

AMENDMENTS TO LB635

Introduced by Albrecht, 17.

1           1. On page 3, line 12, strike "and"; in line 16 strike the period  
2 and insert "; and"; after line 16 insert the following new subdivision:

3           "(c) Allow an individual user to label a search result entry so that  
4 such entry will no longer appear in future search results returned to  
5 that user."; and strike lines 24 to 31 and insert the following new  
6 subsections:

7           "(5) Notwithstanding any contract provision to the contrary for a  
8 contract entered into or renewed or extended after the operative date of  
9 this act, compliance with subsections (2) and (3) of this section shall  
10 be a material element of any contract with a vendor or provider. If a  
11 vendor or provider of an educational resource database fails to comply  
12 with subsections (2) and (3) of this section, no further payments from  
13 the school district, the school, or the Nebraska Library Commission shall  
14 be due to the vendor or provider until the vendor or provider complies  
15 with subsection (2) or (3) of this section, including eliminating access  
16 to electronic resource database materials reported in violation of  
17 subsection (3) of this section. The withholding of such payments under  
18 this subsection shall not be considered a breach of contract on the part  
19 of the school district, the school, or the Nebraska Library Commission.

20           (6) A student in kindergarten through grade twelve or any parent or  
21 guardian of such student may send a notice in writing alleging any  
22 noncompliance of subsection (3) or (4) of this section, including  
23 providing sufficient information to identify and locate any material  
24 obscene as to minors or harmful as to minors specified in the notice, to  
25 a school principal or other school administrator of the school in which  
26 the student is enrolled or to the Nebraska Library Commission.

27           (7)(a) If the principal or other school administrator of a school

1 receives a notice pursuant to subsection (6) of this section, such  
2 principal or other school administrator for such school shall (i) review  
3 the notice of noncompliance and, within seven days after receipt of such  
4 notice, make a determination as to whether noncompliance with subsection  
5 (3) or (4) of this section has occurred, (ii) notify in writing the  
6 student or parent or guardian who sent the notice of noncompliance of  
7 such determination, and (iii) forward the notice, the determination  
8 concerning the notice, and any related documentation to the Nebraska  
9 Library Commission.

10 (b) A determination by the principal or other school administrator  
11 pursuant to subdivision (a) of this subsection as to whether  
12 noncompliance with subsection (3) or (4) of this section has occurred,  
13 shall be ratified or rejected by a majority vote of the school board of  
14 such school, if one exists, at the next school board meeting and evidence  
15 of such ratification or rejection shall be sent to the Nebraska Library  
16 Commission.

17 (8) No later than December 1 of each year, the Nebraska Library  
18 Commission and the State Department of Education shall electronically  
19 submit to the Governor and to the Education Committee of the Legislature  
20 a comprehensive written report on any noncompliance with subsection (2),  
21 (3), or (4) of this section."

22 2. On page 4, strike lines 1 through 15.