

**THIRD DAY - JANUARY 11, 2008**

**LEGISLATIVE JOURNAL**

**ONE HUNDREDTH LEGISLATURE  
SECOND SESSION**

**THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 11, 2008

**PRAYER**

The prayer was offered by Senator Wallman.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Christensen, Cornett, and Harms who were excused; and Senators Engel and Karpisek who were excused until they arrive.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB706	General File
LB707	General File
LB708	Revenue
LB709	Transportation and Telecommunications
LB710	Revenue
LB711	Nebraska Retirement Systems
LB712	Transportation and Telecommunications
LB713	Health and Human Services
LB714	Revenue
LB715	Banking, Commerce and Insurance
LB716	Banking, Commerce and Insurance
LB717	Banking, Commerce and Insurance
LB718	Revenue
LB719	Education
LB720	Government, Military and Veterans Affairs
LB721	Government, Military and Veterans Affairs
LB722	Revenue
LB723	General Affairs
LB724	Natural Resources

LB725	Natural Resources
LB726	Natural Resources
LB727	Natural Resources
LB728	General Affairs
LB729	Agriculture
LB730	Health and Human Services
LB731	Education
LB732	Revenue
LB733	Revenue
LB734	Banking, Commerce and Insurance
LB735	Judiciary
LB736	Judiciary
LB737	Revenue
LB738	Health and Human Services
LB739	Government, Military and Veterans Affairs
LB740	Transportation and Telecommunications
LB741	Transportation and Telecommunications
LB742	Health and Human Services
LB743	Natural Resources
LB744	Government, Military and Veterans Affairs
LB745	Government, Military and Veterans Affairs
LB746	Government, Military and Veterans Affairs
LB747	Government, Military and Veterans Affairs
LB748	Government, Military and Veterans Affairs
LB749	Health and Human Services
LB750	Government, Military and Veterans Affairs
LB751	Agriculture
LB752	Government, Military and Veterans Affairs
LB753	Health and Human Services
LB754	Revenue
LB755	Transportation and Telecommunications
LB756	Transportation and Telecommunications
LB757	Revenue
LB758	Revenue
LB759	Health and Human Services
LB760	General Affairs
LB761	Government, Military and Veterans Affairs
LB762	Revenue
LB763	Government, Military and Veterans Affairs
LB764	Judiciary
LB765	Health and Human Services
LB766	Judiciary
LB767	Government, Military and Veterans Affairs
LB768	Urban Affairs
LB769	Judiciary
LB770	Revenue
LB771	Transportation and Telecommunications
LB772	Judiciary
LB773	Judiciary

LB774 Judiciary  
 LB775 Judiciary  
 LB776 Government, Military and Veterans Affairs  
 LB777 Revenue  
 LB778 Revenue  
 LB779 Banking, Commerce and Insurance  
 LB780 Transportation and Telecommunications  
 LB781 Judiciary  
 LB782 Health and Human Services  
 LB783 Revenue  
 LB784 Revenue  
 LB785 Banking, Commerce and Insurance  
 LB786 Transportation and Telecommunications  
 LB787 Judiciary  
 LB788 Agriculture  
 LB789 Agriculture  
 LB790 Agriculture  
 LB791 Agriculture  
 LB792 Banking, Commerce and Insurance  
 LB793 Health and Human Services  
 LB794 Judiciary  
 LB795 Appropriations  
 LR220CA Revenue

Adams, Scot - Director within HHS - Nebraska Department of Health and Human Services - Health and Human Services  
 Albin, Ronald - Foster Care Review Board - Health and Human Services  
 Allan, Tamas - State Fair Board - Agriculture  
 Anderson, Clark - Coordinating Commission for Postsecondary Education - Education  
 Anderson, Douglas - Environmental Quality Council - Natural Resources  
 Anthony, Donald - Beginning Farmer Board - Agriculture  
 Baker, John - Environmental Quality Council - Natural Resources  
 Bauer, James - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
 Baumgartner, Shawn - Board of Emergency Medical Services - Health and Human Services  
 Berggren, Lynn - Nebraska Game and Parks Commission - Natural Resources  
 Bishop, Riko - Coordinating Commission for Postsecondary Education - Education  
 Black, Tawanna - Child Abuse Prevention Fund Board - Health and Human Services  
 Books, Ronald - State Highway Commission - Transportation and Telecommunications  
 Boswell, Kathy - Rural Health Advisory Commission - Health and Human Services  
 Brown, Larry - Foster Care Review Board - Health and Human Services

- Brown, Rebecca - Child Abuse Prevention Fund Board - Health and Human Services
- Buscher, Michael - Board of Emergency Medical Services - Health and Human Services
- Casmer, Esther - Nebraska Board of Parole - Judiciary
- Catalan, David - Nebraska Arts Council - General Affairs
- Chaumont, Vivianne - Director within HHS - Nebraska Department of Health and Human Services - Health and Human Services
- Dillon, Sid - Motor Vehicle Industry Licensing Board - Transportation and Telecommunications
- Dilly, Douglas A. - Nebraska Rural Health Advisory Commission - Health and Human Services
- Dokken, Steven - Nebraska Rural Health Advisory Commission - Health and Human Services
- Dudley, Phillip, Jr. - Nebraska Educational Telecommunications Commission - Education
- Dunn, Robert - Board of Emergency Medical Services - Health and Human Services
- Else, Tim - Nebraska Ethanol Board - Natural Resources
- Fagerland, Jerome - State Highway Commission - Transportation and Telecommunications
- Fattig, Martin L. - Nebraska Rural Health Advisory Commission - Health and Human Services
- Fiala, Ann - Board of Emergency Medical Services - Health and Human Services
- Figard, Roger - Board of Public Roads Classifications and Standards - Transportation and Telecommunications
- Forney, Kent - Nebraska Game and Parks Commission - Natural Resources
- Frohman, Ann - Director - Department of Insurance - Banking, Commerce and Insurance
- Graff, Mark - Beginning Farmer Board - Agriculture
- Hanson, Steve - Nebraska Ethanol Board - Natural Resources
- Hastings, Donna - Nebraska Arts Council - General Affairs
- Hayes, Mike - Climate Assessment Response Committee - Agriculture
- Hilgert, John - Director within HHS - Nebraska Department of Health and Human Services - Health and Human Services
- Hiller, John F. - State Electrical Board - General Affairs
- Hodges, Timothy - Coordinating Commission for Postsecondary Education - Education
- Hotz, Rob - Tax Equalization and Review Commission - Revenue
- Hoyt, Leigh - Environmental Quality Council - Natural Resources
- Jensen, S. Michael "Mick" - Nebraska Game and Parks Commission - Natural Resources
- Jensen, Sam - Commission of Industrial Relations - Business and Labor
- Jirak, James - Commission for the Blind and Visually Impaired - Health and Human Services
- Johnson, Julie - Commission for the Blind and Visually Impaired - Health and Human Services

- Kadavy, Timothy - Adjutant General - Military Department - Government, Military and Veterans Affairs
- Keim, Lon - Environmental Quality Council - Natural Resources
- Kinter, John - Environmental Quality Council - Natural Resources
- Klein, Gene - Foster Care Review Board - Health and Human Services
- Landis, Frank - Nebraska Railway Council - Transportation and Telecommunications
- Landry, Todd - Director within HHS - Nebraska Department of Health and Human Services - Health and Human Services
- Lauritzen, Mary - Coordinating Commission for Postsecondary Education - Education
- Lund, John F. - Board of Educational Lands and Funds - Education
- Madsen, Patricia - Child Abuse Prevention Fund Board - Health and Human Services
- Majerus, Wesley - Commission for the Blind and Visually Impaired - Health and Human Services
- Mark, Darrell - Beginning Farmer Board - Agriculture
- Markley, Sandra - Child Abuse Prevention Fund Board - Health and Human Services
- McDonald, Parrish - Child Abuse Prevention Fund Board - Health and Human Services
- Meter, Judy - Foster Care Review Board - Health and Human Services
- Michels, Dale - State Board of Health - Health and Human Services
- Nelson, Richard - Nebraska Accountability and Disclosure Commission - Government, Military and Veterans Affairs
- Newman, Murray - Nebraska Arts Council - General Affairs
- Osborn, Gregory - State Personnel Board - Government, Military and Veterans Affairs
- Peters, Randy - Board of Public Roads Classifications and Standards - Transportation and Telecommunications
- Peterson, Christine - Chief Executive Officer - Nebraska Department of Health and Human Services - Health and Human Services
- Pierce, Richard - Board of Public Roads Classifications and Standards - Transportation and Telecommunications
- Ramirez, Alfredo - Foster Care Review Board - Health and Human Services
- Rasmussen, Gary - Nebraska Railway Council - Transportation and Telecommunications
- Rebensdorf, John - Nebraska Railway Council - Transportation and Telecommunications
- Reed, Todd - Beginning Farmer Board - Agriculture
- Reiser, Richard - State Highway Commission - Transportation and Telecommunications
- Riffel, Norm - Nebraska Investment Council - Nebraska Retirement Systems
- Rolfmeier, Douglas - Motor Vehicle Industry Licensing Board - Transportation and Telecommunications
- Ruby, Richard - Board of Public Roads Classifications and Standards - Transportation and Telecommunications

Salmon, Nancy J. - Tax Equalization and Review Commission - Revenue  
 Schaefer, Joann - Chief Medical Officer - Nebraska Department of Health  
 and Human Services - Health and Human Services  
 Smith, Nana - Nebraska Arts Council - General Affairs  
 Sorensen, Ruth A. - Property Tax Administrator - Property Assessment and  
 Taxation - Revenue  
 Stone, Fred - Motor Vehicle Industry Licensing Board - Transportation and  
 Telecommunications  
 Stuhr, Elaine - Public Employees Retirement Board - Nebraska Retirement  
 Systems  
 Suarez, Michelle - Board of Trustees of the Nebraska State Colleges -  
 Education  
 Sykes, Leon - Board of Emergency Medical Services - Health and Human  
 Services  
 Tagge, Darold - Board of Public Roads Classifications and Standards -  
 Transportation and Telecommunications  
 Thieman, Henry - Board of Public Roads Classifications and Standards -  
 Transportation and Telecommunications  
 Thomas, Patrick J. - Nebraska Liquor Control Commission - General Affairs  
 Turnbull, John - Environmental Quality Council - Natural Resources  
 Uhing, Richard - Coordinating Commission for Postsecondary Education -  
 Education  
 Valasek, Melvin - Beginning Farmer Board - Agriculture  
 Vandegrift, Sharon - Nebraska Rural Health Advisory Commission - Health  
 and Human Services  
 Vierk, Richard - Nebraska Arts Council - General Affairs  
 Wickersham, William R. - Tax Equalization and Review Commission -  
 Revenue  
 Williams, Donald - Environmental Quality Council - Natural Resources  
 Wootton, Edward - Board of Public Roads Classifications and Standards -  
 Transportation and Telecommunications  
 Wyvill, John C. - Director within HHS - Nebraska Department of Health  
 and Human Services - Health and Human Services  
 Zeiger, Ronald - Environmental Quality Council - Natural Resources  
 Zink, Carol - Coordinating Commission for Postsecondary Education -  
 Education

(Signed) L. Patrick Engel, Chairperson  
 Legislative Council, Executive Board

### ANNOUNCEMENT

Senator Burling designates LB269 as his priority bill.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 851.** Introduced by Banking, Commerce and Insurance Committee: Pahls, 31, Chairperson; Carlson, 38; Christensen, 44; Gay, 14; Hansen, 42; Langemeier, 23; Pankonin, 2; Pirsch, 4.

A BILL FOR AN ACT relating to banking and finance; to amend section 8-224, Reissue Revised Statutes of Nebraska, sections 8-115.01, 8-116, 8-120, 8-122, and 8-223, Revised Statutes Cumulative Supplement, 2006, and sections 8-1,140, 8-355, and 21-17,115, Revised Statutes Supplement, 2007; to change provisions relating to bank charters, undivided profits, and trust companies and trust departments; to revise powers of state-chartered banks, building and loan associations, and credit unions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 852.** Introduced by Banking, Commerce and Insurance Committee: Pahls, 31, Chairperson; Carlson, 38; Christensen, 44; Gay, 14; Hansen, 42; Langemeier, 23; Pankonin, 2; Pirsch, 4.

A BILL FOR AN ACT relating to financial services; to amend sections 45-703, 45-704, 45-907, 45-922, and 45-1006, Revised Statutes Cumulative Supplement, 2006, and sections 45-702 and 45-722, Revised Statutes Supplement, 2007; to change provisions relating to the Mortgage Bankers Registration and Licensing Act, the Delayed Deposit Services Licensing Act, and the Nebraska Installment Loan Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 853.** Introduced by Banking, Commerce and Insurance Committee: Pahls, 31, Chairperson; Carlson, 38; Christensen, 44; Gay, 14; Hansen, 42; Langemeier, 23; Pankonin, 2; Pirsch, 4.

A BILL FOR AN ACT relating to insurance; to amend sections 44-349, 44-356, 44-789, 44-1101, 44-1103, 44-1105, 44-1106, 44-1107, 44-1108, 44-1109, 44-1110, 44-1111, 44-1112, 44-1113, 44-1114, 44-1115, 44-1521, 44-32,106, 44-3901, 44-3902, 44-3904, 44-3909, 44-3910, 44-3911, 44-4064, 44-6009, and 44-6016, Reissue Revised Statutes of Nebraska, sections 13-206 and 44-7508.02, Revised Statutes Cumulative Supplement, 2006, and sections 44-1102, 44-1104, and 44-4521, Revised Statutes Supplement, 2007; to change provisions relating to rules and regulations, certain insurance policy requirements, insurance coverage for bone and joint treatment, the Viatical Settlements Act, the Unfair Insurance Trade Practices Act, holding companies, health maintenance organizations, the Insurance Producers Licensing Act, long-term care insurance, the Insurers and Health Organizations Risk-Based Capital Act, rates and forms, and financial conglomerates; to provide powers and duties for the Director of Insurance; to define and redefine terms; to harmonize provisions; to provide an

operative date; and to repeal the original sections.

**LEGISLATIVE BILL 854.** Introduced by Banking, Commerce and Insurance Committee: Pahls, 31, Chairperson; Carlson, 38; Christensen, 44; Gay, 14; Hansen, 42; Langemeier, 23; Pankonin, 2; Pirsch, 4.

A BILL FOR AN ACT relating to insurance; to amend sections 44-6603 and 44-6604, Reissue Revised Statutes of Nebraska, and section 28-631, Revised Statutes Cumulative Supplement, 2006; to adopt the Discount Medical Plan Organization Act; to change provisions relating to fraudulent insurance acts; to provide penalties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 855.** Introduced by Banking, Commerce and Insurance Committee: Pahls, 31, Chairperson; Carlson, 38; Christensen, 44; Gay, 14; Hansen, 42; Langemeier, 23; Pankonin, 2; Pirsch, 4.

A BILL FOR AN ACT relating to insurance; to amend sections 44-1601, 44-1603, 44-1604, 44-1605, 44-1606.01, 44-1607, 44-1607.01, 44-1613, and 44-1614, Reissue Revised Statutes of Nebraska, and section 44-1602, Revised Statutes Cumulative Supplement, 2006; to change and eliminate provisions relating to group life insurance; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 856.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to elections; to amend section 32-564, Revised Statutes Cumulative Supplement, 2006; to provide for a special election for congressional representatives as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 857.** Introduced by Lautenbaugh, 18.

A BILL FOR AN ACT relating to elections; to amend section 32-712, Reissue Revised Statutes of Nebraska; to change provisions relating to certification of candidates for President and Vice President; and to repeal the original section.

**LEGISLATIVE BILL 858.** Introduced by Engel, 17.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-1301 and 32-1302, Reissue Revised Statutes of Nebraska; to change provisions relating to the applicability of the recall process; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 859.** Introduced by Pankonin, 2; Adams, 24; Aguilar, 35; Burling, 33; Carlson, 38; Christensen, 44; Engel, 17; Gay, 14; Janssen, 15; Johnson, 37; Karpisek, 32; Kruse, 13; Lautenbaugh, 18; Loudon, 49; McDonald, 41; Nelson, 6; Pedersen, 39; Wallman, 30;

Wightman, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Economic Development.

**LEGISLATIVE BILL 860.** Introduced by Burling, 33; Dierks, 40.

A BILL FOR AN ACT relating to grain; to amend sections 75-903.02 and 88-528.01, Revised Statutes Cumulative Supplement, 2006; to remove the requirement for fingerprinting for licensees under the Grain Dealer Act and the Grain Warehouse Act; and to repeal the original sections.

**LEGISLATIVE BILL 861.** Introduced by Agriculture Committee: Erdman, 47, Chairperson; Chambers, 11; Dubas, 34; Karpisek, 32; McDonald, 41; Preister, 5.

A BILL FOR AN ACT relating to agriculture; to amend section 2-101, Revised Statutes Cumulative Supplement, 2006; to change state fair provisions; and to repeal the original section.

**LEGISLATIVE BILL 862.** Introduced by Agriculture Committee: Erdman, 47, Chairperson; Chambers, 11; Dierks, 40; Dubas, 34; Karpisek, 32; McDonald, 41; Preister, 5; Wallman, 30.

A BILL FOR AN ACT relating to agriculture; to amend section 54-857, Reissue Revised Statutes of Nebraska, and sections 2-958, 2-958.01, and 81-201.05, Revised Statutes Cumulative Supplement, 2006; to change funding provisions relating to noxious weeds; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 863.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.02, Revised Statutes Supplement, 2007; to change income tax calculations; and to repeal the original section.

**LEGISLATIVE BILL 864.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend section 77-5016, Revised Statutes Supplement, 2007; to change the standard of review for appeals; and to repeal the original section.

### **MOTION - Adopt Permanent Rules**

Senator Hudkins moved to adopt the permanent rules for the One Hundredth Legislature, Second Session.

The Rules Committee renewed their proposed rules changes, found on pages

123 and 124, to Rule 3, Sec. 5(c)(iii), Rule 3, Sec. 15(b), and Rule 5, Sec. 5(c).

### **SPEAKER FLOOD PRESIDING**

The Rules Committee's proposed rules changes were adopted with 37 ayes, 0 nays, 4 present and not voting, and 8 excused and not voting.

The Rules Committee renewed their proposed rules change, found on page 124, to Rule 3, Sec. 5(b).

The Rules Committee's proposed rules change was adopted with 34 ayes, 0 nays, 6 present and not voting, and 9 excused and not voting.

The Rules Committee renewed their proposed rules change, found on page 124, to Rule 4, Sec. 3.

The Rules Committee's proposed rules change was adopted with 34 ayes, 0 nays, 6 present and not voting, and 9 excused and not voting.

Senator Hudkins renewed her motion, found in this day's Journal, to adopt the permanent rules for the One Hundredth Legislature, Second Session, as amended.

Senator Chambers requested a record vote on the motion to adopt the permanent rules, as amended.

Voting in the affirmative, 35:

Aguilar	Flood	Hudkins	Louden	Pirsch
Ashford	Friend	Johnson	McDonald	Raikes
Avery	Fulton	Karpisek	McGill	Rogert
Carlson	Gay	Kopplin	Nelson	Schimek
Engel	Hansen	Kruse	Pahls	Synowiecki
Erdman	Heidemann	Lathrop	Pankonin	Wallman
Fischer	Howard	Lautenbaugh	Pedersen	Wightman

Voting in the negative, 1:

Chambers

Present and not voting, 5:

Adams	Burling	Dubas	Nantkes	Stuthman
-------	---------	-------	---------	----------

Excused and not voting, 8:

Christensen	Dierks	Janssen	Preister
Cornett	Harms	Langemeier	White

The Hudkins motion to adopt permanent rules, as amended, prevailed with 35 ayes, 1 nay, 5 present and not voting, and 8 excused and not voting.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 865.** Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to raptors; to amend section 37-513, Revised Statutes Supplement, 2007; to allow trapping of raptors within the county road right-of-way; and to repeal the original section.

**LEGISLATIVE BILL 866.** Introduced by McDonald, 41; Hudkins, 21.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Chronic Disease Drug Repository Program Act; and to declare an emergency.

**LEGISLATIVE BILL 867.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to abandoned motor vehicles; to amend section 60-1901, Revised Statutes Cumulative Supplement, 2006; to redefine abandoned vehicle; and to repeal the original section.

**LEGISLATIVE BILL 868.** Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 45-101.04, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 2007; to prohibit delayed deposit services; to define terms; to provide a penalty; to eliminate the Delayed Deposit Services Licensing Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 45-902, 45-903, 45-904, 45-905, 45-908, 45-909, 45-913, 45-914, 45-918, 45-921, 45-923, 45-924, 45-926, 45-928, and 45-929, Reissue Revised Statutes of Nebraska, sections 45-901, 45-906, 45-907, 45-910, 45-911, 45-912, 45-915, 45-915.01, 45-916, 45-917, 45-919, 45-922, and 45-925, Revised Statutes Cumulative Supplement, 2006, and sections 45-920 and 45-927, Revised Statutes Supplement, 2007.

**LEGISLATIVE BILL 869.** Introduced by Nantkes, 46; Rogert, 16; White, 8.

A BILL FOR AN ACT relating to state government; to amend sections 73-501, 73-502, 73-504, and 73-506, Reissue Revised Statutes of Nebraska; to require disclosures relating to contracts for services; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 870.** Introduced by Avery, 28; at the request of the Governor.

A BILL FOR AN ACT relating to lobbying; to amend section 49-1492, Reissue Revised Statutes of Nebraska; to prohibit certain former officeholders from being lobbyists as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 871.** Introduced by Avery, 28.

A BILL FOR AN ACT relating to the Commission on Mexican-Americans; to amend sections 81-8,262, 81-8,265, and 81-8,270, Reissue Revised Statutes of Nebraska, and section 81-8,271.01, Revised Statutes Cumulative Supplement, 2006; to rename the commission and a fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 872.** Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to motor vehicle homicide; to amend sections 28-306 and 28-394, Revised Statutes Cumulative Supplement, 2006; to change penalty provisions; and to repeal the original sections.

**LEGISLATIVE BILL 873.** Introduced by Kopplin, 3; Gay, 14; Pedersen, 39.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001, 79-1003, and 79-1007.02, Revised Statutes Supplement, 2007; to provide for a student growth adjustment and student growth correction; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 874.** Introduced by Adams, 24.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,288 and 60-6,289, Reissue Revised Statutes of Nebraska, and sections 60-6,290 and 60-6,294, Revised Statutes Cumulative Supplement, 2006; to allow certain self-propelled specialized mobile equipment to be transported on highways; and to repeal the original sections.

**LEGISLATIVE BILL 875.** Introduced by Fulton, 29; Erdman, 47.

A BILL FOR AN ACT relating to agriculture; to amend sections 77-5203, 77-5209, and 77-5215, Revised Statutes Cumulative Supplement, 2006; to change provisions of the Beginning Farmer Tax Credit Act; and to repeal the original sections.

**LEGISLATIVE BILL 876.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to amend section 44-6408, Reissue Revised Statutes of Nebraska, and section 60-310, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to motor vehicle liability policies; and to repeal the original sections.

**LEGISLATIVE BILL 877.** Introduced by Wightman, 36; Carlson, 38; Hansen, 42; Nantkes, 46; Synowiecki, 7; Wallman, 30.

A BILL FOR AN ACT relating to public assistance; to amend sections 43-512 and 68-1721, Revised Statutes Supplement, 2007; to change provisions relating to education; to harmonize provisions; and to repeal the original sections.

### **SENATOR STUTHMAN PRESIDING**

**LEGISLATIVE BILL 878.** Introduced by Engel, 17; Adams, 24; Aguilar, 35; Ashford, 20; Friend, 10; Gay, 14; Kruse, 13; Lathrop, 12; Nantkes, 46; Pahls, 31; Pankonin, 2; Pedersen, 39; Raikes, 25; Rogert, 16; Synowiecki, 7; Wightman, 36.

A BILL FOR AN ACT relating to the Election Act; to amend sections 32-1301, 32-1302, 32-1303, 32-1304, 32-1306, and 32-1308, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to recall; to require notification as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 879.** Introduced by Kopplin, 3; Gay, 14; Pedersen, 39.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001 and 79-1007.02, Revised Statutes Supplement, 2007; to provide for a construction, expansion, or alteration adjustment; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 880.** Introduced by Kopplin, 3; Gay, 14.

A BILL FOR AN ACT relating to natural resources districts; to provide for issuance of watershed enhancement bonds as prescribed; to provide powers and duties; and to provide a duty for the Revisor of Statutes.

**LEGISLATIVE BILL 881.** Introduced by Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 39-2215, Revised Statutes Cumulative Supplement, 2006; to impose an excise tax on ethanol and provide for its use; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 882.** Introduced by Johnson, 37.

A BILL FOR AN ACT relating to mental health; to amend section 83-380.01, Reissue Revised Statutes of Nebraska; to change provisions relating to prescription medication for indigent persons; and to repeal the original section.

**LEGISLATIVE BILL 883.** Introduced by Johnson, 37.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-1910, Revised Statutes Supplement, 2007; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 884.** Introduced by Gay, 14.

A BILL FOR AN ACT relating to state government; to amend section 84-1611, Reissue Revised Statutes of Nebraska, and section 84-1602, Revised Statutes Cumulative Supplement, 2006; to change powers of the Director of Personnel; to change a provision relating to the state contribution for employee health benefits; and to repeal the original sections.

**LEGISLATIVE BILL 885.** Introduced by Johnson, 37.

A BILL FOR AN ACT relating to pharmacy; to amend sections 38-2840 and 71-1,142, Revised Statutes Supplement, 2007; to redefine prescription; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 71-1,142, Revised Statutes Supplement, 2007, as amended by section 2 of this legislative bill.

**LEGISLATIVE BILL 886.** Introduced by Gay, 14; Kopplin, 3.

A BILL FOR AN ACT relating to schools; to amend section 79-611, Revised Statutes Supplement, 2007; to change provisions relating to student transportations; and to repeal the original section.

**LEGISLATIVE BILL 887.** Introduced by Burling, 33; Gay, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2734.02, Reissue Revised Statutes of Nebraska; to change the corporate tax rate; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 888.** Introduced by Burling, 33; Gay, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2734.02, Reissue Revised Statutes of Nebraska; to change corporate income tax calculations; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 889.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 79-2001, 79-2002, 79-2003, 79-2004, 79-2005, 79-2006, 79-2007, 79-2008, 79-2009, 79-2010, 79-2011, 79-2012, 79-2013, and 79-2015, Reissue Revised Statutes of Nebraska; to transfer and rename the Nebraska Schools Construction Alternatives Act; to provide construction alternatives for political subdivisions; to eliminate limitations on contracts; to repeal the original sections; and to outright repeal section 79-2014, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 890.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.11, Reissue Revised Statutes of Nebraska, and sections 77-2701 and 77-2701.04, Revised Statutes Supplement, 2007; to exempt postage charges and certain magazine or journal subscriptions from sales and use taxes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 891.** Introduced by Gay, 14; White, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2007; to provide an income tax credit for certain health-related expenditures; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 892.** Introduced by Pedersen, 39.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 60-1301, 71-1557, 71-1558, 71-1559, 71-1563, 71-1564, 71-1567, 71-4603, and 71-4604, Reissue Revised Statutes of Nebraska, and sections 71-4604.01 and 71-4608, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to the Nebraska Uniform Standards for Modular Housing Units Act and the Uniform Standard Code for Manufactured Homes and Recreational Vehicles; to provide for administrative fines; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 893.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to real estate; to amend sections 77-1834, 77-1914, and 77-1917, Reissue Revised Statutes of Nebraska; to change provisions relating to tax deeds and foreclosures; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 894.** Introduced by Gay, 14; Engel, 17; Fulton, 29; Nelson, 6; Pahls, 31; Pankonin, 2; Pirsch, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section

77-2716, Revised Statutes Supplement, 2007; to increase deductions allowed for contributions and investment earnings made under the Long-Term Care Savings Plan Act as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 895.** Introduced by Janssen, 15; Adams, 24; Burling, 33; Dierks, 40; Gay, 14; Langemeier, 23; Preister, 5; White, 8; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-5701, 77-5703, 77-5708, 77-5712, 77-5714, 77-5723, 77-5726, 77-5727, and 77-5731, Revised Statutes Cumulative Supplement, 2006, and sections 77-5715 and 77-5725, Revised Statutes Supplement, 2007; to change provisions of certain tax incentive laws; to define and redefine terms; to change fees; to provide for applicability; to harmonize provisions; to provide for applicability; and to repeal the original sections.

**LEGISLATIVE BILL 896.** Introduced by Janssen, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 49-801.01, Revised Statutes Supplement, 2007; to update references to the Internal Revenue Code of 1986; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 897.** Introduced by Janssen, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1502.01, Reissue Revised Statutes of Nebraska, sections 77-123, 77-1301, 77-1303, 77-1315, 77-1315.01, 77-1317, 77-1318, 77-1502, 77-1507, 77-1510, 77-1613.04, 77-3506.02, 77-5019, 77-5024.01, 77-5027, and 77-5029, Revised Statutes Cumulative Supplement, 2006, and sections 77-1311.03, 77-1345, 77-1504, 77-1514, and 77-5028, Revised Statutes Supplement, 2007; to change and eliminate provisions relating to property tax assessment and equalization; to create the State Property Taxpayer Referee Division of the Department of Revenue; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 77-1504.01, Revised Statutes Cumulative Supplement, 2006.

**LEGISLATIVE BILL 898.** Introduced by Janssen, 15.

A BILL FOR AN ACT relating to the Unfair Cigarette Sales Act; to amend sections 59-1502 and 59-1505, Reissue Revised Statutes of Nebraska; to redefine a term; to change the presumed cost of doing business; and to repeal the original sections.

**LEGISLATIVE BILL 899.** Introduced by Kruse, 13.

A BILL FOR AN ACT relating to the Land Reutilization Act; to amend sections 77-3201, 77-3203, 77-3205, 77-3206, 77-3207, 77-3210, 77-3211,

and 77-3212, Reissue Revised Statutes of Nebraska, and section 77-3204, Revised Statutes Cumulative Supplement, 2006; to authorize the creation of an authority by a city of the metropolitan class; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 900.** Introduced by Flood, 19; Chambers, 11; Friend, 10; Langemeier, 23; Rogert, 16; White, 8.

A BILL FOR AN ACT relating to insurance; to prohibit the use of credit information and discriminatory practices as prescribed; to define terms; to eliminate the Model Act Regarding Use of Credit Information in Personal Insurance; to provide an operative date; and to outright repeal sections 44-7701, 44-7702, 44-7703, 44-7704, 44-7705, 44-7706, 44-7707, 44-7708, 44-7709, 44-7710, 44-7711, and 44-7712, Reissue Revised Statutes of Nebraska.

**NOTICE OF COMMITTEE HEARING**  
Nebraska Retirement Systems

Room 1525

Friday, January 18, 2008 8:30 a.m.

Elaine Stuhr - Public Employees Retirement Board

(Signed) John Synowiecki, Chairperson

**RESOLUTION**

**LEGISLATIVE RESOLUTION 223.** Introduced by Avery, 28; Dierks, 40.

WHEREAS, the United States Congress enacted the Native American \$1 Coin Act to require the United States Secretary of the Treasury to mint and issue coins in commemoration of Native Americans and the important contributions made by Indian tribes and individual Native Americans to the development of the United States and the history of the United States; and

WHEREAS, the Native American \$1 Coin Act provides for the redesign and issuance of circulating \$1 coins to accomplish this purpose; and

WHEREAS, the \$1 coins are to have as the design on the obverse the "Sacagawea" design and on the reverse various images celebrating the important contributions made by Native Americans to the development of the United States and the history of the United States; and

WHEREAS, the designs selected for the reverse of the coins may depict individuals and events and shall be chosen by the Secretary of the Treasury after consultation with the Committee on Indian Affairs of the Senate, the Congressional Native American Caucus of the House of Representatives, the Commission of Fine Arts, and the National Congress of American Indians; and

WHEREAS, the case of Standing Bear vs. Crook was an important development in the history of Indian-white relations and was a catalyst for far-reaching changes in federal policy affecting thousands of Native Americans throughout the United States; and

WHEREAS, Standing Bear vs. Crook stands for the propositions "that an Indian is a person within the meaning of the laws of the United States, and has therefore the right to sue out a writ of habeas corpus in a federal court and before a federal judge, in all cases where he may be confined, or in custody under color of authority of the United States, or where he is restrained of liberty in violation of the constitution or laws of the United States," and "that the Indians possess the inherent right of expatriation as well as the more fortunate white race, and have the inalienable right to "life, liberty and the pursuit of happiness," so long as they obey the laws and do not trespass on forbidden ground."

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

1. That the Legislature urges the Secretary of the Treasury to select Standing Bear as one of the designs for the reverse of the Native American \$1 coin to commemorate Standing Bear's important contribution.

2. That a copy of this resolution be sent to the United States Secretary of the Treasury, the Director of the United States Mint, and the members of the Nebraska congressional delegation.

### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR223 was referred to the Reference Committee.

### **RESOLUTION**

**LEGISLATIVE RESOLUTION 224.** Introduced by Fulton, 29.

WHEREAS, the State of Nebraska holds an interest in preventing illegal immigration and securing the 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, state, and local law enforcement resources; and

WHEREAS, section 287(g) of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 authorizes the Secretary of Homeland Security to enter into agreements with municipal, county, and state law enforcement agencies granting designated officers of those agencies the authority to perform immigration law enforcement functions, pursuant to a Memorandum of Agreement; and

WHEREAS, the Memorandum of Agreement allows municipal, county, and state law enforcement officers to receive appropriate training in immigration law enforcement from United States Immigration and Customs Enforcement officers; and

WHEREAS, the Memoranda of Agreement between the secretary and municipal, county, and state law enforcement agencies have improved immigration law enforcement in several other states.

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

1. That the Legislature encourages all municipal, county, and state law enforcement agencies in Nebraska to enter into Memoranda of Agreement, as authorized by section 287(g) of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996, with the Secretary of Homeland Security to perform immigration law enforcement functions.

2. That a copy of this resolution be delivered to all municipal, county, and state law enforcement agencies in the State of Nebraska.

### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR224 was referred to the Reference Committee.

### **RESOLUTION**

**LEGISLATIVE RESOLUTION 225CA.** Introduced by Karpisek, 32.

THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, SECOND 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 I, section 22:

I-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) Elections shall be conducted by marking paper ballots which shall all be officially tabulated at domicile election precincts with a manual count by a multipartisan counting board.

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 require all elections to be conducted with paper ballots manually counted at the precinct by a multipartisan counting board.

For

Against.

Referred to the Reference Committee.

**MOTION - Print in Journal**

Senator Fulton filed the following motion to LB740:

MO104

Withdraw.

**AMENDMENTS - Print in Journal**

Senator Johnson filed the following amendment to LB395:

AM1530

(Amendments to Final Reading copy)

- 1 1. Strike sections 16, 17, and 22.
- 2 2. On page 3, line 1, strike "21" and insert "19"; and in
- 3 line 8 after "law" insert ", ordinance, or resolution".
- 4 3. On page 5, strike beginning with the second "retail"
- 5 in line 6 through line 8 and insert "store that sells only tobacco
- 6 and products directly related to tobacco. Products directly related
- 7 to tobacco do not include alcohol, coffee, soft drinks, candy,
- 8 groceries, or gasoline."; and strike beginning with "sections" in
- 9 line 9 through "17" in line 10 and insert "section 15".
- 10 4. On page 8, strike beginning with "or" in line 12
- 11 through "department" in line 13.
- 12 5. On page 1, line 3, strike beginning with the first
- 13 "to" through the second semicolon.
- 14 6. Strike beginning with page 1, line 8, through page
- 15 2, line 2, and page 10, lines 3 through 8 and insert "and
- 16 sections 71-5707, 71-5710, 71-5711, and 71-5713, Revised Statutes
- 17 Supplement, 2007."

Senator Johnson filed the following amendment to LB480:

AM1534

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 71-7605, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 71-7605 Sections 71-7605 to ~~71-7614~~ 71-7611 shall be
- 6 known and may be cited as the Nebraska Health Care Funding Act.
- 7 Sec. 2. Section 71-7611, Revised Statutes Supplement,
- 8 2007, is amended to read:
- 9 71-7611 (1) The Nebraska Health Care Cash Fund is
- 10 created. The State Treasurer shall transfer fifty-five million
- 11 dollars annually no later than July 15 from the Nebraska Medicaid
- 12 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement
- 13 Trust Fund to the Nebraska Health Care Cash Fund, except that
- 14 such amount shall be reduced by the amount of the unobligated
- 15 balance in the Nebraska Health Care Cash Fund at the time the
- 16 transfer is made. The state investment officer upon consultation
- 17 with the Nebraska Investment Council shall advise the State
- 18 Treasurer on the amounts to be transferred from the Nebraska

19 Medicaid Intergovernmental Trust Fund and from the Nebraska Tobacco  
20 Settlement Trust Fund under this section in order to sustain such  
21 transfers in perpetuity. The state investment officer shall report  
22 to the Legislature on or before October 1 of every even-numbered  
23 year on the sustainability of such transfers. Except as otherwise  
1 provided by law, no more than fifty-five million dollars may be  
2 appropriated or transferred from the Nebraska Health Care Cash Fund  
3 in any fiscal year.

4 (2) Any money in the Nebraska Health Care Cash Fund  
5 available for investment shall be invested by the state investment  
6 officer pursuant to the Nebraska Capital Expansion Act and the  
7 Nebraska State Funds Investment Act.

8 (3) One million dollars in the Nebraska Health Care Cash  
9 Fund is designated each year for the Autism Treatment Program  
10 Act for five fiscal years beginning in fiscal year 2007-08 and  
11 shall be distributed in each fiscal year as follows: (a) First,  
12 to the Department of Health and Human Services for costs related  
13 to application and implementation of the waiver; (b) second, to  
14 the department for other medical costs for children who would  
15 not otherwise qualify for medicaid except for the waiver; and (c)  
16 third, the balance to the Autism Treatment Program Cash Fund. The  
17 State Treasurer shall transfer the balance of the funding to the  
18 Autism Treatment Program Cash Fund based on the estimated costs  
19 of administrative and other medical costs as determined by the  
20 Legislature through the appropriation process. The transfers to  
21 the Autism Treatment Program Cash Fund in any fiscal year shall  
22 be contingent upon the receipt of private matching funds under  
23 the Autism Treatment Program Act, with no less than one dollar of  
24 private funds received for every two dollars transferred from the  
25 Nebraska Health Care Cash Fund to the Autism Treatment Program Cash  
26 Fund.

27 (4) The University of Nebraska and postsecondary  
1 educational institutions having colleges of medicine in Nebraska  
2 and their affiliated research hospitals in Nebraska, as a condition  
3 of receiving any funds appropriated or transferred from the  
4 Nebraska Health Care Cash Fund, shall not discriminate against any  
5 person on the basis of sexual orientation.

6 Sec. 3. This act becomes operative on July 15, 2008.

7 Sec. 4. Original section 71-7605, Reissue Revised  
8 Statutes of Nebraska, and section 71-7611, Revised Statutes  
9 Supplement, 2007, are repealed.

10 Sec. 5. The following sections are outright repealed:  
11 Sections 71-7601, 71-7602, 71-7604, 71-7609, and 71-7614, Reissue  
12 Revised Statutes of Nebraska, section 71-7610, Revised Statutes  
13 Cumulative Supplement, 2006, and section 71-7603, Revised Statutes  
14 Supplement, 2007.

15 Sec. 6. Since an emergency exists, this act takes effect  
16 when passed and approved according to law.

Senator Stuthman filed the following amendment to LB157:  
AM1539

(Amendments to Standing Committee amendments, AM250)

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

3 Section 1. (1) If a mother seeking safe-haven care  
4 voluntarily delivers a child seventy-two hours old or younger to  
5 a hospital staff member who engages in the admission, care, or  
6 treatment of patients, when such hospital staff member is at a  
7 hospital, the hospital staff member shall, without a court order,  
8 take temporary physical custody of the child.

9 (2) If a hospital staff member takes temporary physical  
10 custody of a child pursuant to this section, the hospital staff  
11 member shall:

12 (a) Perform any act necessary, in accordance with  
13 generally accepted standards of professional practice, to protect,  
14 preserve, or aid the physical health or safety of the child during  
15 the temporary physical custody;

16 (b) Notify the Department of Health and Human Services  
17 within four hours; and

18 (c) Place such child with an agency as defined in section  
19 43-121.

20 (3) A hospital shall incur no civil or criminal liability  
21 for any good faith acts or omissions performed by a hospital staff  
22 member pursuant to this section.

1 (4) For purposes of this section, generally accepted  
2 standards of professional practice means medical treatment or care  
3 of the type, quality, and amount that a hospital staff person would  
4 be expected to provide according to the professional standards of  
5 care for hospital staff with regard to the medical treatment and  
6 care of infants.

7 Sec. 2. Upon receipt of notice pursuant to section 1 of  
8 this act, the Department of Health and Human Services shall contact  
9 the Nebraska State Patrol to determine if the child is a missing  
10 person as defined in section 43-2003.

11 Sec. 3. (1) The Department of Health and Human Services  
12 shall maintain and update on a monthly basis a report of the number  
13 of children who have been left with safe-haven providers pursuant  
14 to this section and the number of children abandoned by other  
15 means.

16 (2) Beginning January 1, 2009, the department shall  
17 submit an annual report to the Legislature that compiles the  
18 monthly reports required pursuant to subsection (1) of this  
19 section.

20 Sec. 4. The Department of Health and Human Services shall  
21 develop and implement a public information program to inform the  
22 general public of the provisions of sections 1 to 3 of this  
23 act. The department shall also work in conjunction with other  
24 departments and agencies of the state and the Nebraska Hospital

25 Association or its successor entity in development of the program.  
26 The program may include, but need not be limited to, educational  
27 and informational materials in print, audio, video, electronic,  
1 and other media, public service announcements and advertisements,  
2 and the establishment of a toll-free hotline. The department shall  
3 develop a method that would allow the parent of any newborn  
4 infant placed under such sections to provide information about the  
5 medical history of the infant, including family medical history,  
6 anonymously.

7 Sec. 5. The Department of Health and Human Services  
8 shall explore the possibility of expending funds received from  
9 the United States Department of Health and Human Services pursuant  
10 to the Promoting Safe and Stable Families Program in order to  
11 implement the public information program required by section 4 of  
12 this act and to alleviate the burden such program may have on the  
13 department's appropriation from the state. When implementing its  
14 public information program, the department shall prioritize those  
15 areas of the state that have been identified as having the highest  
16 teen pregnancy rates.

17 Sec. 6. Section 28-705, Revised Statutes Cumulative  
18 Supplement, 2006, is amended to read:

19 28-705 (1) Any person who abandons and neglects or  
20 refuses to maintain or provide for his or her spouse or his or  
21 her child or dependent stepchild, whether such child is born in or  
22 out of wedlock, commits abandonment of spouse, child, or dependent  
23 stepchild.

24 (2) It is not a violation of this section for a mother  
25 to leave a child who is seventy-two hours old or younger with  
26 a hospital staff member pursuant to section 1 of this act if  
27 the mother provides the hospital staff member with proof of her  
1 identity.

2 (2)-(3) For the purposes of this section, child shall  
3 mean an individual under the age of sixteen years.

4 (3)-(4) When any person abandons and neglects to provide  
5 for his or her spouse or his or her child or dependent stepchild  
6 for three consecutive months or more, it shall be prima facie  
7 evidence of intent to violate the provisions of subsection (1) of  
8 this section.

9 (4)-(5) A designation of assets for or use of income by  
10 an individual in accordance with section 68-922 shall be considered  
11 just cause for failure to use such assets or income to provide  
12 medical support of such individual's spouse.

13 (5)-(6) Abandonment of spouse, child, or dependent  
14 stepchild is a Class I misdemeanor.

15 Sec. 7. Original section 28-705, Revised Statutes  
16 Cumulative Supplement, 2006, is repealed.

Senator Friend filed the following amendment to LR5CA:  
AM1536

1 1. On page 1, line 3, strike "2008" and insert "2010".

### **UNANIMOUS CONSENT - Add Cointroducers**

Senator Rogert asked unanimous consent to add his name as cointroducer to LB501. No objections. So ordered.

Senators Johnson and McDonald asked unanimous consent to add their names as cointroducers to LB718. No objections. So ordered.

Senator Pankonin asked unanimous consent to add his name as cointroducer to LB738. No objections. So ordered.

Senator Stuthman asked unanimous consent to add his name as cointroducer to LB765. No objections. So ordered.

### **VISITORS**

Visitors to the Chamber were Susan and Emily Kotas from Hastings.

The Doctor of the Day was Dr. Rob Rhodes from Lincoln.

### **ADJOURNMENT**

At 10:12 a.m., on a motion by Senator Kopplin, the Legislature adjourned until 10:00 a.m., Monday, January 14, 2008.

Patrick J. O'Donnell  
Clerk of the Legislature