

**TWENTY-FOURTH DAY - FEBRUARY 11, 2004****LEGISLATIVE JOURNAL****NINETY-EIGHTH LEGISLATURE  
SECOND SESSION****TWENTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, February 11, 2004

**PRAYER**

The prayer was offered by Sister Barbara Brumleve, Alegent Health, Omaha.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Bromm presiding.

The roll was called and all members were present except Senator Hudkins who was excused; and Senators Baker, Beutler, Brashear, Landis, Maxwell, Dw. Pedersen, Schimek, and Tyson who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 572, line 9, strike "Upon" and insert "upon".

Page 572, line 42, strike "has" and insert "his".

The Journal for the twenty-second day was approved as corrected.

The Journal for the twenty-third day was approved.

**MOTION - Approve Appointments**

Senator Schrock moved the adoption of the Natural Resources Committee report for the confirmation of the following appointments found on page 581:

Environmental Quality Council

Steve Oltmans

Jodi Thompson

Voting in the affirmative, 30:

Aguilar	Combs	Friend	Mines	Schrock
Bourne	Connealy	Hartnett	Mossey	Stuhr
Bromm	Cudaback	Johnson	Pederson, D.	Stuthman
Burling	Engel	Jones	Price	Synowiecki
Byars	Erdman	Kruse	Quandahl	Vrtiska
Chambers	Foley	Louden	Raikes	Wehrbein

Voting in the negative, 0.

Present and not voting, 9:

Brown	Janssen	Kremer	Redfield	Thompson
Cunningham	Jensen	Preister	Smith	

Excused and not voting, 10:

Baker	Brashear	Landis	McDonald	Schimek
Beutler	Hudkins	Maxwell	Pedersen, Dw.	Tyson

The appointments were confirmed with 30 ayes, 0 nays, 9 present and not voting, and 10 excused and not voting.

### GENERAL FILE

**LEGISLATIVE BILL 986A.** Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 279.** Senator Wehrbein withdrew his pending amendment, AM2354, found on page 464 and considered on page 551.

Senator Wehrbein renewed his pending amendment, AM2515, found on page 585.

Senator Chambers offered the following motion:  
Recommit to the Transportation and Telecommunications Committee.

Senator Chambers withdrew his motion.

Senator Wehrbein withdrew his amendment, AM2515.

Senator Wehrbein withdrew his pending amendment, AM2509, found on page 586.

Senator Byars withdrew his pending amendment, AM2547, found on page 592.

Senator Jones offered the following amendment:

FA1459

Strike the Jones amendment, AM2417.

Strike the Wehrbein amendment, AM2353.

The Jones amendment was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 279A.** Senator Jones renewed his pending amendment, AM2408, found on page 487.

The Jones amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

### **STANDING COMMITTEE REPORTS** **Health and Human Services**

**LEGISLATIVE BILL 1036.** Placed on General File as amended.  
(Standing Committee amendment, AM2504, is printed separately and available in the Bill Room, Room 1104.)

(Signed) Jim Jensen, Chairperson

### **Business and Labor**

**LEGISLATIVE BILL 951.** Placed on General File as amended.  
(Standing Committee amendment, AM2523, is printed separately and available in the Bill Room, Room 1104.)

(Signed) Floyd P. Vrtiska, Chairperson

### **NOTICE OF COMMITTEE HEARING** **Health and Human Services** Room 1510

Wednesday, February 18, 2004

1:30 p.m.

Margaret Coleman - Commission for the Deaf and Hard of Hearing

James P. Devaney - Commission for the Deaf and Hard of Hearing

Kenya S. Taylor - Commission for the Deaf and Hard of Hearing

Cecelia J. Bevard - Commission for the Deaf and Hard of Hearing

Timothy Crockett - State Board of Health

Kent H. Forney - State Board of Health

Clinton Schafer - State Board of Health

Jerry Vaughan - State Board of Health  
 Gwen Weber - State Board of Health  
 Angela Brennan - Rural Health Advisory Commission  
 Donald Fry - Rural Health Advisory Commission  
 Rebecca Schroeder - Rural Health Advisory Commission  
 Michael Sitorius - Rural Health Advisory Commission  
 William Welch - Rural Health Advisory Commission  
 Roger Wells - Rural Health Advisory Commission  
 Robert Burns - Commission for the Blind and Visually Impaired  
 Barbara Loos - Commission for the Blind and Visually Impaired  
 William Orester - Commission for the Blind and Visually Impaired  
 Margaret Connealy - Foster Care Review Board  
 David Patterson - Foster Care Review Board  
 Judy Meter - Foster Care Review Board  
 Thomas Poulton - Foster Care Review Board  
 Jim Ganz - Foster Care Review Board  
 Kay Lynn Goldner - Foster Care Review Board  
 Burrell S. Williams - Foster Care Review Board  
 Ronald F. Balthazor - Board of Emergency Medical Services  
 Bruce A. Beins - Board of Emergency Medical Services  
 Joel E. Cerny - Board of Emergency Medical Services  
 David T. Engler - Board of Emergency Medical Services  
 Dan L. Hakel - Board of Emergency Medical Services  
 Robert K. Olson - Board of Emergency Medical Services  
 Earl Rudolph - Board of Emergency Medical Services  
 Val D. Snyder - Board of Emergency Medical Services  
 George Tom Surber - Board of Emergency Medical Services  
 Diane L. Yetter - Board of Emergency Medical Services  
 Debra Phelps - Child Abuse Prevention Fund Board  
 Jennie Cole-Mossman - Child Abuse Prevention Fund Board  
 Dale Baker - Child Abuse Prevention Fund Board

(Signed) Jim Jensen, Chairperson

### SELECT FILE

**LEGISLATIVE BILL 37.** E & R amendment, AM7161, found on page 390, was adopted.

Senator Price renewed her pending amendment, AM2382, found on page 506.

The Price amendment was adopted with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 37A.** E & R amendment, AM7163, found on page 394, was adopted.

Senator Price withdrew her pending amendment, AM2297, found on page 412.

Senator Price renewed her pending amendment, AM2383, found on page 507.

The Price amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 139.** E & R amendment, AM7165, found on page 441, was adopted.

Senator Johnson renewed his pending amendment, AM2414, found on page 554.

The Johnson amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 139A.** Advanced to E & R for engrossment.

**LEGISLATIVE BILL 270.** E & R amendment, AM7166, found on page 476, was adopted.

Senator Brashear withdrew his pending motion, found on page 2015, First Session, 2003, to suspend Rule 6, Section 5 and Rule 7, Sections 3 and 7, and vote on the advancement of LB 270 without further amendment or debate.

Senator Brashear withdrew his pending motion, found on page 2015, First Session, 2003, to suspend Rule 6, Sections 6, 7 and 8, and Rule 7, Sections 3 and 7, and vote on the advancement of LB 270 without further amendment or debate.

Senator Beutler renewed his pending amendment, AM2215, found on page 439.

The Beutler amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Senator Brashear offered the following amendment:  
AM2441

(Amendments to AM2019)

1. On page 12, line 25, after "81-1848" insert "and  
2 sections 11 and 12 of this act".

- 3 2. On page 13, lines 22 and 26, after "board" insert "2  
 4 the county corrections agency,".  
 5 3. On page 17, line 14, after the semicolon insert  
 6 "and"; in line 21 strike "department" and insert "Department of  
 7 Correctional Services, the Department of Health and Human  
 8 Services"; and in line 18 strike "2003" and insert "2004".

The Brashear amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 559.** E & R amendment, AM7169, printed separately and referred to on page 505, was adopted.

Senator Baker asked unanimous consent to withdraw his pending amendment, AM2495, found on page 587, and replace it with his substitute amendment, FA1458. No objections. So ordered.

FA1458

Amend AM7169

1. On page 5, line 4, reinstate the stricken matter and strike the new matter; and in line 5 strike "be".
2. On page 7, lines 5, 9, 15, and 23, strike "endorsement" and insert "class, endorsement, or restriction".
3. On page 18, line 24, strike "course" and insert "school".
4. On page 26, lines 17 and 18, reinstate the stricken matter and strike the new matter.

The Baker amendment was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

Senator Thompson offered the following amendment:

AM2564

(Amendments to E & R amendments, AM7169)

- 1 1. Strike sections 21 and 22 and insert the following
- 2 new sections:
- 3 "Sec. 7. Section 60-493, Revised Statutes Supplement,
- 4 2002, is amended to read:
- 5 60-493. When a person applies for an operator's license
- 6 or state identification card, the county treasurer or examiner of
- 7 the Department of Motor Vehicles shall distribute a brochure
- 8 provided by an organ and tissue ~~recovery agency~~ procurement
- 9 organization and approved by the Department of Health and Human
- 10 Services Regulation and Licensure containing a description and
- 11 explanation of the Uniform Anatomical Gift Act to each person
- 12 applying for a new or renewal license or card. ~~Beginning October~~
- 13 ~~1, 2000, the brochure shall include the information prescribed in~~
- 14 ~~subsection (1) of section 60-494.~~
- 15 If an individual desires to receive additional specific

16 information regarding organ and tissue donation and the Donor  
 17 Registry of Nebraska as indicated on an application or examiner's  
 18 certificate under section 60-484, 60-4,144, or 60-4,181, the  
 19 department shall notify a representative of the Nebraska Organ  
 20 Retrieval System federally designated organ procurement  
 21 organization in Nebraska within five working days of the name and  
 22 address of such individual.

23 Sec. 8. Section 60-494, Revised Statutes Supplement,  
 1 2002, is amended to read:

2 60-494. (1) Each operator's license and state  
 3 identification card shall include a special ~~notification~~ notation  
 4 on the front of the license or card if the licensee or cardholder  
 5 ~~desires to make an organ and tissue donation~~ indicates on the  
 6 application or examiner's certificate under section 60-484,  
 7 60-4,144, or 60-4,181 his or her wish to be an organ donor, a  
 8 tissue donor, or both.

9 (2) The ~~organ and tissue donation~~ status as an organ  
 10 donor, a tissue donor, or both shall be renewed upon renewal of  
 11 each license or card ~~only~~ if the licensee or cardholder, at the  
 12 time of renewal, indicates the desire to renew the ~~organ and tissue~~  
 13 donation.

14 (3) ~~No licensee or cardholder shall be deemed to have~~  
 15 ~~authorized an organ and tissue donation if status and the notation~~  
 16 ~~authorized in subsection (1) of this section has not been marked.~~  
 17 The status as an organ donor, a tissue donor, or both is not  
 18 changed by the suspension, cancellation, revocation, or impoundment  
 19 of the license or card.

20 (4) (3) Any person whose operator's license or state  
 21 identification card indicates ~~that he or she desires to make an~~  
 22 ~~organ and tissue donation~~ his or her status as an organ donor, a  
 23 tissue donor, or both may obtain a replacement license or card  
 24 ~~changing his or her status to that of a nondonor without a notation~~  
 25 of such status. The fee for such replacement license or card shall  
 26 be the fee provided in section 60-4,115.

27 (4) A licensee or cardholder may also change his or her  
 1 status as a donor by (a) Internet access to the Donor Registry of  
 2 Nebraska, (b) telephone request to the registry, or (c) other  
 3 methods approved by the federally designated organ procurement  
 4 organization in Nebraska.

5 (5) The Department of Motor Vehicles shall electronically  
 6 transfer to the federally designated organ procurement organization  
 7 in Nebraska all information which appears on the face of the  
 8 original or replacement operator's license or state identification  
 9 card except the image and signature of each person whose license or  
 10 card includes the notation described in subsection (1) of this  
 11 section.

12 Sec. 16. Section 60-4,144, Revised Statutes Supplement,  
 13 2003, is amended to read:

14 60-4,144. (1) Application for any original or renewal

15 commercial driver's license or application for any change of class  
16 of commercial motor vehicle, endorsement, or restriction may be  
17 made in a manner prescribed by the department. Such application  
18 may be made to an examiner in any county. The examiner shall  
19 personally conduct the examination of the applicant and deliver to  
20 each successful applicant an examiner's certificate containing the  
21 statements made pursuant to subsection (2) of this section.

22 (2) The application or examiner's certificate shall  
23 include the voter registration portion pursuant to section 32-308,  
24 the advisement language required by subsection (10) of section  
25 60-6,197, and the following:

26 (a) The full name, the current mailing address, and the  
27 residential address of the applicant, except that if the applicant  
1 is a program participant under the Address Confidentiality Act, he  
2 or she need not supply his or her residential address;

3 (b) A physical description of the applicant, including  
4 sex, height, weight, and eye and hair colors;

5 (c) The applicant's date of birth;

6 (d) The applicant's social security number;

7 (e) The applicant's signature;

8 (f) Certification that the commercial motor vehicle in  
9 which the applicant takes any driving skills examination is  
10 representative of the class of commercial motor vehicle that the  
11 applicant operates or expects to operate;

12 (g) The certification required pursuant to section  
13 60-4,145 or 60-4,146;

14 (h) Beginning September 30, 2005, the names of all states  
15 where the applicant has previously been licensed to operate any  
16 type of motor vehicle;

17 (i) The following specific questions:

18 (i) Have you within the last three months (e.g. due to  
19 diabetes, epilepsy, mental illness, head injury, stroke, heart  
20 condition, neurological disease, etc.):

21 (A) lost voluntary control or consciousness ... yes ...

22 no

23 (B) experienced vertigo or multiple episodes of dizziness  
24 or fainting ... yes ... no

25 (C) experienced disorientation ... yes ... no

26 (D) experienced seizures ... yes ... no

27 (E) experienced impairment of memory, memory loss ... yes  
1 ... no

2 Please explain: .....

3 (ii) Do you experience any condition which affects your  
4 ability to operate a motor vehicle? (e.g. due to loss of or  
5 impairment of foot, leg, hand, or arm; neurological or  
6 neuromuscular disease, etc.) ... yes ... no

7 Please explain: .....

8 (iii) Since the issuance of your last driver's  
9 license/permit has your health or medical condition changed or

10 worsened? ... yes ... no

11 Please explain, including how the above affects your ability to  
12 drive:

13 .....

14 (j) Do you wish to register to vote as part of this  
15 application process?

16 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING  
17 QUESTIONS:

18 (k) Do you wish to be an organ and tissue donor?

19 (l) Do you wish to receive any additional specific  
20 information regarding organ and tissue donation and the Donor  
21 Registry of Nebraska?

22 (m) Do you wish to donate \$1 to promote the Organ and  
23 Tissue Donor Awareness and Education Fund?

24 (3) Application shall be made under oath or affirmation  
25 of the applicant.

26 Sec. 24. Section 60-2907, Revised Statutes Supplement,  
27 2002, is amended to read:

1 60-2907. The department and any officer, employee,  
2 agent, or contractor of the department having custody of a motor  
3 vehicle record shall, upon the verification of identity and purpose  
4 of a requester, disclose and make available the requested motor  
5 vehicle record, including the personal information in the record,  
6 for the following purposes:

7 (1) For use by any federal, state, or local governmental  
8 agency, including any court or law enforcement agency, in carrying  
9 out the agency's functions or by a private person or entity acting  
10 on behalf of a governmental agency in carrying out the agency's  
11 functions;

12 (2) For use in connection with matters of motor vehicle  
13 or driver safety and theft; motor vehicle emissions; motor vehicle  
14 product alterations, recalls, or advisories; performance monitoring  
15 of motor vehicles, motor vehicle parts, and dealers; motor vehicle  
16 market research activities, including survey research; and removal  
17 of nonowner records from the original owner records of motor  
18 vehicle manufacturers;

19 (3) For use in the normal course of business by a  
20 legitimate business or its agents, employees, or contractors but  
21 only:

22 (a) To verify the accuracy of personal information  
23 submitted by the individual to the business or its agents,  
24 employees, or contractors; and

25 (b) If such information as so submitted is not correct or  
26 is no longer correct, to obtain the correct information, but only  
27 for the purposes of preventing fraud by, pursuing legal remedies  
1 against, or recovering on a debt or security interest against, the  
2 individual;

3 (4) For use in connection with any civil, criminal,

4 administrative, or arbitral proceeding in any federal, state, or  
 5 local court or governmental agency or before any self-regulatory  
 6 body, including service of process, investigation in anticipation  
 7 of litigation, and execution or enforcement of judgments and  
 8 orders, or pursuant to an order of a federal, state, or local  
 9 court, an administrative agency, or a self-regulatory body;

10 (5) For use in research activities, and for use in  
 11 producing statistical reports, so long as the personal information  
 12 is not published, redisclosed, or used to contact individuals;

13 (6) For use by any insurer or insurance support  
 14 organization, or by a self-insured entity, or its agents,  
 15 employees, or contractors, in connection with claims investigation  
 16 activities, anti-fraud activities, rating, or underwriting;

17 (7) For use in providing notice to the owners of  
 18 abandoned, towed, or impounded vehicles;

19 (8) For use only for a purpose permitted under this  
 20 section either by a private detective, plain clothes investigator,  
 21 or private investigative agency licensed under sections 71-3201 to  
 22 71-3213;

23 (9) For use by an employer or the employer's agent or  
 24 insurer to obtain or verify information relating to a holder of a  
 25 commercial driver's license that is required under the Commercial  
 26 Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et seq., or  
 27 pursuant to sections 60-4,132 and 60-4,141;

1 (10) For use in connection with the operation of private  
 2 toll transportation facilities;

3 (11) For bulk distribution for surveys of, marketing to,  
 4 or solicitations of persons who have expressly consented to such  
 5 disclosure if the requester has obtained the notarized written  
 6 consent of the individual who is the subject of the personal  
 7 information being requested and has provided proof of receipt of  
 8 such written consent to the department or an officer, employee,  
 9 agent, or contractor of the department on a form prescribed by the  
 10 department;

11 (12) For any use if the requester has obtained the  
 12 notarized written consent of the individual who is the subject of  
 13 the personal information being requested and has provided proof of  
 14 receipt of such written consent to the department or an officer,  
 15 employee, agent, or contractor of the department;

16 (13) For use, including redisclosure through news  
 17 publication, of a member of a medium of communication as defined in  
 18 section 20-145 who requests such information in connection with  
 19 preparing, researching, gathering, or confirming news information  
 20 involving motor vehicle or driver safety or motor vehicle theft;

21 (14) For use by the federally designated organ  
 22 procurement organization in Nebraska to establish and maintain the  
 23 Donor Registry of Nebraska as provided in section 25 of this act;  
 24 and

25 ~~(14)~~ (15) For any other use specifically authorized by

26 law that is related to the operation of a motor vehicle or public  
27 safety.

1 Sec. 25. (1) The federally designated organ procurement  
2 organization in Nebraska shall use the information received from  
3 the Department of Motor Vehicles under section 60-494 to establish  
4 and maintain the Donor Registry of Nebraska. Transplant facilities  
5 may obtain needed information from such organization for placement  
6 of organs and tissue. Federally designated organ procurement  
7 agencies and cadaveric tissue agencies in other states may obtain  
8 information from such organization when a Nebraska resident is  
9 listed as a donor on the registry and is not located in Nebraska  
10 immediately preceding or at the time of his or her death. The  
11 federally designated organ procurement organization in Nebraska may  
12 receive donor information from sources other than the Department of  
13 Motor Vehicles and shall pay all costs associated with creating and  
14 maintaining the registry.

15 (2) It is the intent of the Legislature that the registry  
16 facilitate organ and tissue donations and not inhibit such  
17 donations. A person does not need to be listed on the registry to  
18 be an organ and tissue donor.

19 (3) No person shall obtain information from the registry  
20 for the purpose of fundraising or other commercial use.  
21 Information obtained from the registry may only be used to  
22 facilitate the donation process at the time of the donor's death.  
23 General statistical information may be provided upon request to the  
24 federally designated organ procurement organization in Nebraska.

25 Sec. 26. (1) The Donor Registry of Nebraska Advisory  
26 Board is created. The advisory board shall consist of:

27 (a) A member of the board of directors of the federally  
1 designated organ procurement organization in Nebraska who shall  
2 serve as the chairperson of the advisory board;

3 (b) A representative of the Nebraska Organ and Tissue  
4 Donor Coalition appointed by the board of directors of the  
5 coalition;

6 (c) A representative of the Lion's Eye Bank of Nebraska  
7 appointed by the board of directors of such organization;

8 (d) A representative of each transplant hospital in  
9 Nebraska appointed by the chief executive officer of such hospital;

10 (e) A representative of a Nebraska community hospital in  
11 Nebraska appointed by the Nebraska Hospital Association;

12 (f) A representative of the National Kidney Foundation of  
13 Nebraska appointed by the board of directors of such organization;

14 (g) A representative of the American Lung Association of  
15 Nebraska appointed by the board of directors of such organization;

16 (h) A representative of the Nebraska chapter of the  
17 American Heart Association appointed by the board of directors of  
18 such organization; and

19 (i) A representative of the Department of Motor Vehicles  
20 appointed by the Director of Motor Vehicles.

- 21 (2) The federally designated organ procurement  
 22 organization in Nebraska shall provide administrative support for  
 23 the advisory board.
- 24 (3) The advisory board shall advise and assist the  
 25 federally designated organ procurement organization in Nebraska on  
 26 matters relating to the Donor Registry of Nebraska, including, but  
 27 not limited to, (a) evaluation of the donor registry system, (b)  
 1 consideration of processes and procedures to increase public  
 2 awareness and use of the registry, and (c) the development of  
 3 protocols to ensure the security and integrity of the registry and  
 4 the confidentiality of donors listed on the registry.
- 5 Sec. 27. This act becomes operative on January 1, 2005.
- 6 Sec. 28. Original sections 60-482, 60-4,118.04,  
 7 60-4,123.01, 60-4,130.05, 60-4,155, and 60-4,173 to 60-4,175,  
 8 Reissue Revised Statutes of Nebraska, sections 60-486, 60-493,  
 9 60-494, 60-495, 60-4,115, 60-4,118, 60-4,127, 60-4,146.01,  
 10 60-4,158, and 60-2907, Revised Statutes Supplement, 2002, and  
 11 sections 60-462, 60-479, 60-484, 60-4,144, and 60-4,181, Revised  
 12 Statutes Supplement, 2003, are repealed."
- 13 2. On page 4, line 1; and page 27, line 5, after  
 14 "donation" insert "and the Donor Registry of Nebraska".
- 15 3. Renumber the remaining sections accordingly.

The Thompson amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Senator Synowiecki offered the following amendment:  
 FA1460

(Amendments to E & R amendments, AM7169)

- 1 1. On page 6, after line 23, insert the following new  
 2 subdivision:  
 3 "(d) If an applicant is not able to produce a social  
 4 security number, such person shall be licensed to operate a motor  
 5 vehicle by the State of Nebraska if he or she presents to the  
 6 department a valid United States-based identification as approved  
 7 by the director and has fulfilled all other requirements as set forth in this act."
- 8 2. On page 28, after line 13, insert the following new  
 9 subdivision:  
 10 "(d) If an applicant is not able to produce a social  
 11 security number, such person shall be issued a state identification  
 12 card by the State of Nebraska if he or she presents to the  
 13 department a valid United States-based identification as approved  
 14 by the director and has fulfilled all other requirements as set forth in this act."

Pending.

**STANDING COMMITTEE REPORTS**  
**Education**

**LEGISLATIVE BILL 1107.** Placed on General File.

(Signed) Ron Raikes, Chairperson

**Banking, Commerce and Insurance**

**LEGISLATIVE BILL 1114.** Placed on General File.

**LEGISLATIVE BILL 1164.** Placed on General File as amended.  
Standing Committee amendment to LB 1164:  
AM2560

- 1 1. On page 2, strike beginning with "or" in line 19
- 2 through "organization" in line 20.

**LEGISLATIVE BILL 1185.** Placed on General File as amended.  
(Standing Committee amendment, AM2485, is printed separately and available in the Bill Room, Room 1104.)

**LEGISLATIVE BILL 847.** Indefinitely postponed.

**LEGISLATIVE BILL 1212.** Indefinitely postponed.

(Signed) Mark Quandahl, Chairperson

**SELECT COMMITTEE REPORTS**  
**Enrollment and Review**

**Correctly Engrossed**

The following bills were correctly engrossed: LBs 644 and 644A.

(Signed) Ray Mossey, Chairperson

**RESOLUTION**

**LEGISLATIVE RESOLUTION 235.** Introduced by Schrock, 38.

WHEREAS, Duane R. Wehrs and Judith A. Breager-Wehrs have conveyed to the Nebraska Game and Parks Foundation real estate located in Seward County, Nebraska, which will be maintained as a wildlife management area for public outdoor recreation activities; and

WHEREAS, the Game and Parks Commission has the general authority to acquire real estate, with the consent of the Governor, by gift; and

WHEREAS, in the interest of promoting outdoor opportunities for Nebraskans, the Legislature wishes to grant approval for the Game and

Parks Commission to obtain title to all or any part of such real estate presently held in trust by the Nebraska Game and Parks Foundation.

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

1. That the Legislature approves the gift from the Nebraska Game and Parks Foundation to the Game and Parks Commission of all of the real estate described as: The northeast quarter of section thirty-two, township eleven north, range one east of the sixth principal meridian, in Seward County, Nebraska, containing one hundred sixty acres, more or less. These premises are subject to a warranty easement deed to the Natural Resources Conservation Service of the United States Department of Agriculture as filed in Seward County, Nebraska.

2. That such approval is granted with the understanding that the real estate described shall be designated and utilized as a wildlife management area.

### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR 235 was referred to the Reference Committee.

### **REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LR 235	Natural Resources

(Signed) Pat Engel, Chairperson  
Legislative Council, Executive Board

### **RESOLUTION**

**LEGISLATIVE RESOLUTION 236.** Introduced by Kremer, 34.

WHEREAS, Brooke Herbig, an esteemed resident of Central City, Nebraska, and a student at Central City Middle School, has achieved national recognition for exemplary volunteer service by receiving a 2004 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Ms. Herbig earned this award by giving generously of her time and energy to treating lonely female residents of two local nursing homes to special days of favorite activities, pampering, and friendship; and

WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of American society depend, in great

measure, upon the dedication of young people like Ms. Herbig who use their considerable talents and resources to serve others.

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

1. That the Legislature congratulates and honors Brooke Herbig as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for her continued success and happiness.

2. That a copy of this resolution be sent to Brooke Herbig.

Laid over.

### **STANDING COMMITTEE REPORT** **Agriculture**

The Agriculture Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Beginning Farmer Board

Dale Pohlmann

VOTE: Aye: Senators Kremer, Erdman, Burling, Cunningham, Preister, and Vrtiska. Nay: None. Absent: Senators Chambers and Mossey.

(Signed) Bob Kremer, Chairperson

### **ANNOUNCEMENTS**

Senator Louden designates LB 838 as his priority bill.

Senator Smith designates LB 1045 as his priority bill.

### **BILL ON FIRST READING**

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

**LEGISLATIVE BILL 906A.** Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 906, Ninety-eighth Legislature, Second Session, 2004.

### **AMENDMENTS - Print in Journal**

Senator Kruse filed the following amendment to LB 559:  
AM2532

(Amendments to E & R amendments, AM7169)

- 1 1. On page 6, line 6; and page 27, line 23, after
- 2 "person" insert "who qualifies for a social security number".
- 3 2. On page 6, line 9; and page 27, line 26, after "to"
- 4 insert "such".

Senator Thompson filed the following amendment to LB 559A:  
AM2585

- 1 1. On page 2, line 1, strike "\$14,400" and insert
- 2 "\$32,800".

#### **UNANIMOUS CONSENT - Add Cointroducer**

Senator Price asked unanimous consent to have her name added as cointroducer to LB 879. No objections. So ordered.

#### **WITHDRAW - Cointroducers**

Senator Friend withdrew his name as cointroducer to LB 916.

Senator Dw. Pedersen withdrew his name as cointroducer to LR 209CA.

#### **VISITORS**

Visitors to the Chamber were 55 twelfth-grade students and teacher from Syracuse.

#### **ADJOURNMENT**

At 11:58 a.m., on a motion by Senator Aguilar, the Legislature adjourned until 9:00 a.m., Thursday, February 12, 2004.

Patrick J. O'Donnell  
Clerk of the Legislature