

NINETEENTH DAY - FEBRUARY 4, 2003

LEGISLATIVE JOURNAL

**NINETY-EIGHTH LEGISLATURE
FIRST SESSION**

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 4, 2003

PRAYER

The prayer was offered by Pastor Paul Witt, St. Mary's Catholic Church, Lincoln, 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 Bourne, Brown, Hartnett, and Louden who were excused; and Senators Beutler, Brashear, Byars, Landis, and Maxwell who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

SELECT COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 357. Placed on Select File as amended.

E & R amendment to LB 357:

AM7011

- 1 1. On page 3, line 27, before "Social" insert "federal"
- 2 and after "Act" insert ", 42 U.S.C. 405(r)(8)".

LEGISLATIVE BILL 358. Placed on Select File as amended.

E & R amendment to LB 358:

AM7013

- 1 1. On page 4, line 10, strike "Voting Rights", show as
- 2 stricken, and insert "Voter Registration".
- 3 2. On page 21, line 6, after "question" insert an
- 4 underscored comma.
- 5 3. On page 25, line 8, after "booths" insert "and".
- 6 4. On page 38, line 3, strike "written", show as
- 7 stricken, and insert "filled".

LEGISLATIVE BILL 359. Placed on Select File as amended.
E & R amendment to LB 359:

AM7012

- 1 1. On page 1, lines 1 and 2; and page 10, line 23,
- 2 strike "60-312 and 60-319" and insert "32-312 and 32-319".
- 3 2. On page 5, line 22, strike "on the mail-in portion of
- 4 the form" and show as stricken.

LEGISLATIVE BILL 34. Placed on Select File.

LEGISLATIVE BILL 35. Placed on Select File.

LEGISLATIVE BILL 30. Placed on Select File.

LEGISLATIVE BILL 93. Placed on Select File.

LEGISLATIVE BILL 168. Placed on Select File.

LEGISLATIVE BILL 69A. Placed on Select File.

LEGISLATIVE BILL 385. Placed on Select File.

LEGISLATIVE BILL 213. Placed on Select File.

LEGISLATIVE BILL 241. Placed on Select File as amended.
E & R amendment to LB 241:

AM7014

- 1 1. On page 3, line 28, after "unit" insert an
- 2 underscored comma.
- 3 2. On page 4, line 2, after "hearing" insert an
- 4 underscored comma.
- 5 3. On page 5, line 26, reinstate the stricken comma; and
- 6 in line 28 after "hearing" insert an underscored comma.

LEGISLATIVE BILL 31. Placed on Select File.

LEGISLATIVE BILL 305. Placed on Select File as amended.
E & R amendment to LB 305:

AM7015

- 1 1. On page 15, line 7, strike the first comma.

(Signed) Ray Mossey, Chairperson

STANDING COMMITTEE REPORTS **Government, Military and Veterans Affairs**

LEGISLATIVE BILL 13. Placed on General File.

LEGISLATIVE BILL 116. Indefinitely postponed.

(Signed) DiAnna R. Schimek, Chairperson

MESSAGE FROM THE GOVERNOR

February 3, 2003

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 68, 70e, 71, 103, 106, 137e, and 182 were received in my office on January 30, 2003.

These bills were signed by me on February 3, 2003, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB 686	Education (rereferred)

(Signed) Pat Engel, Chairperson
Legislative Council
Executive Board

GENERAL FILE

LEGISLATIVE BILL 72. Senator Thompson withdrew her pending amendment, AM0200, found on page 404.

Senator Tyson offered the following amendment:

FA1153

On page 2, line 10, strike State Fair Foundation and insert "to the county fair of his or her official residence"

On page 2 line 16 strike "State Fair Foundation Fund" and insert "to the respective county Agricultural Society"

Strike lines 17-26

The Tyson amendment lost with 4 ayes, 23 nays, 15 present and not voting, and 7 excused and not voting.

Senator Connealy offered the following amendment:

AM0221

- 1 1. On page 2, line 18, strike beginning with "first"
 2 through the second "the"; and in line 19 strike "such funds" and
 3 insert "the fund".
 4 2. In the Beutler amendment, AM0197, on page 1, line 5,
 5 strike "Thereafter, the" and insert "The".

SPEAKER BROMM PRESIDING

The Connealy amendment was adopted with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

Pending.

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR 26 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR 26.

GENERAL FILE

LEGISLATIVE BILL 72. Considered.

Senator Jones moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:

Aguilar	Combs	Janssen	Mines	Stuthman
Baker	Connealy	Johnson	Mossey	Synowiecki
Beutler	Cudaback	Jones	Pedersen, Dw.	Vrtiska
Brashear	Cunningham	Kremer	Price	Wehrbein
Bromm	Erdman	Kruse	Schimek	
Burling	Foley	Landis	Schrock	
Byars	Hudkins	McDonald	Stuhr	

Voting in the negative, 8:

Chambers	Pederson, D.	Redfield	Thompson
Friend	Raikes	Smith	Tyson

Present and not voting, 4:

Engel Jensen Preister Quandahl

Excused and not voting, 5:

Bourne Brown Hartnett Louden Maxwell

Advanced to E & R for review with 32 ayes, 8 nays, 4 present and not voting, and 5 excused and not voting.

AMENDMENTS - Print in Journal

Senator Smith filed the following amendment to LB 69:
AM0155

- 1 1. On page 2, line 4, strike ", out of funds
- 2 appropriated for that purpose," and show as stricken; and after
- 3 line 17 insert the following new paragraph:
- 4 "The Department of Aeronautics and the Military
- 5 Department shall enter into an agreement that will continue the
- 6 funding of the contract under this section from the Department of
- 7 Aeronautics Cash Fund in an amount equal to the appropriation by
- 8 the Legislature for such purpose.".

Senator Schimek filed the following amendment to LB 359:
AM0185

- 1 1. Strike original section 4 and insert the following
- 2 new sections:
- 3 "Section 1. Section 32-101, Revised Statutes Supplement,
- 4 2002, is amended to read:
- 5 32-101. Sections 32-101 to 32-1551 and section 5 of this
- 6 act shall be known and may be cited as the Election Act.
- 7 Sec. 5. (1) If a person registered to vote by mail after
- 8 January 1, 2003, and has not previously voted in an election for a
- 9 federal office within the county but does not present
- 10 identification to meet the requirements of subdivision (3) of
- 11 section 32-914, the person shall be entitled to vote upon
- 12 completing a voter registration form at the polling place.
- 13 (2) The person shall enclose his or her ballot in an
- 14 envelope marked Provisional Ballot and shall, by signing the front
- 15 of the envelope or a separate form attached to the envelope,
- 16 certify to the following facts:
- 17 (a) I am a registered voter in County;
- 18 (b) I registered to vote on approximately
- 19(write the approximate date you registered to
- 20 vote);
- 21 (c) I registered to vote by mail, on a form
- 22 through the Department of Motor Vehicles, on a form through
- 23 another state agency, in some other way (check one); and

24 (d) I have not voted and will not vote in this election
1 except by this ballot.
2 (3) The certification shall be signed under penalty of
3 election falsification. The following statements shall be on the
4 front of the envelope or on the attached form: By signing the front
5 of this envelope or the attached form you are certifying to the
6 information contained on this envelope or the attached form under
7 penalty of election falsification. Election falsification is a
8 Class IV felony and may be punished by up to five years
9 imprisonment, a fine of up to ten thousand dollars, or both.

10 Sec. 6. Section 32-916, Revised Statutes Supplement,

11 2002, is amended to read:

12 32-916. (1) Two judges of election or a precinct or
13 district inspector and a judge of election shall affix their
14 initials to the official ballots and ballot jackets if any. Before
15 issuing any punch card ballot, the card shall be stamped with a
16 rubber stamp designating that the ballot card is an official ballot
17 and the county in which the card is to be used. The stamp shall be
18 placed on the portion of the ballot card which carries the ballot
19 position numbers and on the stub which is to be reviewed by a judge
20 of election. The stamp shall be furnished to each receiving board
21 by the election commissioner or county clerk. The judge of
22 election shall deliver a ballot to each registered voter after
23 complying with section 32-914.

24 (2) After voting the ballot, the registered voter shall,
25 as directed by the judge of election, fold his or her ballot or
26 place the ballot in the ballot envelope, jacket, or sleeve so as to
27 conceal the voting marks and to expose the initials affixed on the
1 ballot. The registered voter shall, without delay and without
2 exposing the voting marks upon the ballot, deliver the ballot to
3 the judge of election before leaving the enclosure in which the
4 voting booths or compartments are placed.

5 (3) The judge of election shall, without exposing the
6 voting marks on the ballot, approve the exposed initials upon the
7 ballot and deposit the ballot in the ballot box in the presence of
8 the registered voter. When punch card ballots are used, the judge
9 of election shall inspect the official initials on the ballot
10 jacket and the official stamp on the stub of the official ballot
11 card which is inside the ballot jacket and shall remove the stub
12 before depositing the ballot in the ballot box. No judge of
13 election shall deposit any ballot in a ballot box unless the ballot
14 has been identified as having the appropriate initials. No judge
15 of election shall deposit any ballot jacket in any ballot box
16 unless the ballot jacket is properly identified. Any ballot or
17 ballot jacket not properly identified shall be rejected in the
18 presence of the voter, the judge of election shall make a notation
19 on the ballot and the ballot jacket Rejected, not properly
20 identified, and another ballot shall be issued to the voter and the
21 voter shall then be permitted to cast his or her ballot. If the

22 ballot and ballot jacket are in order, the judge shall deposit the
 23 ballot and ballot jacket in the ballot box in the presence of the
 24 voter and the voter shall promptly leave the polling place. The
 25 judges of election shall maintain the secrecy of the rejected
 26 ballots and shall cause the rejected ballots to be made up in a
 27 sealed packet. The judges of election shall endorse the packet
 1 with the words Rejected Ballots and the designation of the
 2 precinct. The judges of election shall sign the endorsement label
 3 and shall return the packet to the election commissioner or county
 4 clerk with a statement by the judges of election showing the number
 5 of ballots rejected.
 6 (4) Upon receiving a conditional ballot as provided in
 7 section 32-915 or a provisional ballot as provided in section
 8 32-914.03 or section 5 of this act, the judge of election shall
 9 copy the information from the change of address form onto the
 10 envelope in which the ballot is enclosed or attach the form to the
 11 envelope, attach the statement required by section 32-914.03 or
 12 32-915 or section 5 of this act if not contained on the envelope,
 13 and place the entire envelope into the ballot box."
 14 2. On page 10, line 24, strike "32-914, 32-914.03" and
 15 insert "32-101, 32-914, 32-916".
 16 3. Renumber the remaining sections accordingly.

NOTICE OF COMMITTEE HEARINGS

Executive Board

Room 2102

LR 3CA	Thursday, February 13, 2003	12:00 p.m.
LR 8CA	Thursday, February 13, 2003	12:00 p.m.
LR 9CA	Thursday, February 13, 2003	12:00 p.m.

(Signed) L. Patrick Engel, Chairperson

Agriculture

Room 2102

LB 634	Tuesday, February 25, 2003	1:30 p.m.
LB 754	Tuesday, February 25, 2003	1:30 p.m.
LB 275	Tuesday, March 4, 2003	1:30 p.m.
LB 276	Tuesday, March 4, 2003	1:30 p.m.

(Signed) Bob Kremer, Chairperson

Revenue

Room 1524

LB 224	Wednesday, February 12, 2003	2:30 p.m.
LB 651	Wednesday, February 12, 2003	2:30 p.m.

LB 608	Wednesday, February 12, 2003	2:30 p.m.
LB 758	Wednesday, February 12, 2003	2:30 p.m.
LB 576	Wednesday, February 12, 2003	2:30 p.m.
LB 668	Thursday, February 13, 2003	1:30 p.m.
LB 98	Thursday, February 13, 2003	1:30 p.m.
LB 517	Thursday, February 13, 2003	1:30 p.m.
LB 749	Thursday, February 13, 2003	1:30 p.m.
LB 731	Thursday, February 13, 2003	1:30 p.m.
LB 578	Thursday, February 13, 2003	1:30 p.m.
LB 677	Thursday, February 13, 2003	1:30 p.m.
LB 736	Friday, February 14, 2003	1:30 p.m.
LB 577	Friday, February 14, 2003	1:30 p.m.
LB 728	Friday, February 14, 2003	1:30 p.m.
LB 776	Friday, February 14, 2003	1:30 p.m.
LB 109	Friday, February 14, 2003	1:30 p.m.
LB 726	Friday, February 14, 2003	1:30 p.m.
LB 170	Wednesday, February 19, 2003	2:30 p.m.
LB 337	Wednesday, February 19, 2003	2:30 p.m.
LB 338	Wednesday, February 19, 2003	2:30 p.m.
LB 283	Wednesday, February 19, 2003	2:30 p.m.
LB 555	Wednesday, February 19, 2003	2:30 p.m.
LB 696	Wednesday, February 19, 2003	2:30 p.m.
LB 57	Thursday, February 20, 2003	1:30 p.m.
LB 368	Thursday, February 20, 2003	1:30 p.m.
LB 387	Thursday, February 20, 2003	1:30 p.m.
LB 453	Thursday, February 20, 2003	1:30 p.m.
LB 285	Thursday, February 20, 2003	1:30 p.m.
LB 287	Thursday, February 20, 2003	1:30 p.m.
LB 286	Thursday, February 20, 2003	1:30 p.m.
LB 420	Friday, February 21, 2003	1:30 p.m.
LB 44	Friday, February 21, 2003	1:30 p.m.
LB 379	Friday, February 21, 2003	1:30 p.m.
LB 284	Friday, February 21, 2003	1:30 p.m.
LB 580	Friday, February 21, 2003	1:30 p.m.
LB 579	Friday, February 21, 2003	1:30 p.m.

(Signed) David Landis, Chairperson

Education
Room 1525

LB 686	Monday, March 10, 2003	1:30 p.m.
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(Signed) Ron Raikes, Chairperson

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 443. Placed on General File as amended.
Standing Committee amendment to LB 443:
AM0170

- 1 1. Strike original sections 4 to 6 and insert the
2 following new sections:
3 "Sec. 4. Section 77-420, Revised Statutes Supplement,
4 2002, is amended to read:
5 77-420. In cooperation with the county assessors
6 association, the Property Tax Administrator may arrange and conduct
7 seminars in assessment methods, which seminars shall be
8 supplementary to ~~the course of training required by section 77-415~~
9 any educational course required under section 77-414.
10 Sec. 5. Section 77-422, Reissue Revised Statutes of
11 Nebraska, is amended to read:
12 77-422. (1) Upon the successful completion of the
13 examination by the applicant, a county assessor certificate shall
14 be issued to him or her.
15 (2) The Property Tax Administrator shall establish a
16 system for revocation or suspension of a certificate for failure to
17 maintain the educational standards and criteria and shall have the
18 power to revoke the certificate if the certificate holder has not
19 successfully met the education requirements in section 77-414.
20 (3) Any person whose certificate has been revoked or
21 suspended may appeal the decision of the Property Tax
22 Administrator, and the appeal shall be in accordance with the Tax
23 Equalization and Review Commission Act.
24 Sec. 6. Section 8 of this act becomes operative on
1 January 1, 2005. The other sections of this act become operative
2 on their effective date.
3 Sec. 7. Original section 77-422, Reissue Revised
4 Statutes of Nebraska, and sections 77-414, 77-415, 77-417, and
5 77-420, Revised Statutes Supplement, 2002, are repealed.
6 Sec. 8. The following sections are outright repealed:
7 Sections 77-415 and 77-417, Revised Statutes Supplement, 2002, as
8 amended by sections 2 and 3 of this legislative bill."
9 2. On page 2, line 6, strike the new matter and
10 reinstate the stricken matter and strike "county assessors", show
11 as stricken, and insert "holders of county assessor certificates";
12 in line 9 after "recertification" insert "of all county assessor
13 certificate holders"; and in line 20 strike the new matter and
14 insert "state employees carrying out the duties of county
15 assessors".
16 3. On page 3, lines 13 and 14, strike "assessors who are
17 state employees" and insert "state employees carrying out the
18 duties of county assessors".

LEGISLATIVE BILL 524. Placed on General File as amended.

Standing Committee amendment to LB 524:

AM0186

- 1 1. On page 27, line 13, strike "2005", and insert
- 2 "2004".

(Signed) David Landis, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 60. Placed on General File.

LEGISLATIVE BILL 61. Placed on General File.

(Signed) Mark Quandahl, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 28. Introduced by Preister, 5; Johnson, 37.

WHEREAS, as the career exploration process evolves, we have the responsibility of supplying comprehensive and relevant information to our Nebraska high school students, to help them in developing important educational and vocational goals; and

WHEREAS, the United States Department of Defense develops and administers the ASVAB Career Exploration Program to assess capabilities of young people about to enter the military; and

WHEREAS, the United States Department of Defense also offers this award-winning program to high schools throughout the United States, including the State of Nebraska, at no cost to the schools or students and without military obligation, providing one of the most widely used and highly regarded career development programs in the world; and

WHEREAS, the newly released ASVAB Career Exploration Program contains state-of-the-art career exploration materials that are easily integrated into schools' career guidance programs; and

WHEREAS, the accompanying Exploring Careers: The ASVAB Career Exploration Guide helps students to identify, understand, and organize information about their interests, skills, and work-related values, then identify suitable occupations, from a wide range of about four hundred occupations, to investigate and further explore through use of a variety of career information resources; and

WHEREAS, nearly half of Nebraska high school students participate in the ASVAB Career Exploration Program before graduation.

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

1. That the Legislature recognizes the week of February 17-23, 2003, as ASVAB Career Exploration Program Week.

Laid over.

BILL ON FIRST READING

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

LEGISLATIVE BILL 333A. Introduced by Burling, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 333, Ninety-eighth Legislature, First Session, 2003.

GENERAL FILE

LEGISLATIVE BILL 291. Title read. Considered.

The Standing Committee amendment, AM0044, found on page 312, was adopted with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 292. Title read. Considered.

The Standing Committee amendment, AM0032, found on page 312, was adopted with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 21. Title read. Considered.

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

LEGISLATIVE BILL 22. Title read. Considered.

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

LEGISLATIVE BILL 49. Title read. Considered.

Advanced to E & R for review with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 50. Title read. Considered.

Advanced to E & R for review with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 41. Title read. Considered.

SENATOR SCHIMEK PRESIDING

Advanced to E & R for review with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

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

LEGISLATIVE BILL 84. Title read. Considered.

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

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

LEGISLATIVE BILL 90. Title read. Considered.

Advanced to E & R for review with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 126. Title read. Considered.

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

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

LEGISLATIVE BILL 243. Title read. Considered.

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

LEGISLATIVE BILL 429. Title read. Considered.

Senator Janssen offered the following amendment:
AM0126

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

The Janssen amendment was adopted with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

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

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

LEGISLATIVE BILL 238. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Senators Dw. Pedersen and Price asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 333. Title read. Considered.

The Standing Committee amendment, AM0064, found on page 324, was adopted with 32 ayes, 0 nays, 8 present and not voting, and 9 excused and not voting.

Senator Baker renewed his pending amendment, AM0193, found on page 404.

The Baker amendment was adopted with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

Advanced to E & R for review with 32 ayes, 0 nays, 8 present and not voting, and 9 excused and not voting.

AMENDMENT - Print in Journal

Senator Baker filed the following amendment to LB 295:
AM0161

- 1 1. Strike section 1 and insert the following new
- 2 sections:
- 3 "Section 1. Section 77-112, Revised Statutes Supplement,
- 4 2002, is amended to read:
- 5 77-112. Actual value of real property for purposes of
- 6 taxation means the market value of real property in the ordinary
- 7 course of trade. Actual value may be determined using
- 8 professionally accepted mass appraisal methods, including, but not
- 9 limited to, the (1) sales comparison approach using the guidelines
- 10 in section 77-1371, (2) income approach, and (3) cost approach.
- 11 Sec. 3. Section 77-1371, Revised Statutes Supplement,
- 12 2002, is amended to read:
- 13 77-1371. Comparable sales are recent sales of properties
- 14 that are similar to the property being assessed in significant
- 15 physical, functional, and location characteristics and in their

16 contribution to value. When using comparable sales in determining
17 actual value of an individual property under the sales comparison
18 approach provided in section 77-112, the following guidelines shall
19 be considered in determining what constitutes a comparable sale:

20 (1) Whether the sale was financed by the seller and
21 included any special financing considerations or the value of
22 improvements;

23 (2) Whether zoning affected the sale price of the
24 property;

1 (3) For sales of agricultural land or horticultural land
2 as defined in section 77-1359, whether a premium was paid to
3 acquire nearby property. Land within one mile of currently owned
4 property shall be considered nearby property;

5 (4) Whether sales or transfers made in connection with
6 foreclosure, bankruptcy, or condemnations, in lieu of foreclosure,
7 or in consideration of other legal actions should be excluded from
8 comparable sales analysis as not reflecting current market value;

9 (5) Whether sales between family members within the third
10 degree of consanguinity include considerations that fail to reflect
11 current market value;

12 (6) Whether sales to or from federal or state agencies or
13 local political subdivisions reflect current market value;

14 (7) Whether sales of undivided interests in real property
15 or parcels less than forty acres or sales conveying only a portion
16 of the unit assessed reflect current market value;

17 (8) Whether sales or transfers of property in exchange
18 for other real estate, stocks, bonds, or other personal property
19 reflect current market value;

20 (9) Whether deeds recorded for transfers of convenience,
21 transfers of title to cemetery lots, mineral rights, and rights of
22 easement reflect current market value;

23 (10) Whether sales or transfers of property involving
24 railroads or other public utility corporations reflect current
25 market value;

26 (11) Whether sales of property substantially improved
27 subsequent to assessment and prior to sale should be adjusted to
1 reflect current market value or eliminated from such analysis; and

2 (12) For agricultural land or horticultural land as
3 defined in section 77-1359 which is or has been receiving the
4 special valuation pursuant to sections 77-1343 to 77-1348, whether
5 the sale price reflects a value which the land has for purposes or
6 uses other than as agricultural land or horticultural land and
7 therefor does not reflect current market value of other
8 agricultural land or horticultural land.

9 The Property Tax Administrator may issue guidelines for
10 assessing officials for use in determining what constitutes a
11 comparable sale. Guidelines shall take into account the factors
12 listed in this section and other relevant factors as prescribed by
13 the Property Tax Administrator."

- 14 2. On page 3, line 25, strike "77-1359 and 77-1361" and
 15 insert "77-112, 77-1361, and 77-1371".
- 16 3. Renumber the remaining sections accordingly.

NOTICE OF COMMITTEE HEARINGS
Appropriations
 Room 1510

LB 468	Friday, February 14, 2003	1:30 p.m.
LB 469	Friday, February 14, 2003	1:30 p.m.

(Signed) Roger R. Wehrbein, Chairperson

Nebraska Retirement Systems
 Room 1525

LB 708	Wednesday, February 12, 2003	12:15 p.m.
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(Signed) Elaine Stuhr, Chairperson

STANDING COMMITTEE REPORTS
Transportation and Telecommunications

LEGISLATIVE BILL 561. Placed on General File.

LEGISLATIVE BILL 562. Placed on General File.

LEGISLATIVE BILL 563. Placed on General File.

(Signed) Tom Baker, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 66A. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 66, Ninety-eighth Legislature, First Session, 2003; and to declare an emergency.

LEGISLATIVE BILL 85A. Introduced by Landis, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 85, Ninety-eighth Legislature, First Session, 2003; and to declare an emergency.

UNANIMOUS CONSENT - Add Cointroducers

Senators Bromm and Stuthman asked unanimous consent to have their names added as cointroducers to LB 332. No objections. So ordered.

Senator Erdman asked unanimous consent to have his name added as cointroducer to LB 754. No objections. So ordered.

VISITORS

Visitors to the Chamber were Douglas Smith from Chappell; Ron Lorenz from Crete; Dr. Todd Sorensen, Jim McHugh, John McVay, Mary Armstrong, Fiona Libsack, and Dr. William Michael from Scottsbluff; participants in the Nebraska LEAD Program; and 20 twelfth-grade students and teacher from Cedar Rapids Public School.

ADJOURNMENT

At 11:59 a.m., on a motion by Speaker Bromm, the Legislature adjourned until 9:00 a.m., Wednesday, February 5, 2003.

Patrick J. O'Donnell
Clerk of the Legislature