 7 other jurisdiction within the ten years immediately preceding the
 8 date of application;

9 (6) Not have been found in the previous ten years to be a
 10 mentally ill and dangerous person under the Nebraska Mental Health
 11 Commitment Act or a similar law of another jurisdiction or not be
 12 currently adjudged mentally incompetent;

13 (7)(a) Have been a resident of this state for at least
 14 one hundred eighty days. For purposes of this section, resident
 15 does not include an applicant who maintains a residence in another
 16 state and claims that residence for voting or tax purposes except
 17 as provided in subdivision (b) or (c) of this subdivision; ~~or~~

18 (b) If an applicant is a member of the United States
 19 Armed Forces, such applicant shall be considered a resident of
 20 this state for purposes of this section after he or she has been
 21 stationed at a military installation in this state pursuant to
 22 permanent duty station orders even though he or she maintains a
 23 residence in another state and claims that residence for voting or
 24 tax purposes; or

25 (c) If an applicant is a new Nebraska resident and
 26 possesses a valid permit to carry a concealed handgun issued by his
 27 or her previous state of residence that is recognized by this state
 1 pursuant to section 69-2448, such applicant shall be considered a
 2 resident of this state for purposes of this section;

3 (8) Have had no violations of any law of this state
 4 relating to firearms, unlawful use of a weapon, or controlled
 5 substances or of any similar laws of another jurisdiction in the
 6 ten years preceding the date of application;

7 (9) Not be on parole, probation, house arrest, or work
 8 release;

9 (10) Be a citizen of the United States; and

10 (11) Provide proof of training.

11 Sec. 4. Section 71-901, Reissue Revised Statutes of
 12 Nebraska, is amended to read:

13 71-901 Sections 71-901 to 71-962 and sections 6 and 7 of

14 this act shall be known and may be cited as the Nebraska Mental
15 Health Commitment Act.

16 Sec. 5. Section 71-903, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 71-903 For purposes of the Nebraska Mental Health
19 Commitment Act, unless the context otherwise requires, the
20 definitions found in sections 71-904 to 71-914 and section 6 of
21 this act shall apply.

22 Sec. 6. Firearm-related disability means a person is not
23 permitted to (1) purchase, possess, ship, transport, or receive a
24 firearm under either state or federal law, (2) obtain a certificate
25 to purchase, lease, rent, or receive transfer of a handgun under
26 section 69-2404, or (3) obtain a permit to carry a concealed
27 handgun under the Concealed Handgun Permit Act.

1 Sec. 7. (1) Upon release from commitment or treatment,
2 a person who, because of a mental health-related commitment or
3 adjudication occurring under the laws of this state, is subject to
4 the disability provisions of 18 U.S.C. 922(d)(4) and (g)(4) or is
5 disqualified from obtaining a certificate to purchase, lease, rent,
6 or receive transfer of a handgun under section 69-2404 or a permit
7 to carry a concealed handgun under the Concealed Handgun Permit Act
8 may petition the mental health board to remove such disabilities.

9 (2)(a) Upon the filing of the petition, the subject may
10 request and, if the request is made, shall be entitled to, a review
11 hearing by the mental health board. The mental health board shall
12 grant a petition filed under subsection (1) of this section if the
13 mental health board determines that:

14 (i) The subject will not be likely to act in a manner
15 dangerous to public safety; and

16 (ii) The granting of the relief would not be contrary to
17 the public interest.

18 (b) In determining whether to remove the subject's
19 firearm-related disabilities, the mental health board shall receive
20 and consider evidence upon the following:

21 (i) The circumstances surrounding the subject's mental
22 health commitment or adjudication;

23 (ii) The subject's record, which shall include, at a
24 minimum, the subject's mental health and criminal history records;

25 (iii) The subject's reputation, developed, at a minimum,
26 through character witness statements, testimony, or other character
27 evidence; and

1 (iv) Changes in the subject's condition, treatment,
2 treatment history, or circumstances relevant to the relief sought.

3 (3) If a decision is made by the mental health board to
4 remove the subject's firearm-related disabilities, the clerks of
5 the various courts shall immediately send as soon as practicable
6 but within thirty days an order to the Nebraska State Patrol and
7 the Department of Health and Human Services, in a form and in a
8 manner prescribed by the Department of Health and Human Services

9 and the Nebraska State Patrol, stating its findings, which shall
 10 include a statement that, in the opinion of the mental health
 11 board, (a) the subject is not likely to act in a manner that
 12 is dangerous to public safety and (b) removing the subject's
 13 firearm-related disabilities will not be contrary to the public
 14 interest.

15 (4) The subject may appeal a denial of the requested
 16 relief to the district court, and review on appeal shall be de
 17 novo.

18 (5) If a petition is granted under this section, the
 19 commitment or adjudication for which relief is granted shall be
 20 deemed not to have occurred for purposes of section 69-2404 and
 21 the Concealed Handgun Permit Act and, pursuant to section 105(b) of
 22 Public Law 110-180, for purposes of 18 U.S.C. 922(d)(4) and (g)(4).

23 Sec. 8. This act becomes operative on January 1, 2012.

24 Sec. 9. Original sections 69-2402, 69-2409.01, 71-901,
 25 and 71-903, Reissue Revised Statutes of Nebraska, and section
 26 69-2433, Revised Statutes Cumulative Supplement, 2010, are
 27 repealed.

1 2. On page 1, strike beginning with "69-2409.01" in
 2 line 1 through line 6 and insert "69-2402, 69-2409.01, 71-901,
 3 and 71-903, Reissue Revised Statutes of Nebraska, and section
 4 69-2433, Revised Statutes Cumulative Supplement, 2010; to change
 5 provisions relating to mental health determinations for purposes of
 6 possessing and purchasing of handguns and concealed handgun permit
 7 applications; to change concealed handgun permit requirements
 8 relating to residency; to provide procedures for the removal
 9 of adverse mental health determinations; to define terms; to
 10 harmonize provisions; to provide an operative date; and to repeal
 11 the original sections."

LEGISLATIVE BILL 337. Placed on Select File with amendment.
 ER66

1 1. On page 1, line 2, strike "23-2301,"; and in line 3
 2 strike "77-2608, and 84-1301" and insert "and 77-2608".

LEGISLATIVE BILL 628. Placed on Select File with amendment.
 ER67

1 1. Strike the original sections and all amendments
 2 thereto and insert the following new sections:
 3 Section 1. Section 23-3104, Reissue Revised Statutes of
 4 Nebraska, is amended to read:
 5 23-3104 As used in the County Purchasing Act, unless the
 6 context otherwise requires:

7 (1) Mobile equipment ~~shall mean~~ means all vehicles
 8 propelled by any power other than muscular, including, but
 9 not limited to, motor vehicles, off-road designed vehicles,
 10 motorcycles, passenger cars, self-propelled mobile homes,
 11 truck-tractors, trucks, cabin trailers, semitrailers, trailers,

12 utility trailers, and road and general-purpose construction and
 13 maintenance machinery not designed or used primarily for the
 14 transportation of persons or property, including, but not limited
 15 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,
 16 leveling graders, earthmoving carryalls, power shovels, earthmoving
 17 equipment, and crawler tractors;

18 (2) Personal property ~~shall include, but not be includes,~~
 19 but is not limited to, supplies, materials, mobile equipment, and
 20 equipment used by or furnished to any county officer, office,
 21 department, institution, board, or other agency of the county
 22 government. Personal property shall does not include election
 23 ballots;

1 (3) Services ~~shall mean means~~ any and all services except
 2 telephone, telegraph, postal, and electric light and power service,
 3 other similar services, and election contractual services; and

4 (4) Purchasing or purchase ~~shall mean means~~ the obtaining
 5 of personal property or services by sale, lease, or other
 6 contractual means. Purchase ~~shall also include includes~~ contracting
 7 with sheltered workshops for products or services as provided in
 8 Chapter 48, article 15.

9 Sec. 2. Section 23-3107, Reissue Revised Statutes of
 10 Nebraska, is amended to read:

11 23-3107 The county board or purchasing agent, subject
 12 to the approval of the county board, shall: (1) Prescribe the
 13 manner in which personal property shall be purchased, delivered,
 14 and distributed; (2) prescribe dates for making estimates, the
 15 future period which they are to cover, the form in which they
 16 are submitted, and the manner of their authentication; (3) revise
 17 forms from time to time as conditions warrant; (4) provide for the
 18 transfer to and between county departments and agencies of personal
 19 property which is surplus with one department or agency but which
 20 may be needed by another or others; (5) dispose of by sale personal
 21 property which has been declared by the county board to be surplus
 22 and which is obsolete or not usable by the county. ~~Such Except~~
 23 as otherwise provided in subsection (2) of section 23-3115, such
 24 property with a value of less than two thousand five hundred
 25 dollars may be sold without competitive bidding. ~~Property Except as~~
 26 otherwise provided in subsection (2) of section 23-3115, property
 27 with a value of two thousand five hundred dollars or more shall
 1 be sold through competitive bidding; (6) prescribe the amount of
 2 cash deposit or bond to be submitted with a bid on a contract and
 3 the amount of deposit or bond to be given for the performance of
 4 a contract, if the amount of the bond is not specifically provided
 5 by law; and (7) prescribe the manner in which claims for personal
 6 property or services delivered to any department or agency of the
 7 county shall be submitted, approved, and paid.

8 Sec. 3. Section 23-3115, Reissue Revised Statutes of
 9 Nebraska, is amended to read:

10 23-3115 (1) The county board or the purchasing agent,

11 with the approval of the county board, may authorize a county
 12 official or employee to sell surplus personal property, other
 13 than mobile equipment, which is obsolete or not usable by the
 14 county, ~~other than mobile equipment, having and which has~~ a value
 15 of less than two thousand five hundred dollars. In making such
 16 authorization, the county board or purchasing agent may place any
 17 restriction on the type or value of property to be sold, restrict
 18 such authority to a single transaction or to a period of time, or
 19 make any other appropriate restrictions or conditions.

20 (2) The county board or the purchasing agent, with the
 21 approval of the county board, may authorize a county official or
 22 employee to sell surplus mobile equipment which is obsolete or
 23 not usable by the county and which has a value of less than five
 24 thousand dollars. Surplus mobile equipment which is obsolete or not
 25 usable by the county and which has a value of five thousand dollars
 26 or more shall be sold through competitive bidding.

27 ~~(2)-(3)~~ Any county official or employee granted the
 1 authority to sell surplus personal property which is obsolete or
 2 not usable by the county as prescribed in subsection (1) or (2) of
 3 this section shall make a written report to the county board within
 4 thirty days after the end of the fiscal year reflecting, for each
 5 transaction, the item sold, the name and address of the purchaser,
 6 the price paid by the purchaser for each item, and the total amount
 7 paid by the purchaser.

8 ~~(3)-(4)~~ The money generated by any sales authorized by
 9 this section shall be payable to the county treasurer and shall be
 10 credited to the funds of the department, office, or agency to which
 11 the property belonged.

12 ~~(4)-(5)~~ No person authorized by the county board or
 13 purchasing agent to make such sales shall be authorized to make or
 14 imply any warranty of any kind whatsoever as to the nature, use,
 15 condition, or fitness for a particular purpose of any property sold
 16 pursuant to this section. Any person making sales authorized by
 17 this section shall inform the purchaser that such property is being
 18 sold as is without any warranty of any kind whatsoever.

19 Sec. 4. The governing body of a county, city, village,
 20 or public utility may authorize the donation of any motor vehicle
 21 that is owned by such county, city, village, or public utility,
 22 if the governing body has determined that the motor vehicle has
 23 reached the end of its useful life, to any charitable organization
 24 described in section 501(c)(3) of the Internal Revenue Code that is
 25 incorporated pursuant to the Nebraska Nonprofit Corporation Act.

26 Sec. 5. Original sections 23-3104, 23-3107, and 23-3115,
 27 Reissue Revised Statutes of Nebraska, are repealed.

1 2. On page 1, strike beginning with "provide" in line 1
 2 through line 3 and insert "amend sections 23-3104, 23-3107, and
 3 23-3115, Reissue Revised Statutes of Nebraska; to change provisions
 4 relating to the sale of surplus personal property under the County
 5 Purchasing Act; to provide for the donation of motor vehicles

6 by certain political subdivisions as prescribed; to harmonize
7 provisions; and to repeal the original sections."

(Signed) Tyson Larson, Chairperson

MESSAGES FROM THE GOVERNOR

March 11, 2011

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 Environmental Trust Board:

James Stuart Jr., 2001 Pine Lake Rd, #400, Lincoln, NE 68512
Paul Dunn, 2508 South 35th St., Omaha, NE 68105
Gloria Erickson, 315 18th Avenue, Holdrege, NE 68949

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

March 15, 2011

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 Parole:

Miguel "Mike" Gomez, 240 Lakewood Drive, 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

March 24, 2011

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 Environmental Quality Council:

Douglas Anderson, 1407 West 10 Road, Aurora, NE 68818
John Baker, 2213 4th Avenue, Scottsbluff, NE 69361
John Kinter, 2702 Mimick Drive, Norfolk, NE 68701
John Turnbull, 711 Maine Ave., York, NE 68467
Donald Williams, 230 Relf Street, Orchard, NE 68764

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

March 24, 2011

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 Motor Vehicle Industry Licensing Board:

Dean Cerny, 3053 41st Avenue, Columbus, NE 68601

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

Sammy Reagan, 709 S. 210th Circle, Elkhorn, NE 68022

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

GENERAL FILE

LEGISLATIVE BILL 305. Title read. Considered.

Senator Larson renewed his amendment, AM1039, found on page 1002.

SENATOR PRICE PRESIDING

SENATOR GLOOR PRESIDING

Senator Hadley moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

The Larson amendment was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 1 nay, 8 present and not voting, and 5 excused and not voting.

AMENDMENT - Print in Journal

Senator Langemeier filed the following amendment to LB366:
AM1052

(Amendments to Final Reading copy)

- 1 1. On page 4, lines 4 through 8, strike the new matter.

RESOLUTION

LEGISLATIVE RESOLUTION 144. Introduced by Council, 11.

WHEREAS, Allen and Barbara Mayhew moved to Nebraska in 1854 with two children and built a cabin in 1855; and

WHEREAS, Barbara Mayhew's younger brother, John Kagi, was a close associate of abolitionist John Brown and helped freedom-seeking slaves escape north from Kansas using his sister's place as a stopping point; and

WHEREAS, Nebraska City was a dangerous place for abolitionists, as Nebraska Territory did not officially prohibit slavery until January 1861, and many of the leaders of Nebraska City were pro-slavery or owned slaves; and

WHEREAS, the Mayhews were never caught despite the majority opinion of their community; and

WHEREAS, John Kagi went with John Brown to Harper's Ferry, Virginia, took part in the raid on the federal arsenal, and was shot and killed at age twenty-four; and

WHEREAS, the Mayhew Cabin is dedicated to telling the story of John Kagi and the Mayhew family and educating the public about the issue of slavery; and

WHEREAS, the process of telling this story and educating the public began in the late 1930s, when Edward Bartling, owner of the site at the time, opened it to the public as a tourist attraction and memorial to the abolitionist cause; and

WHEREAS, the Mayhew Cabin's historical significance lies in its connection to the Underground Railroad during the 1850s and its important testament against slavery; and

WHEREAS, the Mayhew Cabin received notice on February 11, 2011, that it was being added to the National Register of Historic Places by the United States Department of the Interior, National Park Service, as part of the National Park Service's National Underground Railroad Network to Freedom Trail; and

WHEREAS, the Mayhew Cabin is the only site in Nebraska that is part of the National Park Service's National Underground Railroad Network to Freedom Trail.

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

1. That the Legislature congratulates Mayhew Cabin on its placement on the National Register of Historic Places.

2. That a copy of this resolution be sent to the Mayhew Cabin as a token of the high regard the people of Nebraska have for the historical significance of this site and the important contributions it makes to educating the public and serving as a memorial to the abolitionist cause.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 70. Title read. Considered.

Committee AM82, found on page 615, was adopted with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 286. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 477. Title read. Considered.

Committee AM343, found on page 578, was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 499. Title read. Considered.

Committee AM404, found on page 618, was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 15. Placed on General File with amendment.
AM161

- 1 1. On page 2, line 6, after "execution" insert "for
- 2 personal property"; and in line 10 after the period insert "Such
- 3 execution shall not serve as a lien on real estate in a county
- 4 other than the county where the judgment was rendered unless a
- 5 transcript of the judgment is filed with the clerk of the district
- 6 court in the county in which the real estate is located.".

LEGISLATIVE BILL 17. Placed on General File with amendment.
AM159

- 1 1. Insert the following section:
- 2 Sec. 4. Section 25-2209, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 25-2209 The clerk of the district court shall keep
- 5 records to be called the appearance docket, the trial docket,
- 6 the journal, the complete record, the execution docket, the fee
- 7 book, the general index, and the judgment record. Such records
- 8 may be compiled, filed, and maintained on a computer system.
- 9 Effective not later than October 1, 1992, provision for dockets and
- 10 records of the district courts shall be established by rule of the
- 11 Supreme Court. The journal ~~and complete record~~ may be compiled and
- 12 filed on microfilm. The recording of all instruments by the roll
- 13 form of microfilm may be substituted for the method of recording
- 14 instruments in books. If this method of recording instruments on

15 microfilm is used, a security copy on silver negative microfilm
 16 in roll form must be maintained and filed off premises under safe
 17 conditions to insure the protection of the records. The internal
 18 reference copies or work copies of the instruments recorded on
 19 microfilm may be in any photographic form to provide the necessary
 20 information as may be determined by the official in charge, and
 21 shall meet the microfilm standards as prescribed by the State
 22 Records Administrator.

23 2. On page 2, line 19, strike beginning with "either"
 1 through "on" and insert "in"; and in line 20 after "system" insert
 2 "and either paper or microfilm".

3 3. On page 3, strike the new matter in lines 3 through
 4 12.

5 4. Renumber the remaining sections and correct the
 6 repealer section accordingly.

LEGISLATIVE BILL 124. Placed on General File with amendment.
 AM1037

1 1. On page 5, line 10; and page 6, line 5, after "tribe"
 2 insert "when applicable and in compliance with the Nebraska Indian
 3 Child Welfare Act".

(Signed) Brad Ashford, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 589. Placed on General File with amendment.
 AM858

1 1. Strike the original sections and insert the following
 2 new sections:

3 Section 1. Section 39-1359, Reissue Revised Statutes of
 4 Nebraska, is amended to read:

5 39-1359 (1) The rights-of-way acquired by the department
 6 shall be held inviolate for state highway and departmental purposes
 7 and no physical or functional encroachments, structures, or uses
 8 shall be permitted within such right-of-way limits, except by
 9 written consent of the department or as otherwise provided in
 10 subsection (2) or (3) of this section.

11 (2) A temporary use of the state highway system, other
 12 than a freeway, by a county, city, or village, including full
 13 and partial lane closures, shall be allowed for special events,
 14 as designated by a county, city, or village, under the following
 15 conditions:

16 (a) The roadway is located within the official corporate
 17 limits or zoning jurisdiction of the county, city, or village;

18 (b) A county, city, or village making use of the state
 19 highway system for a special event shall have the legal duty
 20 to protect the highway and the public and shall be liable for
 21 all damages or injuries of any nature arising out of the use

22 thereof, and the state shall have no legal duty, liability, or
 23 responsibility therefor; and

1 (c) The county, city, or village using the state highway
 2 system for a special event shall formally, by official governing
 3 body action, acknowledge that it accepts the duty set out above
 4 and, if a claim is made against the state, shall indemnify, defend,
 5 and hold harmless the state from all claims, demands, actions,
 6 damages, and liability, including reasonable attorney's fees, that
 7 may arise as a result of the special event.

8 (3) If a county, city, or village has met the
 9 requirements of subsection (2) of this section for holding a
 10 special event and has provided thirty-days advance written notice
 11 of the special event to the department, the county, city, or
 12 village may proceed with its temporary use of the state highway
 13 system.

14 Sec. 2. Original section 39-1359, Reissue Revised
 15 Statutes of Nebraska, is repealed.

(Signed) Deb Fischer, Chairperson

Judiciary

LEGISLATIVE BILL 612. Placed on General File with amendment.
 AM789

- 1 1. On page 2, line 4, strike "cause of action accrues"
- 2 and insert "plaintiff's twenty-first birthday".

(Signed) Brad Ashford, Chairperson

VISITORS

Visitors to the Chamber were Senator Coash's grandmother, Lavonne Briggs-Thurl from Marshfield, Missouri; 51 fourth-grade students from Louisville; and 45 high school students and teacher from Wilber-Clatonia.

RECESS

At 11:56 a.m., on a motion by Senator Cook, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Gloor presiding.

ROLL CALL

The roll was called and all members were present except Senator Wightman who was excused; and Senators Ashford, Cornett, Flood, Fulton, B. Harr, Loudon, and Utter who were excused until they arrive.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 100. Placed on Final Reading.
LEGISLATIVE BILL 230. Placed on Final Reading.
LEGISLATIVE BILL 387. Placed on Final Reading.
LEGISLATIVE BILL 387A. Placed on Final Reading.
LEGISLATIVE BILL 544. Placed on Final Reading.

(Signed) Tyson Larson, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Anderson, Douglas - Environmental Quality Council - Natural Resources
 Baker, John - Environmental Quality Council - Natural Resources
 Cerny, Dean - Nebraska Motor Vehicle Industry Licensing Board -
 Transportation and Telecommunications
 Dunn, Paul - Nebraska Environmental Trust Board - Natural Resources
 Erickson, Gloria - Nebraska Environmental Trust Board - Natural Resources
 Gomez, Miguel "Mike" - Board of Parole - Judiciary
 Kinter, John - Environmental Quality Council - Natural Resources
 Reagan, Sammy - Nebraska Motor Vehicle Industry Licensing Board -
 Transportation and Telecommunications
 Stuart, James, Jr. - Nebraska Environmental Trust Board - Natural Resources
 Turnbull, John - Environmental Quality Council - Natural Resources
 Williams, Donald- Environmental Quality Council - Natural Resources

(Signed) John Nelson, Vice Chairperson
 Executive Board

GENERAL FILE

LEGISLATIVE BILL 229. Title read. Considered.

Committee AM281, found on page 704, was considered.

Senator Fischer withdrew her amendment, AM1000, found on page 973.

The committee amendment was adopted with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

Senator Langemeier offered the following amendment:
 AM1060

- 1 1. Insert the following new sections:
- 2 Sec. 3. Section 81-15,175, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:

4 81-15,175 (1) The board may make an annual allocation
 5 each fiscal year from the Nebraska Environmental Trust Fund to
 6 the Nebraska Environmental Endowment Fund as provided in section
 7 81-15,174.01. The board shall make annual allocations from the
 8 Nebraska Environmental Trust Fund and may make annual allocations
 9 each fiscal year from the Nebraska Environmental Endowment Fund
 10 for projects which conform to the environmental categories of the
 11 board established pursuant to section 81-15,176 and to the extent
 12 the board determines those projects to have merit. The board
 13 shall establish a calendar annually for receiving and evaluating
 14 proposals and awarding grants. To evaluate the economic, financial,
 15 and technical feasibility of proposals, the board may establish
 16 subcommittees, request or contract for assistance, or establish
 17 advisory groups. Private citizens serving on advisory groups shall
 18 be reimbursed for their actual and necessary expenses pursuant to
 19 sections 81-1174 to 81-1177.

20 (2) The board shall establish rating systems for ranking
 21 proposals which meet the board's environmental categories and other
 22 criteria. The rating systems shall include, but not be limited to,
 23 the following considerations:

- 1 (a) Conformance with categories established pursuant to
 2 section 81-15,176;
- 3 (b) Amount of funds committed from other funding sources;
- 4 (c) Encouragement of public-private partnerships;
- 5 (d) Geographic mix of projects over time;
- 6 (e) Cost-effectiveness and economic impact;
- 7 (f) Direct environmental impact; ~~and~~
- 8 (g) Environmental benefit to the general public and the
 9 long-term nature of such public benefit; ~~and~~;
- 10 (h) Applications recommended by the Director of Natural
 11 Resources and submitted by the Department of Natural Resources
 12 totaling three million three hundred thousand dollars annually
 13 that benefit any river basin determined to be fully appropriated
 14 or designated as overappropriated pursuant to the Nebraska Ground
 15 Water Management and Protection Act shall be awarded fifty points
 16 in the ranking process if the Legislature appropriates three
 17 million three hundred thousand dollars of matching funds annually
 18 until July 1, 2014.

19 (3) The board may establish a subcommittee to rate grant
 20 applications. If the board uses a subcommittee, the subcommittee
 21 shall (a) use the rating systems established by the board under
 22 subsection (2) of this section, (b) assign a numeric value to
 23 each rating criterion, combine these values into a total score
 24 for each application, and rank the applications by the total
 25 scores, (c) recommend an amount of funding for each application,
 26 which amount may be more or less than the requested amount, and
 27 (d) submit the ranked list and recommended funding to the board
 1 for its approval or disapproval. A motion to deviate from the
 2 subcommittee's recommendations must specify the reason for doing so

3 and be adopted with an affirmative vote of not fewer than eight
4 members of the board.

5 (4) The board may commit funds to multiyear projects,
6 subject to available funds and appropriations. No commitment shall
7 exceed three years without formal action by the board to renew the
8 grant or contract. Multiyear commitments may be exempt from the
9 rating process except for the initial application and requests to
10 renew the commitment.

11 (5) The board shall adopt and promulgate rules and
12 regulations and publish guidelines governing allocations from the
13 fund. The board shall conduct annual reviews of existing projects
14 for compliance with project goals and grant requirements.

15 (6) Every five years the board may evaluate the long-term
16 effects of the projects it funds. The evaluation may assess
17 a sample of such projects. The board may hire an independent
18 consultant to conduct the evaluation and may report the evaluation
19 findings to the Legislature and the Governor.

20 Sec. 4. The State Treasurer shall transfer \$600,000 from
21 the General Fund to the Water Resources Cash Fund on or before June
22 30, 2012, on such date as directed by the budget administrator of
23 the budget division of the Department of Administrative Services,
24 pursuant to section 61-218.

25 Sec. 5. The State Treasurer shall transfer \$600,000 from
26 the General Fund to the Water Resources Cash Fund on or before June
27 30, 2013, on such date as directed by the budget administrator of
1 the budget division of the Department of Administrative Services,
2 pursuant to section 61-218.

3 2. On page 2, line 17, strike "81-15,174" and insert
4 "81-15,175".

5 3. On page 3, lines 11 and 12, strike "two million seven
6 hundred thousand", show as stricken, and insert "three million
7 three hundred thousand"; and in line 13 strike "FY2009-10", show as
8 stricken, and insert "FY2011-12".

9 4. On page 5, after line 2 insert the following new
10 subsection:

11 "(7) The Department of Natural Resources shall apply
12 for a three-year grant from the Nebraska Environmental Trust Fund
13 that benefits any river basin determined to be fully appropriated
14 or designated as overappropriated pursuant to the Nebraska Ground
15 Water Management and Protection Act prior to the application
16 deadline beginning with fiscal year 2011-12 through fiscal year
17 2013-14. Funds received from such grants shall be remitted to the
18 State Treasurer for credit to the Water Resources Cash Fund for the
19 purpose of supporting water projects as described in the Nebraska
20 Environmental Trust grant application. It is the intent of the
21 Legislature that the department apply for an additional three-year
22 grant if the following criteria have been met:

- 23 [XXXX]"; and strike lines 16 through 19.
 24 5. Renumber the remaining sections and amend the repealer
 25 accordingly.

Pending.

COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 73. Placed on General File with amendment.
 AM979

- 1 1. Strike section 8.
 2 2. On page 3, reinstate the stricken matter beginning in
 3 line 4 through the stricken "the" in line 20; in line 21 after the
 4 stricken "insurer" insert "pool administrator"; and reinstate the
 5 stricken matter beginning with "to" in line 21 through line 25.
 6 3. On page 4, reinstate the stricken matter beginning
 7 in line 1 through the stricken "the" in line 6; in line 6 after
 8 the stricken "insurer" insert "pool administrator"; reinstate the
 9 stricken matter beginning with "which" in line 6 through line 9; in
 10 line 10 after the stricken "insurer" insert "pool administrator";
 11 reinstate the stricken matter beginning with the first "and" in
 12 line 10 through the second stricken "the" in line 12; in line
 13 13 after the stricken "insurer" insert "pool administrator"; and
 14 reinstate the stricken matter beginning with "to" in line 13
 15 through line 25.
 16 4. On page 5, reinstate the stricken matter in lines 1
 17 through 11; and in lines 12 through 25 strike the new matter.
 18 5. On page 6, lines 1 and 2, strike the new matter; in
 19 lines 10 and 11 strike "a health maintenance organization"; and
 20 strike beginning with "or" in line 12 through "director" in line
 21 13.
 22 6. On page 7, line 6, strike "health maintenance
 23 organizations"; and in line 7 after "administrators" insert
 1 "authorized to transact business in this state".
 2 7. Renumber the remaining section accordingly.

(Signed) Rich Pahls, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 175. Placed on General File with amendment.
 AM887

- 1 1. Strike the original sections and insert the following
 2 new sections:
 3 Section 1. Section 32-1610, Reissue Revised Statutes of
 4 Nebraska, is amended to read:
 5 32-1610 The Campaign Finance Limitation Cash Fund is
 6 hereby created. The fund shall be used by the commission to

7 provide public financing of campaigns pursuant to the Campaign
8 Finance Limitation Act, except that transfers may be made to the
9 General Fund at the direction of the Legislature and transfers
10 may be made at the direction of the Legislature to the Nebraska
11 Accountability and Disclosure Commission Cash Fund for the costs
12 of the commission in administering the Campaign Finance Limitation
13 Act. The ~~fund~~ Campaign Finance Limitation Cash Fund shall consist
14 of money appropriated to it by the Legislature, amounts repaid by
15 candidates pursuant to sections 32-1606 and 32-1607, and taxpayer
16 contributions to the fund pursuant to section 77-27,119.04. Any
17 money in the fund available for investment shall be invested by the
18 state investment officer pursuant to the Nebraska Capital Expansion
19 Act and the Nebraska State Funds Investment Act.
20 Sec. 2. Original section 32-1610, Reissue Revised
21 Statutes of Nebraska, is repealed.
22 Sec. 3. Since an emergency exists, this act takes effect
23 when passed and approved according to law.

LEGISLATIVE BILL 234. Placed on General File with amendment.
AM740

1 1. Strike original section 1 and insert the following new
2 section:
3 Section 1. Section 68-130, Reissue Revised Statutes of
4 Nebraska, is amended to read:
5 68-130 (1) Counties shall maintain, at no additional cost
6 to the Department of Health and Human Services, office and service
7 facilities used for the administration of the public assistance
8 programs as such facilities existed on April 1, 1983.
9 (2) The county board of any county may request in writing
10 that the department review office and service facilities provided
11 by the county for the department to determine if the department
12 is able to reduce or eliminate office and service facilities
13 within the county. The department shall respond in writing to such
14 request within thirty days after receiving the request. The final
15 decision with respect to maintaining, reducing, or eliminating
16 office and service facilities in such county shall be made by
17 the department, and the county may reduce or eliminate office and
18 service facilities if authorized by such final decision.

(Signed) Bill Avery, Chairperson

NOTICE OF COMMITTEE HEARINGS
Health and Human Services

Room 1510

Wednesday, April 6, 2011 1:00 p.m.

Carol Lomicky - Commission for the Deaf and Hard of Hearing

Wednesday, April 13, 2011 1:00 p.m.

Janet Coleman - State Board of Health

Amy Kasch - Commission for the Deaf and Hard of Hearing

Jill Reel - Foster Care Review Board

(Signed) Kathy Campbell, Chairperson

AMENDMENTS - Print in Journal

Senator Bloomfield filed the following amendment to LB628:
AM1049

(Amendments to E & R amendments, ER67)

- 1 1. On page 4, line 25, after the period insert "The
- 2 governing body shall not authorize such donation if any employee of
- 3 the charitable organization or any proposed recipient of the motor
- 4 vehicle from the charitable organization is an immediate family
- 5 member of any member of the governing body.".

Senator Bloomfield filed the following amendment to LB628:
AM1048

(Amendments to E & R amendments, ER67)

- 1 1. On page 4, line 19, before "The" insert
- 2 "(1)"; and after line 25 insert the following new
- 3 subsection:
- 4 "(2) Not more than thirty days after completion of the
- 5 donation under subsection (1) of this section, the governing body
- 6 shall publish notice once in a newspaper of general circulation in
- 7 the county in which the governing body is located that includes
- 8 the name and address of the charitable organization, the date of
- 9 the donation, the location at which the donation occurred, and the
- 10 year, make, model, and value of the donated motor vehicle.".

GENERAL FILE

LEGISLATIVE BILL 229. The Langemeier amendment, AM1060, found in this day's Journal, was renewed.

SENATOR COASH PRESIDING

The Langemeier amendment was adopted with 41 ayes, 2 nays, 3 present and not voting, and 3 excused and not voting.

Senator Louden requested a record vote on the advancement of the bill.

Voting in the affirmative, 41:

Adams	Fischer	Heidemann	McCoy	Schumacher
Bloomfield	Flood	Howard	McGill	Smith
Brasch	Fulton	Janssen	Mello	Sullivan
Campbell	Gloor	Karpisek	Nelson	Utter
Carlson	Haar, K.	Krist	Nordquist	Wallman
Christensen	Hadley	Langemeier	Pankonin	
Conrad	Hansen	Larson	Pirsch	
Cornett	Harms	Lathrop	Price	
Dubas	Harr, B.	Lautenbaugh	Schilz	

Voting in the negative, 3:

Cook	Council	Louden
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Present and not voting, 3:

Ashford	Avery	Coash
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Excused and not voting, 2:

Pahls	Wightman
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Advanced to Enrollment and Review Initial with 41 ayes, 3 nays, 3 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 229A. Title read. Considered.

Senator Fischer offered the following amendment:

AM1062

- 1 1. Strike original section 2.
- 2 2. On page 2, lines 1, 2, 8, and 10, strike "\$7,000,000"
- 3 and insert "\$3,900,000".

The Fischer amendment was adopted with 41 ayes, 2 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 2 nays, 4 present and not voting, and 2 excused and not voting.

COMMITTEE REPORT

Revenue

LEGISLATIVE BILL 359. Placed on General File with amendment.
AM1067

- 1 1. On page 4, line 7, strike "seven hundred" and show as
- 2 stricken.

(Signed) Abbie Cornett, Chairperson

AMENDMENTS - Print in Journal

Senator Christensen filed the following amendment to LB648:
AM888

- 1 1. Strike the Standing Committee amendment, AM802.
- 2 2. On page 3, lines 8 through 13, strike the new matter
- 3 and insert "or hearing. After a foster child has been placed in the
- 4 foster parents' home for at least six months, foster parents shall
- 5 have standing as interested parties in the context of a hearing
- 6 regarding removal of a foster child from the foster parents' home
- 7 for placement in another foster home. Such standing entitles the
- 8 foster parents to call and cross-examine witnesses at the hearing
- 9 and appeal an adverse decision".

Senator Ashford filed the following amendment to LB463:
AM1046 is available in the Bill Room.

Senator Mello filed the following amendment to LB682:
AM1012

(Amendments to Standing Committee amendments, AM626)

- 1 1. On page 2, line 17; page 5, lines 8 and 9; and page 5,
- 2 line 27, and page 6, line 1, strike "on and after July 1, 2013".
- 3 2. On page 2, line 18, after "projects" insert "on and
- 4 after July 1, 2011, for cities of the first class, cities of the
- 5 second class, and villages and on and after July 1, 2013, for
- 6 cities of the metropolitan class and cities of the primary class".
- 7 3. On page 5, line 9; and page 6, line 1, after "project"
- 8 insert "on and after July 1, 2011, for cities of the first class,
- 9 cities of the second class, and villages and on and after July
- 10 1, 2013, for cities of the metropolitan class and cities of the
- 11 primary class".

Senator Ashford filed the following amendment to LB463A:
AM1050

- 1 1. Strike original sections 2 and 3 and insert the
- 2 following new section:
- 3 Sec. 2. There is hereby appropriated \$100,000 from
- 4 the Supreme Court Education Fund for FY2011-12 to the Supreme
- 5 Court, for Program 52, to aid in carrying out the provisions
- 6 of Legislative Bill 463, One Hundred Second Legislature, First
- 7 Session, 2011.
- 8 No expenditures for permanent and temporary salaries and
- 9 per diems for state employees shall be made from funds appropriated
- 10 in this section.
- 11 2. Renumber the remaining sections accordingly.

VISITORS

Visitors to the Chamber were 72 fourth-grade students and teachers from Morton Elementary, Lexington; and 31 fourth-grade students and teachers from Battle Creek.

The Doctor of the Day was Dr. Tim Dalton from Lincoln.

ADJOURNMENT

At 4:05 p.m., on a motion by Senator Hadley, the Legislature adjourned until 9:00 a.m., Thursday, March 31, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

