

SIXTY-SIXTH DAY - APRIL 22, 2005

LEGISLATIVE JOURNAL

**NINETY-NINTH LEGISLATURE
FIRST SESSION**

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, April 22, 2005

PRAYER

The prayer was offered by Pastor Greg Volzke, Christ Lutheran Church, Juniata.

ROLL CALL

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

The roll was called and all members were present except Senators Aguilar, Brashear, Hudkins, and Landis who were excused; and Senators Byars, Dw. Pedersen, Synowiecki, and Wehrbein who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-fifth day was approved.

REPORT

The following report was received by the Legislature:

Roads, Department of

State Highway Commission Quarterly Report

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 21, 2005, 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

Abboud, Chris, Public Affairs Group
Brain Injury Association of America

Kelley, Michael, of Kelley & Lehan, PC
Select Management Resources, LLC

Kramer, David J.
Republican Party, Nebraska (Withdrawn 04/14/2005)

Lieurance, James
Takeda Pharmaceuticals America

O'Hara, Lindsay & Associates, Inc.
Proctor & Gamble

Quandahl, Mark
Republican Party, Nebraska

Roof, Dale
Takeda Pharmaceuticals America (Withdrawn 04/15/2005)

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 193. With Emergency.

A BILL FOR AN ACT relating to juvenile services; to amend sections 43-2404.01 and 43-2404.02, Reissue Revised Statutes of Nebraska; to transfer oversight of the County Juvenile Services Aid Program to the Nebraska Commission on Law Enforcement and Criminal Justice; to change requirements of the program; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 41:

Baker	Cudaback	Howard	McDonald	Schrock
Beutler	Cunningham	Janssen	Mines	Smith
Bourne	Engel	Jensen	Pahls	Stuhr
Brown	Erdman	Johnson	Pederson, D.	Stuthman
Burling	Fischer	Kopplin	Preister	Thompson
Chambers	Flood	Kremer	Price	
Combs	Foley	Kruse	Raikes	
Connealy	Friend	Langemeier	Redfield	
Cornett	Heidemann	Louden	Schimek	

Voting in the negative, 0.

Excused and not voting, 8:

Aguilar	Byars	Landis	Synowiecki
Brashear	Hudkins	Pedersen, Dw.	Wehrbein

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 274 with 35 ayes, 3 nays, 3 present and not voting, and 8 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 274.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 18-1214, 39-2215, 44-1545, 44-3521, 60-102, 60-104, 60-106, 60-108, 60-505.02, 60-653, 60-683, 60-685, 60-697, 60-6,100, 60-6,162, 60-6,226, 60-6,246, 60-6,255, 60-6,298, 60-6,309, 60-6,320, 60-6,347, 60-6,355, 60-6,364, 60-6,375, 60-1303, 60-1306, 60-1307, 60-1401.02, 60-1411.02, 60-1515, 60-1801, 60-1803, 60-1804, 60-1807, 60-1901, 60-1902, 60-2507, 60-2701, 66-6,103, 75-305, 77-1342, 77-2701.24, 77-2704.44, 77-27,143, 77-4501, 77-5403, and 81-1023, Reissue Revised Statutes of Nebraska, sections 13-324, 13-518, 13-2814, 18-1736, 18-1737, 23-186, 66-482, 66-686, 75-363, 77-2703, 77-2703.01, 77-4103, 77-5007, 81-2005, and 89-187, Revised Statutes Supplement, 2004, and section 60-465, Reissue Revised Statutes of Nebraska, as amended by section 4, Legislative Bill 76, Ninety-ninth Legislature, First Session, 2005; to adopt the Motor Vehicle Registration Act; to change and eliminate provisions relating to motor vehicle registration; to transfer motor vehicle tax provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-301 to 60-304, 60-305.01 to 60-305.04, 60-305.06, 60-305.08, 60-306, 60-308 to 60-312.01, 60-314 to 60-315.01, 60-318 to 60-325, 60-326.01, 60-328, 60-328.02 to 60-332, 60-334, 60-335, 60-336 to 60-339, 60-343 to 60-364, 60-6,321 to 60-6,333, and 60-3001 to 60-3009, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

Baker	Cornett	Heidemann	Louden	Redfield
Beutler	Cudaback	Howard	McDonald	Schimek
Bourne	Cunningham	Janssen	Mines	Schrock
Brown	Engel	Jensen	Pahls	Smith
Burling	Erdman	Johnson	Pedersen, Dw.	Stuhr
Byars	Fischer	Kopplin	Pederson, D.	Stuthman
Chambers	Flood	Kremer	Preister	Synowiecki
Combs	Foley	Kruse	Price	Thompson
Connealy	Friend	Langemeier	Raikes	

Voting in the negative, 0.

Excused and not voting, 5:

Aguilar	Brashear	Hudkins	Landis	Wehrbein
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 276 with 39 ayes, 3 nays, 2 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 276.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 42-371, 52-1801, 60-302, 60-314, 60-6,309, 60-6,375, 60-1411.02, 60-1417, 60-1419, 60-3004, and 75-386, Reissue Revised Statutes of Nebraska, sections 13-910, 23-186, 81-8,219, and 81-2004.02, Revised Statutes Supplement, 2004, and sections 2A-104 and 9-311, Uniform Commercial Code; to adopt the Motor Vehicle Certificate of Title Act; to provide penalties; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-102 to 60-111.01, 60-112 to 60-127, and 60-129 to 60-169, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

Baker	Cornett	Heidemann	Louden	Redfield
Beutler	Cudaback	Howard	McDonald	Schimek
Bourne	Cunningham	Janssen	Mines	Schrock
Brown	Engel	Jensen	Pahls	Smith
Burling	Erdman	Johnson	Pedersen, Dw.	Stuhr
Byars	Fischer	Kopplin	Pederson, D.	Stuthman
Chambers	Flood	Kremer	Preister	Synowiecki
Combs	Foley	Kruse	Price	Thompson
Connealy	Friend	Langemeier	Raikes	

Voting in the negative, 0.

Excused and not voting, 5:

Aguilar	Brashear	Hudkins	Landis	Wehrbein
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 351. With Emergency.

A BILL FOR AN ACT relating to the Environmental Quality Council; to amend section 81-1503, Reissue Revised Statutes of Nebraska; to change membership provisions; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 42:

Baker	Cornett	Heidemann	McDonald	Schimek
Beutler	Cudaback	Howard	Mines	Schrock
Bourne	Cunningham	Janssen	Pahls	Smith
Brown	Engel	Jensen	Pedersen, Dw.	Stuhr
Burling	Erdman	Johnson	Pederson, D.	Synowiecki
Byars	Fischer	Kopplin	Preister	Thompson
Chambers	Flood	Kremer	Price	
Combs	Foley	Kruse	Raikes	
Connealy	Friend	Langemeier	Redfield	

Voting in the negative, 0.

Present and not voting, 2:

Louden	Stuthman
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Excused and not voting, 5:

Aguilar Brashear Hudkins Landis Wehrbein

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 361 with 40 ayes, 2 nays, 2 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 361. With Emergency.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 20-325, 20-327, 29-3303, 71-168, 71-168.02, 71-6736, 76-250, and 76-802, Reissue Revised Statutes of Nebraska, and sections 20-326, 20-330, 24-517, 25-21,280, and 84-712.05, Revised Statutes Supplement, 2004; to adopt the Patient Safety Improvement Act; to provide requirements and prohibit certain acts related to DNA; to provide for filings related to dissolution of marriage; to change provisions relating to discriminatory housing practices, county court jurisdiction, immunity for certain educational personnel, and judicial orders; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide severability; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 44:

Baker	Cornett	Heidemann	Louden	Redfield
Beutler	Cudaback	Howard	McDonald	Schimek
Bourne	Cunningham	Janssen	Mines	Schrock
Brown	Engel	Jensen	Pahls	Smith
Burling	Erdman	Johnson	Pedersen, Dw.	Stuhr
Byars	Fischer	Kopplin	Pederson, D.	Stuthman
Chambers	Flood	Kremer	Preister	Synowiecki
Combs	Foley	Kruse	Price	Thompson
Connealy	Friend	Langemeier	Raikes	

Voting in the negative, 0.

Excused and not voting, 5:

Aguilar Brashear Hudkins Landis Wehrbein

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 389.

A BILL FOR AN ACT relating to health care; to adopt the Health Care Prompt Payment Act.

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

Voting in the affirmative, 42:

Baker	Cunningham	Janssen	Mines	Schrock
Beutler	Engel	Jensen	Pahls	Smith
Brown	Erdman	Johnson	Pedersen, Dw.	Stuhr
Burling	Fischer	Kopplin	Pederson, D.	Stuthman
Byars	Flood	Kremer	Preister	Synowiecki
Combs	Foley	Kruse	Price	Thompson
Connealy	Friend	Langemeier	Raikes	
Cornett	Heidemann	Louden	Redfield	
Cudaback	Howard	McDonald	Schimek	

Voting in the negative, 0.

Present and not voting, 2:

Bourne Chambers

Excused and not voting, 5:

Aguilar Brashear Hudkins Landis Wehrbein

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

LEGISLATIVE BILL 389A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 389, Ninety-ninth Legislature, First Session, 2005.

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

Voting in the affirmative, 42:

Baker	Cudaback	Howard	McDonald	Schrock
Beutler	Cunningham	Janssen	Mines	Smith
Brown	Engel	Jensen	Pahls	Stuhr
Burling	Erdman	Johnson	Pedersen, Dw.	Stuthman
Byars	Fischer	Kopplin	Pederson, D.	Synowiecki
Chambers	Flood	Kremer	Preister	Thompson
Combs	Foley	Kruse	Price	
Connealy	Friend	Langemeier	Raikes	
Cornett	Heidemann	Louden	Redfield	

Voting in the negative, 0.

Present and not voting, 2:

Bourne Schimek

Excused and not voting, 5:

Aguilar Brashear Hudkins Landis Wehrbein

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 503 with 36 ayes, 2 nays, 6 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 503. With Emergency.

A BILL FOR AN ACT relating to retirement; to amend sections 72-1238, 72-1239, 72-1243, 79-902, 79-906, 79-958, and 84-1309.01, Reissue Revised Statutes of Nebraska, and sections 23-2309.01, 23-2310.05, 23-2312, 24-704, 79-1028, 81-2017, 81-2021, 84-1305.01, 84-1310.01, 84-1311.03, 84-1502, 84-1503, 84-1503.03, and 84-1512, Revised Statutes Supplement, 2004; to change contribution and investment provisions; to change provisions relating to membership, per diems, and powers and duties of the Nebraska Investment Council; to change provisions relating to the Public Employees Retirement Board and director of the retirement systems; to change school employee retirement calculations and tax levy provisions; to provide for an internal auditor; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 43:

Baker	Cudaback	Howard	McDonald	Schimek
Beutler	Cunningham	Janssen	Mines	Schrock
Bourne	Engel	Jensen	Pahls	Smith
Brown	Erdman	Johnson	Pedersen, Dw.	Stuhr
Burling	Fischer	Kopplin	Pederson, D.	Stuthman
Byars	Flood	Kremer	Preister	Synowiecki
Combs	Foley	Kruse	Price	Thompson
Connealy	Friend	Langemeier	Raikes	
Cornett	Heidemann	Louden	Redfield	

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 5:

Aguilar	Brashear	Hudkins	Landis	Wehrbein
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 503A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 503, Ninety-ninth Legislature, First Session, 2005; and to declare an emergency.

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

Voting in the affirmative, 43:

Baker	Cornett	Howard	McDonald	Schimek
Beutler	Cudaback	Janssen	Mines	Schrock
Bourne	Cunningham	Jensen	Pahls	Smith
Brown	Engel	Johnson	Pedersen, Dw.	Stuhr
Burling	Erdman	Kopplin	Pederson, D.	Stuthman
Byars	Fischer	Kremer	Preister	Synowiecki
Chambers	Flood	Kruse	Price	Thompson
Combs	Foley	Langemeier	Raikes	
Connealy	Friend	Louden	Redfield	

Voting in the negative, 0.

Present and not voting, 1:

Heidemann

Excused and not voting, 5:

Aguilar Brashear Hudkins Landis Wehrbein

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 739 with 36 ayes, 3 nays, 5 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 739.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-601, 48-602, 48-603.01, 48-624, 48-625, 48-627, 48-628, 48-649, 48-652, and 48-669, Reissue Revised Statutes of Nebraska; to provide for an average combined tax rate and an emergency solvency surcharge; to change provisions relating to the average weekly wage, wages subject to tax, computation of benefits, eligibility conditions, and combined tax rate; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 43:

Baker	Cudaback	Howard	McDonald	Schimek
Beutler	Cunningham	Janssen	Mines	Schrock
Bourne	Engel	Jensen	Pahls	Smith
Brown	Erdman	Johnson	Pedersen, Dw.	Stuhr
Burling	Fischer	Kopplin	Pederson, D.	Stuthman
Byars	Flood	Kremer	Preister	Synowiecki
Combs	Foley	Kruse	Price	Thompson
Connealy	Friend	Langemeier	Raikes	
Cornett	Heidemann	Louden	Redfield	

Voting in the negative, 1:

Chambers

Excused and not voting, 5:

Aguilar Brashear Hudkins Landis Wehrbein

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

GENERAL FILE

LEGISLATIVE RESOLUTION 8CA. Senator Chambers renewed his pending amendment, FA39, found on page 629.

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 1 nay, and 36 not voting.

The Chambers amendment lost with 3 ayes, 31 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers renewed his pending amendment, FA40, found on page 629.

SENATOR SCHIMEK PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 11 ayes, 1 nay, and 37 not voting.

The Chambers amendment lost with 9 ayes, 23 nays, 11 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Chambers renewed his pending amendment, FA41, found on page 629.

SENATOR CUDABACK PRESIDING

Pending.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 673. Placed on Select File as amended.
(E & R amendment, AM7086, is printed separately and available in the Bill Room, Room 1104.)

LEGISLATIVE BILL 673A. Placed on Select File.

(Signed) Michael Flood, Chairperson

STANDING COMMITTEE REPORT
Education

LEGISLATIVE BILL 146. Placed on General File as amended.
Standing Committee amendment to LB 146:
AM1235

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 "Section 1. Sections 1 to 9 of this act shall be known
- 4 and may be cited as the Nursing Faculty Student Loan Act.
- 5 Sec. 2. For purposes of the Nursing Faculty Student Loan
- 6 Act:
- 7 (1) Department means the Department of Health and Human
- 8 Services Regulation and Licensure; and
- 9 (2) Masters or doctoral accredited nursing program means
- 10 a postgraduate nursing education program that has been accredited
- 11 by a nationally recognized accrediting agency and offered by a
- 12 public or private postsecondary educational institution in
- 13 Nebraska.
- 14 Sec. 3. To qualify for a loan under the Nursing Faculty
- 15 Student Loan Act, a student shall (1) be a resident of Nebraska,
- 16 (2) be enrolled in a masters or doctoral accredited nursing
- 17 program, and (3) agree in writing to engage in nursing instruction
- 18 in an approved nursing program offered by a public or private
- 19 postsecondary educational institution in Nebraska.
- 20 Sec. 4. Loans may be made by the department under the
- 21 Nursing Faculty Student Loan Act for educational expenses of a
- 22 qualified student who agrees in writing to engage in nursing
- 23 instruction in an approved nursing program offered by a public or
- 24 private postsecondary educational institution in Nebraska for two
- 1 years of full-time nursing instruction for each year a loan is
- 2 received, with a maximum of six years of nursing instruction in

3 Nebraska in return for three years of loans under the act. Loans
4 shall be subject to the following conditions:
5 (1) Loans shall be used only for educational expenses for
6 a masters or doctoral accredited nursing program. The use of loan
7 funds by the recipient is subject to review by the department;
8 (2) Each loan shall be for one academic year;
9 (3) A loan recipient shall not receive more than five
10 thousand dollars per academic year and shall not receive more than
11 fifteen thousand dollars under the act;
12 (4) Loans shall be forgiven at the rate of five thousand
13 dollars loaned per two years of full-time nursing instruction in
14 Nebraska;
15 (5) If a loan recipient discontinues enrollment in the
16 masters or doctoral accredited nursing program before completing
17 the program, he or she shall repay to the department one hundred
18 percent of the outstanding loan principal with simple interest at a
19 rate of one point below the prime interest rate as of the date the
20 borrower signed the contract. Interest shall accrue as of the date
21 the borrower signed the contract. Such repayment shall commence
22 within six months after the date he or she discontinues enrollment
23 and shall be completed within the number of years for which loans
24 were awarded;
25 (6) If, after the loan recipient completes the masters or
26 doctoral accredited nursing program and before all of his or her
27 loans are forgiven under the act, he or she fails to begin or
1 ceases full-time nursing instruction pursuant to the loan
2 agreement, he or she shall repay to the department one hundred
3 twenty-five percent of the outstanding loan principal with simple
4 interest at a rate of one point below the prime interest rate as of
5 the date the borrower signed the contract. Interest shall accrue
6 as of the date the borrower signed the contract. Such repayment
7 shall commence within six months after the date of completion of
8 the program or the date the loan recipient ceases full-time nursing
9 instruction, whichever is later, and shall be completed within the
10 number of years for which loans were awarded; and
11 (7) Institutions which offer a masters or doctoral
12 accredited nursing program may act as agents of the department for
13 the distribution of loans to eligible students.
14 Sec. 5. The Nursing Faculty Student Loan Cash Fund is
15 created. The fund shall consist of grants, private donations, fees
16 collected pursuant to section 6 of this act, and loan repayments
17 under the Nursing Faculty Student Loan Act remitted by the
18 department to the State Treasurer for credit to the fund. The fund
19 shall be used to administer the act and for loans to qualified
20 students pursuant to the act. The act shall be carried out with no
21 appropriations from the General Fund. Any money in the fund
22 available for investment shall be invested by the state investment
23 officer pursuant to the Nebraska Capital Expansion Act and the
24 Nebraska State Funds Investment Act.

25 Sec. 6. Beginning January 1, 2006, through December 31,
26 2007, the Department of Health and Human Services Regulation and
27 Licensure shall charge a fee of one dollar, in addition to any
1 other fee, for each license renewal for a registered nurse or
2 licensed practical nurse pursuant to section 71-1,132.20. Such fee
3 shall be collected at the time of renewal and remitted to the State
4 Treasurer for credit to the Nursing Faculty Student Loan Cash Fund.

5 Sec. 7. The department has the administrative
6 responsibility to track borrowers and to develop repayment tracking
7 and collection mechanisms. The department may contract for such
8 services. When a loan has been forgiven pursuant to section 4 of
9 this act, the amount forgiven may be taxable income to the borrower
10 and the department shall provide notification of the amount
11 forgiven to the borrower, the Department of Revenue, and the
12 Internal Revenue Service if required by the Internal Revenue Code
13 as defined in section 49-801.01.

14 Sec. 8. The department shall annually provide a report
15 to the Governor and the Clerk of the Legislature on the status of
16 the program, the status of the borrowers, and the impact of the
17 program on the number of nursing faculty in Nebraska. Any report
18 which includes information about borrowers shall exclude
19 confidential information or any other information which
20 specifically identifies a borrower.

21 Sec. 9. The department, in consultation with approved
22 nursing programs in Nebraska, shall adopt and promulgate rules and
23 regulations to carry out the Nursing Faculty Student Loan Act.

24 Sec. 10. Section 71-163, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 71-163. (1) The Professional and Occupational
27 Credentialing Cash Fund is created. Except as provided in section
1 71-172.02 and section 6 of this act, the fund shall consist of all
2 fees, gifts, grants, and other money, excluding fines and civil
3 penalties, received or collected by the department under sections
4 71-162 to 71-162.05.

5 (2) The department shall use the fund for the
6 administration and enforcement of such laws regulating the
7 individuals and entities listed in section 71-162 except for a
8 percentage of the fees credited to the Nebraska Regulation of
9 Health Professions Fund pursuant to section 71-6228.

10 (3) Any money in the Professional and Occupational
11 Credentialing Cash Fund available for investment shall be invested
12 by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.

14 (4) Any money in the separate fund authorized in section
15 71-162 as it existed prior to July 1, 2004, and any money in the
16 Acupuncturist Fund, the Athletic Trainer Fund, the Board of
17 Registration for Environmental Health Specialists Fund, the
18 Cosmetology Cash Fund, the Hearing Aid Fund, the Massage Therapy
19 Fund, the Medical Nutrition Therapy Fund, the Mental Health

20 Practice Fund, the Nebraska Pharmaceutical Fund, the Nurses'
21 Licensing Cash Fund, the Nursing Home Administration Fund, the
22 Occupational Therapy Licensing Cash Fund, the Psychologists
23 Licensing Fund, and the Respiratory Care Practitioners Fund, on
24 July 1, 2004, shall be transferred to the Professional and
25 Occupational Credentialing Cash Fund.
26 Sec. 11. Original section 71-163, Reissue Revised
27 Statutes of Nebraska, is repealed."

(Signed) Ron Raikes, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 86. Introduced by Preister, 5.

PURPOSE: To examine the Workplace Safety Consultation Program and possible funding mechanisms.

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

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 87. Introduced by Preister, 5.

PURPOSE: To examine and draft legislation regarding a proof of need pre-process which must be conducted on any state agencies' proposed contracts for services over fifty thousand dollars.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution and shall request input from the Health and Human Services Committee and the Appropriations Committee of the Legislature.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendment to LB 588:
FA180
Strike Section 1.

Senator Stuhr filed the following amendment to LB 364:
AM1293

(Amendments to Standing Committee amendments, AM1210)

- 1 1. On page 6, line 19, strike the new matter, reinstate
- 2 the stricken matter, and strike "its" and show as stricken.

Senator Smith filed the following amendment to LB 70:
FA182
Amend AM1289

Strike amendment 1 and insert: The provisions of subdivision (13) of section 60-4182 with respect to motorcycle or moped protective helmet violations and sections 60-6,278 to 60-6,282 shall not be enforced during the months of July and August.

VISITORS

Visitors to the Chamber were Simon Antes from Germany; eighth-grade class and sponsors from Dundy County School; 45 fourth-grade students and teachers from Plattsmouth; 37 fifth-grade students and teacher from Southern Valley Elementary School, Oxford; Tina Marroquin and Ken Schmieding from Seward; 16 first- through fourth-grade students and teacher from Staplehurst; 22 fourth-grade students and teacher from Stolley Park Elementary School, Grand Island; 41 fourth-grade students and teachers from Springfield; 8 seventh-grade students and sponsors from Wheatland Public Schools; and 8 students and sponsors from the Youth Rehabilitation and Training Center, Kearney.

The Doctor of the Day was Dr. Joel Travis from Albion.

MOTION - Adjournment

Senator Brown moved to adjourn. The motion prevailed with 17 ayes, 7 nays, 15 present and not voting, and 10 excused and not voting, and at 11:57 a.m., the Legislature adjourned until 10:00 a.m., Monday, April 25, 2005.

Patrick J. O'Donnell
Clerk of the Legislature