

E & R AMENDMENTS TO LB 828

1 1. In the Jensen et al. amendment, AM0851, on page 1,
2 line 3, strike "5" and insert "7".

3 2. In the Standing Committee amendments, AM0673:

4 a. Insert the following sections:

5 "Sec. 2. Section 33-151, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 33-151. All money now in the state treasury to the
8 credit of the ~~special boards, bureaus, divisions, and commissions~~
9 ~~enumerated in section 33-150~~ state boards of medicine and surgery,
10 chiropractic, respiratory care, dentistry, including fees from
11 dental hygiene, medical nutrition therapy, athletic training,
12 massage therapy, optometry, pharmacy, funeral directing and
13 embalming, including fees received from funeral establishments and
14 branch establishments, as defined in section 71-1301, as well as
15 funeral directors and embalmers, podiatry, veterinary medicine, and
16 mental health practice, the Board of Occupational Therapy Practice,
17 the Board of Cosmetology Examiners, the Board of Barber Examiners,
18 the Board of Nursing, the State Real Estate Commission, the Board
19 of Engineers and Architects, the State Athletic Commissioner, the
20 Nebraska Oil and Gas Conservation Commission pursuant to sections
21 57-906 and 57-911, and any other state board, bureau, division,
22 fund, or commission not mentioned in this section, and all money
23 collected by each of the special boards, bureaus, divisions, or
24 commissions during any biennium, except the percentage credited

AM7150
LB 828
DCC-05-17

AM7150
LB 828
DCC-05-17

1 ~~from each and deposited in the General Fund as provided in such~~
2 ~~section,~~ if and when specifically appropriated by the Legislature
3 for that purpose, are made immediately available for the use and
4 benefit of such special board, bureau, division, or commission.
5 This section shall not be construed to apply to the fees inuring to
6 the Nebraska Brand Inspection and Theft Prevention Fund.

7 Sec. 3. Section 33-152, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 33-152. The Director of Administrative Services is
10 authorized and empowered to draw his or her warrants against the
11 several fee fund accounts of each of the special boards, bureaus,
12 commissions, or divisions enumerated in section ~~33-150~~ 33-151, upon
13 duly itemized and verified vouchers approved by the person or
14 persons having supervision or charge of ~~said the~~ respective funds,
15 and who are authorized by law to approve such vouchers. Upon
16 presentation of ~~said the~~ warrants the State Treasurer shall
17 countersign the same and shall pay ~~said the~~ warrants out of, but
18 never in excess of, the amount of ~~said the~~ fee funds specifically
19 appropriated.

20 Sec. 134. Section 71-1,237, Revised Statutes Supplement,
21 1998, is amended to read:

22 71-1,237. The Respiratory Care Practitioners Fund is
23 hereby created. All money in the fund shall be used exclusively by
24 the department to carry out its statutory and regulatory duties
25 pertaining to the practice of respiratory care. The State
26 Treasurer shall credit to the fund all license and renewal fees for
27 the practice of respiratory care remitted to the State Treasurer by

AM7150
LB 828
DCC-05-17

AM7150
LB 828
DCC-05-17

1 the department pursuant to section 71-162 except such amount
2 distributed pursuant to ~~sections 33-150 and section~~ 71-6228. Any
3 money in the fund available for investment shall be invested by the
4 state investment officer pursuant to the Nebraska Capital Expansion
5 Act and the Nebraska State Funds Investment Act.

6 Sec. 136. Section 71-1,243, Revised Statutes Supplement,
7 1998, is amended to read:

8 71-1,243. The Athletic Trainer Fund is hereby created.
9 All money in the fund shall be used exclusively by the department
10 to carry out the statutory and regulatory duties pertaining to the
11 practice of athletic training. The State Treasurer shall credit to
12 the fund all certification and renewal fees for the practice of
13 athletic training remitted to the State Treasurer by the department
14 pursuant to section 71-162 except such amounts distributed pursuant
15 to ~~sections 33-150 and section~~ 71-6228. Any money in the fund
16 available for investment shall be invested by the state investment
17 officer pursuant to the Nebraska Capital Expansion Act and the
18 Nebraska State Funds Investment Act.

19 Sec. 140. Section 71-1,283, Revised Statutes Supplement,
20 1998, is amended to read:

21 71-1,283. The Massage Therapy Fund is hereby created.
22 All money in the fund shall be used exclusively by the department
23 to carry out the statutory and regulatory duties pertaining to the
24 practice of massage therapy. The State Treasurer shall credit to
25 the fund all certification and renewal fees for the practice of
26 massage therapy remitted to the State Treasurer by the department
27 pursuant to section 71-162 except such amounts distributed pursuant

AM7150
LB 828
DCC-05-17

AM7150
LB 828
DCC-05-17

1 to ~~sections 33-150~~ and section 71-6228. Any money in the fund
2 available for investment shall be invested by the state investment
3 officer pursuant to the Nebraska Capital Expansion Act and the
4 Nebraska State Funds Investment Act.

5 Sec. 142. Section 71-1,288, Revised Statutes Supplement,
6 1998, is amended to read:

7 71-1,288. The Medical Nutrition Therapy Fund is created.
8 All money in the fund shall be used exclusively by the department
9 to carry out the statutory and regulatory duties pertaining to the
10 practice of medical nutrition therapy. The State Treasurer shall
11 credit to the fund all licensure and renewal fees for the practice
12 of medical nutrition therapy remitted to the State Treasurer by the
13 department pursuant to section 71-162 except such amounts
14 distributed pursuant to ~~sections 33-150~~ and section 71-6228. Any
15 money in the fund available for investment shall be invested by the
16 state investment officer pursuant to the Nebraska Capital Expansion
17 Act and the Nebraska State Funds Investment Act.

18 Sec. 144. Section 71-1,334, Revised Statutes Supplement,
19 1998, is amended to read:

20 71-1,334. The Mental Health Practice Fund is hereby
21 created. The money in the fund shall be used by the department to
22 carry out the statutory and regulatory duties pertaining to mental
23 health practice.

24 The State Treasurer shall credit to the fund all
25 licensure and renewal fees for mental health practice and
26 certification and renewal fees for social work, professional
27 counseling, and marriage and family therapy remitted by the

1 department pursuant to section 71-162 except the amounts
2 distributed pursuant to ~~sections 33-150~~ and section 71-6228.

3 Any money in the fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska
5 Capital Expansion Act and the Nebraska State Funds Investment
6 Act.";

7 b. On page 6, lines 11 and 12, strike "Department of
8 Health and Human Services Regulation and Licensure" and insert
9 "department";

10 c. On page 7, line 18, strike "In" and insert "On";

11 d. On page 18, lines 10 and 11, strike beginning with
12 "(4)" through "(6)", show the old matter as stricken, and insert
13 "(3) and (5)";

14 e. On page 41, lines 8 and 9, strike "of examiners" and
15 show as stricken;

16 f. On page 57, line 9, strike "interested", show as
17 stricken, and insert "appropriate"; and in line 24 strike
18 "examining" and show as stricken;

19 g. On page 186, line 17, strike "(1)", show as stricken,
20 and insert "(a)"; and in line 18 strike "(2)", show as stricken,
21 and insert "(b)" and strike "(3)", show as stricken, and insert
22 "(c)";

23 h. On page 137, line 11, insert "Reissue" after the last
24 comma; and in line 12 strike "Supplement, 1998" and insert "of
25 Nebraska";

26 i. On page 192, line 4, after "sections" insert "33-151,
27 33-152,"; and in line 18 after "71-1,147.02," insert

1 "71-1,147.10,";

2 j. On page 193, line 4, strike "71-1,147.10," and after
3 "71-1,154," insert "71-1,237, 71-1,243, 71-1,283, 71-1,288,
4 71-1,334,"; and

5 k. Renumber the remaining sections accordingly.

6 3. On page 1, strike beginning with line 2 through the
7 semicolon in line 6 and insert "33-151, 33-152, 44-2847, 59-1617,
8 71-105, 71-107, 71-111, 71-112, 71-112.01, 71-112.03, 71-113,
9 71-114, 71-115.01, 71-116, 71-117, 71-118, 71-119, 71-120, 71-122,
10 71-123, 71-124, 71-124.01, 71-128, 71-129, 71-131, 71-132, 71-133,
11 71-138, 71-139, 71-139.01, 71-140, 71-143, 71-144, 71-161.03,
12 71-161.04, 71-161.07, 71-161.09, 71-161.13, 71-161.14, 71-161.15,
13 71-161.19, 71-161.20, 71-168.01, 71-170, 71-171.01, 71-175,
14 71-175.01, 71-176.01, 71-176.03, 71-179, 71-179.01, 71-180,
15 71-183.01, 71-185, 71-185.01, 71-185.02, 71-186, 71-193.04,
16 71-193.14, 71-193.18, 71-193.20, 71-193.22, 71-1,104, 71-1,104.06,
17 71-1,105, 71-1,106, 71-1,107.01, 71-1,107.02, 71-1,107.04,
18 71-1,107.05, 71-1,107.09, 71-1,107.10, 71-1,107.11, 71-1,107.13,
19 71-1,107.14, 71-1,107.16, 71-1,107.25, 71-1,136.02, 71-1,136.03,
20 71-1,136.09, 71-1,137, 71-1,139.01, 71-1,140, 71-1,144.01,
21 71-1,144.04, 71-1,145, 71-1,146, 71-1,147.02, 71-1,147.10,
22 71-1,147.11, 71-1,147.18, 71-1,147.19, 71-1,147.20, 71-1,147.21,
23 71-1,147.22, 71-1,147.24, 71-1,147.25, 71-1,147.29, 71-1,147.30,
24 71-1,147.31, 71-1,147.38, 71-1,152.01, 71-1,171, 71-1,186,
25 71-1,191, 71-1,192, 71-1,206.02, 71-1,206.11, 71-1,227, 71-1,238,
26 71-1,278, 71-1,281, 71-1,281.01, 71-1,286, 71-1,298, 71-1,335,
27 71-1,337, 71-1301, 71-1305, 71-1333.01, 71-1731, 71-1735, 71-1736,

AM7150
LB 828
DCC-05-17

AM7150
LB 828
DCC-05-17

1 71-1737, 71-1740, 71-1743, 71-1758, 71-2407, 71-2408, 71-2409,
2 71-2413, 71-2416, 71-2803, 71-2804, 71-2807, 71-2809, 71-4715,
3 71-6228, and 71-7405, Reissue Revised Statutes of Nebraska, and
4 sections 28-407, 71-101, 71-108, 71-110, 71-121, 71-121.01, 71-141,
5 71-155, 71-161.10, 71-162, 71-168, 71-171.02, 71-174.01, 71-1,103,
6 71-1,135, 71-1,135.02, 71-1,135.03, 71-1,135.04, 71-1,136.01,
7 71-1,139, 71-1,142, 71-1,147.45, 71-1,154, 71-1,237, 71-1,243,
8 71-1,283, 71-1,288, 71-1,334, 71-1730, 71-2601, and 71-5403,
9 Revised Statutes Supplement, 1998;" and strike lines 14 and 15 and
10 insert "to repeal the original sections; and to outright repeal
11 sections 33-150, 71-1741, and 71-1742, Reissue Revised Statutes of
12 Nebraska."