

THIRTIETH DAY - FEBRUARY 15, 2007**LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE
FIRST SESSION****THIRTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 15, 2007

PRAYER

The prayer was offered by Dr. Dan Flanagan, St. Paul's Methodist Church, Papillion.

ROLL CALL

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

The roll was called and all members were present except Senator Pedersen who was excused; and Senators Cornett, Friend, Heidemann, and Raikes who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-ninth day was approved.

COMMITTEE REPORTS**Banking, Commerce and Insurance**

LEGISLATIVE BILL 114. Placed on General File.

LEGISLATIVE BILL 125. Placed on General File.

LEGISLATIVE BILL 126. Placed on General File.

LEGISLATIVE BILL 149. Placed on General File.

LEGISLATIVE BILL 122. Placed on General File - Com AM152.
AM152

- 1 1. On page 10, line 24, after "and" insert ", after June
- 2 30, 2009,".

LEGISLATIVE BILL 127. Placed on General File - Com AM158.
AM158

- 1 1. Insert the following new section:
- 2 Sec. 2. Section 45-191.04, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 45-191.04 (1) A loan brokerage agreement shall be in

5 writing and shall be signed by the loan broker and the borrower.
 6 The loan broker shall furnish the borrower a copy of such signed
 7 loan brokerage agreement at the time the borrower signs it.

8 (2) The borrower has the right to cancel a loan brokerage
 9 agreement for any reason at any time within three business days
 10 after the date the parties sign the agreement. The loan brokerage
 11 agreement shall set forth the borrower's right to cancel and the
 12 procedures to be followed when an agreement is canceled.

13 (3) A loan brokerage agreement shall set forth in at
 14 least ten-point type, or handwriting of at least equivalent size,
 15 the following:

16 (a) The terms and conditions of payment;

17 (b) A full and detailed description of the acts or
 18 services the loan broker will undertake to perform for the
 19 borrower;

20 (c) The loan broker's principal business address,
 21 telephone number, and electronic mail and Internet address, if any,
 22 and the name, and address, telephone number, and electronic mail
 23 and Internet address, if any, of its agent in the State of Nebraska
 1 authorized to receive service of process;

2 (d) The business form of the loan broker, whether a
 3 corporation, partnership, limited liability company, or otherwise;
 4 and

5 (e) The following notice of the borrower's right to
 6 cancel the loan brokerage agreement pursuant to this section:
 7 "You have three business days in which you may
 8 cancel this agreement for any reason by mailing or delivering
 9 written notice to the loan broker. The three business days
 10 shall expire on (last date to mail or
 11 deliver notice), and notice of cancellation should be mailed to
 12 (loan broker's name and
 13 business street address). If you choose to mail your notice, it
 14 must be placed in the United States mail properly addressed,
 15 first-class postage prepaid, and postmarked before midnight of the
 16 above date. If you choose to deliver your notice to the loan broker
 17 directly, it must be delivered to the loan broker by the end of the
 18 normal business day on the above date. Within five business days
 19 after receipt of the notice of cancellation, the loan broker shall
 20 return to you all sums paid by you to the loan broker pursuant to
 21 this agreement."

22 The notice shall be set forth immediately above the place
 23 at which the borrower signs the loan brokerage agreement.

24 2. On page 4, line 5, strike "section 45-191.01" and
 25 insert "sections 45-191.01 and 45-191.04"; and in line 6 strike
 26 "is" and insert "are".

27 3. Renumber the remaining section accordingly.

- 1 1. On page 6, line 10, after "The" insert "surety".

LEGISLATIVE BILL 129. Placed on General File - Com AM268.
AM268

1 1. Insert the following new section:
2 Sec. 10. (1) The department may require that a mortgage
3 banker supply all or part of the information that must be provided
4 to obtain a license pursuant to a multistate licensing and
5 application system data base consistent with, and in compliance
6 with, the Mortgage Bankers Registration and Licensing Act. Nothing
7 in this subsection shall authorize the director to require any
8 person exempt from licensure under the act or the employees or
9 agents of any such person to submit information to or participate
10 in the multistate licensing and application system.

11 (2) Except for the department, no person shall be
12 authorized to obtain information from a multistate licensing and
13 application system data base or initiate any civil action based
14 on information obtained from such data base, if such information
15 is not currently available to such person under section 8-112 or
16 45-710.

17 (3) The department shall ensure that a multistate
18 licensing and application system adopts a privacy, data security,
19 and security breach notification policy. The director shall make
20 available upon written request a copy of the contract between
21 the department and a multistate licensing and application system
22 pertaining to the breach of security of the system provisions.

23 (4) The department shall upon written request provide the
1 most recently available audited financial report of the multistate
2 licensing and application system.

- 3 2. On page 2, after line 18, insert the following new
4 subdivision:

5 "(3) Breach of security of the system means
6 unauthorized acquisition of data that compromises the security,
7 confidentiality, or integrity of the information maintained by a
8 multistate licensing and application system, its affiliates, or
9 subsidiaries;"; and in line 19 strike "(3)" and insert "(4)".

10 3. On page 3, line 7, strike "(4)" and insert "(5)"; in
11 line 9 strike "(5)" and insert "(6)"; in line 11 strike "(6)" and
12 insert "(7)"; in line 19 strike "(7)" and insert "(8)"; in line
13 21 strike "(8)" and insert "(9)"; and in line 27 strike "(9)" and
14 insert "(10)".

- 15 4. On page 4, line 6, strike "(10)" and insert "(11)";
16 after line 9 insert the following new subdivision:

17 "(12) Multistate licensing and application system means
18 a residential real estate mortgage licensing system data base of
19 which the department is a member;"; in line 10 strike "(11)" and
20 insert "(13)"; in line 15 strike "(12)" and insert "(14)"; in line
21 19 strike "(13)" and insert "(15)"; in line 24 strike "(14)" and
22 insert "(16)"; and in line 27 strike "(15)" and insert "(17)".

- 23 5. On page 5, line 2, strike "(16)" and insert "(18)".
 24 6. On page 6, line 7, after "application" insert "and
 25 any processing fee allowed under subsection (3) of section 45-715";
 26 and in line 9 strike "required by this section" and insert "for a
 27 license as a mortgage banker".
 1 7. On page 8, line 24, after "applicable" insert ", and
 2 any processing fee allowed under subsection (3) of section 45-715".
 3 8. On page 17, line 25, strike "brokers" and insert
 4 "bankers".
 5 9. Renumber the remaining sections and correct internal
 6 references accordingly.

LEGISLATIVE BILL 130. Placed on General File - Com AM128.
 AM128

- 1 1. On page 2, line 9, strike "move" and insert
 2 "relocation".

LEGISLATIVE BILL 156. Placed on General File - Com AM146.
 AM146

- 1 1. Strike original section 3 and insert the following new
 2 section:
 3 Sec. 4. The following section is outright repealed:
 4 Section 8-1,123, Reissue Revised Statutes of Nebraska.
 5 2. On page 3, line 26, strike "remote".
 6 3. On page 6, strike "sections 8-149 and 8-1,123" and
 7 insert "section 8-149".
 8 4. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 189. Placed on General File - Com AM217.
 AM217

- 1 1. Strike original section 1.
 2 2. On page 7, line 1, strike "section" and insert
 3 "sections" and after "30-3889" insert "and is in the best interests
 4 of the beneficiaries"; in line 9 after "be" insert "reasonably";
 5 and in line 11 after "subsection" insert "performed by the trustee,
 6 its affiliate, or its associated entity".
 7 3. On page 9, line 1, strike "sections 30-3803 and" and
 8 insert "section"; and in line 2 strike "are" and insert "is".
 9 4. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 346. Placed on General File - Com AM227.
 AM227

- 1 1. On page 5, line 10, after "barley," insert "bees,
 2 buffalo, bull semen,"; in line 12 after the new matter insert
 3 "emu,"; in lines 12 and 13 strike "fur-bearing animals," and show
 4 as stricken; in line 14 after "milk," insert "millet," and after
 5 "onions," insert "ostrich,"; and in line 15 after "rye," insert
 6 "safflower,".

(Signed) Rich Pahls, Chairperson

MESSAGE FROM THE GOVERNOR

February 14, 2007

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 35e, 43, 63, 64, 74e, 79, 80, 80A, 110e, 111, 148, 150, 161, 186, 206, 207, and 315e were received in my office on February 12, 2007.

I signed these bills and delivered them to the Secretary of State on February 14, 2007.

Sincerely,
(Signed) Dave Heineman
Governor

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 14, 2007, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Amack, Angela K.
Electrical Workers, International Brotherhood of

Berryman, Scott
Interior Design Coalition of Nebraska

Kissel/Erickson & Sederstrom Associates, LLC
Mosaic

Laubacher, Cynthia M.
Medco Health Solutions, Inc.

Radcliffe, Walter H. of Radcliffe & Associates
Compensation Insurance, National Council on (NCCI)

Wesely, Don
City of Norfolk

Downtown Lincoln Association
 Humane Society of the United States, The
 Motorola, Inc.

REPORTS

The following reports were received by the Legislature:

Education, Department of

State Rehabilitation Council 2005 - 2006 Report

Energy Office

Annual Report for Fiscal Year 2005 - 2006

Roads, Department of

2006 Annual Report

NOTICE OF COMMITTEE HEARING Government, Military and Veterans Affairs Room 1507

Thursday, February 22, 2007

1:30 p.m.

Dana Miller - State Emergency Response Commission

(Signed) Ray Aguilar, Chairperson

AMENDMENTS - Print in Journal

Senator Janssen filed the following amendment to LB 166:
 AM387

(Amendments to E & R amendments, ER8013)

- 1 1. On page 2, line 18, strike "thirty-five" and insert
- 2 "thirty-three".
- 3 2. On page 13, line 4, after "disqualified" insert ",
- 4 except that a parcel disqualified solely due to the revision to the
- 5 definition of agricultural land and horticultural land in section
- 6 77-1359 by Laws 2006, LB 808, shall be subject to taxation at its
- 7 actual value for the year in which it became disqualified".
- 8 3. On page 19, line 16, after the period insert "The
- 9 protest shall indicate whether the protester is (a) the property
- 10 owner of record, (b) a person representing the property owner, (c)
- 11 the person responsible for payment of the tax on the parcel, or
- 12 (d) a person who is not the record owner, is not representing the
- 13 owner of the parcel, and is not responsible for paying the tax on
- 14 the parcel".

Senator Preister filed the following amendment to LB 580:
 AM305

- 1 1. Insert the following new section:
- 2 Sec. 3. Section 69-2708, Reissue Revised Statutes of

3 Nebraska, is amended to read:

4 69-2708 (1) Not later than twenty calendar days after
5 the end of each calendar quarter, and more frequently if so
6 directed by the Tax Commissioner, each stamping agent shall submit
7 such information as the Tax Commissioner requires to facilitate
8 compliance with sections 69-2704 to 69-2710, including, but not
9 limited to, a list by brand family of the total number of
10 cigarettes or, in the case of roll-your-own, the equivalent stick
11 count for which the stamping agent affixed stamps during the
12 previous calendar quarter or otherwise paid the tax due for such
13 cigarettes. The stamping agent shall maintain, and make available
14 to the Tax Commissioner, all invoices and documentation of sales
15 of all nonparticipating manufacturer cigarettes and any other
16 information relied upon in reporting to the Tax Commissioner for a
17 period of five years.

18 (2) The Attorney General may require at any time from the
19 nonparticipating manufacturer proof, from the financial institution
20 in which such manufacturer has established a qualified escrow fund
21 for the purpose of compliance with section 69-2703, of the amount
22 of money in such fund, exclusive of interest, the amounts and dates
23 of each deposit to such fund, and the amounts and dates of each
1 withdrawal from such fund.

2 (3) In addition to the information required to be
3 submitted pursuant to subsection (1) of this section, the Tax
4 Commissioner or Attorney General may require a stamping agent,
5 distributor, or tobacco product manufacturer to submit any
6 additional information, including, but not limited to, samples of
7 the packaging or labeling of each brand family, as is necessary
8 to enable the Tax Commissioner or Attorney General to determine
9 whether a tobacco product manufacturer is in compliance with
10 sections 69-2704 to 69-2710.

11 (4) To promote compliance with sections 69-2704 to
12 69-2707, a tobacco product manufacturer subject to the requirements
13 of subdivision (1)(c) of section 69-2706 shall make the escrow
14 deposits required by section 69-2703 in quarterly installments
15 during the year in which the sales covered by such deposits are
16 made ~~if (a) it is the first year~~ Through the end of the calendar
17 year following the year the tobacco product manufacturer is listed
18 in the directory established pursuant to section 69-2706; ~~;~~ (b)
19 if the tobacco product manufacturer is removed then subsequently
20 relisted in the directory, then for all periods following the
21 relisting through the end of the calendar year following the year
22 the tobacco product manufacturer is relisted in the directory;
23 (c) if the tobacco product manufacturer has failed to make a
24 complete and timely escrow deposit for any calendar year as
25 required by section 69-2703; or for any quarter as required in
26 this section; or ~~(e)-(d)~~ if the tobacco product manufacturer has
27 failed to pay any judgment, including any civil penalty ordered
1 under section 69-2703 or 69-2709. The Tax Commissioner may require

2 production of information sufficient to enable the Tax Commissioner
 3 to determine the adequacy of the amount of the installment
 4 deposit. The Tax Commissioner may adopt and promulgate rules and
 5 regulations implementing how tobacco product manufacturers subject
 6 to the requirements of subdivision (1)(c) of section 69-2706 make
 7 quarterly payments.

8 2. On page 2, strike beginning with "such" in line 13
 9 through line 14, show as stricken, and insert "subsection (4) of
 10 section 69-2708.".

11 3. On page 3, line 24, strike "and" and show as stricken.

12 4. On page 4, line 15, strike the period, show as

13 stricken, and insert "; and

14 (v) That such nonparticipating manufacturer consents to
 15 be sued in the district courts of the State of Nebraska for
 16 purposes of the state (A) enforcing any provision of sections
 17 69-2703 to 69-2710, and any rules and regulations adopted and
 18 promulgated thereunder, or (B) bringing a released claim as defined
 19 in section 69-2702.".

20 5. On page 6, line 4, after "69-2703" insert "or
 21 subsection (4) of section 69-2708.".

22 6. On page 11, line 7, before "and" insert "69-2708,".

23 7. Renumber the remaining sections accordingly.

Senator Loudon filed the following amendment to LB 295:
 AM385

(Amendments to Standing Committee amendments, AM190)

1 1. On page 4, line 23, strike "federal".

2 2. On page 13, line 1, strike "a de minimis"; and in line

3 2 after "nonconsumptive" insert "or de minimis".

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 283.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-6728, Reissue Revised Statutes of Nebraska, and section 71-162, Revised Statutes Cumulative Supplement, 2006; to provide for biennial renewal of medication aide registrations; to eliminate payment of administrative costs of the credentialing system as prescribed; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

| | | | | |
|-------------|---------|------------|----------|------------|
| Adams | Engel | Janssen | McGill | Schimek |
| Aguilar | Erdman | Johnson | Mines | Stuthman |
| Ashford | Flood | Karpisek | Nantkes | Synowiecki |
| Avery | Fulton | Kopplin | Nelson | Wallman |
| Burling | Gay | Kruse | Pahls | White |
| Carlson | Hansen | Langemeier | Pankonin | Wightman |
| Christensen | Harms | Lathrop | Pirsch | |
| Dierks | Howard | Louden | Preister | |
| Dubas | Hudkins | McDonald | Rogert | |

Voting in the negative, 0.

Present and not voting, 2:

Chambers Fischer

Excused and not voting, 5:

Cornett Friend Heidemann Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 283A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 283, One Hundredth Legislature, First Session, 2007.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

| | | | | |
|---------|---------|------------|----------|------------|
| Adams | Erdman | Johnson | Mines | Stuthman |
| Aguilar | Friend | Karpisek | Nantkes | Synowiecki |
| Ashford | Fulton | Kopplin | Nelson | Wallman |
| Avery | Gay | Kruse | Pahls | White |
| Burling | Hansen | Langemeier | Pankonin | Wightman |
| Carlson | Harms | Lathrop | Pirsch | |
| Dierks | Howard | Louden | Preister | |
| Dubas | Hudkins | McDonald | Rogert | |
| Engel | Janssen | McGill | Schimek | |

Voting in the negative, 0.

Present and not voting, 4:

Chambers Christensen Fischer Flood

Excused and not voting, 4:

Cornett Heidemann Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 333. ER8014, found on page 435, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 213. Advanced to E & R for engrossment.

LEGISLATIVE BILL 237. ER8016, found on page 445, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 263. Advanced to E & R for engrossment.

LEGISLATIVE BILL 313. Advanced to E & R for engrossment.

LEGISLATIVE BILL 311. Advanced to E & R for engrossment.

LEGISLATIVE BILL 99. Advanced to E & R for engrossment.

LEGISLATIVE BILL 298. Advanced to E & R for engrossment.

LEGISLATIVE BILL 191. Advanced to E & R for engrossment.

LEGISLATIVE BILL 117. ER8020, found on page 472, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 67. Advanced to E & R for engrossment.

LEGISLATIVE BILL 290. Advanced to E & R for engrossment.

LEGISLATIVE BILL 422. ER8018, found on page 473, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 472. Advanced to E & R for engrossment.

LEGISLATIVE BILL 108. ER8022, found on page 487, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 549. ER8024, found on page 496, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 549A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 434. Advanced to E & R for engrossment.

LEGISLATIVE BILL 296. ER8012, found on page 425, was adopted.

Senator Chambers renewed his amendment, AM251, found on page 569.

The Chambers amendment was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Pending.

EASE

The Legislature was at ease from 9:49 a.m. until 9:54 a.m.

SELECT FILE

LEGISLATIVE BILL 296. Senator Howard offered the following amendment:

AM202

(Amendments to Standing Committee amendments, AM74)

- 1 1. On page 3, line 27, after "officer" insert ".
- 2 The Department of Children and Family Services shall undertake
- 3 the process of accreditation with the goal of completion on
- 4 or before July 2011. The department, in conjunction with a
- 5 national independent accreditation entity, shall report to the
- 6 appropriate legislative committee regarding its progress towards
- 7 complete accreditation on an annual basis, beginning December
- 8 2007".

Senator Howard offered the following amendment to her amendment:
FA24

Amendment to AM202 On line 8 after 2007", insert "and shall report on whether additional appropriations will be required to achieve accreditation."

Senator Howard moved for a call of the house. The motion prevailed with 28 ayes, 3 nays, and 18 not voting.

Senator Howard requested a roll call vote on her amendment FA24.

Voting in the affirmative, 19:

| | | | | |
|----------|---------|----------|----------|---------|
| Ashford | Howard | Kruse | Pahls | Schimek |
| Chambers | Hudkins | Lathrop | Pankonin | Wallman |
| Dierks | Janssen | McDonald | Preister | White |
| Flood | Kopplin | McGill | Rogert | |

Voting in the negative, 13:

| | | | | |
|-------------|---------|--------|----------|----------|
| Burling | Engel | Gay | Johnson | Stuthman |
| Carlson | Erdman | Hansen | Karpisek | |
| Christensen | Fischer | Harms | Nelson | |

Present and not voting, 14:

| | | | | |
|---------|---------|------------|--------|------------|
| Adams | Cornett | Heidemann | Mines | Synowiecki |
| Aguilar | Dubas | Langemeier | Pirsch | Wightman |
| Avery | Fulton | Louden | Raikes | |

Excused and not voting, 3:

| | | |
|--------|---------|----------|
| Friend | Nantkes | Pedersen |
|--------|---------|----------|

The Howard amendment lost with 19 ayes, 13 nays, 14 present and not voting, and 3 excused and not voting.

Senator Howard withdrew her amendment, AM202.

The Chair declared the call raised.

Speaker Flood requested to pass over LB 296.

LEGISLATIVE BILL 307. ER8021, found on page 473, was adopted.

Senator Stuthman renewed his amendment, AM314, found on page 580.

The Stuthman amendment was adopted with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

Senator White offered the following amendment:
AM267

(Amendments to Standing Committee amendments, AM163)

- 1 1. On page 2, line 16, after "section" insert ", shall
- 2 carry proof of liability insurance coverage for the all-terrain
- 3 vehicle while operating the all-terrain vehicle on a highway."; and
- 4 in line 18 after "60-4,126" insert an underscored comma.

SPEAKER FLOOD PRESIDING

Pending.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 283A and 283.

COMMITTEE REPORTS
General Affairs

LEGISLATIVE BILL 404. Placed on General File - Com AM367.
AM367

- 1 1. On page 2, line 5, strike "twenty-five" and insert
- 2 "sixteen".

(Signed) Vickie McDonald, Chairperson

Education

LEGISLATIVE BILL 219. Placed on General File - Com AM357.
AM357

- 1 1. On page 4, strike beginning with "Such" in line
- 2 2 through the comma in line 5, show as stricken, and insert
- 3 "Following the filing of a petition pursuant to this section, such
- 4 board shall hold a public hearing on the petition and, on or before
- 5 November 1 following the filing of the petition, shall approve or
- 6 disapprove the petition based on a determination of whether the
- 7 petitioner has complied with all requirements of this section. If
- 8 such board approves the petition, such board shall"; and in line
- 9 19, strike "March 15", show as stricken, and insert "November 1".

(Signed) Ron Raikes, Chairperson

Revenue

LEGISLATIVE BILL 484. Placed on General File.

LEGISLATIVE BILL 519. Placed on General File - Com AM396.
AM396

- 1 1. Strike original section 1 and insert the following new
- 2 section:
- 3 Section 1. On or before March 19 of each year, each
- 4 county assessor shall conduct a systematic inspection and review
- 5 by class or subclass of a portion of the taxable real property
- 6 parcels in the county for the purpose of achieving uniform and
- 7 proportionate valuations and assuring that the real property record
- 8 data accurately reflects the property. The county assessor shall
- 9 adjust the value of all other taxable real property parcels by
- 10 class or subclass in the county so that the value of all real
- 11 property is uniform and proportionate. The county assessor shall
- 12 determine the portion to be inspected and reviewed each year to
- 13 assure that over a four-year period all parcels of real property in
- 14 the county have been inspected and reviewed.

LEGISLATIVE BILL 294. Indefinitely postponed.

LEGISLATIVE BILL 332. Indefinitely postponed.

(Signed) Ray Janssen, Chairperson

Nebraska Retirement Systems

LEGISLATIVE BILL 665. Placed on General File.

LEGISLATIVE BILL 328. Placed on General File - Com AM391.
(Amendment is printed separately and available in the Bill Room, Room 1104.)

LEGISLATIVE BILL 370. Placed on General File - Com AM378.
AM378

- 1 1. On page 2, strike lines 7 through 9 and insert the
- 2 following new subdivision:
- 3 "(2) Law enforcement officer means any police officer,
- 4 sheriff, and deputy sheriff employed by a political subdivision and
- 5 any conservation officer and outdoor education specialist employed
- 6 by the state."; in line 18 strike "systems" and insert "plans"; and
- 7 in line 24 strike "a" and insert "any".
- 8 2. On page 5, line 3, after "be" insert "held liable for
- 9 providing information requested or be".

(Signed) John Synowiecki, Chairperson

AMENDMENTS - Print in Journal

Senator Langemeier filed the following amendment to LB 25:
AM394

(Amendments to Final Reading copy)

- 1 1. Insert the following new section:
- 2 Sec. 14. This act becomes operative on January 1, 2009.
- 3 2. On page 1, line 8, after the semicolon insert "to
- 4 provide an operative date;".
- 5 3. Renumber the remaining section accordingly.

Senator Preister filed the following amendment to LB 291:
AM398

- 1 1. Strike the enacting clause.

Senator Cornett filed the following amendment to LB 211:
AM278

(Amendments to E & R amendments, ER8023)

- 1 1. On page 1, line 10, strike "daily"; and in line 11
- 2 after "24-513" insert "divided by two hundred sixty working days
- 3 per year".

Senator Friend filed the following amendment to LB 347:
AM395

- 1 1. Strike section 3.
- 2 2. On page 11, line 13, strike "14-551".
- 3 3. Renumber the remaining sections accordingly.

Senator Erdman filed the following amendment to LB 527:
AM401

- 1 1. On page 3, line 9, after "due" insert "as specified in
- 2 subsection (3) of this section or section 49-1449".

Senator Erdman filed the following amendment to LB 185:
AM386

(Amendments to Final Reading copy)

- 1 1. Strike section 50 and insert the following new
- 2 sections:
- 3 Section 1. Section 30-2483, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 30-2483 Unless notice has already been given under this
- 6 article and except when an appointment of a personal representative
- 7 is made pursuant to subdivision (4) of section 30-2408, the clerk
- 8 of the court upon the appointment of a personal representative
- 9 shall publish a notice once a week for three successive weeks
- 10 in a newspaper of general circulation in the county announcing
- 11 the appointment and the address of the personal representative,
- 12 and notifying creditors of the estate to present their claims
- 13 within two months after the date of the first publication of the
- 14 notice or be forever barred. The first publication shall be made
- 15 within thirty days after the appointment. The party instituting
- 16 or maintaining the proceeding or his or her attorney is required
- 17 to mail the published notice and give proof thereof in accordance
- 18 with section 25-520.01. For all decedents fifty-five years of age
- 19 or older or who resided in a medical institution as defined in
- 20 subsection (1) of section 68-919, not later than thirty days after
- 21 appointment of a personal representative other than a special
- 22 administrator, the personal representative shall mail a copy of the
- 1 notice required by this section to the Department of Health and
- 2 Human Services Finance and Support. The notice shall have endorsed
- 3 thereon the decedent's social security number and, if available
- 4 upon reasonable investigation, the name and social security number
- 5 of the decedent's spouse if such spouse is deceased, but the notice
- 6 need not include a copy of the decedent's will.
- 7 Sec. 51. Sections 2, 51, 52, and 56 of this act become
- 8 operative on their effective date. Sections 6, 7, 8, 9, 10, 11, 12,
- 9 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,
- 10 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 54, and 55 of
- 11 this act become operative on July 1, 2007. The other sections of
- 12 this act become operative three calendar months after adjournment
- 13 of this legislative session.
- 14 2. On page 1, line 2; and page 49, line 21, after

15 "sections" insert "30-2483,".

16 3. Renumber the remaining sections accordingly.

RESOLUTION

LEGISLATIVE RESOLUTION 32. Introduced by Ashford, 20; Howard, 9; Nelson, 6.

WHEREAS, Shereen M. Salfity is a seventh grader at Westside Middle School in Omaha, Nebraska; and

WHEREAS, Miss Salfity testified at the Judiciary Committee hearing on LB 205, a bill about bullying; and

WHEREAS, Miss Salfity, as part of her testimony, left a book she wrote and illustrated about bullying titled "R.A. Hurts . . . A Book To Help Kids With Relational Aggression". The book contains several lessons and other useful coping skills for children who are being bullied.

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

1. That the Legislature commends Miss Salfity for creating her book to help others and for testifying at the LB 205 hearing.

2. That a copy of this resolution be sent to Shereen M. Salfity.

Laid over.

NOTICE OF COMMITTEE HEARINGS

Judiciary
Room 1113

| | | |
|--------|--------------------------------------|-----------|
| LB 624 | Thursday, February 22, 2007 | 1:30 p.m. |
| LB 535 | Friday, February 23, 2007 (cancel) | 1:30 p.m. |
| LB 535 | Thursday, March 8, 2007 (reschedule) | 1:30 p.m. |
| LB 36 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 37 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 38 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 377 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 214 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 552 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 659 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 533 | Wednesday, February 28, 2007 | 1:30 p.m. |
| LB 696 | Thursday, March 1, 2007 | 1:30 p.m. |
| LB 164 | Thursday, March 1, 2007 | 1:30 p.m. |
| LB 104 | Thursday, March 1, 2007 | 1:30 p.m. |
| LB 112 | Thursday, March 1, 2007 | 1:30 p.m. |
| LB 478 | Thursday, March 1, 2007 | 1:30 p.m. |
| LB 571 | Thursday, March 1, 2007 | 1:30 p.m. |
| LB 151 | Thursday, March 1, 2007 | 1:30 p.m. |

| | | |
|--------|---------------------------|-----------|
| LB 625 | Wednesday, March 7, 2007 | 1:30 p.m. |
| LB 700 | Wednesday, March 7, 2007 | 1:30 p.m. |
| LB 599 | Wednesday, March 7, 2007 | 1:30 p.m. |
| LB 668 | Wednesday, March 7, 2007 | 1:30 p.m. |
| LB 293 | Wednesday, March 7, 2007 | 1:30 p.m. |
| LB 623 | Wednesday, March 7, 2007 | 1:30 p.m. |
| LB 376 | Wednesday, March 7, 2007 | 1:30 p.m. |
| LB 363 | Wednesday, March 7, 2007 | 1:30 p.m. |
| | | |
| LB 47 | Thursday, March 8, 2007 | 1:30 p.m. |
| LB 413 | Thursday, March 8, 2007 | 1:30 p.m. |
| LB 554 | Thursday, March 8, 2007 | 1:30 p.m. |
| LB 682 | Thursday, March 8, 2007 | 1:30 p.m. |
| LB 76 | Thursday, March 8, 2007 | 1:30 p.m. |
| | | |
| LB 522 | Wednesday, March 14, 2007 | 1:30 p.m. |
| LB 526 | Wednesday, March 14, 2007 | 1:30 p.m. |
| LB 243 | Wednesday, March 14, 2007 | 1:30 p.m. |
| LB 693 | Wednesday, March 14, 2007 | 1:30 p.m. |
| LB 382 | Wednesday, March 14, 2007 | 1:30 p.m. |
| LB 449 | Wednesday, March 14, 2007 | 1:30 p.m. |
| LB 45 | Wednesday, March 14, 2007 | 1:30 p.m. |
| | | |
| LB 540 | Thursday, March 15, 2007 | 1:30 p.m. |
| LB 541 | Thursday, March 15, 2007 | 1:30 p.m. |
| LB 669 | Thursday, March 15, 2007 | 1:30 p.m. |
| LB 406 | Thursday, March 15, 2007 | 1:30 p.m. |
| LB 671 | Thursday, March 15, 2007 | 1:30 p.m. |
| LB 680 | Thursday, March 15, 2007 | 1:30 p.m. |
| | | |
| LB 685 | Wednesday, March 21, 2007 | 1:30 p.m. |
| LB 336 | Wednesday, March 21, 2007 | 1:30 p.m. |
| LB 337 | Wednesday, March 21, 2007 | 1:30 p.m. |
| LB 261 | Wednesday, March 21, 2007 | 1:30 p.m. |
| LB 580 | Wednesday, March 21, 2007 | 1:30 p.m. |
| LB 585 | Wednesday, March 21, 2007 | 1:30 p.m. |
| LB 258 | Wednesday, March 21, 2007 | 1:30 p.m. |

(Signed) Brad Ashford, Chairperson

ANNOUNCEMENT

The Banking, Commerce and Insurance Committee designates LB 124 as its priority bill.

UNANIMOUS CONSENT - Add Cointroducers

Senator Gay asked unanimous consent to add his name as cointroducer to LB 190. No objections. So ordered.

Senator McDonald asked unanimous consent to add her name as cointroducer to LB 232. No objections. So ordered.

Senator Karpisek asked unanimous consent to add his name as cointroducer to LBs 451, 675, and 699. No objections. So ordered.

VISITORS

Visitors to the Chamber were Anne and Sam Ausdemore from Wisner; members of Leadership Tomorrow from Hall County, Leadership Hastings, and Leadership York; and members of AARP from across the state.

The Doctor of the Day was Dr. Ronald Craig from Lincoln.

ADJOURNMENT

At 12:03 p.m., on a motion by Senator Aguilar, the Legislature adjourned until 10:00 a.m., Tuesday, February 20, 2007.

Patrick J. O'Donnell
Clerk of the Legislature