

SIXTH DAY - JANUARY 10, 2007**LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE
FIRST SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 10, 2007

PRAYER

The prayer was offered by Senator Janssen.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Raikes and Schimek who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB 108	Agriculture
LB 109	Appropriations
LB 110	Agriculture
LB 111	Agriculture
LB 112	Judiciary
LB 113	Banking, Commerce and Insurance
LB 114	Banking, Commerce and Insurance
LB 115	Banking, Commerce and Insurance
LB 116	Banking, Commerce and Insurance
LB 117	Banking, Commerce and Insurance
LB 118	Banking, Commerce and Insurance
LB 119	Banking, Commerce and Insurance
LB 120	Banking, Commerce and Insurance
LB 121	Banking, Commerce and Insurance
LB 122	Banking, Commerce and Insurance
LB 123	Banking, Commerce and Insurance

LB 124	Banking, Commerce and Insurance
LB 125	Banking, Commerce and Insurance
LB 126	Banking, Commerce and Insurance
LB 127	Banking, Commerce and Insurance
LB 128	Banking, Commerce and Insurance
LB 129	Banking, Commerce and Insurance
LB 130	Banking, Commerce and Insurance
LB 131	Agriculture
LB 132	Judiciary
LB 133	Government, Military and Veterans Affairs
LB 134	Banking, Commerce and Insurance
LB 135	Government, Military and Veterans Affairs
LB 136	Banking, Commerce and Insurance
LB 137	Judiciary
LB 138	Judiciary
LB 139	Education
LB 140	Natural Resources
LB 141	Judiciary
LB 142	Judiciary
LB 143	Judiciary
LB 144	Health and Human Services
LB 145	Revenue
LB 146	Judiciary
LB 147	Transportation and Telecommunications
LB 148	Transportation and Telecommunications
LB 149	Banking, Commerce and Insurance
LB 150	Education
LB 151	Judiciary
LB 152	Banking, Commerce and Insurance
LB 153	Education
LB 154	Judiciary
LB 155	Revenue
LB 156	Banking, Commerce and Insurance
LB 157	Judiciary
LB 158	Revenue
LB 159	Revenue
LB 160	Urban Affairs
LB 161	Natural Resources
LB 162	Transportation and Telecommunications
LB 163	Transportation and Telecommunications
LB 164	Judiciary
LB 165	Transportation and Telecommunications
LB 166	Revenue
LB 167	Revenue
LB 168	Revenue
LB 169	Revenue
LB 170	Revenue
LB 171	Health and Human Services
LB 172	Government, Military and Veterans Affairs

LB 173 Revenue
 LB 174 Banking, Commerce and Insurance
 LB 175 Business and Labor
 LB 176 Judiciary

Atkins, Sallie - Nebraska State Fair Board - Agriculture

Lovgren, Linda - Nebraska State Fair Board - Agriculture

(Signed) Pat Engel, Chairperson
 Legislative Council, Executive Board

ANNOUNCEMENT

The Health and Human Services Committee elected Senator Gay as Vice Chairperson.

NOTICE OF COMMITTEE HEARINGS Health and Human Services Room 1510

LB 52	Wednesday, January 17, 2007	1:30 p.m.
LB 53	Wednesday, January 17, 2007	1:30 p.m.
LB 54	Wednesday, January 17, 2007	1:30 p.m.
LB 82	Wednesday, January 17, 2007	1:30 p.m.
LB 90	Wednesday, January 17, 2007	1:30 p.m.

(Signed) Joel Johnson, Chairperson

Government, Military and Veterans Affairs Room 1507

LB 17	Wednesday, January 17, 2007	1:30 p.m.
LB 39	Wednesday, January 17, 2007	1:30 p.m.
LB 40	Wednesday, January 17, 2007	1:30 p.m.
LB 44	Wednesday, January 17, 2007	1:30 p.m.
LB 5	Thursday, January 18, 2007	1:30 p.m.
LB 7	Thursday, January 18, 2007	1:30 p.m.
LB 16	Thursday, January 18, 2007	1:30 p.m.
LB 50	Thursday, January 18, 2007	1:30 p.m.
LB 13	Friday, January 19, 2007	2:30 p.m.
LB 18	Friday, January 19, 2007	2:30 p.m.

(Signed) Ray Aguilar, Chairperson

Judiciary
Room 1113

LB 8	Wednesday, January 17, 2007	1:30 p.m.
LB 6	Wednesday, January 17, 2007	1:30 p.m.
LB 15	Wednesday, January 17, 2007	1:30 p.m.
LB 141	Wednesday, January 17, 2007	1:30 p.m.
LB 157	Wednesday, January 17, 2007	1:30 p.m.

(Signed) Brad Ashford, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 236. Introduced by Johnson, 37; Hansen, 42.

A BILL FOR AN ACT relating to health and human services; to amend sections 71-6615 and 71-6720, Reissue Revised Statutes of Nebraska; to provide for in-home personal care services; to define terms; to provide requirements for agencies and workers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 237. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to homesteads; to amend section 40-101, Reissue Revised Statutes of Nebraska; to change the homestead exemption amount; and to repeal the original section.

LEGISLATIVE BILL 238. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to postsecondary education; to amend sections 13-916, 13-1612, 18-2115, 32-567, 32-607, 32-608, 32-811, 32-1203, 32-1301, 32-1302, 44-1615, 48-621, 48-622.03, 48-811.02, 49-506, 66-1062, 77-3443, 77-3445, 79-919, 79-922, 81-1118.02, 85-606.01, 85-917, 85-933, 85-949, 85-966, 85-9,167, 85-1404, 85-1418, 85-1504, 85-1541, and 85-1542, Reissue Revised Statutes of Nebraska, and sections 10-127, 10-142, 10-1103, 13-503, 13-518, 13-519, 13-2202, 72-2302, 72-2303, 72-2304, 72-2306, 77-1601.02, 77-3442, 79-902, 81-1201.21, 85-966.01, 85-9,181, 85-9,182, 85-1402, 85-1412, 85-1413, 85-1414, 85-1416, 85-1503, and 86-594, Revised Statutes Cumulative Supplement, 2006; to create the Board of Trustees of the Nebraska Community Colleges, advisory boards, and funds; to provide for governance of the community colleges; to change and eliminate provisions relating to Community College Boards of Governors, community colleges, the Coordinating Commission for Postsecondary Education, and a fund; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 32-514, 85-312, 85-1501, 85-1501.01, 85-1505, 85-1506, 85-1507, 85-1508, 85-1509, 85-1510,

85-1511, 85-1512, 85-1515, 85-1516, 85-1518, 85-1519, 85-1520, 85-1521, 85-1523, 85-1524, 85-1525, 85-1526, 85-1527, 85-1528, 85-1529, 85-1530, 85-1531, 85-1532, 85-1533, 85-1534, 85-1535, 85-1536, 85-1537, 85-1538, and 85-1539, Reissue Revised Statutes of Nebraska, and sections 85-1502, 85-1514, 85-1517, 85-1522, 85-1534.01, 85-1536.01, and 85-1540, Revised Statutes Cumulative Supplement, 2006.

LEGISLATIVE BILL 239. Introduced by Fischer, 43.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-311, 60-342, 60-3.196, 60-462.01, 60-4.147.02, 60-6.265, 60-6.267, 75-363, and 75-364, Revised Statutes Cumulative Supplement, 2006; to update references to federal law; to delete obsolete language; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 240. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3806, Reissue Revised Statutes of Nebraska, and sections 77-908, 77-2701, 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2006; to provide an income tax credit for certain capital gains; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 241. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to education; to amend sections 77-913, 79-213, 79-805, 79-818, 79-820, 79-855, 79-856, 79-861, 79-872, 79-873, 79-874, 79-8.137, 79-901, 79-977, 79-978.01, 79-1065.01, 79-1083.01, 79-1089, 79-1090, 79-10.124, 79-1108.02, 79-1235, and 79-1241, Reissue Revised Statutes of Nebraska, sections 10-704, 13-508, 77-1327, 77-3442, 77-5007, 79-479, 79-528, 79-1065.02, 79-1073, 79-1073.01, 79-10.120, 79-1103, 79-1104, 79-1223, 79-1241.01, 79-1337, 79-2102, and 79-2106, Revised Statutes Cumulative Supplement, 2006, and sections 79-413 and 79-4.111, Revised Statutes Cumulative Supplement, 2006, as affected by Referendum 2006, No. 422; to require the state to pay teacher salaries and benefits; to provide for collective bargaining as prescribed; to create a teachers bargaining unit; to eliminate the Tax Equity and Educational Opportunities Support Act; to eliminate funds; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 43-2513, 79-245, 79-1015.01, 79-1017.01, 79-1020, 79-1021, 79-1022.02, 79-1023, 79-1025, 79-1027.01, 79-1029, and 79-1031, Reissue Revised Statutes of Nebraska, sections 79-1001, 79-1002, 79-1005.01, 79-1005.02, 79-1007.01, 79-1007.02, 79-1007.03, 79-1007.04, 79-1007.05, 79-1007.06, 79-1007.07, 79-1007.08, 79-1007.09, 79-1007.10, 79-1008.01, 79-1008.02, 79-1009, 79-1009.01, 79-1010, 79-1011, 79-1012, 79-1018.01, 79-1024, 79-1026.01, 79-1030, and 79-1033, Revised Statutes Cumulative Supplement, 2006, and sections 79-1003, 79-1016, 79-1022, 79-1026, 79-1027, 79-1028, 79-1031.01, 79-1083.02, and 79-1083.03, Revised

Statutes Cumulative Supplement, 2006, as affected by Referendum 2006, No. 422; and to declare an emergency.

LEGISLATIVE BILL 242. Introduced by Flood, 19; Cornett, 45.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-101, 28-115, 28-201, and 28-932, Revised Statutes Cumulative Supplement, 2006; to change penalty provisions relating to assault by a confined person; to create the offense of assault on an officer using bodily fluids; to provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 243. Introduced by Flood, 19.

A BILL FOR AN ACT relating to juries; to amend sections 25-1607, 25-1612, 25-1627.01, 25-1629, 25-1629.01, 25-1629.04, 25-1630, 25-1637, and 25-1641, Reissue Revised Statutes of Nebraska, and sections 25-1601, 25-1628, 25-1633, and 25-1635, Revised Statutes Cumulative Supplement, 2006; to define terms; to change provisions relating to juror disqualification, selection, and procedures; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 244. Introduced by Flood, 19.

A BILL FOR AN ACT relating to emergency medical services; to amend section 71-5186, Reissue Revised Statutes of Nebraska; to change requirements for certified personnel to occupy ambulances; and to repeal the original section.

LEGISLATIVE BILL 245. Introduced by Johnson, 37.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-3305, Reissue Revised Statutes of Nebraska; to change provisions relating to fluoridation of drinking water; and to repeal the original section.

LEGISLATIVE BILL 246. Introduced by Johnson, 37; Aguilar, 35; McDonald, 41.

A BILL FOR AN ACT relating to coroners; to provide requirements for procurement of anatomical gifts as prescribed; to state intent; to define terms; and to provide powers and duties.

LEGISLATIVE BILL 247. Introduced by Johnson, 37.

A BILL FOR AN ACT relating to drugs and pharmacy; to amend section 71-2421, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405, 28-412, 71-1,147.35, 71-5403, and 71-7438, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to controlled

substances, prescriptions and labels, and return of dispensed drugs and devices; to redefine terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 248. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to road improvement districts; to amend sections 39-1601, 39-1605, 39-1606, and 39-1607, Reissue Revised Statutes of Nebraska; to change and eliminate provisions for election of the board of trustees; to provide for elections to be held by mail; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 32-551, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 249. Introduced by Heidemann, 1.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend sections 72-730, 79-1104.01, 81-179, 84-612, and 84-613, Revised Statutes Cumulative Supplement, 2006; to change and eliminate provisions relating to the fund; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 250. Introduced by Synowiecki, 7.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-519 and 71-522, Revised Statutes Cumulative Supplement, 2006; to provide a religious exemption to infant screening requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 251. Introduced by Synowiecki, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-172, Reissue Revised Statutes of Nebraska; to eliminate a restriction on adding alcohol to beer; to repeal the original section; and to outright repeal section 53-174, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 252. Introduced by Avery, 28.

A BILL FOR AN ACT relating to land surveyors; to amend section 81-8,118, Reissue Revised Statutes of Nebraska; to change application, examination, and registration fees; and to repeal the original section.

LEGISLATIVE BILL 253. Introduced by Rogert, 16; Aguilar, 35; Erdman, 47; Langemeier, 23; Mines, 18; Nantkes, 46.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-4,127, 60-4,128, 60-6,279, 60-2125, 60-2126, 60-2129, 60-2130, 60-2131, 60-2132, 60-2133, 60-2135, 60-2136, 60-2137, 60-2138, and 60-2139, Reissue Revised Statutes of Nebraska, and sections 39-2215, 60-3,153, 60-4,115, and 60-4,182, Revised Statutes Cumulative

Supplement, 2006; to adopt the Motorcycle Safety and Training Act; to change and eliminate provisions relating to motorcycle safety and helmets; to create a fund and terminate a fund; to provide a penalty; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 60-6,281, 60-2120, 60-2121, 60-2127, 60-2128, and 60-2134, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 254. Introduced by Aguilar, 35; Johnson, 37; McDonald, 41; Nantkes, 46; Stuthman, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,268, Reissue Revised Statutes of Nebraska, and section 60-6,267, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to use of child passenger restraint systems and occupant protection systems and enforcement of such provisions; and to repeal the original sections.

LEGISLATIVE BILL 255. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to labor; to amend section 48-1229, Reissue Revised Statutes of Nebraska; to change provisions of the Nebraska Wage Payment and Collection Act; and to repeal the original section.

LEGISLATIVE BILL 256. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to state government; to amend sections 72-803, 72-818, 73-508, 81-154, 81-161.03, 81-8,239.01, 81-8,239.03, 81-8,239.04, 81-8,239.05, 81-8,239.07, and 83-916, Reissue Revised Statutes of Nebraska, and section 81-8,239.02, Revised Statutes Cumulative Supplement, 2006; to change bidding and contract requirements as prescribed; to require submission of a request for a utility easement; to raise dollar thresholds for requisitions and purchases; to rename a fund; to create a fund and provide for its use; to eliminate the Forms Management Program Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-1162, 81-1163, 81-1164, 81-1165, 81-1166, 81-1167, 81-1168, 81-1169, and 83-134, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 257. Introduced by Lathrop, 12; Adams, 24; Nelson, 6.

A BILL FOR AN ACT relating to guardianship; to amend sections 30-2201, 30-2601, 30-2627, and 30-2639, Revised Statutes Cumulative Supplement, 2006; to adopt the Public Guardianship Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 258. Introduced by Lathrop, 12; Kruse, 13; Nelson, 6.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to

amend sections 53-180.04 and 53-180.05, Reissue Revised Statutes of Nebraska; to provide and change penalties; to provide for license suspension for minors' violations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 259. Introduced by Friend, 10.

A BILL FOR AN ACT relating to garnishment; to amend section 25-1011, Reissue Revised Statutes of Nebraska; to change provisions relating to service of process as prescribed; and to repeal the original section.

LEGISLATIVE BILL 260. Introduced by Kruse, 13; Burling, 33; Christensen, 44; Friend, 10; Kopplin, 3; McDonald, 41; Pahls, 31; Stuthman, 22; Wallman, 30.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,197.03, Revised Statutes Cumulative Supplement, 2006; to change penalty provisions for violating implied consent to chemical test provisions relating to driving under the influence of alcohol or drugs; and to repeal the original section.

LEGISLATIVE BILL 261. Introduced by Kruse, 13; Aguilar, 35; Burling, 33; Christensen, 44; Dubas, 34; Harms, 48; Hudkins, 21.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-168.06 and 53-180.02, Reissue Revised Statutes of Nebraska; to change provisions relating to minors' violations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 262. Introduced by Kruse, 13; Christensen, 44; Cornett, 45; Engel, 17; Howard, 9; Kopplin, 3; Lathrop, 12; Nelson, 6.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-6408, 60-501, 60-509, 60-534, and 60-549, Reissue Revised Statutes of Nebraska, and sections 60-310 and 60-346, Revised Statutes Cumulative Supplement, 2006; to change liability insurance and financial responsibility requirements; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 263. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to the Integrated Solid Waste Management Act; to amend section 13-2036, Reissue Revised Statutes of Nebraska; to change provisions relating to permits; and to repeal the original section.

LEGISLATIVE BILL 264. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to emergency responders; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2006; to adopt the

Volunteer Emergency Responders Incentive Act; to provide for an income tax credit as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 265. Introduced by Business and Labor Committee: Cornett, 45, Chairperson; Lathrop, 12; McGill, 26; Rogert, 16; Wallman, 30.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-606, 48-612, 48-663.01, 48-665, and 48-665.01, Reissue Revised Statutes of Nebraska, and sections 48-601, 48-602, 48-624, 48-649, 48-652, and 48-664, Revised Statutes Cumulative Supplement, 2006; to redefine terms; to authorize the recovery of certain payments; to authorize the disclosure of records; to change provisions relating to the combined tax rate, experience accounts, and overpayments; to create penalties; to provide for joint and several liability; to harmonize provisions; to repeal the original sections; and to outright repeal section 48-649.01, Revised Statutes Cumulative Supplement, 2006.

LEGISLATIVE BILL 266. Introduced by Aguilar, 35; Chambers, 11; Kruse, 13.

A BILL FOR AN ACT relating to motor vehicle operators; to amend sections 60-474 and 60-4,112, Reissue Revised Statutes of Nebraska, and sections 60-462, 60-480, 60-484, 60-490, 60-4,115, and 60-4,119, Revised Statutes Cumulative Supplement, 2006; to provide for a driving privilege card; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 267. Introduced by McGill, 26; Avery, 28; Howard, 9; Kruse, 13; Nantkes, 46; Pedersen, 39; Preister, 5; Schimek, 27; Stuthman, 22; Synowiecki, 7.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to child care subsidies; and to repeal the original section.

LEGISLATIVE BILL 268. Introduced by McGill, 26; Avery, 28; Chambers, 11; Cornett, 45; Kopplin, 3; Nantkes, 46; Pedersen, 39; Preister, 5; Schimek, 27; Wallman, 30.

A BILL FOR AN ACT relating to counties; to amend sections 23-151 and 32-528, Reissue Revised Statutes of Nebraska; to change provisions relating to election of county boards; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 269. Introduced by Burling, 33; Christensen, 44; Rogert, 16.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 23-149, 23-202, 23-292, 23-293, 23-294, and 51-201.03, Reissue Revised

Statutes of Nebraska; to change and eliminate provisions relating to county organization; to change provisions relating to establishment of a county library; to harmonize provisions; to repeal the original sections; and to outright repeal sections 23-283, 23-287, 23-290, and 23-291, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 270. Introduced by Johnson, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2006; to exclude certain rural health educational loan repayments from income taxation as prescribed; and to repeal the original section.

LEGISLATIVE BILL 271. Introduced by Friend, 10.

A BILL FOR AN ACT relating to the Nebraska Wage Payment and Collection Act; to amend sections 48-1228 and 48-1229, Reissue Revised Statutes of Nebraska; to permit employers to determine the terms and payment of fringe benefits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 272. Introduced by Kopplin, 3; Kruse, 13.

A BILL FOR AN ACT relating to natural resources districts; to amend section 77-3442, Revised Statutes Cumulative Supplement, 2006; to provide for issuance of flood control dam and reservoir bonds as prescribed; to provide for a tax levy; to provide powers and duties; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 273. Introduced by Kopplin, 3.

A BILL FOR AN ACT relating to agriculture; to amend section 2-2701.01, Reissue Revised Statutes of Nebraska; to change provisions relating to tractor testing; and to repeal the original section.

LEGISLATIVE BILL 274. Introduced by McDonald, 41; Dubas, 34; Hansen, 42; Pedersen, 39; Wallman, 30.

A BILL FOR AN ACT relating to liquefied petroleum gas; to state intent; to require a warning label; to provide for a limitation on liability; and to provide an operative date.

LEGISLATIVE BILL 275. Introduced by Kruse, 13.

A BILL FOR AN ACT relating to the Nebraska Health Care Cash Fund; to amend section 71-7611, Revised Statutes Cumulative Supplement, 2006; to change a transfer amount; to delete obsolete provisions; to appropriate funds to the Department of Health and Human Services Finance and Support; to

repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 276. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to state government; to amend sections 3-116, 12-1205, 13-912, 13-1203, 13-1212, 14-2113, 18-601, 18-613, 31-925, 39-102, 39-103, 39-202, 39-203, 39-204, 39-205, 39-206, 39-207, 39-208, 39-210, 39-211, 39-212, 39-213, 39-214, 39-216, 39-217, 39-218, 39-219, 39-220, 39-221, 39-222, 39-223, 39-224, 39-225, 39-308, 39-311, 39-312, 39-805, 39-822, 39-826.01, 39-826.02, 39-847, 39-847.01, 39-892, 39-1010, 39-1011, 39-1101, 39-1110, 39-1306.01, 39-1306.02, 39-1320, 39-1323.01, 39-1328.01, 39-1328.02, 39-1345.01, 39-1350, 39-1353, 39-1363, 39-1364, 39-1365.01, 39-1365.02, 39-1390, 39-1392, 39-1407, 39-1503, 39-1703, 39-1713, 39-1901, 39-2001, 39-2002, 39-2105, 39-2106, 39-2107, 39-2110, 39-2111, 39-2112, 39-2113, 39-2115, 39-2118, 39-2121, 39-2124, 39-2224, 39-2305, 39-2310, 39-2504, 39-2505, 39-2507, 39-2508, 39-2514, 39-2515, 39-2517, 39-2518, 39-2602, 46-251, 49-506, 57-1102, 60-507, 60-631, 60-658.01, 60-680, 60-695, 60-699, 60-6,101, 60-6,102, 60-6,103, 60-6,106, 60-6,107, 60-6,115, 60-6,118, 60-6,120, 60-6,129, 60-6,130, 60-6,137, 60-6,138, 60-6,139, 60-6,145, 60-6,153, 60-6,154, 60-6,159, 60-6,164, 60-6,166, 60-6,167, 60-6,171, 60-6,176, 60-6,177, 60-6,186, 60-6,188, 60-6,189, 60-6,190, 60-6,193, 60-6,230, 60-6,250, 60-6,288, 60-6,292, 60-6,299, 60-6,301, 60-6,311, 60-6,314, 60-6,335, 60-6,376, 60-1301, 60-1302, 66-821, 66-822, 69-1701, 70-309, 72-108, 72-221, 72-221.01, 72-817, 73-507, 74-1310, 74-1314, 74-1318, 74-1319, 74-1329, 74-1331, 74-1332, 74-1333, 74-1335, 74-1336, 74-1338, 74-1340, 74-1341, 74-1342, 74-1405.02, 74-1419.02, 76-1224, 77-3618, 79-604, 81-101, 81-102, 81-701.01, 81-701.02, 81-701.04, 81-710, 81-916, 81-917, 81-1108.43, 81-1711, 81-2801, 82-120, 83-137, 85-1008, 90-238, and 90-260, Reissue Revised Statutes of Nebraska, and sections 13-1210, 25-2501, 39-1302, 39-1311, 39-2215, 60-6,126.01, 60-6,144, 60-6,294, 60-6,298, 60-1303, 66-4,100, 66-4,144, 74-1334, 74-1413, 81-188.01, 81-188.02, 81-1108.15, 81-1108.22, 81-1114, 82-505, and 86-707, Revised Statutes Cumulative Supplement, 2006; to rename the Department of Roads; to eliminate obsolete language; to eliminate the Nebraska Transit and Rail Advisory Council Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 74-1343, 74-1501, 74-1502, 74-1503, 74-1504, 74-1505, 74-1506, 74-1507, 74-1508, 74-1509, 74-1510, 74-1511, 74-1512, 74-1513, and 74-1514, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 277. Introduced by Mines, 18.

A BILL FOR AN ACT relating to the Department of Roads; to amend sections 39-1320, 39-2116, 39-2119, 39-2124, 39-2125, 39-2502, and 39-2512, Reissue Revised Statutes of Nebraska; to provide for the submission of a metropolitan transportation improvement program in lieu of the department's annual and six-year plans as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 278. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-322, Reissue Revised Statutes of Nebraska, and section 13-319, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to county sales and use taxes; and to repeal the original sections.

LEGISLATIVE BILL 279. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-4,173, 60-4,174, and 60-4,175, Reissue Revised Statutes of Nebraska; to change provisions relating to driver training schools; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 280. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to juveniles; to amend sections 24-517, 25-2740, and 43-247, Revised Statutes Cumulative Supplement, 2006; to provide for jurisdiction over custody proceedings as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 281. Introduced by Stuthman, 22; Harms, 48; Kruse, 13; Nantkes, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services Finance and Support for federally qualified community health centers.

LEGISLATIVE BILL 282. Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2101.02, Reissue Revised Statutes of Nebraska, and sections 77-2101.01 and 77-2101.03, Revised Statutes Cumulative Supplement, 2006; to terminate estate and generation-skipping taxes; and to repeal the original sections.

LEGISLATIVE BILL 283. Introduced by Stuthman, 22.

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.

LEGISLATIVE BILL 284. Introduced by Karpisek, 32; Adams, 24; Avery, 28; Carlson, 38; Dubas, 34; Lathrop, 12; McGill, 26; Nantkes, 46; Pankonin, 2; Preister, 5; Rogert, 16; Wallman, 30; White, 8.

A BILL FOR AN ACT relating to elections; to amend section 32-1119, Reissue Revised Statutes of Nebraska; to require recounts to be done manually at the office of the election commissioner or county clerk; and to repeal the original section.

LEGISLATIVE BILL 285. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Hudkins, 21; Louden, 49; Mines, 18; Pedersen, 39; Schimek, 27; Stuthman, 22.

A BILL FOR AN ACT relating to motor vehicle operator's licenses; to authorize compliance with federal law.

LEGISLATIVE BILL 286. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Aguilar, 35; Hudkins, 21; Louden, 49; Mines, 18; Pedersen, 39; Schimek, 27; Stuthman, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-114, 60-308, 60-324, 60-355, 60-356, 60-378, 60-385, 60-387, 60-3,104, 60-3,118, 60-3,128, 60-3,142, 60-3,145, 60-3,147, and 60-3,150, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to the Motor Vehicle Certificate of Title Act and the Motor Vehicle Registration Act; and to repeal the original sections.

LEGISLATIVE BILL 287. Introduced by Transportation and Telecommunications Committee: Fischer, 43, Chairperson; Aguilar, 35; Hudkins, 21; Louden, 49; Mines, 18; Pedersen, 39; Schimek, 27; Stuthman, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-101, 60-102, 60-117, 60-123, 60-134, 60-137, 60-145, 60-146, 60-152, 60-153, 60-164, 60-166, 60-168, 60-173, 60-301, 60-302, 60-325, 60-333, 60-339, 60-345, 60-395, 60-397, 60-3,104, 60-3,107, 60-3,118, 60-3,122, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.04, 60-3,141, 60-3,145, 60-3,147, 60-3,150, 60-3,184, 60-3,186, 60-3,188, and 60-3,190, Revised Statutes Cumulative Supplement, 2006; to change and eliminate provisions relating to vehicle titling and registration; to define terms; to provide for cancellation of a certificate of title as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-157 and 60-3,191, Revised Statutes Cumulative Supplement, 2006.

LEGISLATIVE BILL 288. Introduced by Louden, 49; Christensen, 44; Fischer, 43.

A BILL FOR AN ACT relating to all-terrain vehicles; to amend section 60-6,356, Reissue Revised Statutes of Nebraska; to provide for operation of all-terrain vehicles on highways as prescribed; and to repeal the original section.

LEGISLATIVE BILL 289. Introduced by Louden, 49; Burling, 33; Christensen, 44; Fischer, 43; Heidemann, 1; McDonald, 41; Preister, 5; Rogert, 16; Wallman, 30.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3444, Reissue Revised Statutes of Nebraska; to change provisions relating to elections to exceed levy limits; and to repeal the original section.

LEGISLATIVE BILL 290. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to courts; to amend section 24-809, Reissue Revised Statutes of Nebraska; to change provisions relating to the judicial nominating commission as prescribed; and to repeal the original section.

LEGISLATIVE BILL 291. Introduced by Hansen, 42; Carlson, 38; Louden, 49; McDonald, 41.

A BILL FOR AN ACT relating to environmental protection; to amend section 81-15,171, Reissue Revised Statutes of Nebraska, and section 81-15,170, Revised Statutes Cumulative Supplement, 2006; to modify membership on the Nebraska Environmental Trust Board; and to repeal the original sections.

LEGISLATIVE BILL 292. Introduced by Hansen, 42; Harms, 48; Johnson, 37.

A BILL FOR AN ACT relating to public assistance; to amend section 68-104, Revised Statutes Cumulative Supplement, 2006; to provide for the transfer of funds by county boards to the state for medical assistance payments; and to repeal the original section.

LEGISLATIVE BILL 293. Introduced by Pedersen, 39; White, 8.

A BILL FOR AN ACT relating to infectious disease exposure; to amend section 71-507, Revised Statutes Cumulative Supplement, 2006; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 294. Introduced by Mines, 18.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend section 77-5016, Revised Statutes Cumulative Supplement, 2006; to change the standard of review for appeals; and to repeal the original section.

LEGISLATIVE BILL 295. Introduced by Natural Resources Committee: Louden, 49, Chairperson; Carlson, 38; Christensen, 44; Dubas, 34; Fischer, 43; Kopplin, 3; Wallman, 30.

A BILL FOR AN ACT relating to natural resources; to amend sections 46-609, 46-644, and 46-651, Reissue Revised Statutes of Nebraska, and sections 46-229.04, 46-602, and 46-714, Revised Statutes Cumulative Supplement, 2006; to change and eliminate provisions relating to irrigation and regulation of water and water wells; to harmonize provisions; to repeal the original sections; and to outright repeal section 46-611, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 296. Introduced by Johnson, 37; Burling, 33; Erdman, 47; Fischer, 43; Flood, 19; Friend, 10; Gay, 14; Hansen, 42; Hudkins, 21; Janssen, 15; Kruse, 13; Louden, 49; Nantkes, 46; Pankonin, 2; Pedersen, 39; Stuthman, 22; at the request of the Governor.

A BILL FOR AN ACT relating to health and human services; to amend sections 43-404, 80-317, 80-319, 80-320, 80-321, 80-322, 81-101, and 81-102, Reissue Revised Statutes of Nebraska, and sections 80-318 and 81-1316, Revised Statutes Cumulative Supplement, 2006; to adopt the Health and Human Services System Act; to create a new agency and departments; to state intent; to eliminate the Department of Health and Human Services, the Department of Health and Human Services Finance and Support, the Department of Health and Human Services Regulation and Licensure, the Policy Secretary, the Director of Medical Services, and the Policy Cabinet; to eliminate an administrator; to change provisions relating to the veterans homes review board; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 81-3103, 81-3108, 81-3203, 81-3303, and 83-125, Reissue Revised Statutes of Nebraska, and sections 81-3001, 81-3001.01, 81-3004, 81-3006, 81-3007.01, 81-3008, 81-3009, 81-3101, 81-3102, 83-3106, 81-3107, 81-3109, 81-3201, 81-3202, 81-3206, 81-3207, 81-3208, 81-3209, 81-3210, 81-3211, 81-3301, 81-3302, 81-3306, 81-3307, 81-3308, 81-3309, 81-3310, and 81-3311, Revised Statutes Cumulative Supplement, 2006; and to declare an emergency.

LEGISLATIVE BILL 297. Introduced by Pedersen, 39; Stuthman, 22.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-313, Revised Statutes Cumulative Supplement, 2006; to eliminate a requirement relating to surcharge revenue as prescribed; to repeal the original section; and to declare an emergency.

RESOLUTIONS

LEGISLATIVE RESOLUTION 7CA. Introduced by Kruse, 13.

THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2008 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 7:

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. ~~Each~~ Until January 7, 2009, each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. Beginning January 7, 2009, each member of the Legislature shall receive an annual salary during his or her term of office equal to one thousand dollars adjusted for inflation as determined by the Legislature since the last salary increase for members of the Legislature and every two years thereafter. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the salary of the members of the Legislature based on adjustments for inflation as determined by the Legislature.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 8CA. Introduced by Avery, 28.

THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2008 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 2:

III-2 The first power reserved by the people is the initiative whereby laws may be enacted and constitutional amendments adopted by the people independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by ~~seven~~ four percent of the

registered voters of the state, and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ~~ten~~ fifteen percent of such registered voters. In all cases the registered voters signing such petition shall be so distributed as to include five percent of the registered voters of each of two-fifths of the counties of the state, and when thus signed, the petition shall be filed with the Secretary of State who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, more often than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative. Initiative measures shall contain only one subject. The Legislature shall not amend, repeal, modify, or impair a law enacted by the people by initiative, contemporaneously with the adoption of this initiative measure or at any time thereafter, except upon a vote of at least two-thirds of all the members of the Legislature.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the number of signatures required on initiative petitions.

For

Against.

Referred to the Reference Committee.

MOTION - Print in Journal

Senator Kopplin filed the following motion to LB 224:
Withdraw LB 224.

NOTICE OF COMMITTEE HEARINGS

Revenue
Room 1524

LB 166	Wednesday, January 17, 2007	1:30 p.m.
LB 167	Wednesday, January 17, 2007	1:30 p.m.
LB 168	Wednesday, January 17, 2007	1:30 p.m.
LB 155	Wednesday, January 17, 2007	1:30 p.m.
LB 145	Wednesday, January 17, 2007	1:30 p.m.

(Signed) Ray Janssen, Chairperson

Natural Resources
Room 1525

LB 79	Wednesday, January 17, 2007	1:30 p.m.
LB 80	Wednesday, January 17, 2007	1:30 p.m.
LB 161	Wednesday, January 17, 2007	1:30 p.m.
Wednesday, January 17, 2007		1:30 p.m.
John C. Turnbull - Environmental Quality Council		

(Signed) LeRoy Louden, Chairperson

ANNOUNCEMENT

The Nebraska Retirement Systems Committee elected Senator White as Vice Chairperson.

UNANIMOUS CONSENT - Add Cointroducers

Senator Harms asked unanimous consent to add his name as cointroducer to LB 6. No objections. So ordered.

Senator Howard asked unanimous consent to add her name as cointroducer to LBs 39 and 40. No objections. So ordered.

Senator Pirsch asked unanimous consent to add his name as cointroducer to LB 62. No objections. So ordered.

Senator Mines asked unanimous consent to add his name as cointroducer to LB 162. No objections. So ordered.

Senator McDonald asked unanimous consent to add her name as cointroducer to LB 176. No objections. So ordered.

Senator Pankonin asked unanimous consent to add his name as cointroducer to LB 183. No objections. So ordered.

Senator Adams asked unanimous consent to add his name as cointroducer to LB 205. No objections. So ordered.

Senator Dubas asked unanimous consent to add her name as cointroducer to LB 234. No objections. So ordered.

VISITORS

Visitor to the Chamber was Connie Liddell from Pacific Junction, Iowa.

The Doctor of the Day was Dr. Matzke from Gothenburg.

ADJOURNMENT

At 12:04 p.m., on a motion by Senator Preister, the Legislature adjourned until 9:30 a.m., Thursday, January 11, 2007.

Patrick J. O'Donnell
Clerk of the Legislature