

NINETEENTH DAY - FEBRUARY 6, 2002**LEGISLATIVE JOURNAL****NINETY-SEVENTH LEGISLATURE
SECOND SESSION****NINETEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 6, 2002

PRAYER

The prayer was offered by Reverend Dr. Ron Roemmich, First United Methodist Church, Kearney, Nebraska.

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 Coordsen and Engel who were excused; and Senators Brashear, Brown, Foley, Kristensen, Landis, Preister, Raikes, Tyson, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

**STANDING COMMITTEE REPORT
Transportation and Telecommunications**

LEGISLATIVE BILL 447. Indefinitely postponed.

(Signed) Curt Bromm, Chairperson

**NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications**

Room 1113

LB 1028	Tuesday, February 19, 2002 (cancel)	1:30 PM
LB 1028	Monday, February 25, 2002 (reschedule)	1:30 PM

(Signed) Curt Bromm, Chairperson

**2001 INTERIM REPORT
ON THE DISPOSITION OF
INTERIM STUDY RESOLUTIONS**

Agriculture

LR Subject

80	Dept. of Agriculture cash funds	Completed Report Issued
81	Contingency reserve to fund water quality analysis and monitoring activities in support of Pesticide Program	Completed Report Issued
112	Feasibility of prior notification of pesticide applications	Deferred
164	Value and benefits of organic food industry to Nebraska	Deferred
193	State options to respond to growing integration and market power disparity in agricultural markets	Completed No Report Issued
194	Role of University in addressing rural development problems and desirability of enacting Rural Initiative Act	Completed No Report Issued
195	Feasibility of state producer-funded pork promotion program in event of termination of federal program	Deferred
196	Management options to contain and prevent the spread of Chronic Wasting Disease in cervidae herds	Completed Report Issued

Appropriations

LR Subject

101	Private Service Contracts	Deferred
125	State Collective Bargaining Act	Deferred
132	Equipment Storage Buildings--Roads	Completed Report Issued
188	Family Practice Residency Program	Deferred
249	Wage minimum for contract employees	Deferred

Banking, Commerce and Insurance**LR Subject**

88	Mental Health Insurance	Deferred
91	Prompt Payment	Deferred
92	MEWA's	Completed No Report Issued
93	Statutory Liens	Deferred
94	Uniform Trust Code	Completed No Report Issued
111	Delayed Deposit/Debt Management	Deferred
126	Predatory Lending	Completed No Report Issued
187	State Group Health Coverage	Deferred

Business and Labor**LR Subject**

103	State Claims Board	Completed Report Issued
217	Public Employee Bargaining	Deferred
223	Railroad Employee Issues	Completed Report Issued
107	State Contracts/Minimum Wage	Completed No Report Issued
106	Child Labor Laws	Completed Report Issued
102	Railroad Employee Issues	Completed Report Issues
104	Managed Care/Worker's Compensation	Completed No Report Issued
105	Department of Labor Safety Inspection Program	Completed No Report Issued

79	Small Business Incentives for Payment of Unemployment Benefits	Deferred
108	Birth or Adoption of Child Eligibility for Unemployment Benefits	Completed Report Issued
189	Negligent Third Party Liability for Injured Workers	Deferred
275	Workforce Investment Act Review	Completed No Report Issued

Education

LR Subject

78	Review adjustments to school state aid calculations to include cost of transporting students to Lincoln for academic events and personnel training	Deferred
95	Determine status of school building structures	Deferred
113	Use of adjusted valuations in equalization formula for state aid to schools	Deferred
116	Extent to which poverty affects students' education	Deferred
119	Clarify who is eligible to run for positions on the boards of educational service units comprising more than one county	Completed No Report Issued
131	How schools with declining enrollments are affected by decreases in state aid	Deferred
163	Statutes relating to impact of municipal annexation upon school districts and their boundaries	Deferred
165	State policies relating to career and technical education programs	Deferred
209	Allocation and distribution of State Scholarship Award Program, Scholarship Assistance Program, and Postsecondary Education Award Program	Completed No Report Issued
210	Formula needs pursuant to Tax Equity and Educational Opportunities Support Act	Deferred
211	Reorganization of school districts	Deferred

212	Education of students in extreme poverty	Deferred
213	Matters and issues within jurisdiction of Education Committee	Completed No Report Issued
238	Implementation of new federal guidelines for funding of after-school programs	Completed No Report Issued

General Affairs

LR Subject

83	Underage consumption of alcoholic beverages	Completed No Report Issued
84	Importation of alcoholic liquor into state for personal use	Completed No Report Issued
86	Training of liquor retailers and employees for preventing sales to minors	Completed No Report Issued
87	Increase money distributed to beneficiaries of State Lottery Act	Completed No Report Issued
97	Increasing charitable gaming revenue and efficient maintenance of records	Completed No Report Issued
98	Feasibility of reclassifying liquor licensing system	Completed No Report Issued
124	Study sales of alcoholic liquor in Whiteclay, NE	Deferred

Government, Military and Veterans Affairs

LR Subject

56	Laws regarding private detectives, plain clothes investigators, and private security companies	Completed No Report Issued
85	State employee parking facility feasibility	Completed No Report Issued
144	Thomas Fitzgerald Veterans' Home in Omaha	Completed No Report Issued
148	Provision of state and local governmental services through electronic means	Completed No Report Issued
156	Intent of LB 137 (1999) regarding access to certain job application materials of applicants for positions with public bodies	Completed No Report Issued

178	Use of employee's social security numbers by state agencies	Completed No Report Issued
179	Clarify and improve process of restoring a felon's right to vote	Completed No Report Issued
180	Use of alternative board members on various boards and commissions	Completed No Report Issued
181	Implications of including consent form on applications for drivers' licenses for persons eligible to register with selective service	Completed No Report Issued
214	Nebraska's absentee ballot procedures	Completed No Report Issued
215	Political office eligibility for employees of political subdivisions	Completed No Report Issued
218	Nebraska's veterans homes	Completed Report Issued
266	Jurisdiction of the Government, Military & Veterans Affairs Committee	Completed No Report Issued

Health and Human Services

LR Subject

67	Interpreters Licensure	Completed No Report Issued
69	Child Care Facilities	Completed No Report Issued
71	Assisted Living Facilities	Completed No Report Issued
73	Childcare Services	Completed No Report Issued
75	Self Directed Care for Disabled	Completed No Report Issued
76	Advanced Practice Registered Nurse Act	Completed No Report Issued
77	Nursing Shortage, Nebraska Center for Nursing	Completed No Report Issued
96	Access to Adoption Records	Completed No Report Issued

99	Child Support for Developmentally Disabled	Completed No Report Issued
134	Environmental Tobacco Smoke	Completed No Report Issued
137	Lead-Based Paint	Completed No Report Issued
138	Reimbursement to Behavioral Health Providers	Completed No Report Issued
143	Adult Family Homes	Completed No Report Issued
157	Patient Bill of Rights	Completed No Report Issued
159	Nebraska's Chronic Renal Disease Program	Completed No Report Issued
202	Health and Human Services Issues	Completed No Report Issued
203	Nebraska Health Care Funding Act	Completed No Report Issued
204	Medical Registries	Completed No Report Issued
205	Personal Care Services Evaluation	Completed No Report Issued
206	Medical Errors	Completed No Report Issued
207	Health and Human Services Committee Planning and Evaluation Study	Completed No Report Issued

Judiciary

LR Subject

177	Develop program statement and transition plan for transferring correctional facility to Office of Juvenile Services to develop potential future sex offender treatment program	Completed No Report Issued
182	Comprehensive review and analysis of Nebr. Juvenile Code	Completed No Report Issued

183	Comprehensive review of statutes on divorce, alimony, child support, and child custody	Completed No Report Issued
240	Examine statutes regarding no-fault divorce	Completed No Report Issued
190	Planning and preparation for studies of correctional issues described in LB 611, 2001	Completed No Report Issued
197	Incorporate work completed by Committee on Practice and Procedure and consider revision of statutes regarding a standard of notice pleading	Completed No Report Issued
82	Statutes regarding exemptions due to changes in federal bankruptcy statutes	Completed No Report Issued
198	Driver safety issues regarding drivers using cellular telephones or similar devices while driving	Completed No Report Issued
139	Develop recommendations concerning issue of highway safety and driver distractions	Completed No Report Issued
199	Examine enforcement of traffic signals	Completed No Report Issued
243	Examine issue regarding three-year limitation for filing motion for new trial based on claim of innocence involving evidence other than DNA	Completed No Report Issued
70	Reimbursement options for counties relating to medical expenses for inmates in county correctional facilities	Completed No Report Issued
136	Examine whether purchaser of a handgun should be subject to background check prior to each purchase and possible elimination of three-year certificate	Completed No Report Issued
192	Results of death penalty study	Completed No Report Issued
201	Determine whether Nebraska should change age of majority from nineteen to eighteen years of age	Completed No Report Issued

Natural Resources**LR Subject**

63	Environmental impacts of pumping water from Platte River Basin to Missouri River Basin	Deferred
72	Funding and maintaining an off-the-highway trail for use by all-terrain vehicles and dirt bikes	Completed No Report Issued
81	Maintain a contingency fund within or in conjunction with Pesticide Administrative Cash Fund (Joint Report with Appropriations and Agriculture)	Completed Report Issued
109	Review of Remedial Action Plan Monitoring Plan	Completed No Report Issued
115	Environmental impact of disposal of computers along with other electronic equipment items	Completed No Report Issued
118	Barriers to development of wind energy and funding for renewable energy	Completed No Report Issued
133	Policies to reduce air emissions from power plants and to achieve greater energy conservation	Completed No Report Issued
166	Statutes regarding ground water and surface water, transferring of water rights and use	Completed No Report Issued
167	Identify process for citizen input in identifying significant water problems, associated policy issues and solutions	Completed No Report Issued
168	Timelines required for construction inspections and final inspections for livestock waste control facilities by the Department of Environmental Quality	Deferred
169	Authorization of natural resources districts to impose civil penalties for enforcement of the Nebraska Management and Protection Act	Completed No Report Issued
170	Benefits of establishing an advisory committee to assist the Governor in appointments to the Game and Parks Commission	Completed No Report Issued
171	Statutes relating to the regulation of drainage	Completed No Report Issued
172	Guidelines used to determine eligibility of funding for projects using the Nebraska Resources Development Fund	Deferred

173	Whether the Department of Environmental Quality should be the lead agency for the Pesticide Act	Completed No Report Issued
174	State-funded program for natural resources districts and communities to address nitrate contamination in public water systems	Completed No Report Issued
175	Determine availability and costs of private insurance to meet financial responsibility requirements for commercial underground petroleum storage tank owners	Deferred
176	Effects of the Cooperative Agreement on the Platte River Basin and the possibility of new consumptive use in the Basin	Completed No Report Issued
219	Recycling hazardous wastes into fertilizer	Deferred
224	Increasing Game and Parks Commissioners to eight members	Completed No Report Issued
242	Incentives for ethanol use given by other states, specifically, Iowa and Minnesota	Deferred
246	Review environmental audit statutes	Deferred

Nebraska Retirement Systems

LR Subject

220	State & County Retirement Plans	Completed No Report Issued
221	Actuarial Funding Methods	Completed No Report Issued
222	Review of administration of retirement plans	Completed No Report Issued
223	State Patrol COLA	Deferred

Revenue

LR Subject

146	Ag land assessment	Completed Report Issued
160	Greenbelt	Completed Report Issued

130	Property tax statements	Completed Report Issued
147	Streamlined sales tax	Completed No Report Issued
237	Implementation of LB 271 (1999)	Completed Report Issued
129	Electronic payment of taxes	Completed No Report Issued
259	Improving TRAIN	Completed Report Issued
145	Sales & income tax reform	Completed Report Issued
89	Income tax for retirees	Completed Report Issued
68	Exempt military retirees	Completed Report Issued
251	Effect of imminent domain on state aid	Completed Report Issued
245	Inheritance tax reform	Deferred
242	Ethanol incentives	Deferred
184	Reserve limitations	Completed Report Issued
140	Effect of budget lids	Completed Report Issued
135	Effect of levy limits	Completed Report Issued
239	State assistance for low income counties	Deferred
241	Incentives for film-making	Deferred
161	Homestead exemptions	Deferred
234	Lodging tax	Deferred
231	Historic properties	Deferred
200	Taxation of ag machinery	Deferred
128	City occupation tax	Deferred

Rules**LR Subject**

90	Review placing limit on number of legislative bills a senator may introduce each session	Completed No Report Issued
162	Examine Rules of Legislature relating to cloture motions	Completed No Report Issued

Transportation and Telecommunications**LR Subject**

100	Lincoln/Omaha I-80 Corridor	Completed No Report Issued
110	Loss of rural rail service/Duties of Nebr. Railway Council	Completed No Report Issued
122	School bus inspections	Completed No Report Issued
123	Telephone solicitations	Completed No Report Issued
127	Telecommunications industry review	Deferred
142	Joint airport between Lincoln and Omaha	Deferred
149	Dept. of Roads Legal Counsel	Deferred
150	Prior DUI conviction sentencing enhancement	Deferred
151	DUI testing methods	Deferred
152	Nongovernmental organization specialty license plates	Completed No Report Issued
153	Load Limits	Deferred
154	Railroad crossing grade separations	Completed No Report Issued
155	Securing loads being transported	Completed No Report Issued
158	Child passenger safety laws	Deferred
185	Nebr. Public Safety Wireless Communication System Act	Completed No Report Issued

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| 186 | Telecommunications recodification | Deferred |
| 236 | Public transportation need and necessity certification | Deferred |

Urban Affairs

LR Subject

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| 117 | Lowering the population threshold requirement for formation or continuing status of villages | Completed
No Report Issued |
| 191 | Issues relating to extraterritorial jurisdiction of municipalities | Completed
No Report Issued |
| 225 | Investigate full range of powers granted to municipalities regarding jurisdiction over residents outside the boundaries | Completed
No Report Issued |
| 226 | Examine neighborhood associations and homeowner associations | Completed
No Report Issued |
| 227 | Examine amending state building code and possible adoption of some or all of 2000 International Codes | Completed
No Report Issued |
| 228 | Statutes governing structure and operations of various classes of municipalities | Deferred |
| 229 | Matters and issues under the jurisdiction of Urban Affairs Committee | Completed
No Report Issued |
| 230 | Policy issues raised by the Limited Purpose Sanitary and Improvement District Act | Completed
No Report Issued |
| 232 | Determine which cities and villages in Nebraska do not currently have access to natural gas service | Deferred |
| 235 | Examine statutory mechanisms to allow neighborhood property owners to make self-directed investments in their properties | Completed
No Report Issued |
| 244 | Statutes dealing with cities and villages of all classes | Deferred |
| 248 | Examine issues relating to service delivery of natural gas within a municipal county | Completed
No Report Issued |
| 274 | Issues relating to municipal natural gas regulation | Completed
No Report Issued |

AMENDMENTS - Print in Journal

Senator Schimek filed the following amendment to LB 251:
AM2589

- 1 1. On page 2, line 20, strike "was" and insert "is"; and
- 2 in line 22 strike "at the time of the election".

Senator Schimek filed the following amendment to LB 95:
AM2579

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 "Section 1. Section 60-6,211.08, Revised Statutes
- 4 Supplement, 2000, is amended to read:
- 5 60-6,211.08. (1) For purposes of this section:
- 6 (a) Alcoholic beverage means (i) beer, ale porter, stout,
- 7 and other similar fermented beverages, including sake or similar
- 8 products, of any name or description containing one-half of one
- 9 percent or more of alcohol by volume, brewed or produced from malt,
- 10 wholly or in part, or from any substitute therefor, (ii) wine of
- 11 not less than one-half of one percent of alcohol by volume, or
- 12 (iii) distilled spirits which is that substance known as ethyl
- 13 alcohol, ethanol, or spirits of wine in any form, including all
- 14 dilutions and mixtures thereof from whatever source or by whatever
- 15 process produced. Alcoholic beverage does not include trace
- 16 amounts not readily consumable as a beverage;
- 17 (b) Highway means a road or street including the entire
- 18 area within the right-of-way;
- 19 (c) Open alcoholic beverage container means any bottle,
- 20 can, or other receptacle:
- 21 (i) That contains any amount of alcoholic beverage; and
- 22 (ii)(A) That is open or has a broken seal or (B) the
- 23 contents of which are partially removed; and
- 24 (d) Passenger area means the area designed to seat the
- 1 driver and passengers while the motor vehicle is in operation and
- 2 any area that is readily accessible to the driver or a passenger
- 3 while in their seating positions, including any compartments in
- 4 such area. Passenger area does not include the area behind the
- 5 last upright seat of such motor vehicle if the area is not normally
- 6 occupied by the driver or a passenger and the motor vehicle is not
- 7 equipped with a trunk.
- 8 (2) ~~¶~~ Except as otherwise provided in this section, it
- 9 is unlawful for any person in the passenger area of a motor vehicle
- 10 to possess an open alcoholic beverage container while the motor
- 11 vehicle is located in a public parking area or on any highway in
- 12 this state.
- 13 (3) Except as provided in section 53-186 and subsection

- 14 (4) of this section, it is unlawful for any person to consume an
15 alcoholic beverage (a) in a public parking area or on any highway
16 in this state or (b) inside a motor vehicle while in a public
17 parking area or on any highway in this state.
- 18 (4) This section does not apply to persons who are
19 passengers in, but not drivers of, vehicles operated by carriers
20 authorized by the Public Service Commission to provide charter,
21 limousine, or special party service as defined in section 75-304.
22 Such passengers may possess open alcoholic beverage containers and
23 may consume alcoholic beverages while such vehicle is in a public
24 parking area or on any highway in this state, subject to the
25 following requirements:
- 26 (a) The driver of such vehicle is prohibited from
27 consuming or possessing alcoholic liquor:
- 1 (b) In the case of a special party service, the carrier
2 shall notify passengers at the time of reservation or purchase of
3 the special party service whether or not alcoholic beverages may be
4 consumed; and
- 5 (c) If a minor is found to be, or to have been, consuming
6 any alcoholic beverage while a passenger of a vehicle providing
7 such charter, limousine, or special party service, the contract
8 with the carrier shall be terminated and all passengers shall be
9 returned to the point of origin.
- 10 (5) For purposes of this section, limousine service does
11 not include taxicab service, as such services are defined in
12 section 75-304.
- 13 Sec. 2. Section 75-304, Reissue Revised Statutes of
14 Nebraska, is amended to read:
- 15 75-304. (1) The commission may establish such just and
16 reasonable classifications of groups of carriers, included in the
17 terms common carrier and contract carrier, as the special nature of
18 the services performed by such carriers require and adopt and
19 promulgate such just and reasonable rules, regulations, and
20 requirements, to be observed by the carrier so classified or
21 grouped, as the commission deems necessary or desirable in the
22 public interest and as are consistent with the provisions of
23 sections 75-301 to 75-322.
- 24 (2) The following classifications of motor carrier
25 services subject to commission jurisdiction are established:
- 26 (a) Bus service, consisting of the following elements:
- 27 (i) The business of carrying passengers, (ii) who have hired such
1 service on a scheduled service basis or on a prearranged charter or
2 special party basis, (iii) by bus or van, (iv) either prearranged
3 or scheduled service, and (v) at a fare approved and on file with
4 the commission;
- 5 (b) Charter service, consisting of the transportation of
6 seven or more persons who collectively contract for transportation
7 on a particular trip paying one lump sum;
- 8 (c) Household goods moving service, consisting of all of

9 the following elements: (i) The business of carrying personal
10 effects and property used, or to be used, in a dwelling (ii) when
11 the transportation of such effects or property is arranged and paid
12 for by any party and (iii) includes transportation of property from
13 a factory, manufacturer, or store when the property is purchased
14 with the intent to use such property in a dwelling;
15 (d) Limousine service, consisting of all of the following
16 elements: (i) The business of carrying passengers for hire by a
17 vehicle, (ii) along a route under the control of the person who
18 hired the vehicle and not over a defined regular route, (iii) on a
19 prearranged and not on a demand basis, and (iv) at a premium fare,
20 as such fare is defined by the commission;
21 (e) Open class service, consisting of all of the
22 following elements: (i) The business of carrying passengers for
23 hire by a vehicle, (ii) along the most direct route between the
24 points of origin and destination or along a route under the control
25 of the person who hired the vehicle and not over a defined regular
26 route, and (iii) at a mileage-based or per-trip fare;
27 (f) Scheduled service, consisting of service by any
1 regulated motor carrier who undertakes to transport passengers and
2 their baggage in intrastate commerce by motor vehicle for
3 compensation between fixed termini and over a specific highway or
4 highways upon an established or fixed schedule;
5 (g) Special party service, consisting of the
6 transportation of one or more persons who individually contract for
7 transportation to a common destination with each person paying an
8 individual sum; and
9 (h) Taxicab service, consisting of all of the following
10 elements: (i) The business of carrying passengers for hire by a
11 vehicle, the type of which may be established by the commission,
12 (ii) along the most direct route between the points of origin and
13 destination or a route under the control of the person who hired
14 the vehicle and not over a defined regular route, (iii) on a
15 prearranged or demand basis, (iv) at a metered mileage-based or
16 per-trip fare, and (v) commencing within or restricted to a defined
17 geographic area.
18 (3) All certificates and permits issued by the commission
19 shall be construed and interpreted, and the operations authorized
20 thereunder shall be tested and determined, in accordance with such
21 classification so established and any rule, regulation, or
22 requirement prescribed by the commission relating to such carrier
23 so classified.
24 Sec. 3. Original section 75-304, Reissue Revised
25 Statutes of Nebraska, and section 60-6,211.08, Revised Statutes
26 Supplement, 2000, are repealed."

MOTIONS - Approve Appointments

Senator Bromm moved the adoption of the report of the Transportation and

Telecommunications Committee for the following appointment found on page 480: Nebraska Transit and Rail Advisory Council - Gary A. Ruegg.

Voting in the affirmative, 31:

Aguilar	Connealy	Jensen	Quandahl	Thompson
Baker	Cudaback	Jones	Raikes	Vrtiska
Bourne	Cunningham	Kremer	Redfield	Wehrbein
Bromm	Erdman	McDonald	Robak	
Bruning	Foley	Pedersen, Dw.	Schimek	
Burling	Hudkins	Pederson, D.	Schrock	
Byars	Janssen	Price	Smith	

Voting in the negative, 0.

Present and not voting, 9:

Beutler	Dierks	Kruse	Stuhr	Synowiecki
Chambers	Hartnett	Maxwell	Suttle	

Excused and not voting, 9:

Brashear	Coordsen	Kristensen	Preister	Wickersham
Brown	Engel	Landis	Tyson	

The appointment was confirmed with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on page 480: Board of Public Roads Classifications and Standards - Gene Acklie, Alan D. Doll, Dean T. Lux, and Arthur Yonkey.

Voting in the affirmative, 32:

Aguilar	Connealy	Jensen	Quandahl	Synowiecki
Baker	Cudaback	Kremer	Redfield	Thompson
Bourne	Erdman	Maxwell	Robak	Vrtiska
Bromm	Foley	McDonald	Schimek	Wehrbein
Bruning	Hartnett	Pedersen, Dw.	Schrock	
Burling	Hudkins	Pederson, D.	Smith	
Byars	Janssen	Price	Stuhr	

Voting in the negative, 0.

Present and not voting, 9:

Beutler	Cunningham	Jones	Raikes	Tyson
Chambers	Dierks	Kruse	Suttle	

Excused and not voting, 8:

Brashear	Coordsen	Kristensen	Preister
Brown	Engel	Landis	Wickersham

The appointments were confirmed with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 235A. Title read. Considered.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

Advanced to E & R for review with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

AMENDMENT - Print in Journal

Senator Suttle filed the following amendment to LB 21:
AM2503

- 1 1. In the Suttle amendment, AM2463, on page 1, line 7,
- 2 after "amendment" insert "or waiver".

MOTIONS - Print in Journal

Senator Suttle filed the following motion to LB 21A:
Indefinitely postpone LB 21A.

Senator Dierks filed the following motion to LB 1257:
Suspend the rules, Rule 3, Section 20(b) to permit consideration of a motion to place LB 1257 on General File, notwithstanding the provision requiring twenty calendar days.

Senator Dierks filed the following motion to LB 1257:
Place LB 1257 on General File pursuant to Rule 3, Section 20(b).

GENERAL FILE

LEGISLATIVE BILL 429. Senator Chambers renewed his pending motion, found on page 500, to bracket until April 17, 2002.

SPEAKER KRISTENSEN PRESIDING

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

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 963. Placed on General File.
LEGISLATIVE BILL 1012. Placed on General File.

LEGISLATIVE BILL 885. Placed on General File as amended.
 Standing Committee amendment to LB 885:
 AM2586

- 1 1. On page 2, line 15; page 3, line 18; page 4, line 13;
- 2 and page 5, line 12, strike "on or before", show as stricken, and
- 3 insert "by".
- 4 2. On page 2, line 27; and page 4, line 2, strike
- 5 "delinquent" and insert "due on March 1".
- 6 3. On page 5, line 24, after "are" insert "due"; in line
- 7 25 after "is" insert "due"; and in line 27 strike beginning with
- 8 "on" through "date", show the old matter as stricken, and insert
- 9 "by April 15 of each year".
- 10 4. On page 7, line 22, after "are" insert "due"; in line
- 11 23 after "is" insert "due"; and strike beginning with "on" in line
- 12 24 through "date" in line 25, show the old matter as stricken, and
- 13 insert "by April 15 of each year".

LEGISLATIVE BILL 1071. Placed on General File as amended.
 Standing Committee amendment to LB 1071:
 AM2512

- 1 1. On page 4, line 22, strike the new matter.
- 2 2. On page 6, lines 17 and 18, strike the new matter;
- 3 and in line 18 after "abstracter" insert "and shall provide the
- 4 name and address of a resident agent for service of process under
- 5 the act".

LEGISLATIVE BILL 897. Indefinitely postponed.
LEGISLATIVE BILL 967. Indefinitely postponed.
LEGISLATIVE BILL 1020. Indefinitely postponed.

(Signed) David M. Landis, Chairperson

AMENDMENTS - Print in Journal

Senator Tyson filed the following amendment to LB 301:
 AM2535

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 "Section 1. Section 2-3256, Revised Statutes Supplement,
- 4 2000, is amended to read:
- 5 2-3256. All design or construction by a district of
- 6 structural works costing more than eighty thousand dollars, or such
- 7 higher amount as is established by the Board of Engineers and

8 Architects by rule and regulation, shall be under the supervision
9 of a licensed engineer except as provided in the Engineers and
10 Architects Regulation Act.

11 Sec. 2. Section 81-3445, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-3445. Except as provided in this section and sections
14 81-3449 to 81-3453, the state and its political subdivisions shall
15 not engage in the construction of any public works involving
16 architecture or engineering unless the plans, specifications, and
17 estimates have been prepared and the construction has been observed
18 by an architect, a professional engineer, or a person under the
19 direct supervision of an architect, professional engineer, or those
20 under the direct supervision of an architect or professional
21 engineer. This except that this section shall not apply to any
22 public work in which the contemplated expenditure for the complete
23 project does not exceed eighty thousand dollars, or such higher
24 amount as is established by the board by rule and regulation.

1 Sec. 3. Section 81-3449, Revised Statutes Supplement,
2 2000, is amended to read:

3 81-3449. The provisions of the Engineers and Architects
4 Regulation Act regulating the practice of architecture do not apply
5 to the following activities:

6 (1) The construction, remodeling, alteration, or
7 renovation of (a) a detached single-family through four-family
8 dwelling of less than five thousand square feet of above grade
9 finished space or (b) a one-story commercial or industrial building
10 or structure of less than five thousand square feet of above grade
11 finished space which does not exceed thirty feet in height unless
12 such building or structure, or the remodeling or repairing thereof,
13 provides for the employment, housing, or assembly of twenty or more
14 persons. Any detached or attached sheds, storage buildings, and
15 garages incidental to the dwelling are not included in the
16 tabulation of finished space. The exemption granted in this
17 subdivision may be modified by rule and regulation of the board if
18 the rule and regulation is adopted using the procedures of the
19 Negotiated Rulemaking Act;

20 (2) The construction, remodeling, alteration, or
21 renovation of farm buildings, including barns, silos, sheds, or
22 housing for farm equipment and machinery, livestock, poultry, or
23 storage, if the structures are designed to be occupied by no more
24 than twenty persons. The exemption granted in this subdivision may
25 be modified by rule and regulation of the board if the rule and
26 regulation is adopted using the procedures of the Negotiated
27 Rulemaking Act;

1 (3) Any public works project with contemplated
2 expenditures for a completed project that do not exceed eighty
3 thousand dollars. The exemption granted in this subdivision may be
4 modified by rule and regulation of the board if the rule and
5 regulation is adopted using the procedures of the Negotiated

6 Rulemaking Act;

7 (4) Any alteration, renovation, or remodeling of a
8 building if the alteration, renovation, or remodeling does not
9 affect architectural or engineering safety features of the
10 building;

11 (5) The teaching, including research and service, of
12 architectural subjects in a college or university offering a degree
13 in architecture accredited by the National Architectural
14 Accreditation Board;

15 (6) The preparation of submissions to architects,
16 building officials, or other regulating authorities by the
17 manufacturer, supplier, or installer of any materials, assemblies,
18 components, or equipment that describe or illustrate the use of
19 such items, the preparation of any details or shop drawings
20 required of the contractor by the terms of the construction
21 documents, or the management of construction contracts by persons
22 customarily engaged in contracting work;

23 (7) The preparation of technical submissions or the
24 administration of construction contracts by employees of a person
25 or organization lawfully engaged in the practice of architecture if
26 such employees are acting under the direct supervision of an
27 architect;

1 (8) The offering by an organization of a combination of
2 services involved in the practice of architecture and construction
3 services if:

4 (a) An architect or person otherwise permitted under
5 subdivision (10) of this section to offer architectural services
6 participates substantially in all material aspects of the offering;

7 (b) There is written disclosure at the time of the
8 offering that an architect is engaged by and contractually
9 responsible to such organization;

10 (c) Such organization agrees that the architect will have
11 direct supervision of the work and that such architect's services
12 will not be terminated without the consent of the person engaging
13 the organization; and

14 (d) The rendering of architectural services by such
15 architect will conform to the act and the rules and regulations;

16 (9) A public service provider or an organization who
17 employs a design professional from performing professional services
18 for itself;

19 (10) A nonresident who holds the certification issued by
20 the National Council of Architectural Registration Boards from
21 offering to render the professional services involved in the
22 practice of architecture. The nonresident shall not perform any of
23 the professional services involved in the practice of architecture
24 until licensed as provided in the act. The nonresident shall
25 notify the board in writing that (a) he or she holds a National
26 Council of Architectural Registration Boards certificate and is not
27 currently licensed in Nebraska but will be present in Nebraska for

1 the purpose of offering to render architectural services, (b) he or
2 she will deliver a copy of the notice to every potential client to
3 whom the applicant offers to render architectural services, and (c)
4 he or she promises to apply immediately to the board for licensure
5 if selected as the architect for the project;

6 (11) The practice of any other certified trade or legally
7 recognized profession;

8 (12) Financial institutions making disbursements of funds
9 in connection with construction projects;

10 (13) Earthmoving and related work associated with soil
11 and water conservation practices performed on farmland or any land
12 owned by a political subdivision that is not subject to a permit
13 from the Department of Natural Resources or for work related to
14 livestock waste facilities that are not subject to a permit by the
15 Department of Environmental Quality; and

16 (14) The work of employees and agents of a political
17 subdivision or a nonprofit entity organized for the purpose of
18 furnishing electrical service performing, in accordance with other
19 requirements of law, their customary duties in the administration
20 and enforcement of codes, permit programs, and land-use regulations
21 and their customary duties in utility and public works
22 construction, operation, and maintenance.

23 Sec. 4. Section 81-3453, Revised Statutes Supplement,
24 2000, is amended to read:

25 81-3453. The provisions of the Engineers and Architects
26 Regulation Act regulating the practice of engineering do not apply
27 to the following activities:

1 (1) The construction, remodeling, alteration, or
2 renovation of (a) a detached single-family through four-family
3 dwelling of less than five thousand square feet above grade
4 finished space or (b) a one-story commercial or industrial building
5 or structure of less than five thousand square feet above grade
6 finished space which does not exceed thirty feet in height unless
7 such building or structure, or the remodeling or repairing thereof,
8 provides for the employment, housing, or assembly of twenty or more
9 persons. Any detached or attached sheds, storage buildings, and
10 garages incidental to the dwelling are not included in the
11 tabulation of finished space. The exemption granted in this
12 subdivision may be modified by rule and regulation of the board if
13 the rule and regulation is adopted using the procedures of the
14 Negotiated Rulemaking Act;

15 (2) The construction, remodeling, alteration, or
16 renovation of farm buildings, including barns, silos, sheds, or
17 housing for farm equipment and machinery, livestock, poultry, or
18 storage and if the structures are designed to be occupied by no
19 more than twenty persons. The exemption granted in this
20 subdivision may be modified by rule and regulation of the board if
21 the rule and regulation is adopted using the procedures of the
22 Negotiated Rulemaking Act;

- 23 (3) Any public works project with contemplated
24 expenditures for the completed project that do not exceed eighty
25 thousand dollars. The exemption granted in this subdivision may be
26 modified by rule and regulation of the board if the rule and
27 regulation is adopted using the procedures of the Negotiated
1 Rulemaking Act;
- 2 (4) Any alteration, renovation, or remodeling of a
3 building if the alteration, renovation, or remodeling does not
4 affect architectural or engineering safety features of the
5 building;
- 6 (5) The teaching, including research and service, of
7 engineering subjects in a college or university offering an
8 Accrediting Board for Engineering and Technology accredited
9 engineering curriculum of four years or more;
- 10 (6) The act does not prevent a public service provider or
11 an organization who employs a design professional from performing
12 professional services for itself;
- 13 (7) The practice of any other certified trade or legally
14 recognized profession;
- 15 (8) The offer to practice engineering by a person not a
16 resident of and having no established place of business in this
17 state if the person is legally qualified by licensure to practice
18 engineering in his or her own state or country. The person shall
19 make application to the board in writing and after payment of a fee
20 established by the board may be granted a temporary permit for a
21 definite period of time not to exceed one year to do a specific
22 job. No right to practice engineering accrues to such applicant
23 with respect to any other work not set forth in the permit;
- 24 (9) The work of an employee or a subordinate of a person
25 holding a certificate of licensure under the act or an employee of
26 a person practicing lawfully under subdivision (8) of this section
27 if the work is done under the direct supervision of a person
1 holding a certificate of licensure or a person practicing lawfully
2 under such subdivision;
- 3 (10) Those services ordinarily performed by subordinates
4 under direct supervision of a professional engineer or those
5 commonly designated as locomotive, stationary, marine operating
6 engineers, power plant operating engineers, or manufacturers who
7 supervise the operation of or operate machinery or equipment or who
8 supervise construction within their own plant;
- 9 (11) Financial institutions making disbursements of funds
10 in connection with construction projects;
- 11 (12) Earthmoving and related work associated with soil
12 and water conservation practices performed on farmland or any land
13 owned by a political subdivision that is not subject to a permit
14 from the Department of Natural Resources or for work related to
15 livestock waste facilities that are not subject to a permit by the
16 Department of Environmental Quality;
- 17 (13) The work of employees and agents of a political

18 subdivision or a nonprofit entity organized for the purpose of
 19 furnishing electrical service performing, in accordance with other
 20 requirements of law, their customary duties in the administration
 21 and enforcement of codes, permit programs, and land-use regulations
 22 and their customary duties in utility and public works
 23 construction, operation, and maintenance;

24 (14) Work performed exclusively in the exploration for
 25 and development of energy resources and base, precious, and
 26 nonprecious minerals, including sand, gravel, and aggregate, which
 27 does not have a substantial impact upon public health, safety, and
 1 welfare, as determined by the board, or require the submission of
 2 reports or documents to public agencies;

3 (15) The construction of water wells as defined in
 4 section 46-1212, the installation of pumps and pumping equipment
 5 into water wells, and the decommissioning of water wells, unless
 6 such construction, installation, or decommissioning is required by
 7 the owner thereof to be designed or supervised by an engineer or
 8 unless legal requirements are imposed upon the owner of a water
 9 well as a part of a public water supply; and

10 (16) Work performed in the exploration, development, and
 11 production of oil and gas or before the Nebraska Oil and Gas
 12 Conservation Commission.

13 Sec. 5. Sections 1 to 4 and 6 of this act become
 14 operative three calendar months after adjournment of this
 15 legislative session. The other sections of this act become
 16 operative on their effective date.

17 Sec. 6. Original section 81-3445, Reissue Revised
 18 Statutes of Nebraska, and sections 2-3256, 81-3449, and 81-3453,
 19 Revised Statutes Supplement, 2000, are repealed.

20 Sec. 7. The following section is outright repealed:
 21 Section 81-3447, Reissue Revised Statutes of Nebraska.

22 Sec. 8. Since an emergency exists, this act takes effect
 23 when passed and approved according to law."

Senator Beutler filed the following amendment to LB 661:
 FA839

On page 3, line 3, change "2001" to "2003"

On page 3, line 11, change "2002" to "2004"

Senator Beutler filed the following amendment to LB 752:
 AM2486

(Amendments to AM2443)

1 1. Strike section 2.

2 2. On page 1, line 4, strike "are" and insert "may be";

3 in line 9 strike "inherently" and insert "sometimes"; in line 11

4 strike "is" and insert "may be".

5 3. On page 2, line 8, strike "known" and after "cases"

6 insert "known to the state"; in line 13 after the semicolon insert

7 "and"; in line 15, strike "such" and strike "statement" and insert

8 "statements"; and strike beginning with the semicolon in line 16
9 through "credibility" in line 18.
10 4. Renumber the remaining section accordingly.

GENERAL FILE

LEGISLATIVE BILL 429. The Chambers pending motion, found on page 500 and considered in this day's Journal, to bracket until April 17, 2002, was renewed.

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

Senator Baker moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 1 nay, and 23 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The Chambers motion to bracket failed with 11 ayes, 27 nays, 7 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers moved to reconsider the vote on his motion to bracket.

Senators Foley, Brown, and Preister asked unanimous consent to be excused until they return. No objections. So ordered.

The Chambers motion to reconsider failed with 8 ayes, 15 nays, 19 present and not voting, and 7 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS Business and Labor

LEGISLATIVE BILL 931. Placed on General File as amended.
Standing Committee amendment to LB 931:
AM2593

- 1 1. Strike section 3 and insert the following section:
- 2 "Sec. 3. Section 48-1706, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 48-1706. Each application shall be accompanied by a fee,
- 5 ~~of seven hundred fifty dollars. The Commissioner of Labor shall~~
- 6 establish the amount of the fee, which shall not exceed seven
- 7 hundred fifty dollars, by rule and regulation. The fee shall be
- 8 established with due regard for the costs of administering the Farm

9 Labor Contractors Act. All fees so collected shall be deposited in
10 the Farm Labor Contractors Fund.

11 Sec. 7. Since an emergency exists, this act takes effect

12 when passed and approved according to law."

LEGISLATIVE BILL 1155. Placed on General File as amended.
Standing Committee amendment to LB 1155:
AM2594

1 1. On page 4, strike beginning with "The" in line 16
2 through the period in line 20.
3 2. On page 5, line 1, after the period insert "The
4 deadline for filing an action directly in the district court is
5 ninety days after notice of the final order entered by the
6 commission on the charge is received by the complainant. When
7 entering a final order on a charge, the commission shall issue
8 written notice of the ninety-day deadline for filing a district
9 court action to the complainant by certified mail, return receipt
10 requested".

LEGISLATIVE BILL 1168. Placed on General File as amended.
Standing Committee amendment to LB 1168:
AM2595

1 1. On page 2, line 2, strike "fifteen"; in line 12
2 strike "each of" and insert "of each of the two"; and in line 11
3 strike "members of the Legislature" and insert "health or safety
4 professionals who are knowledgeable in worker fatigue issues".

LEGISLATIVE BILL 350. Indefinitely postponed.

LEGISLATIVE BILL 370. Indefinitely postponed.

LEGISLATIVE BILL 1078. Indefinitely postponed.

(Signed) Matt Connealy, Chairperson

Agriculture

LEGISLATIVE BILL 914. Placed on General File.

LEGISLATIVE BILL 916. Placed on General File.

LEGISLATIVE BILL 588. Placed on General File as amended.
Standing Committee amendment to LB 588:
AM2532

1 1. Strike the original sections and insert the following
2 new sections:
3 "Section 1. Sections 1 to 6 of this act shall be known
4 and may be cited as the Rural Initiative Act.
5 Sec. 2. The Legislature finds that rural areas of the
6 state are in need of focused efforts to identify and develop new
7 means of economic survival and vitality to complement and enhance
8 agricultural production as the economic base of rural Nebraska.

9 The Legislature further finds that within the four campuses of the
10 University of Nebraska there are unique resources that can be
11 applied within partnerships with other agencies and programs to
12 address critical, unique, and urgent economic development needs of
13 rural communities, businesses, organizations, and farming and other
14 individual enterprises. Because of its land grant status, the
15 University of Nebraska has both the obligation and the expertise to
16 apply its research and outreach capabilities toward improving the
17 economic and social climate of rural Nebraska and in realizing new
18 economic opportunities. It is the goal of the Rural Initiative Act
19 to further engage the University of Nebraska in efforts to build
20 the economic development capacity of rural areas, and to apply its
21 expertise and resources in partnership with the expertise and
22 resources of public and private individuals and organizations. The
23 effort will focus on projects that advance the economic and social
24 well-being of rural Nebraska and their interplay with metropolitan
1 areas.

2 Sec. 3. To carry out the purposes of the Rural
3 Initiative Act, it is the intent of the Legislature that the
4 University of Nebraska shall:

5 (1) Develop and provide new initiatives and specific
6 programs, services, and assistance in the areas of business
7 development, entrepreneurship, e-business for small businesses,
8 expansion of distance education, telehealth, telemedicine,
9 value-added agriculture, youth and young adult development, and
10 food systems security;

11 (2) Extend, expand, and focus resources directly to
12 communities, including the practical application of research and
13 extension capabilities to identify and overcome barriers to the
14 realization of specific rural economic opportunities and goals;

15 (3) Enhance university-wide coordination of activities
16 relating to rural issues and to enhance communication regarding
17 those campus-based activities that continue independently; and

18 (4) Develop and strengthen partnerships with other
19 agencies, organizations, and individuals working in the area of
20 rural development.

21 Sec. 4. The Rural Initiative Advisory Board is created.
22 The board shall consist of ten members: (1) Five members shall be
23 from the governing board of the Partnership for Rural Nebraska,
24 recognized in section 81-3609; (2) four members shall be appointed
25 by the President of the University of Nebraska representing each of
26 the four campuses of the University of Nebraska system; and (3) one
27 member shall be the Director of Agriculture or his or her designee.

1 Sec. 5. On or before October 1 of each year, the Rural
2 Initiative Advisory Board shall provide a report to the
3 Appropriations Committee of the Legislature identifying and
4 recommending a list of proposed initiatives, programs, services,
5 and other activities of the University of Nebraska which fulfill
6 the objectives of the Rural Initiative Act. For each item

7 included, the report shall include (1) a clear description of the
 8 proposed initiative and the rural development need addressed, (2) a
 9 listing of resources needed to undertake the initiative, including
 10 personnel to be hired or assigned and equipment and other capital
 11 investments required, (3) a description of how the proposed
 12 initiative shall utilize, complement, or support programs and
 13 resources of other entities involved in rural development, and (4)
 14 a description of the objectives of the initiative in terms of
 15 measurable outcomes.
 16 Sec. 6. The Rural Initiative Act shall terminate on
 17 January 1, 2008."

LEGISLATIVE BILL 915. Placed on General File as amended.
 Standing Committee amendment to LB 915:
 AM2533

1 1. Insert the following new section:
 2 "Sec. 6. Section 89-1,100, Revised Statutes Supplement,
 3 2001, is amended to read:
 4 89-1,100. The director shall collect registration,
 5 permit, laboratory, test, and inspection fees, penalties, and money
 6 required to be reimbursed as provided for in the Weights and
 7 Measures Act and shall remit such funds to the State Treasurer.
 8 The State Treasurer shall credit such funds to the Weights and
 9 Measures Administrative Fund, which fund is hereby created. All
 10 fees, penalties, and reimbursements collected pursuant to the act
 11 and credited to the fund shall be appropriated to the uses of the
 12 department to aid in defraying the expenses of administering the
 13 act. Any unexpended balance in such fund at the close of any
 14 biennium shall, when reappropriated, be available for the uses and
 15 purposes of the fund for the succeeding biennium. Any money in the
 16 fund available for investment shall be invested by the state
 17 investment officer pursuant to the Nebraska Capital Expansion Act
 18 and the Nebraska State Funds Investment Act. The registration,
 19 permit, laboratory, test, and inspection fees, penalties, and money
 20 required to be reimbursed as provided for in the Weights and
 21 Measures Act shall constitute a lien on the weighing and measuring
 22 devices or standards required to be registered or approved for use
 23 in this state until such fees, penalties, and reimbursements are
 24 paid. The director may sue for such fees, penalties, and
 1 reimbursements and may seek to foreclose on any lien in the name of
 2 the state. The county attorney of the county in which the device
 3 is located or the Attorney General's office shall, upon the request
 4 of the director, take appropriate action to establish and foreclose
 5 on any such lien.
 6 On or before July 15, 2001, the State Treasurer shall
 7 transfer two hundred thousand dollars from the Weights and Measures
 8 Administrative Fund to the Livestock Waste Management Cash Fund.
 9 On or before July 15, 2002, the State Treasurer shall transfer two
 10 hundred thousand dollars from the Weights and Measures

- 11 Administrative Fund to the Livestock Waste Management Cash Fund.
 12 It is the intent of the Legislature that, beginning in
 13 fiscal year 2003-04, expenditures from the Weights and Measures
 14 Administrative Fund for purposes of administering the Weights and
 15 Measures Act shall be matched by sufficient general funds to
 16 achieve a funding allocation of fifty-five percent general funds
 17 and forty-five percent cash funds."
 18 2. On page 12, line 14, after "and" insert "in an amount
 19 set by the director on or before July 1, 2003, not to exceed the
 20 amounts designated in".
 21 3. On page 19, line 5, strike "section 89-187" and
 22 insert "sections 89-187 and 89-1,100".
 23 4. Renumber the remaining section accordingly.

LEGISLATIVE BILL 919. Placed on General File as amended.
 Standing Committee amendment to LB 919:
 AM2531

- 1 1. Insert the following new section:
 2 "Sec. 4. Section 54-2322, Revised Statutes Supplement,
 3 2000, is amended to read:
 4 54-2322. The commission shall have access, upon
 5 notification, to any premises where domesticated cervine animals
 6 may be for the purpose of assessing or removing populations of wild
 7 cervidae."
 8 2. On page 3, line 1, strike "and 54-2305" and insert
 9 "54-2305, and 54-2322".
 10 3. Renumber the remaining section accordingly.

(Signed) Merton L. Dierks, Chairperson

SELECT COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 93, 406, 417, 446, 474, 500, and 589.

Enrollment and Review Change to LB 93

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

ER9106

1. In the Schimek amendment, AM2511, on page 49, lines 16 and 17, "80-323, 80-324," has been struck; and in line 19 "80-323, 80-324," has been inserted after "79-1327,".

2. On page 1, the matter beginning with "the" in line 1 through line 4 has been struck and "state government; to amend sections 44-788, 60-2121, 71-3503, 71-3504, 71-3508.01, 71-4903, 75-366, 79-1312, 81-177,

81-1417, and 83-4,124, Reissue Revised Statutes of Nebraska, sections 2-2626, 20-139, 50-1302, 71-1405, 71-3505, 71-4609, 77-27,187, 81-5,147, and 81-8,307, Revised Statutes Supplement, 2000, and sections 71-1901 to 71-1905, Revised Statutes Supplement, 2001; to eliminate certain boards, committees, councils, and panels; to change provisions relating to a committee report; to eliminate a duty relating to the Lewis and Clark Bicentennial Commission; to change membership provisions for the Nebraska Commission on Law Enforcement and Criminal Justice and the Jail Standards Board; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-2122 to 60-2124, 71-1401 to 71-1404, 71-1744, 71-1759, 71-3506, 71-4902, 75-387, 75-388, 77-27,196, 79-1326, 81-5,150, and 81-5,154 to 81-5,156, Reissue Revised Statutes of Nebraska, sections 71-533 to 71-538, 71-1565, 71-1736, 71-1758, 71-1906.02, 71-8606, 79-1327, 80-323, 80-324, and 81-5,149, Revised Statutes Supplement, 2000, and section 71-1906.03, Revised Statutes Supplement, 2001." inserted.

(Signed) Philip Erdman, Chairperson

GENERAL FILE

LEGISLATIVE BILL 429. Senator Chambers moved to recommit to Committee.

Senators Wehrbein, Dw. Pedersen, Suttle, Byars, and Connealy asked unanimous consent to be excused. No objections. So ordered.

Pending.

AMENDMENTS - Print in Journal

Senator Wehrbein filed the following amendment to LB 429:
AM2609

- 1 1. On page 2, line 10, after "retailer" insert "with
- 2 less than four million dollars in gross sales per year"; and in
- 3 line 12 strike "fourteen" and all amendments thereto and insert
- 4 "five".

Senator Beutler filed the following amendment to LB 429:
FA840

Amend AM0272

Strike all language after the word "five" in line 1

ANNOUNCEMENT

Senator Landis designates LB 488 as his priority bill.

UNANIMOUS CONSENT - Add Cointruducers

Senator Schimek asked unanimous consent to have her name added as cointroducer to LB 1263. No objections. So ordered.

Senator Suttle asked unanimous consent to have her name added as cointroducer to LB 1117. No objections. So ordered.

Senator Smith asked unanimous consent to have his name added as cointroducer to LB 881. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Jensen withdrew his name as cointroducer to LB 1067.

VISITORS

Visitor to the Chamber was Berdeen Roemmich from Kearney.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Erdman, the Legislature adjourned until 9:00 a.m., Thursday, February 7, 2002.

Patrick J. O'Donnell
Clerk of the Legislature

