

SEVENTEENTH DAY - JANUARY 30, 2006**LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE
SECOND SESSION****SEVENTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, January 30, 2006

PRAYER

The prayer was offered by Pastor Delmar Wiemers, First Lutheran Church, Fremont.

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 Aguilar, Combs, Engel, Dw. Pedersen, Price, Stuthman, and Synowiecki who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

**STANDING COMMITTEE REPORTS
Health and Human Services**

LEGISLATIVE BILL 891. Placed on General File.

LEGISLATIVE BILL 833. Placed on General File as amended.

Standing Committee amendment to LB 833:

AM2000

- 1 1. Strike original section 2 and insert the following new
- 2 section:
- 3 Sec. 2. Section 71-1,103, Revised Statutes Supplement,
- 4 2005, is amended to read:
- 5 71-1,103. The following classes of persons shall not be
- 6 construed to be engaged in the unauthorized practice of medicine:
- 7 (1) Persons rendering gratuitous services in cases of
- 8 emergency;
- 9 (2) Persons administering ordinary household remedies;
- 10 (3) The members of any church practicing its religious
- 11 tenets, except that they shall not prescribe or administer drugs or

12 medicines, perform surgical or physical operations, nor assume the
13 title of or hold themselves out to be physicians or surgeons, and
14 such members shall not be exempt from the quarantine laws of this
15 state;

16 (4) Students of medicine and surgery who are studying in
17 an accredited school or college of medicine and who gratuitously
18 prescribe for and treat disease under the supervision of a licensed
19 physician;

20 (5) Physicians and surgeons of the United States Armed
21 Forces or Public Health Service or United States Department of
22 Veterans Affairs when acting in the line of such duty in this
23 state;

1 (6) Physicians and surgeons residing in another state
2 who are graduates of an accredited school or college of medicine
3 with the degree of Doctor of Medicine and duly licensed in another
4 to practice medicine and surgery under the laws of such other
5 state when incidentally called into this state or contacted via
6 electronic or other medium for consultation with a physician and
7 surgeon licensed in this state. For purposes of this subdivision,
8 consultation means evaluating the medical data of the patient as
9 provided by the treating physician and rendering a recommendation
10 to such treating physician as to the method of treatment or
11 analysis of the data;

12 (7) Physicians and surgeons residing in another state
13 who are graduates of an accredited school or college of medicine
14 with the degree of Doctor of Medicine and who reside in a state
15 bordering this state and who are duly licensed under the laws
16 thereof to practice medicine and surgery but who do not open an
17 office or maintain or appoint a place to meet patients or to
18 receive calls within this state unless they are performing services
19 described in subdivision (7) of section 71-1,102; in such other
20 state but who (a) provide professional services in this state
21 only on an irregular or occasional basis, (b) do not have or
22 regularly use hospital privileges for the provision of professional
23 services in person in this state, (c) do not render interpretations
24 of radiological images transmitted by electronic media, except as
25 incident to consultation under subdivision (6) of this section,
26 and (d) do not maintain and are not provided for regular use
27 within this state any office or other place for the rendering of
1 professional services or the receipt of calls;

2 (8) Persons providing or instructing as to use of braces,
3 prosthetic appliances, crutches, contact lenses, and other lenses
4 and devices prescribed by a doctor of medicine licensed to practice
5 while working under the direction of such physician;

6 (9) Dentists practicing their profession when licensed
7 and practicing in accordance with sections 71-183 to 71-191;

8 (10) Optometrists practicing their profession when
9 licensed and practicing under and in accordance with sections
10 71-1,133 to 71-1,136;

11 (11) Osteopathic physicians practicing their profession
12 if licensed and practicing under and in accordance with sections
13 71-1,137 and 71-1,141;

14 (12) Chiropractors practicing their profession if
15 licensed and practicing under sections 71-177 to 71-182;

16 (13) Podiatrists practicing their profession when
17 licensed and practicing under and in accordance with sections
18 71-173 to 71-176;

19 (14) Psychologists practicing their profession when
20 licensed and practicing under and in accordance with sections
21 71-1,206.01 to 71-1,206.35;

22 ~~(15) Advanced~~ (15)(a) Until July 1, 2007, advanced
23 practice registered nurses and certified registered nurse
24 anesthetists practicing their professions and practicing under and
25 in accordance with the Advanced Practice Registered Nurse Act; and

26 (b) On and after July 1, 2007, advanced practice
27 registered nurses practicing in their clinical specialty areas when
1 licensed under the Advanced Practice Registered Nurse Licensure
2 Act and practicing under and in accordance with their respective
3 certification acts;

4 (16) Any person licensed or certified under the laws
5 of this state to practice a limited field of the healing art,
6 not specifically named in this section, when confining themselves
7 strictly to the field for which they are licensed or certified,
8 not assuming the title of physician, surgeon, or physician and
9 surgeon, and not professing or holding themselves out as qualified
10 to prescribe drugs in any form or to perform operative surgery;

11 (17) Physicians and surgeons who are duly licensed to
12 practice medicine and surgery in another state who have been
13 recommended by the secretary of the board of examiners in the
14 state of licensure and who have been granted temporary practice
15 rights by the Board of Medicine and Surgery, with the approval of
16 the department, for a period not to exceed three months in any
17 twelve-month period;

18 (18) Persons obtaining blood specimens while working
19 under an order of or protocols and procedures approved by a
20 physician, registered nurse, or other independent health care
21 practitioner licensed to practice by the state if the scope of
22 practice of that practitioner permits the practitioner to obtain
23 blood specimens; and

24 (19) Any other trained person employed by a licensed
25 health care facility or health care service defined in the
26 Health Care Facility Licensure Act or clinical laboratory certified
27 pursuant to the federal Clinical Laboratories Improvement Act of
1 1967, as amended, or Title XVIII or XIX of the federal Social
2 Security Act to withdraw human blood for scientific or medical
3 purposes.

4 Every act or practice falling within the practice of
5 medicine and surgery as defined in section 71-1,102 and not

6 specially excepted in this section shall constitute the practice of
 7 medicine and surgery and may be performed in this state only by
 8 those licensed by law to practice medicine in Nebraska.

LEGISLATIVE BILL 950. Placed on General File as amended.

Standing Committee amendment to LB 950:

AM1961

- 1 1. Strike the original sections and insert the following
 2 new sections:
 3 Section 1. Section 71-612, Revised Statutes Cumulative
 4 Supplement 2004, is amended to read:
 5 71-612. (1) The Director of Finance and Support, as
 6 the State Registrar, through the Department of Health and Human
 7 Services Finance and Support shall preserve permanently and index
 8 all certificates received. The department shall supply to any
 9 applicant for any proper purpose, as defined by rules and
 10 regulations of the department, a certified copy of the record of
 11 any birth, death, marriage, annulment, or dissolution of marriage
 12 registered. The department shall supply a copy of a public vital
 13 record for viewing purposes at its office upon an application
 14 signed by the applicant and upon proof of the identity of the
 15 applicant. The application may include the name, address, and
 16 telephone number of the applicant, purpose for viewing each record,
 17 and other information as may be prescribed by the department by
 18 rules and regulations to protect the integrity of vital records
 19 and prevent their fraudulent use. Except as provided in subsections
 20 (2), (3), (5), (6), and (7) of this section, the department shall
 21 be entitled to charge and collect in advance a fee of ~~seven~~
 22 eleven dollars to be paid by the applicant for each certified copy
 23 supplied to the applicant or for any search made at the applicant's
 1 request for access to or a certified copy of any record, whether or
 2 not the record is found on file with the department.
 3 (2) The department shall, free of charge, search for and
 4 furnish a certified copy of any record on file with the department
 5 upon the request of (a) the United States Department of Veterans
 6 Affairs or any lawful service organization empowered to represent
 7 veterans if the copy of the record is to be issued, for the
 8 welfare of any member or veteran of the armed forces of the United
 9 States or in the interests of any member of his or her family, in
 10 connection with a claim growing out of service in the armed forces
 11 of the nation or (b) the Military Department.
 12 (3) The Department of Health and Human Services Finance
 13 and Support may, free of charge, search for and furnish a certified
 14 copy of any record on file with the department when in the opinion
 15 of the Director of Finance and Support it would be a hardship for
 16 the claimant of old age, survivors, or disability benefits under
 17 the federal Social Security Act to pay the fee provided in this
 18 section.
 19 (4) A strict account shall be kept of all funds received

20 by the department. Funds received pursuant to subsections (1),
21 (5), (6), and (8) of this section shall be remitted to the State
22 Treasurer for credit to the Department of Health and Human Services
23 Finance and Support Cash Fund. Money credited to the fund pursuant
24 to this section shall be used for the purpose of administering
25 the laws relating to vital statistics and may be used to create a
26 petty cash fund administered by the department to facilitate the
27 payment of refunds to individuals who apply for copies of records.

1 The petty cash fund shall be subject to section 81-104.01, except
2 that the amount in the petty cash fund shall not be less than
3 twenty-five dollars nor more than one thousand dollars.

4 (5) The department shall, upon request, conduct a search
5 of death certificates for stated individuals for the Nebraska
6 Medical Association or any of its allied medical societies or any
7 inhospital staff committee pursuant to sections 71-3401 to 71-3403.
8 If such death certificate is found, the department shall provide
9 a noncertified copy. The department shall charge a fee for each
10 search or copy sufficient to cover its actual direct costs, except
11 that the fee shall not exceed two dollars per individual search or
12 copy requested.

13 (6) The department may permit use of data from vital
14 records for statistical or research purposes under section
15 71-602 or disclose data from certificates or records to federal,
16 state, county, or municipal agencies of government for use in
17 administration of their official duties and charge and collect a
18 fee that will recover the department's cost of production of the
19 data. The department may provide access to public vital records for
20 viewing purposes by electronic means, if available, under security
21 provisions which shall assure the integrity and security of the
22 records and data base and shall charge and collect a fee that shall
23 recover the department's costs.

24 (7) In addition to the fees charged under subsection
25 (1) of this section, the department shall charge and collect an
26 additional fee of one dollar for any certified copy of the record
27 of any birth or for any search made at the applicant's request
1 for access to or a certified copy of any such record, whether
2 or not the record is found on file with the department. Any
3 county containing a city of the metropolitan class which has an
4 established city-county or county health department pursuant to
5 sections 71-1626 to 71-1636 which has an established system of
6 registering births and deaths shall charge and collect in advance a
7 fee of one dollar for any certified copy of the record of any birth
8 or for any search made at the applicant's request for such record,
9 whether or not the record is found on file with the county. All
10 fees collected under this subsection shall be remitted to the State
11 Treasurer for credit to the Nebraska Child Abuse Prevention Fund.

12 (8) The department shall not charge other state agencies
13 the fees authorized under subsections (1) and (7) of this section
14 for automated review of any certificates. The department shall

15 charge and collect a fee from other state agencies for such
 16 automated review that will recover the department's cost.

17 Sec. 2. Section 71-617.15, Revised Statutes Cumulative
 18 Supplement, 2004, is amended to read:

19 71-617.15. (1) ~~The Department of Health and Human Services~~
 20 ~~Finance and Support department shall charge and collect a the same~~
 21 ~~fee of seven dollars as prescribed in subsection (1) of section~~
 22 ~~71-612 when an application for a delayed birth certificate is~~
 23 ~~filed. All such fees shall be remitted to the State Treasurer~~
 24 ~~for credit to the Department of Health and Human Services Finance~~
 25 ~~and Support Cash Fund. The department shall collect an additional~~
 26 ~~fee of one dollar when a delayed birth certificate is issued. All~~
 27 ~~amounts collected from such additional fee shall be remitted to the~~
 1 State Treasurer for credit to the Nebraska Child Abuse Prevention
 2 Fund.

3 (2) Upon request and payment of the fees required by
 4 section 71-612, a certified copy of a delayed birth certificate
 5 shall be furnished by the Director of Finance and Support. All
 6 fees for a certified copy shall be handled as provided in section
 7 71-612.

8 Sec. 3. Section 71-627, Revised Statutes Cumulative
 9 Supplement, 2004, is amended to read:

10 71-627. (1) The certificate of birth of adopted children
 11 shall be filed as other certificates of birth. ~~There shall be a fee~~
 12 ~~of seven dollars charged. The department shall charge and collect~~
 13 ~~the same fee as prescribed in subsection (1) of section 71-612 for~~
 14 ~~each certificate filed. All such fees shall be remitted to the~~
 15 ~~State Treasurer for credit to the Department of Health and Human~~
 16 ~~Services Finance and Support Cash Fund. The department shall charge~~
 17 ~~and collect an additional fee of one dollar for each certificate~~
 18 ~~issued. All amounts collected from such additional fee shall be~~
 19 ~~remitted to the State Treasurer for credit to the Nebraska Child~~
 20 ~~Abuse Prevention Fund.~~

21 (2) Upon request and payment of the fees required by
 22 section 71-612, a certified copy of an adoptive birth certificate
 23 shall be furnished by the Director of Finance and Support. All
 24 fees for a certified copy shall be handled as provided in section
 25 71-612.

26 Sec. 4. Section 71-628, Revised Statutes Cumulative
 27 Supplement, 2004, is amended to read:

1 71-628. In case of the legitimation of any child born
 2 in Nebraska by the subsequent marriage of such child's parents as
 3 provided in section 43-1406, the ~~Department of Health and Human~~
 4 ~~Services Finance and Support department~~, upon the receipt of a
 5 certified copy of the marriage certificate of the parents and a
 6 statement of the parents acknowledging paternity, shall prepare
 7 a new certificate of birth in the new name of the child so
 8 legitimated, in substantially the same form as that used for other
 9 live births. ~~The department, and shall charge a filing fee of~~

10 ~~seven dollars~~ and collect the same fee as prescribed in subsection
 11 (1) of section 71-612. All such fees shall be remitted to the State
 12 Treasurer for credit to the Department of Health and Human Services
 13 Finance and Support Cash Fund. The department shall charge and
 14 collect an additional fee of one dollar for each new certificate of
 15 birth filed. All amounts collected from such additional fee shall
 16 be remitted to the State Treasurer for credit to the Nebraska Child
 17 Abuse Prevention Fund.

18 Sec. 5. Section 71-634, Revised Statutes Cumulative
 19 Supplement, 2004, is amended to read:

20 71-634. The ~~Department of Health and Human Services~~
 21 ~~Finance and Support~~ department shall charge and collect a ~~the~~
 22 ~~same fee of seven dollars as prescribed in subsection (1) of~~
 23 ~~section 71-612~~ for each proceeding under sections 71-630 and 71-635
 24 to 71-644. All fees so collected shall be remitted to the State
 25 Treasurer for credit to the Department of Health and Human Services
 26 Finance and Support Cash Fund. The department shall collect the
 27 fees required by section 71-612 for a certified copy of the amended
 1 record. All fees for a certified copy shall be handled as provided
 2 in section 71-612.

3 If a certificate is amended pursuant to sections 71-630
 4 and 71-635 to 71-644 as the result of an error committed by the
 5 department in the issuance of such certificate, the department may
 6 waive any fee required under this section.

7 Sec. 6. This act becomes operative on July 1, 2006.

8 Sec. 7. Original sections 71-612, 71-617.15, 71-627,
 9 71-628, and 71-634, Revised Statutes Cumulative Supplement, 2004,
 10 are repealed.

11 Sec. 8. Since an emergency exists, this act takes effect
 12 when passed and approved according to law.

LEGISLATIVE BILL 999. Indefinitely postponed.

(Signed) Jim Jensen, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1007. Placed on General File.

(Signed) Tom Baker, Chairperson

Urban Affairs

LEGISLATIVE BILL 907. Placed on General File as amended.
 Standing Committee amendment to LB 907:
 AM2023

1 1. Strike the original sections and insert the following
 2 new sections:

3 Section 1. Section 35-514, Reissue Revised Statutes of

4 Nebraska, is amended to read:

5 35-514. (1) Any territory which is outside the limits of
6 any incorporated city may be annexed to an adjacent district in the
7 manner provided in this section, whether or not the territory is in
8 an existing rural or suburban fire protection district.

9 (2) The proceedings for the annexation may be initiated
10 by either (a) the presentation to the county clerk of a petition
11 signed by sixty percent or more of the registered voters who are
12 residing within the boundaries of the territory to be annexed
13 stating the desires and purposes of such petitioners or (b) the
14 presentation to the county clerk of certified copies of resolutions
15 passed by the board of directors of the annexing district and any
16 other district from which the property would be annexed supporting
17 the proposed annexation. The petition or resolutions shall contain
18 a description of the boundaries of the territory proposed to be
19 annexed. The petition or resolutions shall be accompanied by a map
20 or plat and a deposit for publication costs.

21 (3) The county clerk shall verify the petition as
22 provided in section 32-631 and determine and certify whether
23 or not such petition or resolution complies with the requirements
1 of subsection (2) of this section and that the persons signing
2 the petition appear to reside at the addresses indicated by such
3 petition. Thereafter, the county clerk shall forward any petition,
4 map or plat, and certificate to the board of directors of the
5 districts concerned.

6 (4) Within thirty days after receiving the petition, map
7 or plat, and certificate of the county clerk, in accordance with
8 subsection (3) of this section, from the county clerk, the board
9 of directors of all affected districts shall transmit the same
10 to the proper county board, accompanied by a report in writing
11 approving or disapproving the proposal contained in the petition,
12 or approving such proposal in part and disapproving it in part.
13 If the annexation is proposed by resolutions of the affected
14 districts, the resolutions shall be transmitted to the proper
15 county board.

16 (5) The county board shall promptly designate a time and
17 place for a hearing upon the annexation. Notice of such hearing
18 shall be given by publication two weeks in a newspaper of general
19 circulation in the county, the last publication appearing at least
20 seven days prior to the hearing. The notice shall be addressed
21 to "all registered voters residing in the following boundaries"
22 and shall include a description of the proposed boundaries as set
23 forth in the petition or resolutions. At such hearing, any person
24 shall have the opportunity to be heard respecting the proposed
25 annexation.

26 (6) The county board shall, within forty-five days after
27 the hearing referred to in subsection (5) of this section,
1 determine whether such territory should be annexed and shall
2 fix the boundaries of the territory to be annexed. No annexation

3 shall be approved which would leave any district with less than
4 the minimum valuation of two million eight hundred sixty thousand
5 dollars. The determination of the county board shall be set forth
6 in a written order which shall describe the boundaries determined
7 upon and shall be filed in the office of the county clerk.

8 (7) Any area annexed from a rural or suburban fire
9 protection district, except areas duly incorporated within the
10 boundaries of a municipality, shall be subject to assessment and
11 be otherwise chargeable for the payment and discharge of all the
12 obligations of the rural or suburban fire protection district
13 outstanding at the time of the filing of the petition or resolution
14 for the annexation of the area as fully as though the area had
15 not been annexed. All procedures which could be used to compel
16 the annexed area, except for areas duly incorporated within the
17 boundaries of a municipality, to pay its portion of the outstanding
18 obligations had the annexation not occurred may be used to compel
19 such payment. Areas duly incorporated within the boundaries of a
20 municipality shall be automatically annexed from the boundaries of
21 the district notwithstanding the provisions of section 31-766 and
22 shall not be subject to further tax levy or other charges by the
23 district. The municipality shall assume as of the effective date of
24 the annexation the responsibility for paying that portion of the
25 outstanding obligations of the district that would constitute an
26 obligation of the annexed area and shall enter into an accounting
27 with the district for a division of the assets, liabilities,

1 maintenance, or other obligations of the district based upon the
2 valuation of the portion of the district annexed proportionate to
3 the valuation of the portion of the district remaining following
4 annexation, paying to the district any balance of obligations
5 beyond assets, if any. Written notice of the date of the public
6 hearing on any annexation ordinance proposing the annexation of
7 district territory shall be mailed by certified mail to the clerk
8 of the district not less than ten days prior to the date of the
9 hearing. The municipality shall assume responsibility for providing
10 fire and rescue service to the annexed area as of the effective
11 date of the annexation. -except that before the annexation is
12 complete, the municipality shall assume and pay that portion of
13 all outstanding obligations of the district which would otherwise
14 constitute an obligation of the area annexed or incorporated. An
15 area annexed from a rural or suburban fire protection district
16 shall not be subject to assessment or otherwise chargeable for any
17 obligation of any nature or kind incurred by the district after the
18 annexation of the area from the district.

19 Sec. 2. Original section 35-514, Reissue Revised Statutes
20 of Nebraska, is repealed.

(Signed) Mike Friend, Chairperson

NOTICE OF COMMITTEE HEARINGS

Judiciary
Room 1113

LB 1169	Friday, February 24, 2006 (cancel)	1:30 p.m.
LB 1169	Thursday, February 9, 2006 (reschedule)	1:30 p.m.
LB 1044	Friday, February 24, 2006	1:30 p.m.
LB 1188	Wednesday, February 8, 2006 (cancel)	1:30 p.m.

(Signed) Patrick J. Bourne, Chairperson

MOTION - Print in Journal

Senator Connealy filed the following motion to LB 1188:
Withdraw LB 1188.

SPEAKER BRASHEAR PRESIDING**RESOLUTIONS**

Pursuant to Rule 4, Sec. 5(b), LRs 276 and 277 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 276 and 277.

SENATOR CUDABACK PRESIDING**GENERAL FILE**

LEGISLATIVE BILL 542A. Senator Chambers renewed his pending amendment, FA351, found on page 357.

The Chambers amendment was adopted with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 31 ayes, 1 nay, 11 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 72. Senator Chambers renewed his pending amendment, FA362, found on page 440.

Senator Chambers withdrew his amendment.

Senator Stuhr renewed the Stuhr-Schimek pending amendment, AM1966, printed separately and referred to on page 474.

The Stuhr-Schimek amendment was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 72A. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 87. Title read. Considered.

Senator Byars renewed his pending amendment, AM1812, found on page 386.

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

Senator Chambers renewed his pending amendment, FA372, found on page 485.

Senator Chambers withdrew his amendment.

Senator Chambers renewed his pending amendment, FA373, found on page 485.

Senator Chambers withdrew his amendment.

Senator Chambers withdrew his pending amendments, FA374 and FA375, found on page 485.

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

LEGISLATIVE BILL 87A. 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 85. Title read. Considered.

The Standing Committee amendment, AM0126, found on page 379, First Session, 2005, was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 85A. Title read. Considered.

Senator Byars renewed his pending amendment, AM1879, found on page 357.

The Byars amendment 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 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

ANNOUNCEMENT

The Natural Resources Committee designates LB 975 as its priority bill.

NOTICE OF COMMITTEE HEARINGS Natural Resources Room 1525

LB 1097	Wednesday, February 8, 2006	1:30 p.m.
LB 1031	Wednesday, February 8, 2006	1:30 p.m.
LB 1161	Wednesday, February 8, 2006	1:30 p.m.

Wednesday, February 8, 2006		1:30 p.m.
Rod Gangwish - Environmental Quality Council		

LB 822	Thursday, February 9, 2006	1:30 p.m.
LB 1082	Thursday, February 9, 2006	1:30 p.m.
LB 1226	Thursday, February 9, 2006	1:30 p.m.

Thursday, February 9, 2006		1:30 p.m.
Mark Whitehead - Environmental Quality Council		
Michael Siedschlag - Nebraska Power Review Board		

LB 848	Friday, February 10, 2006	1:30 p.m.
LB 1186	Friday, February 10, 2006	1:30 p.m.
LB 1187	Friday, February 10, 2006	1:30 p.m.

Friday, February 10, 2006		1:30 p.m.
Michael Bair - Environmental Quality Council		
Thomas Sonntag - Oil and Gas Conservation Commission		
Alden Zuhlke - Environmental Quality Council		
Robert Hall - Environmental Quality Council		

LB 1127	Wednesday, February 15, 2006	1:30 p.m.
LB 1225	Wednesday, February 15, 2006	1:30 p.m.

LB 1095	Wednesday, February 15, 2006	1:30 p.m.
LB 938	Thursday, February 16, 2006	1:30 p.m.
LB 1076	Thursday, February 16, 2006	1:30 p.m.
Friday, February 24, 2006		1:30 p.m.
Eugene Bade - Nebraska Power Review Board		

(Signed) Ed Schrock, Chairperson

Appropriations

Room 1003

Wednesday, February 8, 2006		1:30 p.m.
AGENCY 11 - Attorney General		
AGENCY 21 - State Fire Marshal		
AGENCY 46 - Department of Correctional Services		
AGENCY 64 - State Patrol		
AGENCY 78 - Commission on Law Enforcement and Criminal Justice		
AGENCY 94 - Commission on Public Advocacy		

LB 922	Wednesday, February 8, 2006	1:30 p.m.
LB 923	Wednesday, February 8, 2006	1:30 p.m.
LB 1015	Wednesday, February 8, 2006	1:30 p.m.
LB 1025	Wednesday, February 8, 2006	1:30 p.m.
LB 1258	Wednesday, February 8, 2006	1:30 p.m.

Thursday, February 9, 2006		1:30 p.m.
AGENCY 51 - University of Nebraska		
AGENCY 84 - Department of Environmental Quality		
AGENCY 33 - Game and Parks Commission		
AGENCY 69 - Arts Council		

LB 1083	Thursday, February 9, 2006	1:30 p.m.
LB 1207	Thursday, February 9, 2006	1:30 p.m.
LB 1228	Thursday, February 9, 2006	1:30 p.m.

Room 1524

LB 851	Monday, February 13, 2006	1:30 p.m.
LB 862	Monday, February 13, 2006	1:30 p.m.
LB 983	Monday, February 13, 2006	1:30 p.m.
LB 1028	Monday, February 13, 2006	1:30 p.m.
LB 1192	Monday, February 13, 2006	1:30 p.m.
LB 1219	Monday, February 13, 2006	1:30 p.m.

(Signed) Don Pederson, Chairperson

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 769. Indefinitely postponed.
LEGISLATIVE BILL 804. Indefinitely postponed.
LEGISLATIVE BILL 966. Indefinitely postponed.
LEGISLATIVE BILL 988. Indefinitely postponed.
LEGISLATIVE BILL 1032. Indefinitely postponed.
LEGISLATIVE BILL 1094. Indefinitely postponed.

(Signed) David Landis, Chairperson

Natural Resources

LEGISLATIVE BILL 975. Placed on General File as amended.
 (Standing Committee amendment, AM2002, is printed separately and available in the Bill Room, Room 1104.)

(Signed) Ed Schrock, Chairperson

AMENDMENT - Print in Journal

Senators Landis and Beutler filed the following amendment to LB 75:
 AM2042

(Amendments to Standing Committee amendments, AM0022)

- 1 1. Strike amendments 1 through 4 and insert the following
- 2 new amendment:
- 3 1. Strike the original sections and all amendments
- 4 thereto and insert the following new sections:
- 5 Section 1. At the general election in November 2006 the
- 6 following proposed amendment to the Constitution of Nebraska shall
- 7 be submitted to the electors of the State of Nebraska for approval
- 8 or rejection:
- 9 To amend Article XI, section 1:
- 10 XI-1 No city, county, town, precinct, municipality, or
- 11 other ~~sub-division~~ subdivision of the state, shall ever become
- 12 a subscriber to the capital stock, or owner of such stock, or
- 13 any portion or interest therein of any railroad, or private
- 14 corporation, or association, except that, notwithstanding any other
- 15 provision of this Constitution, the Legislature may authorize the
- 16 investment of the public endowment funds of cities, villages,
- 17 school districts, public power districts, and other governmental
- 18 or political subdivisions in the manner of a prudent investor who
- 19 shall act with care, skill, and diligence under the prevailing
- 20 circumstance and in such investments as the governing body of
- 21 such city, village, school district, public power district, and
- 22 other governmental or political subdivision, acting in a fiduciary
- 1 capacity for the exclusive purpose of protecting and benefiting
- 2 such investment, may determine, subject to such limitations as the

3 Legislature may by statute provide.

4 Sec. 2. The proposed amendment shall be submitted to the
5 electors in the manner prescribed by the Constitution of Nebraska,
6 Article XVI, section 1, with the following ballot language:

7 A constitutional amendment to authorize the investment of
8 the public funds of cities, villages, school districts,
9 public power districts, and other governmental or
10 political subdivisions in such manner and in such
11 investments as the governing body of such governmental
12 or political subdivision may determine, subject to
13 limitations by the Legislature.

14 For

15 Against.

VISITORS

Visitors to the Chamber were 74 students and teachers from Bryan High School, Bellevue.

The Doctor of the Day was Dr. Paula Abramovith Feijo from Omaha.

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Kopplin, the Legislature adjourned until 9:00 a.m., Tuesday, January 31, 2006.

Patrick J. O'Donnell
Clerk of the Legislature

