

SEVENTH DAY - JANUARY 17, 2008**LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE
SECOND SESSION****SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, January 17, 2008

PRAYER

The prayer was offered by Senator Carlson.

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 Senator Harms who was excused; and Senators Cornett, Dierks, Dubas, Heidemann, and Preister who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

Room 1507

Monday, January 28, 2008 1:30 p.m.

LB918
LB779
LB920
LB792

Tuesday, January 29, 2008 1:30 p.m.

LB853
LB854
LB855

Ann Frohman - Department of Insurance

(Signed) Rich Pahls, Chairperson

Government, Military and Veterans Affairs

Room 1507

Thursday, January 24, 2008 1:30 p.m.

LB739

LB744

LB747

LB776

Friday, January 25, 2008 1:30 p.m.

LB767

LB761

LB746

Timothy Kadavy - Military Department

(Signed) Ray Aguilar, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1012. Introduced by Gay, 14; Nelson, 6; Pirsch, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2007; to allow an income tax credit for certain long-term care insurance policy premiums; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1013. Introduced by Gay, 14.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-1412, Revised Statutes Supplement, 2007; to adopt the Higher Education Academic Scholarship Program Act; to harmonize provisions; and to repeal the original section.

GENERAL FILE

LEGISLATIVE RESOLUTION 5CA. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

NOTICE OF COMMITTEE HEARING
Natural Resources

Room 1525

Thursday, January 24, 2008 1:30 p.m.

LB923
LB939

S. Michael "Mick" Jensen - Nebraska Game and Parks Commission
Steve Hanson - Nebraska Ethanol Board
Tim Else - Nebraska Ethanol Board

(Signed) LeRoy Louden, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1014. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to courts; to amend sections 24-303, 24-730, 24-809.04, 24-1205, 25-1129, 25-1130, 43-1608, 43-1609, 43-1610, 43-1611, 43-1612, and 43-1613, Reissue Revised Statutes of Nebraska, sections 24-312, 24-517, 24-1204, 24-1206, 25-2704, 25-2733, and 25-2740, Revised Statutes Cumulative Supplement, 2006, and sections 24-301.02, 24-503, and 43-2,119, Revised Statutes Supplement, 2007; to change and eliminate provisions relating to judgeships, judicial vacancies, judicial hearings, court duties and authority, jurisdiction, retired judges, referees, the Judicial Resources Commission, and appeals; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 25-1133 and 25-2734, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1015. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-21,185.07, Reissue Revised Statutes of Nebraska; to change provisions relating to contributory negligence; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 690. Title read. Considered.

Committee AM77, found on page 626, First Session, 2007, was adopted with 28 ayes, 1 nay, 15 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 2 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 92. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 467. Title read. Considered.

Committee AM484, found on page 668, First Session, 2007, was considered.

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1016. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to labor; to adopt the Proper Employee Classification Act.

LEGISLATIVE BILL 1017. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 44-4317 and 77-3443, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Supplement, 2007; to change provisions relating to tax levies of members of risk management pools; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1018. Introduced by Synowiecki, 7.

A BILL FOR AN ACT relating to appropriations; to adopt the Children's Behavioral Health Transformation and Prioritization Appropriations Act; and to provide for appropriations.

LEGISLATIVE BILL 1019. Introduced by Business and Labor Committee: Cornett, 45, Chairperson; Lathrop, 12; McGill, 26; Wallman, 30; White, 8.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims; and to declare an emergency.

LEGISLATIVE BILL 1020. Introduced by Business and Labor Committee: Cornett, 45, Chairperson; Lathrop, 12; McGill, 26; Wallman,

30; White, 8.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

LEGISLATIVE BILL 1021. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to schools; to amend section 79-234, Reissue Revised Statutes of Nebraska; to change provisions relating to the enrollment option program; and to repeal the original section.

LEGISLATIVE BILL 1022. Introduced by Hansen, 42.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Veterinary Drug Distribution Licensing Act; and to provide a penalty.

LEGISLATIVE BILL 1023. Introduced by Friend, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 79-1225, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Supplement, 2007; to restrict the tax levy authority of educational service units; and to repeal the original sections.

LEGISLATIVE BILL 1024. Introduced by Karpisek, 32.

A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act; to amend section 13-901, Revised Statutes Supplement, 2007; to provide for listings to facilitate filings and service of process; to provide a duty for the Secretary of State; to harmonize provisions; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 467. Committee AM484, found on page 668, First Session, 2007, and considered in this day's Journal, was renewed.

Senator Flood offered the following amendment to the committee amendment:

FA156

Amend AM484

Line 7, after "services" insert "or by any community based mental health service provider that contracts to provide services with any Behavioral Health Region"

Senator Flood withdrew his amendment.

Senator Flood offered the following amendment to the committee amendment:

FA157

Amend AM484

Line 7, after "services" insert "or by any community based mental health services provider that contracts with any Behavioral Health Region to provide services for any individual that was a patient of a state owned and operated Regional Center within the prior twelve months"

SENATOR ERDMAN PRESIDING

PRESIDENT SHEEHY PRESIDING

The Flood amendment was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

The committee amendment, as amended, was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

Senator Ashford offered the following amendment:

AM1585

- 1 1. On page 2, lines 13, 15, and 18; and page 3, line 16,
- 2 strike "county" and insert "county or municipal".

The Ashford amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 467A. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 1 nay, 12 present and not voting, and 5 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1025. Introduced by McGill, 26.

A BILL FOR AN ACT relating to domestic violence; to amend section 42-925, Reissue Revised Statutes of Nebraska, and section 28-323, Revised Statutes Cumulative Supplement, 2006; to require notice of federal law as prescribed; to change provisions for issuance of protection orders; and to repeal the original sections.

LEGISLATIVE BILL 1026. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to housing agencies; to amend section 71-1590, Reissue Revised Statutes of Nebraska; to change a provision relating to tax-exempt status of housing agency property; and to repeal the

original section.

LEGISLATIVE BILL 1027. Introduced by Erdman, 47; Burling, 33; Dubas, 34; Fulton, 29; Hudkins, 21; Karpisek, 32; Louden, 49; McDonald, 41.

A BILL FOR AN ACT relating to agriculture; to amend sections 77-202 and 77-5201, Revised Statutes Cumulative Supplement, 2006; to provide a personal property tax exemption under the Beginning Farmer Tax Credit Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1028. Introduced by Pankonin, 2.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend sections 44-708, 45-101.04, and 59-1715, Reissue Revised Statutes of Nebraska, and sections 8-1101, 8-1103, 8-1108.01, 8-1116, and 8-1123, Revised Statutes Cumulative Supplement, 2006; to define terms; to regulate operations of a branch office; to prohibit certain fraudulent activities; to harmonize provisions; and to repeal the original sections.

NOTICE OF COMMITTEE HEARING

Business and Labor

Room 1524

Monday, January 28, 2008 1:30 p.m.

LB819
LB820
LB821
LB833

(Signed) Abbie Cornett, Chairperson

AMENDMENT - Print in Journal

Senator Pirsch filed the following amendment to LB619:
AM1576

- 1 1. On page 2, strike lines 7 and 8 and show as stricken;
- 2 in line 9 strike "(b)", show as stricken, and insert "(a)"; in line
- 3 11 strike "(c)", show as stricken, and insert "(b)"; in line 12
- 4 strike "(d)", show as stricken, and insert "(c)"; in line 15 strike
- 5 "(e)", show as stricken, and insert "(d)"; in line 20 strike "(d)",
- 6 show as stricken, and insert "(c)"; and in line 22 strike "(1)(e)",
- 7 show as stricken, and insert "(1)(d)".

UNANIMOUS CONSENT - Add Cointroducer

Senator Fischer asked unanimous consent to add her name as cointroducer to LB157. No objections. So ordered.

RECESS

At 12:01 p.m., on a motion by Senator Raikes, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Langemeier presiding.

ROLL CALL

The roll was called and all members were present except Senator Harms who was excused; and Senators Dierks, Erdman, Heidemann, Louden, McDonald, Stuthman, and White who were excused until they arrive.

SPEAKER FLOOD PRESIDING**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB988	Education
LB989	Revenue
LB990	Education
LB991	Government, Military and Veterans Affairs
LB992	Nebraska Retirement Systems
LB993	General Affairs
LB994	Health and Human Services
LB995	General Affairs
LB996	General Affairs
LB997	Urban Affairs
LB998	Appropriations
LB999	Agriculture
LB1000	Revenue
LB1001	Revenue
LB1002	Banking, Commerce and Insurance
LB1003	Health and Human Services
LB1004	Revenue
LB1005	Education
LB1006	Health and Human Services
LB1007	Revenue
LB1008	Revenue
LB1009	Revenue

LB1010 Revenue
 LB1011 Banking, Commerce and Insurance

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

GENERAL FILE

LEGISLATIVE BILL 575. Title read. Considered.

Committee AM750, found on page 892, First Session, 2007, was considered.

Senator Kruse offered the following amendment to the committee amendment:

AM1577

(Amendments to Standing Committee amendments, AM750)

- 1 1. On page 1, line 2, strike "2007" and insert "2008".

The Kruse amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Raikes offered the following amendment:

AM1583

- 1 1. On page 2, line 16, after both commas insert
- 2 "nonprofit"; and in line 17 after the first comma insert
- 3 "nonprofit".

Senator Raikes withdrew his amendment.

Senator Raikes offered the following amendment:

AM1587

- 1 1. Strike original section 1 and insert the following new
- 2 section:
- 3 Section 1. Section 77-2704.12, Revised Statutes
- 4 Cumulative Supplement, 2006, is amended to read:
- 5 77-2704.12 (1) Sales and use taxes shall not be imposed
- 6 on the gross receipts from the sale, lease, or rental of and the
- 7 storage, use, or other consumption in this state of purchases by
- 8 (a) any nonprofit organization created exclusively for religious
- 9 purposes, (b) any nonprofit organization providing services
- 10 exclusively to the blind, (c) any nonprofit private educational
- 11 institution established under sections 79-1601 to 79-1607, (d) any
- 12 nonprofit private college or university established under sections
- 13 85-1101 to 85-1111, (e) any nonprofit (i) hospital, (ii) health
- 14 clinic when two or more hospitals or the parent corporations of

15 the hospitals own or control the health clinic for the purpose of
16 reducing the cost of health services or when the health clinic
17 receives federal funds through the United States Public Health
18 Service for the purpose of serving populations that are medically
19 underserved, (iii) skilled nursing facility, (iv) intermediate care
20 facility, (v) assisted-living facility, (vi) intermediate care
21 facility for the mentally retarded, (vii) nursing facility, (viii)
22 home health agency, (ix) hospice or hospice service, or (x) respite
23 care service licensed under the Health Care Facility Licensure
1 Act, (f) ~~and organized not for profit~~, any nonprofit licensed
2 child-caring agency, (g) any nonprofit licensed child placement
3 agency, or (h) any nonprofit organization certified by the
4 Department of Health and Human Services to provide community-based
5 services for persons with developmental disabilities.

6 (2) Any organization listed in subsection (1) of this
7 section shall apply for an exemption on forms provided by the
8 Tax Commissioner. The application shall be approved and a numbered
9 certificate of exemption received by the applicant organization in
10 order to be exempt from the sales and use tax.

11 (3) The appointment of purchasing agents shall be
12 recognized for the purpose of altering the status of the
13 construction contractor as the ultimate consumer of building
14 materials which are physically annexed to the structure and
15 which subsequently belong to the owner of the organization or
16 institution. The appointment of purchasing agents shall be in
17 writing and occur prior to having any building materials annexed
18 to real estate in the construction, improvement, or repair. The
19 contractor who has been appointed as a purchasing agent may apply
20 for a refund of or use as a credit against a future use tax
21 liability the tax paid on inventory items annexed to real estate
22 in the construction, improvement, or repair of a project for a
23 licensed not-for-profit institution.

24 (4) Any organization listed in subsection (1) of this
25 section which enters into a contract of construction, improvement,
26 or repair upon property annexed to real estate without first
27 issuing a purchasing agent authorization to a contractor or
1 repairperson prior to the building materials being annexed to
2 real estate in the project may apply to the Tax Commissioner for
3 a refund of any sales and use tax paid by the contractor or
4 repairperson on the building materials physically annexed to real
5 estate in the construction, improvement, or repair.

6 (5) Any person purchasing, storing, using, or
7 otherwise consuming building materials in the performance of any
8 construction, improvement, or repair by or for any institution
9 enumerated in subsection (1) of this section which is licensed upon
10 completion although not licensed at the time of construction or
11 improvement, which building materials are annexed to real estate
12 and which subsequently belong to the owner of the institution,
13 shall pay any applicable sales or use tax thereon. Upon becoming

14 licensed and receiving a numbered certificate of exemption,
 15 the institution organized not for profit shall be entitled to
 16 a refund of the amount of taxes so paid in the performance
 17 of such construction, improvement, or repair and shall submit
 18 whatever evidence is required by the Tax Commissioner sufficient
 19 to establish the total sales and use tax paid upon the building
 20 materials physically annexed to real estate in the construction,
 21 improvement, or repair.

The Raikes amendment was adopted with 32 ayes, 2 nays, 13 present and not voting, and 2 excused and not voting.

Senator Chambers offered the following amendment:

FA158

P. 2, line 6 after "created" insert "and operated".

Pending.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 269. Placed on Select File with amendment.

ER8128

- 1 1. On page 1, strike line 2 and insert "23-148, 23-149,
- 2 23-151, 23-202, 23-292, 23-293, 23-294, 23-295, 23-296, 23-297,
- 3 23-299, and 51-201.03,".

LEGISLATIVE BILL 402. Placed on Select File with amendment.

ER8127

- 1 1. On page 1, lines 1 and 2, strike "adopt the
- 2 Redistricting Act" and insert "provide duties for the Director
- 3 of Research of the Legislature".

(Signed) Amanda McGill, Chairperson

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 39. Placed on Final Reading.

ST9061

The following changes, required to be reported for publication in the Journal, have been made:

1. The E & R amendments, ER8017, have been struck.
2. On page 1, line 1, "32-628," has been inserted after "sections".

LEGISLATIVE BILL 171. Placed on Final Reading.

LEGISLATIVE BILL 171A. Placed on Final Reading.

ST9058

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, line 3, "First Session, 2007" has been struck and "Second Session, 2008" inserted.

LEGISLATIVE BILL 177. Placed on Final Reading.

ST9059

The following changes, required to be reported for publication in the Journal, have been made:

1. Because of the enactment of Laws 2007, LB 368, the original sections and all amendments thereto have been struck and the following new sections inserted:

Section 1. Section 77-5903, Revised Statutes Supplement, 2007, is amended to read:

77-5903 For purposes of the Nebraska Advantage Microenterprise Tax Credit Act:

(1) Actively engaged in the operation of a microbusiness means personal involvement on a continuous basis in the daily management and operation of the business;

(2) Distressed area means a municipality, county, unincorporated area within a county, or census tract in Nebraska that has (a) an unemployment rate which exceeds the statewide average unemployment rate, (b) a per capita income below the statewide average per capita income, or (c) had a population decrease between the two most recent federal decennial censuses;

(3) Equivalent employees means the number of employees computed by dividing the total hours paid in a year by the product of forty times the number of weeks in a year;

(4) Microbusiness means any business employing five or fewer equivalent employees at the time of application. Microbusiness does not include a farm or livestock operation unless (a) the person actively engaged in the operation of the microbusiness has a net worth of not more than two hundred thousand dollars, including any holdings by a spouse or dependent, based on fair market value, or (b) the investment or employment is in the processing or marketing of agricultural products, aquaculture, agricultural tourism, or the production of fruits, herbs, tree products, vegetables, tree nuts, dried fruits, organic crops, or nursery crops;

(5) New employment means the amount by which the total compensation plus the employer cost for health insurance for employees paid during the tax year to or for employees who are Nebraska residents exceeds the total compensation paid plus the employer cost for health insurance for employees to or for employees who are Nebraska residents in the tax year prior to application. New employment does not include compensation to any employee that is in excess of one hundred fifty percent of the Nebraska average weekly wage. Nebraska average weekly wage means the most recent average weekly wage paid by all employers as reported by October 1 by the Department of Labor;

(6) New investment means the increase during the tax year over the year prior to the application in the applicant's (a) purchases of buildings and depreciable personal property located in Nebraska, (b) ~~and~~ expenditures on repairs and maintenance on property located in Nebraska, ~~not including neither subdivision (a) or (b) of this subdivision to include~~ vehicles required to be registered for operation on the roads and highways of this state, ~~during the tax year,~~ and (c) expenditures on advertising, legal, and professional services. If the buildings or depreciable personal property is leased, the amount of new investment shall be the increase in average net annual rents multiplied by the number of years of the lease for which the taxpayer is bound, not to exceed ten years;

(7) Related persons means (a) any corporation, partnership, limited liability corporation, cooperative, including cooperatives exempt under section 521 of the Internal Revenue Code of 1986, as amended, limited cooperative association, or joint venture which is or would otherwise be a member of the same unitary group, if incorporated, or any person who is considered to be a related person under either section 267(b) and (c) or section 707(b) of the Internal Revenue Code of 1986, as amended, and (b) any individual who is a spouse, parent if the taxpayer is a minor, or minor son or daughter of the taxpayer; and

(8) Taxpayer means any person subject to the income tax imposed by the Nebraska Revenue Act of 1967, any corporation, partnership, limited liability company, cooperative, including a cooperative exempt under section 521 of the Internal Revenue Code of 1986, as amended, limited cooperative association, or joint venture that is or would otherwise be a member of the same unitary group, if incorporated, which is, or whose partners, members, or owners representing an ownership interest of at least ninety percent of such entity are, subject to such tax, and any other partnership, limited liability company, subchapter S corporation, cooperative, including a cooperative exempt under section 521 of the Internal Revenue Code of 1986, as amended, limited cooperative association, or joint venture when the partners, shareholders, or members representing an ownership interest of at least ninety percent of such entity are subject to such tax.

The changes made to this section by this legislative bill shall be operative for all applications for benefits received on or after the effective date of this act.

Sec. 2. Original section 77-5903, Revised Statutes Supplement, 2007, is repealed.

2. On page 1, line 2, "Cumulative" has been struck; in line 3 "2006" has been struck and "2007" inserted; in line 4 "to" has been struck; and in line 5 "provide an operative date;" has been struck.

LEGISLATIVE BILL 204. Placed on Final Reading.
ST9060

The following changes, required to be reported for publication in the Journal, have been made:

1. In lieu of the Burling amendment, AM1552, in the Synowiecki amendment, AM845, on page 1, line 17, "one" has been struck, shown as

stricken, and "five" inserted; in line 18 the comma has been struck; and in line 19 "for purposes of the act;" has been struck, shown as stricken, and an underscored semicolon inserted.

2. On page 1, line 1, "48-2103," has been inserted after the comma.

LEGISLATIVE BILL 204A. Placed on Final Reading.
ST9057

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, line 3, "First Session, 2007" has been struck and "Second Session, 2008" inserted.

2. On page 2, line 6, "First Session, 2007" has been struck and "Second Session, 2008" inserted; in lines 2 and 9, "FY2007-08" has been struck and "FY2008-09" inserted; and in lines 3 and 9 "FY2008-09" has been struck and "FY2009-10" inserted.

LEGISLATIVE BILL 246. Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1029. Introduced by Fulton, 29; Ashford, 20; Engel, 17; Erdman, 47; Hansen, 42; Lautenbaugh, 18; Nantkes, 46; Stuthman, 22; Synowiecki, 7; Wightman, 36.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Supplement, 2007; to change provisions relating to contracts; and to repeal the original section.

LEGISLATIVE BILL 1030. Introduced by Nantkes, 46.

A BILL FOR AN ACT relating to elections; to amend section 32-606, Revised Statutes Supplement, 2007; to change the filing deadline for candidates for the school board of a Class IV school district; and to repeal the original section.

LEGISLATIVE BILL 1031. Introduced by Ashford, 20.

A BILL FOR AN ACT relating to protective services; to amend sections 28-377 and 28-726, Revised Statutes Supplement, 2007; to change provisions relating to confidentiality requirements for persons engaged in bona fide research or auditing; and to repeal the original sections.

LEGISLATIVE BILL 1032. Introduced by Rogert, 16.

A BILL FOR AN ACT relating to crimes and offenses; to amend section

28-101, Revised Statutes Supplement, 2007; to prohibit use of computer programs, software, or devices for purposes of ticket scalping; to provide a penalty; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1033. Introduced by Synowiecki, 7; Aguilar, 35; Burling, 33; Flood, 19; Janssen, 15; Lathrop, 12; Preister, 5; Wightman, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,196.01, Reissue Revised Statutes of Nebraska, and sections 77-27,187.02 and 77-27,188, Revised Statutes Supplement, 2007; to change application requirements for the Nebraska Advantage Rural Development Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1034. Introduced by Louden, 49; Adams, 24; Avery, 28; Engel, 17; Erdman, 47.

A BILL FOR AN ACT relating to state roads; to amend section 39-1302, Revised Statutes Cumulative Supplement, 2006; to designate the state expressway system; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1035. Introduced by Louden, 49; Avery, 28.

A BILL FOR AN ACT relating to highways and roads; to amend section 39-1302, Revised Statutes Cumulative Supplement, 2006, and section 84-612, Revised Statutes Supplement, 2007; to create the Expressway Construction Fund and provide for its use; to designate the state expressway system; to transfer money from the Cash Reserve Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1036. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110, Reissue Revised Statutes of Nebraska; to change provisions relating to a tax levy for health and safety modifications or qualified zone academy bonds; and to repeal the original section.

LEGISLATIVE BILL 1037. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.01 and 77-2701.02, Reissue Revised Statutes of Nebraska; to change the income tax rate and sales tax rate; and to repeal the original sections.

LEGISLATIVE BILL 1038. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2007; to change an income tax adjustment relating to interest and dividends; to provide an operative date;

and to repeal the original section.

LEGISLATIVE BILL 1039. Introduced by Janssen, 15; Karpisek, 32.

A BILL FOR AN ACT relating to revenue and taxation; to create a task force related to agricultural land valuation; and to provide duties for the Department of Revenue.

LEGISLATIVE BILL 1040. Introduced by Louden, 49; Adams, 24; Carlson, 38; Hansen, 42; Hudkins, 21; Karpisek, 32; Pankonin, 2; Wallman, 30.

A BILL FOR AN ACT relating to ethanol; to amend sections 61-218, 66-1345.01, and 66-1345.02, Revised Statutes Supplement, 2007; to impose a tax on ethanol production and provide for its use; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1041. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to water; to protect water purchased or leased by the state and certain natural resources districts; to provide a duty for the Revisor of Statutes; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 575. The Chambers amendment, FA158, found in this day's Journal, was renewed.

Senator Chambers withdrew his amendment.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1042. Introduced by Howard, 9.

A BILL FOR AN ACT relating to consumer protection; to adopt the Resale of Tickets to Entertainment Events Act; to provide penalties; and to provide severability.

MOTION - Print in Journal

Senator Langemeier filed the following motion to LB202:

MO108

Indefinitely postpone.

UNANIMOUS CONSENT - Add Cointroducers

Senator Aguilar asked unanimous consent to add his name as cointroducer to LB51. No objections. So ordered.

Senator Preister asked unanimous consent to add his name as cointroducer to LB809. No objections. So ordered.

Senator Pankonin asked unanimous consent to add his name as cointroducer to LB983. No objections. So ordered.

Senator Christensen asked unanimous consent to add his name as cointroducer to LB1022. No objections. So ordered.

NOTICE OF COMMITTEE HEARING

Revenue

Room 1524

Friday, January 25, 2008 1:30 p.m.

LB754
LB979
LB1004
LB718
LB949
LB890

(Signed) Ray Janssen, Chairperson

VISITORS

Visitors to the Chamber were Starlight Fonseca from Hastings; and Dennis Mitchell from Norfolk and Al Pfeifer from Madison.

The Doctor of the Day was Dr. Kevin Wycoff from Hastings.

ADJOURNMENT

At 3:18 p.m., on a motion by Senator Nelson, the Legislature adjourned until 9:00 a.m., Friday, January 18, 2008.

Patrick J. O'Donnell
Clerk of the Legislature

