

**THIRTEENTH DAY - JANUARY 23, 2006****LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE  
SECOND SESSION****THIRTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, January 23, 2006

**PRAYER**

The prayer was offered by Pastor Dale Marples, Jubilee Church, Omaha.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Kremer, McDonald, Mines, D. Pederson, and Price who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twelfth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB 962	Education (rereferred)
LB 987	Education (rereferred)
LB 1107	Health and Human Services (rereferred)
LB 1148	Health and Human Services (rereferred)
LB 1195	Natural Resources

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

**ANNOUNCEMENT**

The Nebraska Retirement Systems Committee designates LBs 366 and 1019 as its priority bills.

**MOTIONS - Approve Appointments**

Senator Schrock moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 415:

Game and Parks Commission  
Mark Pinkerton

Voting in the affirmative, 32:

Aguilar	Cudaback	Heidemann	Langemeier	Stuhr
Baker	Cunningham	Howard	Louden	Stuthman
Burling	Engel	Hudkins	Pahls	Synowiecki
Byars	Erdman	Jensen	Pedersen, Dw.	Wehrbein
Combs	Fischer	Johnson	Preister	
Connealy	Flood	Kopplin	Raikes	
Cornett	Foley	Landis	Schrock	

Voting in the negative, 0.

Present and not voting, 12:

Beutler	Brown	Janssen	Schimek
Bourne	Chambers	Kruse	Smith
Brashear	Friend	Redfield	Thompson

Excused and not voting, 5:

Kremer	McDonald	Mines	Pederson, D.	Price
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The appointment was confirmed with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Senator Schrock moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 415:

Environmental Quality Council  
Vaughn Blum

Voting in the affirmative, 37:

Aguilar	Cudaback	Howard	Louden	Smith
Baker	Cunningham	Hudkins	Mines	Stuhr
Bourne	Engel	Janssen	Pahls	Stuthman
Burling	Erdman	Jensen	Pedersen, Dw.	Synowiecki
Byars	Fischer	Johnson	Preister	Wehrbein
Combs	Flood	Kopplin	Raikes	
Connealy	Foley	Landis	Schimek	
Cornett	Heidemann	Langemeier	Schrock	

Voting in the negative, 0.

Present and not voting, 8:

Beutler	Brown	Friend	Redfield
Brashear	Chambers	Kruse	Thompson

Excused and not voting, 4:

Kremer	McDonald	Pederson, D.	Price
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The appointment was confirmed with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

### **MOTION - Withdraw LB 1129**

Senator Louden renewed his pending motion, found on page 403, to withdraw LB 1129.

The Louden motion to withdraw prevailed with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

### **SELECT FILE**

**LEGISLATIVE BILL 764.** Advanced to E & R for engrossment.

**LEGISLATIVE BILL 765.** Considered.

Advanced to E & R for engrossment.

### **RESOLUTIONS**

**LEGISLATIVE RESOLUTION 278.** Introduced by Foley, 29.

WHEREAS, Joseph W. Moylan, a distinguished lawyer, judge, and Nebraskan, passed away on August 13, 2005; and

WHEREAS, Joseph W. Moylan is survived by his beloved wife, Gretchen, and by their children Mary, John, Cathy, Theresa, Sheila, and Steve, and stepson John Paul Schutte, and by fifteen grandchildren; and

WHEREAS, Joseph W. Moylan earned a bachelor's degree from Marquette University and a law degree from Creighton University; and

WHEREAS, Joseph W. Moylan followed his father's example of public service by working as a special attorney general for the State of Nebraska, a private lawyer, and assistant public defender in Douglas County; and

WHEREAS, Joseph W. Moylan was appointed by Governor J. James Exon to the Douglas County Juvenile Court in 1972; and

WHEREAS, Joseph W. Moylan served honorably as a judge for twenty-one years before receiving a case that violated his moral beliefs; and

WHEREAS, Joseph W. Moylan, after reviewing his options, resigned from the job he cherished rather than sign a waiver allowing a pregnant young woman to abort her child, refusing to be complicit in what he recognized as an unspeakable evil; and

WHEREAS, Joseph W. Moylan raised the standard for all public officials regarding honor, ethics, and duty through his actions.

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

1. That the Legislature expresses its condolences to the family of Joseph W. Moylan; and

2. That a copy of this resolution be sent to the family of Joseph W. Moylan.

Laid over.

**LEGISLATIVE RESOLUTION 279.** Introduced by Byars, 30.

WHEREAS, seventy-six and three tenths percent of Nebraska's population have less than a college education; and

WHEREAS, a large majority of Nebraska's people need developmental course work, tutoring, and counseling to succeed in secondary school and in postsecondary freshman-level courses; and

WHEREAS, these people are one or more of the following: Low-income, children of parents with no postsecondary experience, nontraditional students, or disabled or culturally disadvantaged; and

WHEREAS, the twenty-nine TRIO Programs in Nebraska, located on the campuses of Southeast Community College, University of Nebraska at Lincoln, Doane College, University of Nebraska at Omaha, University of Nebraska at Kearney, Central Community College, Chadron State College, Creighton University, Metropolitan Community College, Nebraska Indian Community College, Peru State College, Wayne State College, Western Nebraska Community College, and Applied Information Management Institute; and

WHEREAS, these twenty-nine programs, with a combined budget of \$8,028,666 of federal funding for educational opportunity services, have provided support services that enhance the prospects of educational excellence for those who are disadvantaged and will serve approximately seven thousand six hundred ninety students during the 2004-05 program years.

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

1. That February 25, 2006, shall be known as National TRIO Day.

2. That a copy of this resolution be sent to the Director of the TRIO Program on the Southeast Community College campus in Beatrice, Nebraska.

Laid over.

**NOTICE OF COMMITTEE HEARINGS**  
**Health and Human Services**  
 Room 1510

LB 1036	Wednesday, February 1, 2006	1:30 p.m.
LB 1086	Wednesday, February 1, 2006	1:30 p.m.
LB 1088	Wednesday, February 1, 2006	1:30 p.m.
LB 1104	Wednesday, February 1, 2006	1:30 p.m.
LB 1155	Wednesday, February 1, 2006	1:30 p.m.
LB 1244	Wednesday, February 1, 2006	1:30 p.m.
LB 1041	Thursday, February 2, 2006	1:30 p.m.
LB 1058	Thursday, February 2, 2006	1:30 p.m.
LB 1079	Thursday, February 2, 2006	1:30 p.m.
LB 1116	Thursday, February 2, 2006	1:30 p.m.
LB 854	Wednesday, February 8, 2006	1:30 p.m.
LB 1068	Wednesday, February 8, 2006	1:30 p.m.
LB 1231	Wednesday, February 8, 2006	1:30 p.m.
LB 1232	Wednesday, February 8, 2006	1:30 p.m.
LB 1242	Wednesday, February 8, 2006	1:30 p.m.
LB 1248	Wednesday, February 8, 2006	1:30 p.m.
LB 1035	Thursday, February 9, 2006	1:30 p.m.
LB 1132	Thursday, February 9, 2006	1:30 p.m.
LB 1178	Thursday, February 9, 2006	1:30 p.m.
LB 1179	Thursday, February 9, 2006	1:30 p.m.
LB 1220	Thursday, February 9, 2006	1:30 p.m.
LB 1233	Thursday, February 9, 2006	1:30 p.m.
LB 790	Friday, February 10, 2006	1:30 p.m.
LB 1177	Friday, February 10, 2006	1:30 p.m.
LB 1254	Friday, February 10, 2006	1:30 p.m.
LB 952	Friday, February 10, 2006	1:30 p.m.
LB 1107	Wednesday, February 15, 2006	1:30 p.m.
LB 1148	Wednesday, February 15, 2006	1:30 p.m.

(Signed) Jim Jensen, Chairperson

**General Affairs**  
 Room 1510

LB 978	Monday, January 30, 2006	1:30 p.m.
LB 1160	Monday, January 30, 2006	1:30 p.m.
LB 1004	Monday, January 30, 2006	1:30 p.m.
Monday, January 30, 2006		1:30 p.m.
Art Thompson - Nebraska Arts Council		

Joan Gibson - Nebraska Arts Council  
 Julie Jacobson - Nebraska Arts Council  
 Robin Koozer - Nebraska Arts Council  
 Vicki Bromm - Nebraska Arts Council  
 Kathleen Watson - Nebraska Arts Council

(Signed) Ray Janssen, Chairperson

**Banking, Commerce and Insurance**  
 Room 1507

LB 828	Monday, January 30, 2006	1:30 p.m.
LB 864	Monday, January 30, 2006	1:30 p.m.
LB 878	Monday, January 30, 2006	1:30 p.m.
LB 917	Tuesday, January 31, 2006	1:30 p.m.
LB 1124	Tuesday, January 31, 2006	1:30 p.m.
LB 1240	Tuesday, January 31, 2006	1:30 p.m.

(Signed) Mick Mines, Chairperson

**STANDING COMMITTEE REPORTS**  
**Natural Resources**

The Natural Resources 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.

David Hallberg - Nebraska Ethanol Board  
 James Jenkins - Nebraska Ethanol Board

VOTE: Aye: Senators Hudkins, Kopplin, McDonald, Schrock, Smith, Stuhr.  
 Nay: None. Absent: Senators Kremer, Louden.

(Signed) Ed Schrock, Chairperson

**Revenue**

The Revenue 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.

William Warnes - Tax Equalization and Review Commission

VOTE: Aye: Senators Connealy, Cornett, Janssen, Landis, Preister, Raikes and Redfield. Nay: None. Absent: Senator Baker.

(Signed) David Landis, Chairperson

**Natural Resources**

**LEGISLATIVE BILL 805.** Placed on General File.

**LEGISLATIVE BILL 933.** Placed on General File as amended.

Standing Committee amendment to LB 933:

AM1915

1 1. Insert the following new sections:

2 Sec. 15. Section 46-701, Reissue Revised Statutes of

3 Nebraska, is amended to read:

4 46-701. Sections 46-701 to 46-753 and section 16 of this  
5 act shall be known and may be cited as the Nebraska Ground Water  
6 Management and Protection Act.

7 Sec. 16. The Interrelated Water Management Plan Program  
8 is created for the purpose of facilitating and funding the duties  
9 of districts arising under the Nebraska Ground Water Management  
10 and Protection Act. The program shall function as a grant program  
11 administered by the Nebraska Natural Resources Commission and  
12 the Department of Natural Resources upon recommendations of the  
13 commission using funds appropriated for the program. The commission  
14 shall develop guidelines and limitations for grant requests for  
15 funding such district's duties, including studies required to carry  
16 out those duties. Grant requests shall be made to the commission  
17 for review in a manner and form prescribed by the commission. The  
18 amounts requested and approved shall be supported by a minimum  
19 local revenue match comprising twenty percent of the total project  
20 cost. The Director of Natural Resources shall expend funds to  
21 implement the commission's recommendations for fiscal support under  
22 the program only upon the commission's approval.

23 2. On page 55, strike beginning with "Any" in line 23

1 through line 25 and insert "Any increases in the consumptive use  
2 of water by a nonmunicipal commercial or industrial water user  
3 that results in a decrease in streamflow shall be addressed by  
4 the integrated management plan pursuant to controls or incentive  
5 programs adopted pursuant to section 46-715.".

6 3. On page 56, strike beginning with "Any" in line 1  
7 through line 10 and insert "Prior to January 1, 2026, any new  
8 or expanded single commercial or industrial development served by  
9 a nonmunicipal well within an area determined by the department  
10 to be fully appropriated pursuant to section 46-714 or designated  
11 as overappropriated pursuant to section 46-713 which, after the  
12 effective date of this act, commences water use resulting in the  
13 consumptive use of water in amounts greater than twenty-five  
14 million gallons annually may be subject to controls adopted  
15 pursuant to section 46-715;".

16 4. Amend the repealer, correct internal references, and

17 renumber the remaining sections accordingly.

**LEGISLATIVE BILL 340.** Indefinitely postponed.

(Signed) Ed Schrock, Chairperson

### Revenue

**LEGISLATIVE BILL 813.** Placed on General File as amended.  
Standing Committee amendment to LB 813:

AM1962

- 1 1. Strike original section 12.
- 2 2. On page 21, line 2, after the first comma insert "and"
- 3 and strike "and 77-5029,".
- 4 3. Renumber the remaining sections accordingly.

**LEGISLATIVE BILL 942.** Indefinitely postponed.

**LEGISLATIVE BILL 1011.** Indefinitely postponed.

(Signed) David Landis, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 72.** Senator Chambers offered the following amendment:

FA359

Amend AM1841

P. 2, line 10, strike "that is given" and insert "issued".

Senator Chambers moved for a call of the house. The motion prevailed with 21 ayes, 2 nays, and 26 not voting.

The Chambers amendment was adopted with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

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

**LEGISLATIVE BILL 817.** Placed on General File as amended.  
Standing Committee amendment to LB 817:

AM1952

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 75-104, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 75-104. ~~Until January 9, 2003, the salary of each~~
- 6 ~~commissioner shall be forty two thousand dollars. Commencing~~
- 7 ~~January 9, 2003 (1) Until January 4, 2007, the annual salary~~
- 8 of each commissioner shall be fifty thousand dollars. Commencing

9 January 4, 2007, the annual salary of each commissioner shall be  
 10 seventy-five thousand dollars.

11 (2) Each commissioner shall be entitled to receive from  
 12 the state his or her mileage expenses incurred while traveling in  
 13 the line of duty to and from his or her residence to the office of  
 14 the Public Service Commission in Lincoln pursuant to the following  
 15 conditions:

16 ~~(1)~~(a) The Public Service Commission has adopted and  
 17 promulgated rules and regulations establishing guidelines for  
 18 allowable reimbursement of such mileage expenses, except that  
 19 such mileage rate shall not exceed the mileage rate established  
 20 by the Department of Administrative Services pursuant to section  
 21 81-1176;

22 ~~(2)~~(b) The request for such reimbursement falls within  
 23 such guidelines; and

1 ~~(3)~~(c) The total amounts authorized for such  
 2 reimbursement of mileage expenses in any fiscal year does not  
 3 cause the total expenses to exceed the total funds appropriated to  
 4 the program established for commissioners' expenses. In addition  
 5 thereto, the commissioners, executive director, clerks, and other  
 6 employees of the commission shall be entitled to receive from the  
 7 state their actual necessary traveling expenses, including the  
 8 cost of transportation while traveling on the business of the  
 9 commission, to be paid in the same manner as other requests for  
 10 payment or reimbursement from the state. In computing the cost of  
 11 transportation for the commissioners, executive director, clerks,  
 12 and other employees, no mileage or other traveling expense shall  
 13 be requested or allowed unless sections 81-1174 to 81-1177 are  
 14 strictly complied with.

15 Sec. 2. Section 84-101.01, Revised Statutes Cumulative  
 16 Supplement, 2004, is amended to read:

17 ~~84-101.01. Until January 9, 2003, the Governor shall~~  
 18 ~~receive an annual salary of sixty five thousand dollars. Commencing~~  
 19 ~~January 9, 2003-Until January 4, 2007, the annual salary of the~~  
 20 ~~Governor shall be eighty-five thousand dollars. Commencing January~~  
 21 ~~4, 2007, the annual salary of the Governor shall be one hundred~~  
 22 ~~five thousand dollars. Such salary shall be payable in equal~~  
 23 ~~monthly installments.~~

24 Sec. 3. Section 84-201.01, Revised Statutes Cumulative  
 25 Supplement, 2004, is amended to read:

26 ~~84-201.01. Until January 9, 2003, the Attorney General~~  
 27 ~~shall receive an annual salary of sixty four thousand five hundred~~  
 1 ~~dollars. Commencing January 9, 2003-Until January 4, 2007, the~~  
 2 ~~annual salary of the Attorney General shall be seventy-five~~  
 3 ~~thousand dollars. Commencing January 4, 2007, the annual salary~~  
 4 ~~of the Attorney General shall be ninety-five thousand dollars. The~~  
 5 ~~salary of the Attorney General shall be payable in equal monthly~~  
 6 ~~installments.~~

7 Sec. 4. Section 84-721, Revised Statutes Cumulative

8 Supplement, 2004, is amended to read:

9 84-721. ~~Until January 9, 2003, there shall be paid as~~  
 10 ~~salaries to certain constitutional officers as follows: Secretary~~  
 11 ~~of State, the sum of fifty two thousand dollars per year; Auditor~~  
 12 ~~of Public Accounts, the sum of forty nine thousand five hundred~~  
 13 ~~dollars per year; State Treasurer, the sum of forty nine thousand~~  
 14 ~~five hundred dollars per year; and Lieutenant Governor, the sum of~~  
 15 ~~forty seven thousand dollars per year. Commencing January 9, 2003~~  
 16 Until January 4, 2007, there shall be paid as salaries to certain  
 17 constitutional officers as follows: Secretary of State, the sum of  
 18 sixty-five thousand dollars per year; Auditor of Public Accounts,  
 19 the sum of sixty thousand dollars per year; State Treasurer, the  
 20 sum of sixty thousand dollars per year; and Lieutenant Governor,  
 21 the sum of sixty thousand dollars per year. Commencing January 4,  
 22 2007, there shall be paid as salaries to certain constitutional  
 23 officers as follows: Secretary of State, the sum of eighty-five  
 24 thousand dollars per year; Auditor of Public Accounts, the sum of  
 25 eighty-five thousand dollars per year; State Treasurer, the sum of  
 26 eighty-five thousand dollars per year; and Lieutenant Governor, the  
 27 sum of seventy-five thousand dollars per year. Such salaries shall  
 1 be payable in equal monthly installments.

2 Sec. 5. Original section 75-104, Reissue Revised Statutes  
 3 of Nebraska, and sections 84-101.01, 84-201.01, and 84-721, Revised  
 4 Statutes Cumulative Supplement, 2004, are repealed.

(Signed) DiAnna R. Schimek, Chairperson

### Natural Resources

**LEGISLATIVE BILL 871.** Placed on General File.

**LEGISLATIVE BILL 872.** Placed on General File.

**LEGISLATIVE BILL 930.** Indefinitely postponed.

The Natural Resources 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.

Lawrence Bradley - Environmental Quality Council

Joseph Citta Jr. - Environmental Quality Council

Ronald Zeiger - Environmental Quality Council

VOTE: Aye: Senators Hudkins, Kopplin, McDonald, Schrock, Smith, Stuhr.  
 Nay: None. Absent: Senators Kremer, Loudon.

(Signed) Ed Schrock, Chairperson

**NOTICE OF COMMITTEE HEARINGS**  
**Education**  
 Room 1525

Monday, February 6, 2006 1:30 p.m.  
 Dick Davis - Coordinating Commission for Postsecondary Education  
 Marilyn Harris - Coordinating Commission for Postsecondary Education  
 James Strand - Coordinating Commission for Postsecondary Education

LB 1093	Monday, February 13, 2006	1:30 p.m.
LB 1203	Monday, February 13, 2006	1:30 p.m.
LB 1208	Monday, February 13, 2006	1:30 p.m.
LB 1211	Monday, February 13, 2006	1:30 p.m.
LB 1247	Monday, February 13, 2006	1:30 p.m.

LB 987	Tuesday, February 14, 2006	1:30 p.m.
LB 1090	Tuesday, February 14, 2006	1:30 p.m.
LB 1194	Tuesday, February 14, 2006	1:30 p.m.
LB 1204	Tuesday, February 14, 2006	1:30 p.m.
LB 1213	Tuesday, February 14, 2006	1:30 p.m.

LB 797	Tuesday, February 21, 2006	1:30 p.m.
LB 962	Tuesday, February 21, 2006	1:30 p.m.
LB 1256	Tuesday, February 21, 2006	1:30 p.m.

Tuesday, February 21, 2006 1:30 p.m.  
 Charles Ward - Board of Educational Lands and Funds  
 Review Revised Comprehensive Statewide Plan for Postsecondary  
 Education pursuant to §85-1413(8)

LB 839	Monday, February 27, 2006	1:30 p.m.
LB 1119	Monday, February 27, 2006	1:30 p.m.
LR 253CA	Monday, February 27, 2006	1:30 p.m.

(Signed) Ron Raikes, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 72.** Senator Chambers offered the following amendment:

FA360

Amend AM1841

P. 2, line 10 after "the" insert "successful"

Senator Chambers withdrew his amendment.

Senator Chambers offered the following amendment:

FA361

Amend AM1841

P. 2, lines 5-6 strike "human and physical resources" and insert "persons and property".

Senator Chambers moved for a call of the house. The motion prevailed with 22 ayes, 3 nays, and 24 not voting.

The Chambers amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment:

FA362

Amend AM1841

P. 2, line 5 strike "mean" and insert "means"

Pending.

## RESOLUTION

**LEGISLATIVE RESOLUTION 280.** Introduced by Howard, 9; Aguilar, 35; Byars, 30; Connealy, 16; Cornett, 45; Cunningham, 40; Flood, 19; Kopplin, 3; Kruse, 13; McDonald, 41; Preister, 5; Price, 26; Raikes, 25; Redfield, 12; Schrock, 38; Stuthman, 22; Thompson, 14.

WHEREAS, Nebraska has numerous cultures that have contributed to form the rich mosaic of life in Nebraska; and

WHEREAS, Nebraska schools should provide opportunities for school children to explore Nebraska's rich and diverse cultures; and

WHEREAS, Nebraska celebrates its admission to the Union on Statehood Day each March 1; and

WHEREAS, students should be encouraged to showcase their heritage and to present the unique and colorful facets of their family's history.

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

1. That the week of February 27 through March 5, 2006, is declared Nebraska Heritage Week.

2. That during that week schools are encouraged to provide school celebrations, assemblies, and programs that focus on the cultures represented in the school, the community, and the state.

3. That students are encouraged to showcase their heritage and to present unique and colorful facets of their family's history.

Laid over.

## AMENDMENT - Print in Journal

Senator Landis filed the following amendment to LB 693:

(Amendment, AM1957, is printed separately and available in the Bill Room,

Room 1104.)

**MOTION - Print in Journal**

Senator Flood filed the following motion to LB 588:

Pursuant to Rule 6, Section 8(b)(1), to recommit LB 588 to Enrollment and Review to replace Sections 77-2711 and 77-27,119, which were amended in 2005, and for reengrossment.

**AMENDMENT - Print in Journal**

Senator Beutler filed the following amendment to LB 32:

AM1696

- 1 1. Insert the following new section:
- 2 Sec. 2. No water well constructed after January 1, 2001,
- 3 in a river basin or part of a river basin that has been the subject
- 4 of litigation over an interstate compact or decree in which the
- 5 State of Nebraska was a named defendant shall be allowed to pump
- 6 any water after January 1, 2007, until such time as determined by
- 7 the Department of Water Resources. The department may determine the
- 8 level of all future pumping after January 1, 2007.
- 9 2. Renumber the remaining section accordingly.

**MOTION - Print in Journal**

Senator Flood filed the following motion to LB 779:

Withdraw LB 779.

**STANDING COMMITTEE REPORT**  
**Nebraska Retirement Systems**

The Nebraska Retirement Systems 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.

Glenn Camerer - Public Employees Retirement Board

John Maginn - Nebraska Investment Council

Richard Wassinger - Public Employees Retirement Board

VOTE: Aye: Senators Bourne, Erdman, D. Pederson, Price, Stuhr and Synowiecki. Nay: None. Absent: None.

(Signed) Elaine Stuhr, Chairperson

**UNANIMOUS CONSENT - Add Cointroducers**

Senator Dw. Pedersen asked unanimous consent to add his name as cointroducer to LB 825. No objections. So ordered.

Senator Mines asked unanimous consent to add his name as cointroducer to LB 1148. No objections. So ordered.

### **VISITORS**

Visitors to the Chamber were students from Lewis and Clark School, Omaha; Aaron Wyatt from Ft. Riley, Kansas; five junior and senior high school students and escorts from Brazil; students and teachers from Syracuse and Johnson-Brock; and students and teachers from Buffett Middle School, Omaha.

The Doctor of the Day was Dr. Sandy Baumberger from Fremont.

### **ADJOURNMENT**

At 11:59 a.m., on a motion by Speaker Brashear, the Legislature adjourned until 9:00 a.m., Tuesday, January 24, 2006.

Patrick J. O'Donnell  
Clerk of the Legislature