

SEVENTH DAY - JANUARY 13, 2011

LEGISLATIVE JOURNAL

**ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION**

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 13, 2011

PRAYER

The prayer was offered by Father Ryan Lewis, St. Thomas More Catholic Church, Omaha.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:30 a.m., President Sheehy presiding.

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

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB231	Judiciary
LB232	Judiciary
LB233	Executive Board
LB234	Government, Military and Veterans Affairs
LB235	Education
LB236	Education
LB237	Health and Human Services
LB238	Business and Labor
LB239	Government, Military and Veterans Affairs
LB240	Banking, Commerce and Insurance
LB241	Transportation and Telecommunications
LB242	Judiciary
LB243	Natural Resources
LB244	Transportation and Telecommunications

LB245	Business and Labor
LB246	Nebraska Retirement Systems
LB247	Education
LB248	Natural Resources
LB249	General Affairs
LB250	Transportation and Telecommunications
LB251	Judiciary
LB252	Revenue
LB253	Revenue
LB254	Government, Military and Veterans Affairs
LB255	Transportation and Telecommunications
LB256	General Affairs
LB257	Transportation and Telecommunications
LB258	Judiciary
LB259	Transportation and Telecommunications
LB260	Health and Human Services
LB261	Business and Labor
LB262	Business and Labor
LB263	Business and Labor
LB264	Executive Board
LB265	Health and Human Services
LB266	Government, Military and Veterans Affairs
LB267	Health and Human Services
LB268	Banking, Commerce and Insurance
LB269	Banking, Commerce and Insurance
LB270	Executive Board
LB271	Executive Board
LB272	Business and Labor
LB273	Education
LB274	Health and Human Services
LB275	Judiciary
LB276	Judiciary
LB277	Government, Military and Veterans Affairs
LB278	Government, Military and Veterans Affairs
LB279	General Affairs
LB280	Banking, Commerce and Insurance
LB281	General Affairs
LR20	Education

(Signed) John Wightman, Chairperson
Executive Board

EXECUTIVE BOARD REPORT

Senator Wightman, Chairperson of the Executive Board, reported the appointments of the following members of the Legislature to the following special committees:

	Building Maintenance - Louden (C)		
Hansen	Mello	Sullivan	Wallman
Heidemann			

	Midwestern Higher Education Compact Commission (Midwest Compact)	
Adams	Fischer	

	Legislative Performance Audit Committee		
Dubas	Harms	Krist	Mello
Heidemann	Flood	Wightman	

	Midwest Interstate Passenger Rail Compact	
Cornett	Fischer	

(Signed) John Wightman, Chairperson
Legislative Council, Executive Board

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

Room 1507

Monday, January 24, 2011 1:30 p.m.

LB74
LB75
LB76
LB77
LB78

(Signed) Rich Pahls, Chairperson

Natural Resources

Room 1525

Thursday, January 20, 2011 1:30 p.m.

Mark Graham - Nebraska Power Review Board
Thomas Knutson - Nebraska Natural Resources Commission

LB208
LB154

Friday, January 21, 2011 1:30 p.m.

LB28
LB29
LB30

(Signed) Chris Langemeier, Chairperson

Revenue

Room 1524

Thursday, January 20, 2011 1:30 pm

LB96 (cancel)
LB118 (cancel)
LB119 (cancel)

Friday, January 21, 2011 1:30 pm

LB96 (reschedule)
LB118 (reschedule)
LB119 (reschedule)

Friday, January 21, 2011 1:30 pm

LB81 (cancel)

Thursday, January 20, 2011 1:30 pm

LB81 (reschedule)

(Signed) Abbie Cornett, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 348. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-101, Reissue Revised Statutes of Nebraska; to change employer liability provisions; and to repeal the original section.

LEGISLATIVE BILL 349. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-2705 and 25-2805, Reissue Revised Statutes of Nebraska; to change demand for trial by jury; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 350. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to civil procedure; to amend section 52-401, Reissue Revised Statutes of Nebraska; to change medical lien provisions and provide personal injury damage suit provisions; and to repeal the original section.

LEGISLATIVE BILL 351. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-322, Reissue Revised Statutes of Nebraska; to change provisions relating to substitution of parties; and to repeal the original section.

LEGISLATIVE BILL 352. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Airport Zoning Act; to amend section 3-301, Reissue Revised Statutes of Nebraska; to define and provide dimensions of zones for airport hazard areas; and to repeal the original section.

LEGISLATIVE BILL 353. Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,297, Reissue Revised Statutes of Nebraska; to change provisions relating to the towing of vehicles and exemptions from size, weight, and load restrictions; and to repeal the original section.

LEGISLATIVE BILL 354. Introduced by Carlson, 38; Dubas, 34; Karpisek, 32; Larson, 40; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to agriculture; to amend sections 66-1519 and 89-187, Reissue Revised Statutes of Nebraska, and section 89-1,100,

Revised Statutes Cumulative Supplement, 2010; to transfer funds to the Weights and Measures Administrative Fund; to provide for a late registration fee and use; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 355. Introduced by Carlson, 38; Dubas, 34; Karpisek, 32; Larson, 40; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to agriculture; to amend section 2-3815, Reissue Revised Statutes of Nebraska; to provide for an agricultural trade representative and state funding intent; and to repeal the original section.

LEGISLATIVE BILL 356. Introduced by Carlson, 38; Dubas, 34; Karpisek, 32; Larson, 40; Schilz, 47; Wallman, 30.

A BILL FOR AN ACT relating to agriculture; to amend section 2-2103, Reissue Revised Statutes of Nebraska; to authorize funding for the Beginning Farmer Tax Credit Act administration as prescribed; and to repeal the original section.

LEGISLATIVE BILL 357. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-27,142 and 77-27,142.01, Reissue Revised Statutes of Nebraska; to authorize an increase in local option sales tax for municipalities; to change an election requirement; and to repeal the original sections.

LEGISLATIVE BILL 358. Introduced by K. Haar, 21.

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

LEGISLATIVE BILL 359. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,235, Reissue Revised Statutes of Nebraska; to change a renewable energy tax credit; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 360. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-105, 77-202, and 77-6203, Revised Statutes Cumulative Supplement, 2010; to redefine a term; to change a property tax exemption; to eliminate provisions relating to a tax credit relative to wind energy generating facilities; to provide an operative date; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 361. Introduced by Cornett, 45; Hadley, 37; Louden, 49; Pirsch, 4; Utter, 33.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend section 77-5004, Revised Statutes Cumulative Supplement, 2010; to set the salary of commissioners; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 362. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5708, 77-5714, 77-5723, and 77-5727, Reissue Revised Statutes of Nebraska, and sections 77-5715 and 77-5725, Revised Statutes Cumulative Supplement, 2010; to provide tax incentives for renewable energy projects as prescribed; to redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 363. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-202.12, 77-702, 77-1504, 77-1504.01, 77-3519, 77-5001, 77-5008, 77-5015, 77-5017, 77-5022, 77-5024.01, and 84-502, Reissue Revised Statutes of Nebraska, and sections 77-202.04, 77-1502, 77-1507, 77-5004, 77-5007, 77-5013, and 77-5019, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to the Tax Equalization and Review Commission; to change notice provisions relating to property tax protests; to change provisions relating to decisions of county boards of equalization; to provide a duty for the Secretary of State; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 364. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003, 79-1007.11, 79-1007.20, 79-1007.23, and 79-1007.25, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to calculation of state aid as prescribed; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 365. Introduced by Sullivan, 41.

A BILL FOR AN ACT relating to the Election Act; to amend section 32-330, Reissue Revised Statutes of Nebraska; to change provisions relating to access to the voter registration register and voter information; and to repeal the original section.

LEGISLATIVE BILL 366. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to the Nebraska Environmental Trust Act; to amend section 81-15,175, Reissue Revised Statutes of Nebraska; to change provisions relating to subcommittee recommendations on fund allocations; and to repeal the original section.

LEGISLATIVE BILL 367. Introduced by McCoy, 39.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-713 and 32-714, Reissue Revised Statutes of Nebraska; to require a pledge; to change balloting and vacancy provisions; and to repeal the original sections.

LEGISLATIVE BILL 368. Introduced by Brasch, 16; Bloomfield, 17.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-616 and 32-710, Reissue Revised Statutes of Nebraska; to change provisions relating to nominations for office; and to repeal the original sections.

LEGISLATIVE BILL 369. Introduced by Howard, 9; K. Haar, 21.

A BILL FOR AN ACT relating to state government; to amend section 81-1603, Reissue Revised Statutes of Nebraska; to require energy conservation plans; to provide duties for the State Energy Office; and to repeal the original section.

LEGISLATIVE BILL 370. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1822, 77-1823, 77-1824, 77-1830, 77-1856, 77-1857, 77-1902, 77-1903, and 77-1908, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to issuance of treasurer's tax deeds; to harmonize provisions; to repeal the original sections; and to outright repeal sections 77-1831, 77-1832, 77-1833, 77-1834, 77-1835, 77-1836, 77-1837, 77-1838, 77-1839, 77-1840, 77-1841, 77-1842, 77-1843, 77-1844, 77-1845, and 77-1846, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 371. Introduced by Schumacher, 22; McCoy, 39.

A BILL FOR AN ACT relating to the Unfair Insurance Trade Practices Act; to amend section 44-1525, Reissue Revised Statutes of Nebraska; to provide that certain actions relating to providing insurance for a public official are unfair trade practices in the business of insurance; and to repeal the original section.

LEGISLATIVE BILL 372. Introduced by Adams, 24.

A BILL FOR AN ACT relating to universities and colleges; to amend sections 85-943 and 85-961, Reissue Revised Statutes of Nebraska; to

change provisions relating to authorized offerings as prescribed; and to repeal the original sections.

NOTICE OF COMMITTEE HEARING

Health and Human Services

Room 1510

Friday, January 21, 2011 1:30 p.m.

Rebecca Brown - Nebraska Child Abuse Prevention Fund Board

Martha Parker - Nebraska Child Abuse Prevention Fund Board

Brandon Verzal - Nebraska Child Abuse Prevention Fund Board

LB222

LB225

(Signed) Kathy Campbell, Chairperson

MOTION - Escort Governor

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

The motion prevailed.

The Chair appointed Senators Hadley, Cornett, Conrad, Sullivan, and Fulton to serve on said committee.

STATE OF THE STATE ADDRESS

"Today I am submitting a bold, innovative and strategic two-year budget and a four-year vision to make Nebraska the ideal place to create jobs and grow a business, the best place to obtain an education for students of all ages, and the perfect place to raise a family."

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

I am honored and pleased to have the opportunity to continue as the 39th Governor of the best state in the United States of America.

Today I am submitting a bold, innovative and strategic two-year budget and a four-year vision to make Nebraska the ideal place to create jobs and grow a business, the best place to obtain an education for students of all ages, and the perfect place to raise a family.

Our state is in a position to make these goals a reality because of what we

have accomplished together during the past several years.

We've made tough decisions. We have harnessed technology to offer useful, customer-driven online services to our citizens and businesses. Most importantly, we've made fundamental investments in education and the economic vitality of our state and as a result Nebraska has made significant progress.

Who would have imagined a decade ago that one of America's most well-known technology companies would complete a data center and customer service center in the Omaha area last year and would be moving to double its presence?

Who would have imagined a decade ago that one of Denmark's leading biotechnology companies would select Nebraska as the home of its ethanol enzyme research facility in Blair? Who would have imagined a decade ago that a Nebraska small business would have installed an all fiber network in western Nebraska?

Who would have imagined a decade ago the new opportunities Nebraska companies would have when the state opened its first ever international trade office in Japan? Who would have imagined a decade ago that an outdated State Fair could be successfully relocated to a state of the art facility in Grand Island?

Who would have imagined a decade ago that as America faced a gripping economic slowdown, Nebraska would emerge as a state with one of the lowest foreclosure rates, the third lowest unemployment rate and a destination for companies looking to expand and create jobs?

Several important decisions have put Nebraska in this enviable position.

Working together we modernized our economic incentives through the creation of The Nebraska Advantage and this incredibly successful effort has helped 245 companies decide to expand or locate in Nebraska during the past five years. These companies are planning to invest \$5.5 billion in our economy and create more than 18,500 new jobs.

Working together we passed the largest tax relief package in Nebraska's history that repealed the estate tax, eliminated the marriage penalty in the income tax system, repealed the sales tax on construction labor and lowered income taxes.

We wisely built up our cash reserve as a hedge against the slowing national economy. We worked together to control the growth of state spending and to pass balanced budgets without raising taxes. We did this in spite of the fact that revenues in fiscal years 2009 and 2010 were less than fiscal year 2008. Now Nebraska is in better shape than most of America.

Together we built a strong foundation for the future because we didn't spend money we didn't have and while three-fourths of the states have raised taxes since 2008, Nebraska has not.

The budget that I am submitting today capitalizes on our positive momentum and sets the stage for a prosperous decade.

We will invest in Nebraska's future by focusing on economic growth and jobs. We will invest in Nebraska's young people by prioritizing education and by focusing on education accountability.

Economic success and education success are linked together. We need both. We are focused on creating higher paying jobs and developing a more highly educated work force. We want our graduates and young professionals to be prepared for high-quality, high-skill jobs with dynamic companies doing business right here in Nebraska.

In preparing for our future, the Nebraska Department of Economic Development conducted a review of Nebraska's economic standing. The resulting Battelle study was a thorough assessment of Nebraska's competitive advantages that suggested strategies for growing new and innovative jobs, industries and talent.

The study revealed that Nebraska has succeeded in developing an unusually diverse economy and a number of industries are ideally positioned for new growth. Twelve industries have a strong presence in Nebraska with additional potential to grow, including: agriculture and food processing, financial services, biosciences, computer and software services, renewable energy, transportation, warehousing and logistics, research and development and engineering services, health services, business management and administrative services, hospitality and tourism, precision metals manufacturing and agricultural machinery.

The Battelle study provided recommendations on how to strengthen support for the companies that make up our fastest growing sectors and the people they employ. Another report prepared by your Innovation and Entrepreneurial Task Force, chaired by Senator Conrad, outlined the need to improve Nebraska's entrepreneurial environment. Many of the recommendations in your legislative report are similar to the Battelle study.

It is critical that we invest in economic growth and jobs. That's why I am pleased to announce today the Talent and Innovation Initiative, a four-part plan designed to enhance our economic momentum.

First, I am proposing a Nebraska Internship Program to increase the number of college and university students interning with Nebraska businesses. This \$1.5 million training program will be funded by redirecting resources from the Nebraska Job Training Cash Fund and matched by funds from the private sector.

Second, I am proposing the creation of the Business Innovation Act to leverage entrepreneurship, to increase private sector research and innovation, and to expand small business outreach efforts. This \$7 million program would be funded by redirecting resources within the Department of Economic Development and new general funds.

Third, I am proposing the creation of a new Site and Building Development Fund to increase the number of sites and buildings available for business development projects. This fund is needed now in order to continue Nebraska's economic growth. This \$3 million fund would be created by redirecting resources from the Nebraska Affordable Housing Trust Fund.

Fourth, I am proposing a \$5 million Angel Investment Tax Credit Program to foster high-tech startups in Nebraska. The Angel Investment Tax Credit Program is key to increasing the number of higher paying jobs in our state.

These investments in economic growth would be combined with two new education initiatives.

First, my budget recommendations support the Department of Education, the University of Nebraska and Nebraska's P-16 Initiative in their joint efforts to develop a virtual high school. A rigorous online high school curriculum offers important opportunities to rural Nebraska and urban areas alike. The \$8.5 million initiative will be funded from lottery funds.

A virtual high school would allow Nebraska high school students to take courses ranging from basic Spanish classes to advanced placement courses. In rural Nebraska, it can be difficult to hire foreign language, math and science teachers. A virtual high school would allow rural schools and rural communities the opportunity to survive. Online courses allow students to complete course work on their timetable in the evenings or on weekends. A virtual high school is a way to expand learning beyond the traditional school day and school year.

My second education proposal is a one-time \$25 million investment in the University of Nebraska's Innovation Campus. This proposal would jump start and accelerate the development of Innovation Campus.

The University of Nebraska is a critical component to our state's economic future. With its pending move to the Big Ten, the University of Nebraska has an outstanding opportunity to significantly increase student enrollment, expand its rapidly growing research base and develop public-private partnerships at Innovation Campus that will increase job opportunities for Nebraskans. This bold investment is needed now, not five years from now.

Additionally, I am very supportive of Senator Ashford's efforts to reduce truancy. Last year, 22,000 Nebraska students missed more than 20 days of school, and students can't learn if they are not in school. For example,

Commissioner of Education Roger Breed has informed me that students who miss more than 20 days of school score approximately 30 points less on the reading assessment. Many schools would see a significant increase in reading scores if truancy were reduced.

Even though Nebraska has a nearly \$1 billion projected shortfall, our two-year budget prioritizes education.

State funded state aid to education in FY12 remains at \$810 million and increases by \$50 million to \$860 million in FY13. I am not proposing any reduction in higher education funding for the University of Nebraska, our state colleges and Nebraska's community colleges.

In order to prioritize education and economic growth, my budget proposal significantly reduces funding for many agencies and eliminates several programs. Many of the proposals in your LR542 report have been included in my budget recommendations. The decisions were difficult but necessary. We are facing unprecedented financial challenges. The national economy is recovering slowly and many are predicting a jobless recovery. I have tried to minimize the reductions by transferring \$260 million from the cash reserve, and using cash transfers of \$68 million and re-appropriations of \$15.5 million.

This budget is about priorities and making difficult decisions about the most important responsibilities of state government. I've listened to our citizens and their priorities are creating jobs, improving the economy and strengthening education. This budget reflects those priorities.

It will be easy for lobbyists and special interest groups to criticize individual components of this budget but in this challenging financial environment, their criticism will lack credibility unless they are willing to offer an alternative budget proposal for the State of Nebraska.

You and I have to pass a balanced budget. If special interests want to be critical, then they need to present their own plan. If they want to spend more on Medicaid, then the question is do they want to reduce education funding or raise taxes? If they want to spend more on state aid to education, do they want to cut Medicaid provider rates further or raise taxes?

These are the challenges and tradeoffs we face in developing a budget.

And on the issue of taxes, I want to be very clear. I am opposed to any income, sales, alcohol, cigarette or gas tax increases. I fully fund the Property Tax Credit Program and I will oppose any attempt to reduce funding for this program that provides direct property tax relief to homeowners and businesses.

For the final minutes of my State of the State address, I want to focus on my vision for the next four years. We have an extraordinary opportunity to

reshape the economic, education and family landscape of Nebraska.

We've made exceptional progress during the past few years but we have more work to do. I have high expectations for our state and for what we can do for our citizens.

For example, our efforts to lower taxes three years ago and our determined resolve not to raise them the past three years has resulted in a more competitive business environment and improved rankings in the annual Tax Foundation survey.

In 2006, Nebraska's business climate was ranked 45th of 50 states. We were one of the top 10 highest taxed states in America. Today Nebraska is 29th. We have improved our ranking more than any other state except one.

During the next four years, we need to reform our income tax system so that middle class families and small business owners don't pay at the same marginal rate as Nebraska's richest citizen. We need to lower corporate tax rates. Lowering taxes will create more job opportunities for our citizens.

To improve the state's financial strength, we need structural balance in the state budget.

We need to restore the cash reserve to previous levels so that we are prepared to weather future shortfalls.

We need to resolve the state's roads infrastructure funding challenges.

To strengthen families, we need to improve Nebraska's child welfare system. Nebraska continues to have one of the nation's highest rates of out-of-home placements. That is unacceptable. We need to reform the failed policies of the past.

Just as Health and Human Services had to change the culture at the Beatrice State Developmental Center and work with private providers to develop community based services for individuals with developmental disabilities, Health and Human Services must make similar changes to improve the child welfare system for the benefit of children and their families. The goal is more in-home services, less out-of-home care, and a permanent, loving family for every child.

One of our most important future challenges is education accountability.

We have good schools in our state but as good as they are we must do even better in the future. Thanks to the leadership of the Legislature, Nebraska is moving to statewide reading and math assessments. The recently announced reading results are the benchmark for comparing future results. The focus is on demonstrating student and school academic achievement and student and school academic growth.

While poverty and diversity are challenges for our schools, I would note that two high schools with a high free and reduced lunch percentage, Gering and Crete, scored significantly higher than other high schools with less poverty and less diversity.

Nebraska's P-16 Initiative is committed and determined to strengthen Nebraska's education system. Senator Adams, thank you for your leadership as a Co-Chair of the P-16 Initiative.

One of the goals of the P-16 Initiative is to eliminate academic achievement gaps. This is a very important goal because every child deserves a quality education. The best opportunity to reduce poverty and to provide every young person hope is a good education.

I want to quote from a recent issue of Education Next and an article entitled "An Effective Teacher in Every Classroom." The article stated, "An analysis of data from Los Angeles found that the impact of individual teachers is so great that providing top-quartile teachers rather than bottom-quartile teachers for four years in a row would be enough to completely close the achievement gap between white and African American students."

I want to conclude by praising the extraordinary commitment and dedication of the men and women serving in the Nebraska National Guard. In 2011, one-third of the Nebraska National Guard will be deployed to Iraq, Afghanistan and other places throughout the world defending our freedoms and our liberties, many for a second or third time. As their Commander in Chief and a veteran, I am very proud of these men and women.

Ladies and gentlemen, governing requires making tough decisions and I am committed to tackling the challenges that lie ahead.

We have worked together to put Nebraska in a strong financial position and I have every confidence that by continuing to work together we can put Nebraska in an even stronger financial position in the years ahead.

Thank you.

The committee escorted Governor Dave Heineman from the Chamber.

SENATOR GLOOR PRESIDING

BILLS ON FIRST READING

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

LEGISLATIVE BILL 373. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2009, LB 314, section 31, Laws 2009, LB 315, section 216, Laws 2009, First Special Session, LB 1, sections 14, 51, 91, 96, 101, 103, and 122, and Laws 2010, LB 935, sections 11, 19, 43, 45, 46, 64, 99, 106, 107, 108, 111, and 112, and section 90-519, Revised Statutes Cumulative Supplement, 2010; to define terms; to provide, change, and eliminate provisions relating to appropriations; to reduce appropriations; to state intent; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 374. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to make appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2013; to transfer funds; to provide duties; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 375. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of salaries of members of the Nebraska Legislature and payments to be made as provided by Chapter 68, article 6, for FY2011-12 and FY2012-13; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 376. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of the salaries and benefits of certain state officers for FY2011-12 and FY2012-13; to define terms; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 377. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to define terms; to appropriate funds for capital construction and property acquisition as prescribed; to state intent; to require program statements; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 378. Introduced by Speaker Flood, 19; at the

request of the Governor.

A BILL FOR AN ACT relating to state funds; to amend sections 66-1345.04 and 81-1120.22, Reissue Revised Statutes of Nebraska, and section 81-1120.23, Revised Statutes Cumulative Supplement, 2010; to provide for, change, and eliminate provisions relating to the use and transfer of funds; to eliminate funds; to harmonize provisions; to repeal the original sections; to outright repeal section 81-3606, Reissue Revised Statutes of Nebraska, and section 77-3,111, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

LEGISLATIVE BILL 379. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend sections 66-1345 and 84-612, Revised Statutes Cumulative Supplement, 2010; to provide for transfers; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 380. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to capital improvement projects; to amend sections 81-188.02, 81-188.04, and 81-188.06, Revised Statutes Cumulative Supplement, 2010; to change provisions governing depreciation charges; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 381. Introduced by Speaker Flood, 19; at the request of the Governor.

A BILL FOR AN ACT relating to schools; to amend sections 32-515, 79-748, 79-760.04, 79-760.05, 79-1201, 79-1202, 79-1217.01, and 79-1225, Reissue Revised Statutes of Nebraska, and sections 79-1217 and 79-2104.02, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to educational service units; to eliminate provisions relating to and withdraw from the Compact for Education; to eliminate provisions relating to a student achievement coordinator; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 79-11,150, 79-1501, 79-1503, and 79-1504, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 382. Introduced by Nordquist, 7; at the request of the Governor.

A BILL FOR AN ACT relating to retirement; to amend sections 79-958 and 81-2017, Revised Statutes Cumulative Supplement, 2010; to change employee deposit rates for the School Retirement Fund; to change contribution rates for the Nebraska State Patrol Retirement System; to repeal

the original sections; and to declare an emergency.

LEGISLATIVE BILL 383. Introduced by Cornett, 45; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3,119, 77-27,139.02, 77-27,139.03, and 81-15,147, Reissue Revised Statutes of Nebraska, and sections 13-518 and 83-380, Revised Statutes Cumulative Supplement, 2010; to eliminate provisions relating to aid to municipalities, counties, and natural resources districts; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 71-5326, 77-27,136, 77-27,137.01, 77-27,137.03, and 77-27,139, Reissue Revised Statutes of Nebraska, and sections 77-27,137.02 and 81-15,158, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

LEGISLATIVE BILL 384. Introduced by Cornett, 45; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5001, 77-5003, and 77-5005, Reissue Revised Statutes of Nebraska, and sections 77-5004, 77-5016, and 77-5018, Revised Statutes Cumulative Supplement, 2010; to eliminate a commissioner of the Tax Equalization and Review Commission; to change provisions relating to the Tax Equalization and Review Commission; to authorize single commissioner hearings of the Tax Equalization and Review Commission; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 385. Introduced by Utter, 33; at the request of the Governor.

A BILL FOR AN ACT relating to the Low-Income Home Energy Conservation Act; to amend sections 66-1015 and 66-1016, Reissue Revised Statutes of Nebraska; to terminate the Energy Conservation Improvement Fund and distributions from the fund; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 386. Introduced by Heidemann, 1; at the request of the Governor.

A BILL FOR AN ACT relating to job training grants; to amend section 81-1201.21, Revised Statutes Cumulative Supplement, 2010; to provide grants for internships; to harmonize provisions; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 387. Introduced by Hadley, 37; Conrad, 46; at the request of the Governor.

A BILL FOR AN ACT relating to economic development; to adopt the

Business Innovation Act; to create and eliminate funds; to eliminate certain economic development acts and programs; to state intent regarding funding; to provide an operative date; and to outright repeal sections 2-5415, 2-5417, 2-5418, 2-5421, 2-5422, 2-5423, 2-5424, 81-1295, 81-1296, 81-1297, 81-1298, 81-1299, 81-12,100, 81-12,101, 81-12,102, 81-12,103, 81-12,104, 81-12,105, 81-12,126, 81-12,127, and 81-12,128, Reissue Revised Statutes of Nebraska, and sections 2-5413, 2-5414, 2-5416, 2-5419, 2-5420, 81-12,105.01, and 81-12,125, Revised Statutes Cumulative Supplement, 2010.

LEGISLATIVE BILL 388. Introduced by Wightman, 36; at the request of the Governor.

A BILL FOR AN ACT relating to economic development; to amend sections 58-702, 58-703, 58-706, and 76-903, Reissue Revised Statutes of Nebraska; to adopt the Site and Building Development Act; to create a fund; to provide funding; to authorize uses of the Affordable Housing Trust Fund and provide for transfers; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 389. Introduced by Cornett, 45; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-801.01, 77-2715.07, 77-2717, 77-27,187.02, and 77-5905, Reissue Revised Statutes of Nebraska; to adopt the Angel Investment Tax Credit Act; to provide income tax credits; to provide funding; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 390. Introduced by Ashford, 20; at the request of the Governor.

A BILL FOR AN ACT relating to state agencies; to amend sections 23-2802, 29-2252, 29-2255, 29-2261, 29-2521.02, 47-101, 47-102, 47-103, 47-104, 47-106, 47-108, 47-109, 47-110, 47-202, 47-204, 47-205, 47-621, 47-622, 47-624, 47-624.01, 47-627, 47-628, 47-629, 47-632, 47-634, 71-2453, 81-1403, 81-1404, 81-1407, 81-1423, 81-1425, 83-1,102, and 83-1,107.02, Reissue Revised Statutes of Nebraska, and sections 29-2262.07, 43-245, and 81-1447, Revised Statutes Cumulative Supplement, 2010; to eliminate the Jail Standards Board, the Community Corrections Council, the Probation and Parole Services Study Act, rules relating to jail standards, a penalty, and sentencing guidelines; to create and provide duties for the Community Corrections Division of the Nebraska Commission on Law Enforcement and Criminal Justice; to provide for a manual of guidelines relating to jail operations; to change powers, duties, and provisions relating to the Nebraska Commission on Law Enforcement and Criminal Justice and the Office of Violence Prevention; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 47-105, 47-105.01, 47-116, 47-201, 47-203, 47-206,

47-623, 47-625, 47-630, 47-631, 47-635, 47-636, 47-637, 47-638, 47-639, 83-4,124, 83-4,125, 83-4,126, 83-4,127, 83-4,128, 83-4,129, 83-4,130, 83-4,131, 83-4,132, and 83-4,134, Reissue Revised Statutes of Nebraska, and section 83-4,133, Revised Statutes Cumulative Supplement, 2010; and to declare an emergency.

LEGISLATIVE BILL 391. Introduced by Schilz, 47; Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to create the Nebraska Invasive Species Council; to state intent, define terms, and provide powers and duties.

LEGISLATIVE BILL 392. Introduced by Schilz, 47; Carlson, 38.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-202, 37-524, 37-547, 37-548, 37-1214, and 37-1215, Reissue Revised Statutes of Nebraska, and section 37-201, Revised Statutes Cumulative Supplement, 2010; to define terms; to provide for inspection, impoundment, and decontamination relating to aquatic invasive species; to provide duties for the Game and Parks Commission; to provide for an aquatic invasive species stamp; to create a program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 393. Introduced by Schilz, 47; K. Haar, 21.

A BILL FOR AN ACT relating to state government; to require state agencies to use Nebraska biodiesel fuel as prescribed.

LEGISLATIVE BILL 394. Introduced by Schilz, 47; Carlson, 38.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-3745, 2-3746, 2-3747, 2-3748, and 2-3749, Reissue Revised Statutes of Nebraska; to change Dry Bean Commission provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 395. Introduced by Schilz, 47.

A BILL FOR AN ACT relating to the Nebraska Environmental Trust Act; to amend sections 81-15,170, 81-15,170.01, and 81-15,175, Reissue Revised Statutes of Nebraska; to change provisions relating to voting by members of the Nebraska Environmental Trust Board; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 396. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to deposit and investment of public funds; to amend section 77-2318, Reissue Revised Statutes of Nebraska; to change provisions relating to the deposit of bonds; and to repeal the original section.

LEGISLATIVE BILL 397. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Industrial Relations Act; to amend section 48-801, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 398. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to notaries public; to amend sections 23-1307, 64-101, 64-104, 64-105.01, 64-107, and 64-113, Reissue Revised Statutes of Nebraska; to change provisions relating to oaths, acknowledgments, appointments, applications, disqualifications, powers and duties, and removal from office; to provide for rule and regulation authority for the Secretary of State; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 399. Introduced by Avery, 28.

A BILL FOR AN ACT relating to elections; to amend section 32-618, Reissue Revised Statutes of Nebraska; to change the number of signatures needed for nomination by petition in certain partisan offices; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 400. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to the Long-Term Care Savings Plan Act; to amend section 77-6103, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Cumulative Supplement, 2010; to eliminate the act and long-term care savings plans; to provide for the return of money contributed by participants of the plan; to harmonize provisions; to repeal the original sections; to outright repeal sections 77-6101, 77-6102, 77-6104, and 77-6105, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 401. Introduced by Howard, 9.

A BILL FOR AN ACT relating to the Assisted-Living Facility Act; to amend section 71-5905, Reissue Revised Statutes of Nebraska; to change requirements for operating assisted-living facilities; and to repeal the original section.

LEGISLATIVE BILL 402. Introduced by Howard, 9.

A BILL FOR AN ACT relating to social workers; to amend sections 28-310, 38-2101, and 38-2128, Reissue Revised Statutes of Nebraska; to change penalties relating to assault in the third degree; to provide requirements for safety awareness training; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 403. Introduced by Council, 11; Conrad, 46; Cook, 13; Dubas, 34; K. Haar, 21; Harms, 48; Mello, 5; Nelson, 6; Nordquist, 7; Pirsch, 4; Wallman, 30.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-812, Revised Statutes Cumulative Supplement, 2010; to change allocation of the Education Innovation Fund as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 404. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to the Department of Economic Development; to amend sections 2-5422, 13-2709, 58-711, 81-1201.11, 81-1277, 81-12,104, 81-12,135, and 81-3605, Reissue Revised Statutes of Nebraska, and section 81-1205, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to certain reports; to provide an operative date; and to repeal the original sections.

EASE

The Legislature was at ease from 10:34 a.m. until 10:53 a.m.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 405. Introduced by Cornett, 45; Utter, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5001, 77-5005, and 77-5017, Reissue Revised Statutes of Nebraska, and sections 77-5016 and 77-5018, Revised Statutes Cumulative Supplement, 2010; to authorize hearings by a single commissioner of the Tax Equalization and Review Commission; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 406. Introduced by Cook, 13.

A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to amend section 38-2026, Reissue Revised Statutes of Nebraska, and section 38-2001, Revised Statutes Cumulative Supplement, 2010; to provide for reentry licenses; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 407. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.12, 53-124.12, 53-131, and 53-133, Reissue Revised Statutes of Nebraska; to provide for mailing and electronic delivery of certain notices as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 408. Introduced by Fulton, 29; Bloomfield, 17.

A BILL FOR AN ACT relating to divorce; to amend sections 42-360 and 42-361, Reissue Revised Statutes of Nebraska; to change provisions relating to reconciliation; and to repeal the original sections.

LEGISLATIVE BILL 409. Introduced by Utter, 33.

A BILL FOR AN ACT relating to political subdivisions; to provide for the withholding and deposit of insurance proceeds into a trust or escrow account maintained by a county, city, or village for the repair or demolition of real property as prescribed.

LEGISLATIVE BILL 410. Introduced by Utter, 33.

A BILL FOR AN ACT relating to appraisers; to amend section 76-2222, Reissue Revised Statutes of Nebraska, and section 76-2223, Revised Statutes Cumulative Supplement, 2010; to adopt the Nebraska Appraisal Management Company Registration Act; to add a member to the Real Property Appraiser Board; to provide powers and duties for the board; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 411. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-124.11 and 53-124.12, Reissue Revised Statutes of Nebraska; to change fees for a special designated license and a catering license; and to repeal the original sections.

LEGISLATIVE BILL 412. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1466 and 49-1479, Reissue Revised Statutes of Nebraska; to change provisions relating to dissolved candidate committees; to prohibit contributions and expenditures by certain committees as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 413. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Affordable Housing Trust Fund; to amend section 58-706, Reissue Revised Statutes of Nebraska; to authorize support for programs benefiting homeless youth; and to repeal the original section.

LEGISLATIVE BILL 414. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the University of Nebraska; to amend sections 85-125, 85-192, and 85-1,123, Reissue Revised Statutes of Nebraska; to provide that university funds not lapse; to change provisions

relating to certain cash funds and trust funds; and to repeal the original sections.

LEGISLATIVE BILL 415. Introduced by Wallman, 30; Karpisek, 32; Lathrop, 12.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-913, Reissue Revised Statutes of Nebraska; to change provisions relating to introducing contraband within a detention facility or providing an inmate with contraband; and to repeal the original section.

LEGISLATIVE BILL 416. Introduced by Wallman, 30; Lathrop, 12; Schilz, 47; Smith, 14.

A BILL FOR AN ACT relating to firefighters; to amend section 35-302, Revised Statutes Cumulative Supplement, 2010; to clarify provisions and change hours and schedule provisions; and to repeal the original section.

LEGISLATIVE BILL 417. Introduced by Wallman, 30; Smith, 14.

A BILL FOR AN ACT relating to the Civil Service Act; to amend section 19-1835, Reissue Revised Statutes of Nebraska; to extend the time period for probationary service of firefighters; and to repeal the original section.

LEGISLATIVE BILL 418. Introduced by Nelson, 6.

A BILL FOR AN ACT relating to automatic dialing-announcing devices; to amend section 86-256, Reissue Revised Statutes of Nebraska; to exclude from registration devices used for messages regulated under the Nebraska Political Accountability and Disclosure Act; and to repeal the original section.

LEGISLATIVE BILL 419. Introduced by Nelson, 6.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1478, Reissue Revised Statutes of Nebraska; to change restrictions on expenditures as prescribed; to eliminate certain reports; and to repeal the original section.

RESOLUTION

LEGISLATIVE RESOLUTION 23. Introduced by Smith, 14; Fulton, 29; B. Harr, 8; Howard, 9; McCoy, 39; Mello, 5; Nelson, 6; Nordquist, 7; Price, 3.

WHEREAS, the life-affirming impact of pregnancy care centers on the women, men, children, and communities they serve is considerable and growing; and

WHEREAS, pregnancy care centers serve women in Nebraska and across the United States with integrity and compassion; and

WHEREAS, more than two thousand five hundred pregnancy care centers across the United States provide comprehensive care to women and men facing unplanned pregnancies, including resources to meet their physical, psychological, emotional, and spiritual needs; and

WHEREAS, pregnancy care centers offer women free, confidential, and compassionate services, including pregnancy tests, peer counseling, twenty-four-hour telephone hotlines, childbirth and parenting classes, and referrals to community, health care, and other support services; and

WHEREAS, many medical pregnancy care centers offer ultrasounds and other medical services; and

WHEREAS, many pregnancy care centers provide information on adoption and adoption referrals to pregnant women; and

WHEREAS, pregnancy care centers provide women with compassionate and confidential peer counseling in a nonjudgmental manner regardless of their pregnancy outcomes; and

WHEREAS, pregnancy care centers provide important support and resources for women who choose childbirth; and

WHEREAS, pregnancy care centers ensure that women are receiving prenatal information and services that lead to the birth of healthy infants; and

WHEREAS, many pregnancy care centers work to prevent unplanned pregnancies by teaching effective abstinence education; and

WHEREAS, pregnancy care centers operate primarily through reliance on the voluntary donations and time of individuals who are committed to caring for the needs of women and children.

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

1. That the Legislature recognizes pregnancy care centers for their unique and positive contributions to the individual lives of women, men, and children.

2. That the Legislature commends the compassionate work of tens of thousands of volunteers and paid staff at pregnancy care centers in Nebraska and across the United States.

3. That the Clerk of the Legislature transmit a copy of this resolution to each pregnancy care center in Nebraska.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR23 was referred to the Reference Committee.

RESOLUTIONS**LEGISLATIVE RESOLUTION 24.** Introduced by Utter, 33.

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

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

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Zachary built table risers for the annual B.L.U.E. fundraiser of Hastings Catholic Schools; and

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

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

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

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

Laid over.

LEGISLATIVE RESOLUTION 25. Introduced by Utter, 33.

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

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

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Tony built horseshoe pits and

benches at the Adams County Senior Services Center in Hastings, Nebraska; and

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

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

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

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

Laid over.

LEGISLATIVE RESOLUTION 26. Introduced by Utter, 33.

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

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

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

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

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

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

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

Laid over.

LEGISLATIVE RESOLUTION 27. Introduced by Larson, 40.

WHEREAS, Eleanor Wrede Nielsen, born January 26, 1903, will be celebrating her 108th birthday on January 26, 2011; and

WHEREAS, Eleanor Wrede Nielsen is currently the third-oldest living Nebraskan and a longtime resident of Knox County.

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

1. That the Legislature congratulates Eleanor Wrede Nielsen on her 108th birthday.
2. That a copy of this resolution be sent to Eleanor Wrede Nielsen.

Laid over.

LEGISLATIVE RESOLUTION 28. Introduced by Fulton, 29.

WHEREAS, the State of Nebraska holds an interest in preventing illegal immigration and securing public health, safety, and welfare against terrorism and criminal activity; and

WHEREAS, protection of the public health, safety, and welfare is most effectively accomplished by the utilization of federal law enforcement resources in cooperation with state and local law enforcement; and

WHEREAS, the United States Department of Homeland Security has implemented the Secure Communities program whereby all fingerprints taken by participating state and local law enforcement agencies are matched against the United States Visitor and Immigrant Status Indicator Technology Program (US-VISIT), the Automated Biometric Identification System (IDENT), and other federal data bases used to determine immigration status; and

WHEREAS, the Secure Communities program properly places the responsibility of selecting criminal aliens for removal with the federal government; and

WHEREAS, the Secure Communities program has resulted in over three hundred thousand data base matches leading to the removal of over sixty-four thousand criminal aliens; and

WHEREAS, the Secure Communities program has been implemented in approximately seven hundred jurisdictions in over thirty states, including in at least ten of Nebraska's largest communities; and

WHEREAS, United States Immigration and Customs Enforcement plans to implement the Secure Communities program in each of the three thousand one hundred state and local jails nationwide by the year 2013.

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

1. That the Legislature encourages all municipal, county, and state law enforcement agencies in the State of Nebraska to participate in the Secure Communities program by the year 2012.
2. That a copy of this resolution be delivered to all municipal, county, and state law enforcement agencies in the State of Nebraska.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR28 was referred to the Reference Committee.

WITHDRAW - Cointroducer

Senator Cook withdrew her name as cointroducer to LB92.

UNANIMOUS CONSENT - Add Cointroducers

Senator Nordquist asked unanimous consent to add his name as cointroducer to LB204. No objections. So ordered.

Senator Nordquist asked unanimous consent to add his name as cointroducer to LB200. No objections. So ordered.

Senator Krist asked unanimous consent to add his name as cointroducer to LB14. No objections. So ordered.

Senator Campbell asked unanimous consent to add her name as cointroducer to LB275. No objections. So ordered.

Senator Coash asked unanimous consent to add his name as cointroducer to LB286. No objections. So ordered.

Senator Fulton asked unanimous consent to add his name as cointroducer to LB284. No objections. So ordered.

VISITOR

The Doctor of the Day was Dr. Kevin Wycoff from Hastings.

ADJOURNMENT

At 11:03 a.m., on a motion by Senator Price, the Legislature adjourned until 10:00 a.m., Friday, January 14, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

