

SEVENTEENTH DAY - JANUARY 31, 2003**LEGISLATIVE JOURNAL****NINETY-EIGHTH LEGISLATURE
FIRST SESSION****SEVENTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, January 31, 2003

PRAYER

The prayer was offered by Pastor Tom Peyton, Evangelical Free Church, Ord, Nebraska.

ROLL CALL

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

The roll was called and all members were present except Senators McDonald and Mossey who were excused; and Senators Brown, Byars, Landis, Maxwell, Dw. Pedersen, Quandahl, and Synowiecki who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

MESSAGE FROM THE GOVERNOR

January 30, 2003

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

Dear Mr. O'Donnell:

Engrossed Legislative Bill 67e was received in my office on January 30, 2003.

This bill was signed by me on January 30, 2003, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 122. Placed on Select File as amended.

E & R amendment to LB 122:

AM7010

- 1 1. On page 1, line 4, strike "sections" and insert
- 2 "section".

LEGISLATIVE BILL 19. Placed on Select File.

LEGISLATIVE BILL 20. Placed on Select File.

LEGISLATIVE BILL 47. Placed on Select File.

LEGISLATIVE BILL 48. Placed on Select File.

LEGISLATIVE BILL 191. Placed on Select File.

LEGISLATIVE BILL 192. Placed on Select File.

LEGISLATIVE BILL 281. Placed on Select File.

LEGISLATIVE BILL 295. Placed on Select File.

LEGISLATIVE BILL 14. Placed on Select File.

LEGISLATIVE BILL 15. Placed on Select File.

(Signed) Ray Mossey, Chairperson

STANDING COMMITTEE REPORT
Agriculture

LEGISLATIVE BILL 158. Placed on General File as amended.

Standing Committee amendment to LB 158:

AM0125

- 1 1. Strike original section 62 and insert the following
- 2 new sections:
- 3 "Sec. 62. Section 54-2238, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 54-2238. Accredited veterinarian shall mean a
- 6 veterinarian approved by the Deputy Administrator of the United
- 7 States Department of Agriculture in accordance with 9 C.F.R. part
- 8 161, in effect on January 1, 2002.
- 9 Sec. 63. Section 54-2244, Reissue Revised Statutes of
- 10 Nebraska, is amended to read:
- 11 54-2244. Circle testing shall mean testing of a random
- 12 sample of each swine herd located within ~~one mile~~ two miles of the
- 13 affected premises if in a Stage ~~II, III, or IV~~ status area and
- 14 within ~~one and one-half~~ five miles if in a Stage ~~III~~ V status area.
- 15 ~~Stage~~ Stages II, III, IV, and Stage ~~III~~ V status areas
- 16 are established pursuant to the Part III Program Stages and
- 17 Requirements of the State-Federal-Industry Program Standards for
- 18 Pseudorabies Eradication as approved by the United States
- 19 Department of Agriculture, Animal and Plant Health Inspection
- 20 Service, Veterinary Services, in effect on ~~July 19, 1996~~ January 1,

21 2002.

22 Sec. 64. Section 54-2254, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 54-2254. Official test shall mean any testing procedure
1 recognized for use in the diagnosis of pseudorabies by (1) the
2 United States Department of Agriculture in 9 C.F.R. part 85, in
3 effect on ~~July 19, 1996~~ January 1, 2002, or (2) the department in
4 rules and regulations adopted and promulgated pursuant to the
5 Pseudorabies Control and Eradication Act.

6 Sec. 65. Section 54-2277, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 54-2277. Each owner or the authorized representative of
9 the owner of a swine herd under quarantine shall file a swine herd
10 cleanup plan with the department within ~~thirty seven~~ thirty days after the
11 date of issuance of the quarantine. ~~Each owner or the authorized~~
12 ~~representative of the owner of a quarantined swine herd shall~~
13 ~~follow as standards in the preparation of a swine herd cleanup plan~~
14 ~~the rules and regulations adopted and promulgated by the department~~
15 ~~based; as far as reasonably practical, upon the Herd Cleanup Plan~~
16 ~~Manual prepared by the Livestock Conservation Institute as such~~
17 ~~manual existed on January 1, 1991.~~

18 Sec. 66. Section 54-2280, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 54-2280. Cleanup testing ~~may~~ shall include testing of ~~up~~
21 ~~to~~ one hundred percent of the swine in an affected swine herd for
22 the purpose of removing infected swine, ~~or it may be a random~~
23 ~~sample of the affected swine herd to determine the current level of~~
24 ~~pseudorabies within the affected swine herd.~~

25 Sec. 67. Section 54-2287, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 54-2287. (1) The department shall continually conduct a
1 feeder and breeding swine testing program. Under the program, the
2 department may require testing of both feeder and breeding swine
3 whenever such swine are moving in commerce through concentration
4 points or whenever feeder and breeding swine are sold at private
5 treaty.

6 (2) The department shall assign a status swine herd title
7 to those swine herds which meet the requirements developed by the
8 department for such title. Such requirements shall include (a) the
9 method and number of swine subjected to testing, (b) the procedure
10 for herd additions, deletions, and movement into and out of such
11 herds, and (c) a legal description of the land on which facilities
12 are located to maintain a qualified pseudorabies negative herd; ~~a~~
13 ~~qualified negative gene altered vaccinated herd, or a qualified~~
14 ~~pseudorabies negative growout herd, or a quarantined status~~
15 ~~swine herd.~~

16 (3) The department may cancel or suspend the title of a
17 ~~pseudorabies monitored herd, a qualified pseudorabies negative~~
18 ~~herd, a qualified negative gene altered vaccinated herd, or a~~

19 qualified pseudorabies negative growout herd for failure to meet
20 the requirements of subsection (2) of this section. The department
21 shall not renew such titles if the approved testing schedule is not
22 adhered to.

23 Sec. 68. Section 54-2289, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 54-2289. For the protection of the livestock industry in
26 Nebraska and to aid in achieving the purposes of the Pseudorabies
27 Control and Eradication Act, the department shall regulate the sale
1 and use of pseudorabies vaccine. The department may restrict the
2 sale and use of pseudorabies vaccine and when deemed appropriate by
3 the department may require the use of pseudorabies vaccine. The
4 department shall require detailed record keeping and reporting by
5 persons involved in the sale or use, or both, of such vaccine.

6 Sec. 69. Section 54-2290, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 54-2290. The department shall adopt and promulgate rules
9 and regulations to aid in implementing the Pseudorabies Control and
10 Eradication Act. The rules and regulations may include, but shall
11 not be limited to, provisions governing:

12 (1) The conduct of the feeder and breeding swine testing
13 program, including provisions governing: (a) When, where, how, by
14 whom, and how often testing is to be done; (b) what swine are to be
15 subjected to testing; (c) how and by whom results of testing are to
16 be recorded; (d) by whom and to whom the results of the testing are
17 to be reported; and (e) how, by whom, and for what purposes such
18 results will be utilized;

19 (2) The conduct of the pseudorabies control and
20 eradication program, including provisions governing: (a) When,
21 where, how, by whom, and how often testing is to be done; (b) what
22 swine are to be subjected to testing; (c) requirements of swine
23 herd cleanup plans, including form, execution, contents, duration,
24 amendments, and enforcement; (d) how and by whom results of testing
25 are to be recorded; (e) by whom and to whom the results of the
26 testing are to be reported; (f) how, by whom, and for what purposes
27 such results will be utilized; and (g) assignment of and
1 requirements for titles for status swine herds and the suspension,
2 expiration, and cancellation of such titles;

3 (3) The conduct of surveillance in swine herds and at
4 slaughter establishments and concentration points, including
5 provisions governing: (a) When, where, how, by whom, and how often
6 testing is to be done; (b) what swine and swine herds are to be
7 subjected to testing; (c) how and by whom results of testing are to
8 be recorded and reported; and (d) the use of the results of testing
9 by the department;

10 (4) Importation of swine, including provisions governing:
11 (a) Age, origin, entry, movement, and destination in the state; (b)
12 when, where, how, by whom, and how often imported swine are to be
13 subjected to testing; (c) what imported swine are to be subjected

- 14 to testing; and (d) how testing results are to be recorded,
15 reported, and utilized;
- 16 (5)(a) What constitutes a program area; (b) what
17 epidemiological factors will be considered in determining the
18 program area; and (c) when and for what purpose a program activity
19 will be selected;
- 20 (6) The issuance and release of quarantines and the
21 requirements regarding the handling, movement, and disposition of
22 livestock under quarantine;
- 23 (7) The cleaning and disinfecting of affected premises,
24 including provisions governing: (a) The materials to be used; (b)
25 the procedures to be used; and (c) when such procedures are to be
26 performed;
- 27 (8) The testing of livestock to detect pseudorabies,
1 including provisions governing: (a) Which tests are to be deemed
2 official tests; (b) by whom the testing is to be administered; (c)
3 how the testing is to be conducted; (d) the reaction tolerances to
4 be recognized; and (e) the classification of results as to
5 negative, suspect, or positive. These rules and regulations shall
6 be consistent with the best available scientific information
7 relative to the control and eradication of pseudorabies;
- 8 (9) The pseudorabies vaccination program, including
9 provisions governing: (a) The vaccines to be used; (b) the age of
10 the swine to be vaccinated; (c) the effect of vaccination on the
11 interpretation of test results; and (d) the reported sale and use
12 of vaccine;
- 13 (10) The identification of swine subject to the act,
14 including provisions governing: (a) Exposed and infected swine; (b)
15 vaccinated swine; and (c) swine to be tested;
- 16 ~~(11) Classification of concentration points, including~~
17 ~~provisions governing: (a) Use and time of use of common areas by~~
18 ~~swine from (i) a swine herd under quarantine, (ii) swine from a~~
19 ~~status swine herd; and (iii) swine from a herd which is not a~~
20 ~~status swine herd; (b) the degree of separation of the swine~~
21 ~~described in subdivisions (a)(i) through (iii) of this subdivision;~~
22 ~~and (c) purposes for which swine exit the concentration point;~~
- 23 ~~(12) Criteria and restrictions for approved breeding~~
24 ~~facilities, approved feeding facilities, and restricted premises;~~
25 ~~including provisions governing: (a) Epidemiological investigation~~
26 ~~of the swine herd; (b) adjoining land characteristics; (c)~~
27 ~~proximity of other livestock; (d) benefit of approved breeding~~
1 ~~facilities to the state; and (e) other factors which make approved~~
2 ~~breeding facilities, approved feeding facilities, or restricted~~
3 ~~premises detrimental to the livestock industry of the state;~~
- 4 ~~(13)~~ (11) Random sampling of swine herds, including
5 provisions governing: (a) When, where, how, by whom, and how often
6 a random sample is to be used in testing swine herds; (b) when and
7 for what purpose a random sample of a swine herd will be subjected
8 to testing; (c) the number of feeder, breeding, and other swine in

9 a particular status swine herd or in a swine herd which is not a
 10 status swine herd constituting a random sample to be subjected to
 11 testing; (d) the age of swine in a status swine herd and a swine
 12 herd which is not a status swine herd to be used as a random sample
 13 and subjected to testing; and (e) how testing results are to be
 14 recorded, reported, and utilized;

15 ~~(14)~~ (12) Compliance with Part III Program Stages and
 16 Requirements of the State-Federal-Industry Program Standards for
 17 Pseudorabies Eradication as approved by the United States
 18 Department of Agriculture, Animal and Plant Health Inspection
 19 Service, Veterinary Services, in effect on ~~July 19, 1996~~ January 1,
 20 2002;

21 ~~(15)~~ (13) Compliance with 9 C.F.R. part 85, in effect on
 22 ~~July 19, 1996~~ January 1, 2002, for pseudorabies control and
 23 eradication;

24 ~~(16)~~ (14) Administration of the pseudorabies control and
 25 eradication program subject to the availability of state funds;

26 ~~(17)~~ (15) The assessment and collection of costs for
 27 services provided and expenses, not to exceed actual costs,
 1 incurred under the act;

2 ~~(18)~~ (16) The preparation, maintenance, handling, filing,
 3 and disposition of records and reports by persons subject to the
 4 act concerning the vaccination, testing, or movement of swine;

5 ~~(19)~~ (17) Program activities and cleanup testing under
 6 the act on which state funds, if appropriated and available, shall
 7 be used by the department and limitations on use of such state
 8 funds for testing and other activities under the act; and

9 ~~(20)~~ (18) Any other areas deemed necessary by the
 10 department to effectively control and eradicate pseudorabies.

11 Sec. 70. Section 54-2296, Reissue Revised Statutes of
 12 Nebraska, is amended to read:

13 54-2296. (1) When testing is to be performed pursuant to
 14 the Pseudorabies Control and Eradication Act, the owner of the
 15 swine shall be responsible for gathering, confining, and
 16 restraining such swine for testing and for providing the necessary
 17 facilities and assistance.

18 (2) The department may provide state funds for certain
 19 activities or any portion thereof in connection with the
 20 implementation of the act to or on behalf of swine herd owners if
 21 funds for such activities or any portion thereof have been
 22 appropriated and are available. The department shall develop
 23 statewide priorities for the expenditure of state funds available
 24 for program activities.

25 (3) Part of such state funds may be used by the
 26 department to pay a portion of the cost of testing done by or for
 27 accredited veterinarians if such work is approved by the
 1 department. All of such testing shall be performed by or under the
 2 direct supervision of the accredited veterinarian, except that
 3 nothing in this subsection shall restrict an employee of the state
 4 or federal government in the performance of such employee's duties
 5 under the act or federal law.

6 (4) In administering the act and programs pursuant
 7 thereto, the department shall not pay for (a) testing done for
 8 change of ownership at private treaty or at concentration points,
 9 (b) costs of gathering, confining, and restraining swine subjected
 10 to testing or costs of providing necessary facilities and
 11 assistance, ~~and (c) the cost of vaccine, and (d) the cost of~~
 12 testing to qualify or maintain a status swine herd.

13 Sec. 71. Section 54-2299, Reissue Revised Statutes of
 14 Nebraska, is amended to read:

15 54-2299. In administering the Pseudorabies Control and
 16 Eradication Act and conducting program activities authorized by the
 17 act, the department shall as far as reasonably practical conform
 18 its program activities to Part III Program Stages and Requirements
 19 of the State-Federal-Industry Program Standards for Pseudorabies
 20 Eradication as approved by the United States Department of
 21 Agriculture, Animal and Plant Health Inspection Service, Veterinary
 22 Services, in effect on ~~July 19, 1996~~ January 1, 2002.

23 Sec. 72. Sections 1 to 61 of this act become operative
 24 on January 1, 2004. The other sections of this act become
 25 operative on their effective date.

26 Sec. 73. Original sections 54-2238, 54-2244, 54-2254,
 27 54-2277, 54-2280, 54-2287, 54-2289, 54-2290, 54-2296, and 54-2299,
 1 Reissue Revised Statutes of Nebraska, are repealed.

2 Sec. 74. The following sections are outright repealed:

3 Sections 54-2261, 54-2282, 54-2284, and 54-2285, Reissue Revised
 4 Statutes of Nebraska.

5 Sec. 75. Since an emergency exists, this act takes
 6 effect when passed and approved according to law."

7 2. On page 2, line 15, after the period insert "All
 8 citations to the Code of Federal Regulations, C.F.R., in the act
 9 refer to such regulations as they existed on January 1, 2003.".

10 3. Underscore original sections 1 to 61.

(Signed) Bob Kremer, Chairperson

NOTICE OF COMMITTEE HEARINGS

Agriculture

Room 1524

| | | |
|--------|----------------------------|-----------|
| LB 63 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 64 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 230 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 212 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 374 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 169 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 735 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 636 | Tuesday, February 18, 2003 | 1:30 p.m. |

(Signed) Bob Kremer, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 27. Introduced by Burling, 33.

WHEREAS, Tyler Cramer of Troop 200, Hastings, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

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

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

WHEREAS, on Saturday, March 1, 2003, Tyler Cramer will receive the rank of Eagle Scout, thereby, through his hard work and perseverance, joining other high achievers who are Eagle Scouts such as astronauts, political and industry leaders, artists, scientists, and athletes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Tyler Cramer on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Tyler Cramer.

Laid over.

REPORTS

The following reports were received by the Legislature:

Health and Human Services System

New Hire Report which discloses the number of employees reported to the Department and the number of matches during the preceding calendar year

Operator's Licenses Suspended Annual Report

State Disbursement Unit Report

Treasurer, State

2001 and 2002 Biennial Report

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 30, 2003, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Barrette, John Barger
Tax Research Council, Inc., Nebraska

Brasch, Beatty
Center For People In Need

Bunger, Ken
Hall County, Nebraska

Cutshall & Associates
Grand Island Area Economic Development Corporation

Dierks, Merton L.
Chiropractic Physicians Association, Nebraska
Save Boyd County

Fram Jr., A. James
Lincoln Chamber of Commerce

Jeffrey, Jean S.
Center For People In Need

Kissel/Erickson & Sederstrom Associates, L.L.C.
Network Association, NE

Larsen, Carlin L.
Qwest Communications (formerly US West)

Radcliffe, Walter H. of Radcliffe & Associates
IMS Health

Riskowski, Alvin
Nonpartisan Family Coalition

Simino, Charles G.
Sprint

Sittig, Bonnie
Center For People In Need

GENERAL FILE

LEGISLATIVE BILL 357. Considered.

Senator Tyson asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 28 ayes, 2 nays, 14 present and not voting, and 5 excused and not voting.

Senator Landis asked unanimous consent to be excused until he returns. No

objections. So ordered.

LEGISLATIVE BILL 358. Title read. Considered.

Advanced to E & R for review with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 359. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

Senator Erdman asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR ENGEL PRESIDING

LEGISLATIVE BILL 34. Title read. Considered.

Advanced to E & R for review with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 35. Title read. Considered.

Advanced to E & R for review with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

STANDING COMMITTEE REPORTS Government, Military and Veterans Affairs

LEGISLATIVE RESOLUTION 16CA. Placed on General File.

LEGISLATIVE BILL 114. Placed on General File.

LEGISLATIVE BILL 257. Placed on General File.

LEGISLATIVE BILL 331. Placed on General File.

LEGISLATIVE BILL 99. Placed on General File as amended.

Standing Committee amendment to LB 99:

AM0140

- 1 1. On page 3, lines 11 and 12; and page 4, lines 15
- 2 through 17, strike the new matter.
- 3 2. On page 3, line 22, strike "to", show as stricken,
- 4 and insert "or"; and strike line 23, show as stricken, and insert
- 5 "If the committee has five members, at least one but no more than
- 6 two members of the committee shall be in the hotel industry. If
- 7 the committee has seven members, at least two but no more than
- 8 three members of the committee shall be in the hotel industry.".

LEGISLATIVE BILL 77. Indefinitely postponed.

LEGISLATIVE BILL 88. Indefinitely postponed.

LEGISLATIVE BILL 330. Indefinitely postponed.

(Signed) DiAnna R. Schimek, Chairperson

Revenue

LEGISLATIVE RESOLUTION 18CA. Placed on General File as amended.

Standing Committee amendment to LR 18CA:

AM0166

- 1 1. On page 3, lines 11 through 14, strike the new matter
- 2 and insert "provide that a portion of the value of any residence
- 3 actually occupied as a homestead by any classification of owners is
- 4 exempt from that portion of the levy that does not require approval
- 5 of the voters of one or more political subdivisions as determined
- 6 by the Legislature"; and in line 19 strike "levy or part" and
- 7 insert "portion".

(Signed) David Landis, Chairperson

Urban Affairs

LEGISLATIVE BILL 52. Placed on General File.

LEGISLATIVE BILL 150. Placed on General File as amended.

Standing Committee amendment to LB 150:

AM0116

- 1 1. Strike beginning with the last "the" on page 2, line
- 2 28, through the period on page 3, line 1, show as stricken, and
- 3 insert "Each fiscal year in which such agency is required to file
- 4 an audit report or in which an audit report of such agency is
- 5 prepared.".

LEGISLATIVE BILL 365. Placed on General File as amended.

Standing Committee amendment to LB 365:

AM0117

- 1 1. Insert the following new section:
- 2 "Section 1. Section 16-404, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 16-404. (1) All ordinances and resolutions or orders for
- 5 the appropriation or payment of money shall require for their
- 6 passage or adoption the concurrence of a majority of all members
- 7 elected to the council. The mayor may vote on any such matter when
- 8 his or her vote will provide the additional vote required to create
- 9 a number of votes equal to a majority of the number of members
- 10 elected to the council, and the mayor shall, for the purpose of

11 such vote, be deemed to be a member of the council.

12 (2) Ordinances of a general or permanent nature shall be
 13 read by title on three different days unless three-fourths of the
 14 council members vote to suspend this requirement, except that in a
 15 city having a commission form of government such requirement may be
 16 suspended by a three-fifths majority vote. Regardless of the form
 17 of government, such requirement shall not be suspended for any
 18 ordinance for the annexation of territory. In case such
 19 requirement is suspended, the ordinances shall be read by title or
 20 number and then moved for final passage. Three-fourths of the
 21 council members may require a reading of any such ordinance in full
 22 before enactment under either procedure set out in this section,
 23 except that in a city having a commission form of government such
 24 reading may be required by a three-fifths majority vote.

1 (3) Ordinances shall contain no subject which is not
 2 clearly expressed in the title, and, except as provided in section
 3 19-915, no ordinance or section thereof shall be revised or amended
 4 unless the new ordinance contains the entire ordinance or section
 5 as revised or amended and the ordinance or section so amended is
 6 repealed, except that:

7 (a) For ~~for~~ an ordinance revising all the ordinances of
 8 the city, the only title necessary shall be An ordinance of the
 9 city of, revising all the ordinances of the city. Under
 10 such title all the ordinances may be revised in sections and
 11 chapters or otherwise, may be corrected, added to, and any part
 12 suppressed, and may be repealed with or without a saving clause as
 13 to the whole or any part without other title; and

14 (b) For an ordinance revising ordinances or code sections
 15 of the city or enacting new ordinances or code sections in order to
 16 adopt statutory changes made by the Legislature which are mandatory
 17 and bring the ordinances or code sections into conformance with
 18 state law, the title need only state that the ordinance revises
 19 those ordinances or code sections affected by or enacts ordinances
 20 or code sections generated by legislative changes. Under such
 21 title, all such ordinances or code sections may be revised,
 22 repealed, or enacted in sections and chapters or otherwise by a
 23 single ordinance without other title."

24 2. On page 3, line 3, after "Legislature" insert "which
 25 are mandatory"; in line 11 after "section" insert "16-404, Reissue
 26 Revised Statutes of Nebraska, and section"; and in line 12 strike
 27 "is" and insert "are".

1 3. Renumber the remaining sections accordingly.

(Signed) D. Paul Hartnett, Chairperson

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance
 Room 1507

| | | |
|--------|----------------------------|-----------|
| LB 464 | Monday, February 10, 2003 | 1:30 p.m. |
| LB 494 | Monday, February 10, 2003 | 1:30 p.m. |
| LB 687 | Monday, February 10, 2003 | 1:30 p.m. |
| LB 747 | Monday, February 10, 2003 | 1:30 p.m. |
| LB 693 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 487 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 258 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 436 | Tuesday, February 11, 2003 | 1:30 p.m. |

(Signed) Mark Quandahl, Chairperson

GENERAL FILE

LEGISLATIVE BILL 30. Title read. Considered.

The Standing Committee amendment, AM0048, found on page 302, was considered.

Senator Schrock renewed his pending amendment, AM0098, found on page 322, to the Standing Committee amendment.

Senator Schrock withdrew his amendment.

The Standing Committee amendment lost with 0 ayes, 24 nays, 18 present and not voting, and 7 excused and not voting.

Senator Beutler offered the following amendment:

AM0164

- 1 1. On page 2, line 11, after the comma insert "whether
- 2 the violator has been previously convicted or subjected to a civil
- 3 penalty under this section.".

The Beutler amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 93. Title read. Considered.

SPEAKER BROMM PRESIDING

The Standing Committee amendment, AM0049, found on page 303, was adopted with 25 ayes, 1 nay, 19 present and not voting, and 4 excused and

not voting.

Senator Synowiecki asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for review with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Senator Bourne asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 168. Title read. Considered.

Senator Aguilar asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for review with 25 ayes, 4 nays, 13 present and not voting, and 7 excused and not voting.

NOTICE OF COMMITTEE HEARINGS

Judiciary Room 1113

| | | |
|--------|------------------------------|-----------|
| LB 491 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 24 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 104 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 146 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 162 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 314 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 384 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 294 | Wednesday, February 12, 2003 | 1:30 p.m. |
| LB 46 | Thursday, February 13, 2003 | 1:30 p.m. |
| LB 422 | Thursday, February 13, 2003 | 1:30 p.m. |
| LB 423 | Thursday, February 13, 2003 | 1:30 p.m. |
| LB 455 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 458 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 522 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 542 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 789 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 87 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 298 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 225 | Friday, February 14, 2003 | 1:30 p.m. |
| LB 231 | Wednesday, February 19, 2003 | 1:30 p.m. |
| LB 260 | Wednesday, February 19, 2003 | 1:30 p.m. |
| LB 304 | Wednesday, February 19, 2003 | 1:30 p.m. |
| LB 361 | Wednesday, February 19, 2003 | 1:30 p.m. |

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| LB 614 | Wednesday, February 19, 2003 | 1:30 p.m. |
| LB 681 | Wednesday, February 19, 2003 | 1:30 p.m. |
| LB 512 | Thursday, February 20, 2003 | 1:30 p.m. |
| LB 566 | Thursday, February 20, 2003 | 1:30 p.m. |
| LB 602 | Thursday, February 20, 2003 | 1:30 p.m. |
| LB 629 | Friday, February 21, 2003 | 1:30 p.m. |
| LB 591 | Friday, February 21, 2003 | 1:30 p.m. |
| LB 732 | Friday, February 21, 2003 | 1:30 p.m. |
| LB 772 | Friday, February 21, 2003 | 1:30 p.m. |
| LB 788 | Friday, February 21, 2003 | 1:30 p.m. |
| LB 377 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 460 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 768 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 271 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 515 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 547 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 617 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 613 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 628 | Wednesday, February 26, 2003 | 1:30 p.m. |
| LB 364 | Thursday, February 27, 2003 | 1:30 p.m. |
| LB 610 | Thursday, February 27, 2003 | 1:30 p.m. |
| LB 662 | Thursday, February 27, 2003 | 1:30 p.m. |
| LB 139 | Thursday, February 27, 2003 | 1:30 p.m. |
| LB 203 | Thursday, February 27, 2003 | 1:30 p.m. |
| LB 129 | Thursday, February 27, 2003 | 1:30 p.m. |
| LB 17 | Thursday, February 27, 2003 | 1:30 p.m. |
| LB 118 | Friday, February 28, 2003 | 1:30 p.m. |
| LB 201 | Friday, February 28, 2003 | 1:30 p.m. |
| LB 240 | Friday, February 28, 2003 | 1:30 p.m. |
| LB 269 | Friday, February 28, 2003 | 1:30 p.m. |
| LB 315 | Friday, February 28, 2003 | 1:30 p.m. |
| LB 354 | Friday, February 28, 2003 | 1:30 p.m. |
| LB 495 | Friday, February 28, 2003 | 1:30 p.m. |
| LB 43 | Wednesday, March 5, 2003 | 1:30 p.m. |
| LB 133 | Wednesday, March 5, 2003 | 1:30 p.m. |
| LB 132 | Wednesday, March 5, 2003 | 1:30 p.m. |
| LB 184 | Wednesday, March 5, 2003 | 1:30 p.m. |
| LB 336 | Wednesday, March 5, 2003 | 1:30 p.m. |
| LB 346 | Wednesday, March 5, 2003 | 1:30 p.m. |
| LB 459 | Wednesday, March 5, 2003 | 1:30 p.m. |
| LB 25 | Thursday, March 6, 2003 | 1:30 p.m. |
| LB 428 | Thursday, March 6, 2003 | 1:30 p.m. |

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| LB 456 | Thursday, March 6, 2003 | 1:30 p.m. |
| LB 589 | Thursday, March 6, 2003 | 1:30 p.m. |
| LB 655 | Thursday, March 6, 2003 | 1:30 p.m. |
| LB 675 | Thursday, March 6, 2003 | 1:30 p.m. |
| LB 746 | Thursday, March 6, 2003 | 1:30 p.m. |
| LB 625 | Thursday, March 6, 2003 | 1:30 p.m. |
| LB 211 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 438 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 474 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 670 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 674 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 604 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 632 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 535 | Wednesday, March 12, 2003 | 1:30 p.m. |
| LB 526 | Thursday, March 13, 2003 | 1:30 p.m. |
| LB 528 | Thursday, March 13, 2003 | 1:30 p.m. |
| LB 781 | Thursday, March 13, 2003 | 1:30 p.m. |
| LB 791 | Thursday, March 13, 2003 | 1:30 p.m. |
| LR 10CA | Thursday, March 13, 2003 | 1:30 p.m. |
| LB 378 | Wednesday, March 19, 2003 | 1:30 p.m. |
| LB 395 | Wednesday, March 19, 2003 | 1:30 p.m. |
| LB 493 | Wednesday, March 19, 2003 | 1:30 p.m. |
| LB 593 | Wednesday, March 19, 2003 | 1:30 p.m. |
| LB 664 | Wednesday, March 19, 2003 | 1:30 p.m. |
| LB 347 | Wednesday, March 19, 2003 | 1:30 p.m. |
| LB 23 | Wednesday, March 19, 2003 | 1:30 p.m. |

(Signed) Kermit A. Brashear, Chairperson

Urban Affairs
Room 1510

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| LB 339 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 650 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 690 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 790 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 792 | Tuesday, February 11, 2003 | 1:30 p.m. |
| LB 549 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 716 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 717 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 718 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 721 | Tuesday, February 18, 2003 | 1:30 p.m. |
| LB 499 | Tuesday, February 25, 2003 | 1:30 p.m. |
| LB 615 | Tuesday, February 25, 2003 | 1:30 p.m. |

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| LB 643 | Tuesday, February 25, 2003 | 1:30 p.m. |
| LB 719 | Tuesday, February 25, 2003 | 1:30 p.m. |
| LB 654 | Tuesday, March 4, 2003 | 1:30 p.m. |
| LB 720 | Tuesday, March 4, 2003 | 1:30 p.m. |
| LR 24CA | Tuesday, March 4, 2003 | 1:30 p.m. |

(Signed) D. Paul Hartnett, Chairperson

AMENDMENT - Print in Journal

Senator Janssen filed the following amendment to LB 429:
AM0126

- 1 1. Insert the following new section:
- 2 "Sec. 8. Since an emergency exists, this act takes
- 3 effect when passed and approved according to law."

UNANIMOUS CONSENT - Add Cointroducer

Senator Synowiecki asked unanimous consent to have his name added as cointroducer to LB 588. No objections. So ordered.

VISITORS

Visitors to the Chamber were 35 kindergarten through twelfth-grade students and teacher from Midwestern Baptist Academy, Omaha; and Don Groessek from Ralston.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Louden, the Legislature adjourned until 9:00 a.m., Monday, February 3, 2003.

Patrick J. O'Donnell
Clerk of the Legislature

