

**FOURTH DAY - JANUARY 9, 2006****LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE  
SECOND SESSION****FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, January 9, 2006

**PRAYER**

The prayer was offered by Pastor Steve Flader, Christ United Methodist Church, Lincoln.

**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 Senator Bourne who was excused; and Senators Brashear, Raikes, and Wehrbein who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the third day was approved.

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 6, 2006, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

Abboud, Andrew F.  
Center For People In Need

Abboud, Chris, Public Affairs Group  
Agri-Business Association, Nebraska  
Brain Injury Association of America  
Interior Design, Nebraska Coalition for  
Metro Area Transit  
Monsanto  
Omaha Police Union, Local 101

Adair, Peggy

League of Women Voters of Nebraska

Adams, John H.

International Gamco, Inc.

Adams, Jr., Donald D.

Nebraskans First, Inc.

Alexander, William D.

Alexander, William D.

American Communications Group, Inc.

Behavioral Health Organizations, Nebraska Association of  
Center for Rural Affairs

City of Lincoln

Emergency Medical Service Association, Nebraska

Engineers and Architects, Nebraska Board of

Girl Scout Legislative Monitoring Network, Nebraska

Iowa/Nebraska Primary Care Association

Nebraskans for Research

Papio-Missouri Natural Resources District, Nebraska

Physical Therapy Association, Nebraska Chapter of American

Physician Assistants, Nebraska Academy of

Psychological Association, Nebraska

Public Employees, AFSCME Local 61, Nebraska Association of

Public Health, Friends of in Nebraska

Research Nebraska!

Respiratory Care, Nebraska Society for

Retired School Personnel, Nebraska Association of

Speech, Language, & Hearing Association, Nebraska

Teamsters Local Union 554

YMCA of Nebraska

Andersen, Robert C.

Cooperative Council, Nebraska

Anderson, Robert L.

Agri-Business Association, Nebraska

Anderson Management Services, Inc.

Anderson, Shannon M.

Alegent Health

Anderson, Tim W.

Central Nebraska Public Power & Irrigation District

Apel, Justin

Resources Districts, Nebraska Association of

Aspengren, Eric  
Nebraskans Against the Death Penalty

Baack, Dennis G.  
Community College Association, Nebraska

Baker, R.J.  
Elkhorn Valley Economic Development Council

Barrett, John  
Aquila

Bateman, Joseph R.  
Union Pacific Railroad

Beattie, George  
Bankers Association, Nebraska

Beck, Curt  
General Contractors of America, NE Chapter, Associated

Beermann, Allen J.  
Press Association, Nebraska

Belcher, Barbara N.  
Merck & Company

Bell, David  
Loup River Public Power District

Blackwell Sanders Peper Martin LLP  
Seldin Company

Blankenau, Don, of Fennemore Craig  
League of Nebraska Municipalities

Bohrer, Bruce J.  
Lincoln Chamber of Commerce

Bonaiuto, John A.  
School Boards, Nebraska Association of

Bonrud, Pamela A.  
NorthWestern Energy

Boryca, Kelly J.  
Pfizer, Inc.

- Boucher, Richard  
Sheriffs Association, Nebraska
- Brady, Justin J.  
Radcliffe, Walter H. of Radcliffe & Associates
- Bromm, Curt  
AFLAC  
Cable Communications Association, Nebraska  
City of Elkhorn  
Papillion - La Vista Public Schools  
Papio Valley Preservation Association  
Telecommunications Association, Nebraska
- Bruning, Deonne L.  
Cox Nebraska Telcom, LLC  
Northern Natural Gas  
U. S. Cellular
- Buntain, David R.  
Medical Association, Nebraska
- Burhan, Charles H.  
Liberty Mutual Insurance
- Burroughs, Sheila K.  
Certified Public Accountants, Nebraska Society of
- Butz, Timothy C.  
ACLU Nebraska
- Campbell, Mary M./Campbell & Associates  
AIA Nebraska  
Beer Wholesalers Association, Nebraska  
Cable Communications Association, Nebraska  
Community Health Endowment of Lincoln  
Educational Service Units Administrators Association  
Friends of Nebraska Nonprofit Hospitals  
Friends of the Nebraska Environmental Trust  
Industrial Energy Users of Nebraska  
Lincoln Public Schools  
Nature Conservancy Action Fund, The  
Region II and V Services  
State Troopers Association of Nebraska, Inc.  
University of Nebraska  
Waste Management  
Wholesale Liquor Distributors Association, Nebraska

- Carstenson, Eric B.  
Telecommunications Association, Nebraska
- Cavanaugh Law Firm, PC, LLO  
Creighton University  
Explore Information Services, LLC  
Independent Insurance Agents of Nebraska  
National Confectioners Association  
Snack Food Association  
Tenet Health System
- Cavanaugh, James P.  
Cavanaugh Law Firm PC, LLO
- Cavanaugh, Patrick B.  
Cavanaugh Law Firm PC, LLO
- Cheloha, John A. 'Jack'  
City of Omaha
- Clark, Douglas R.  
Metropolitan Utilities District
- Clayburn, Neal  
Lincoln Education Association
- Cover, Joni R.  
Pharmacists Association, Nebraska
- Craig, Robert B.  
American Legion of Nebraska
- Crawford, Derek  
Kraft Foods North America, Inc. - Altria Corporate Services, Inc.  
Philip Morris USA, Inc. - Altria Corporate Services, Inc.
- Crawford, Kristin Lawson  
Engineering Companies/Nebraska, American Council of  
Engineers, Nebraska Society of Professional
- Cunningham, James R.  
Catholic Conference, Nebraska
- Cutshall & Associates  
Area Agencies on Aging, Nebraska Association of  
BryanLGH Health System  
College Systems, Board of Trustees of Nebraska State  
Community Health Endowment of Lincoln  
Community Lottery System, Inc.

County Attorneys Association, Nebraska  
Dietetic Association, Nebraska  
Elkhorn Public Schools  
Family Physicians, Nebraska Academy of  
Financial Services Coalition, Nebraska  
Funeral Directors Association, Nebraska  
Legal Aid of Nebraska  
Lincoln Medical Education Partnership  
Manufactured Housing Association, Nebraska  
Metropolitan Utilities District  
Nebraska Public Power District  
Pfizer, Inc.  
Poultry Industries, Inc., Nebraska  
Resources Districts, Nebraska Association of  
Rural Community School Association, Nebraska  
Ruth Mueller Robak LLC  
Southern Public Power District  
Union Pacific Railroad  
Water Coalition, Nebraska

Cutshall, Bruce A.  
Cutshall & Associates

DeCamp, John W.  
Chiropractic Physicians Association, Nebraska  
Veterans of Foreign Wars

Dibbern, Chris M.  
Nebraska Municipal Power Pool

Dix, Larry  
County Officials, Nebraska Association of

Dobler, James B.  
Farmers Mutual of Nebraska

Dudley, William H.  
AFLAC

Dulaney, Michael S.  
School Administrators, Nebraska Council of

Edson, Dean E.  
Resources Districts, Nebraska Association of

Edwards, Jon  
County Officials, Nebraska Association of

Eidem, Linda

NorthWestern Energy

Elliott, Joseph W.  
Professional Insurance Agents of Nebraska

Engh, Jennifer L.  
Cargill Inc.

Eret, Don  
Tractor Testing Laboratory, Supporters of Nebraska

Erickson, Julie S.  
American Communications Group, Inc.

Evans, Eric A.  
Advocacy Services, Inc., Nebraska

Fahleson, Mark A.  
Abengoa Bioenergy Corporation

Ferdinand, Betty  
Health Care Association, Nebraska

Ferrell, Beth Bazyn  
County Officials, Nebraska Association of

Festersen, Pete  
Omaha Chamber of Commerce, Greater

Flannery, John S.  
Verizon Wireless

Fraizer, Ted J.  
AFLAC  
Insurance Association, American  
Mutual of Omaha Insurance Company

Fraizer, Theodore D. (Tad)  
Fraizer & Fraizer Law Office

Funk, Christine  
Planned Parenthood of Nebraska & Council Bluffs

Gangwish, Duane  
Cattlemen, Inc., Nebraska

Gilbertson, Korby M.  
Radcliffe, Walter H. of Radcliffe & Associates  
Wildlife Protectors Association, Inc./Operation Game Thief, Nebraska

Goc, John J.

Keno Operators Association, Nebraska  
Metropolitan Utilities District  
Operational Services, LLC

Gordon, James E.

DeHart & Darr Associates

Gottschalk, Kristen

Rural Electric Association, Nebraska

Gould, John 'Jack'

Common Cause National  
Common Cause Nebraska

Gould, Rebecca

Appleseed Center for Law in the Public Interest, Nebraska

Griess, James R.

Education Association, Nebraska State

Grotrian, James

Metropolitan Community College

Hale, Brian R.

School Boards, Nebraska Association of

Hall, Kimberle M.

Home & Community Health Agencies, Nebraska Association of

Hallstrom, Robert J.

Bankers Association, Nebraska  
Blue Cross & Blue Shield of Nebraska  
Friends of Nebraska Nonprofit Hospitals  
National Federation of Independent Business  
Nebraskans For Workers Compensation Equity  
NETWORKS, Inc.  
Pharmacists Association, Nebraska

Hansen, John K.

Farmers Union, Nebraska

Harmon, Annette L.

Nurses Association, Nebraska

Harris, Nance

Trucking Association, Nebraska



- Hartmann, William  
One-Call Notification Center, Nebraska Statewide
- Harvey, William F.  
Big Red Lottery Services, Ltd.
- Haubensak, Richard  
Cornerstone Energy, Inc.
- Head, Craig J.  
Farm Bureau Federation, Nebraska
- Hedman, Gary  
Southern Public Power District
- Heine, Bruce W.  
Magellan Midstream Partners
- Higgins, Shirley  
Nebraska Public Power District
- Hill, Denise A.  
Berkshire Hathaway Homestate Companies
- Hogrefe, Raymond H.  
National Active & Retired Federal Employees (NARFE), NE Federation
- Holmquist, David W.  
American Cancer Society
- Holmquist, Jay  
Rural Electric Association, Nebraska
- Hood, Jane Renner  
Humanities Council, Nebraska
- Horne, Virgil L.  
Lincoln Public Schools
- Hunter, Martha  
League of Women Voters of Nebraska
- Hybl, Michael G. - TELECOM Consulting Resources, Inc.  
Cambridge Telephone Company  
Clarks Telecommunications Co.  
Consolidated Telephone Company  
Hamilton Telecommunications  
Hartington Telecommunications, Inc.  
Hershey Coop Telephone Co.

HunTel Systems, Inc.  
K & M Telephone Company  
Nebraska Central Telephone Company  
Northeast Nebraska Telephone Co.  
Stanton Telecom, Inc.  
Three River Telco  
Trucking Association, Nebraska

Intermill, Mark  
AARP

Jensen, Ronald L.  
Counseling Association, Nebraska  
Dental Hygienists Association, Nebraska  
Homes & Services for the Aging, Nebraska Association of  
Kraft Foods North America, Inc. - Altria Corporate Services, Inc.  
Magellan Health Services, Inc.  
Marriage and Family Therapy, The Nebraska Association for  
National Rifle Association Institute for Legislative Action  
Nurse Anesthetists, Nebraska Association of  
Optometric Association, Nebraska  
Philip Morris USA, Inc. - Altria Corporate Services, Inc.  
Podiatric Medical Association, Nebraska  
Private Resources, Nebraska Association of  
Radiologic Technologists, Nebraska Society of

Jensen, S. Michael  
Great Plains Communications

Johnson, DeMaris  
Cable Communications Association, Nebraska  
Check Cashers, Nebraska Association of  
County Attorneys Association, Nebraska  
Water Resources Association, Nebraska

Johnson, Dick  
Builders and Contractors, Inc., Associated

Johnson, Larry A.  
Trucking Association, Nebraska

Johnson, Mary A.  
Ruth Mueller Robak LLC

Johnson, Rod E.  
Pork Producers Association, Nebraska

Johnson, Sandra A.  
Medical Association, Nebraska

- Jordison, John C.  
Great Plains Communications
- Kamm, Richard D.  
Class VI Association of Schools
- Karavas, Julie M.  
Bio Nebraska
- Kay, Sara A.  
AIA Nebraska
- Keetle, Roger S.  
Hospital Association, Nebraska
- Keigher, Timothy P.  
Petroleum Marketers & Convenience Store Assn., Nebraska
- Keigher/Rasmussen & Associates, LLC  
AirBoat Association, Nebraska  
Auto Dealers Association, Nebraska Independent  
Class I's United  
Iowa/Nebraska Equipment Dealers Association  
Kraft Foods North America, Inc. - Altria Corporate Services, Inc.  
Land Improvement Contractors Association, Nebraska  
LensCrafters  
Miller Brewing Company  
National Guard Assn. of Nebraska  
Philip Morris USA, Inc. - Altria Corporate Services, Inc.  
SouthWestern Association
- Kelley & Lehan, P.C.  
Beverage Operators of Nebraska, Responsible  
Douglas County, Nebraska  
Eastern Nebraska Human Services Agency  
Elevator Industry Work Preservation  
Fraternal Order of Police, Nebraska  
Horsemen's Benevolent & Protective Association  
Omaha Airport Authority  
Omaha Exposition & Racing, Inc.  
Ralston Public School District  
Scheels All Sports Inc.
- Kelley, Michael, of Kelley & Lehan, PC  
Kelley & Lehan, PC
- Kelsey, Michael D.  
Cattlemen, Inc., Nebraska

Kennedy, Barry L.

Chamber of Commerce & Industry, Nebraska

Kenny, Timothy R.

Investment Finance Authority, Nebraska

Kerr, Karren

League of Women Voters of Nebraska

Kevil, G. Bruce

Home Builders Association, Nebraska State

Kierstead, Roberta

Planned Parenthood of Nebraska & Council Bluffs

Kilgarin, Karen

Education Association, Nebraska State

Kissel, Gordon

Kissel/E&S Associates, LLC

Kissel/Erickson & Sederstrom Associates, LLC

Alegent Health

American Petroleum Institute

Ameristar Casinos, Inc.

Anheuser-Busch Companies

CASA Association, Nebraska

Coalition of Rural Water Districts

Cooperative Council, Nebraska

Erickson & Sederstrom, PC

Families for Effective Autism Treatment (FEAT)

Goodwill Industries, Nebraska

Hearing Society, Nebraska

Historical Society, Nebraska State

Investment Finance Authority, Nebraska

Lancaster County Board of Commissioners

Lincoln Electric System

Nebraska Municipal Power Pool

Network Association, Nebraska

Professional Engineers Coalition

Telecommunications Business Users Coalition, Nebraska

TransCanada Pipelines Limited

WebMD (Emdeon Corporation)

West Corporation

Kohout, Joseph D.

Kelley & Lehan, PC

- Krannawitter, Brian  
American Heart Association
- Krumland, Gary G.  
League of Nebraska Municipalities
- Kruse, Dacia D.  
Omaha Chamber of Commerce, Greater
- Kruse, Larry D.  
Glaxo Smith Kline
- Lange, Robert G.  
Ameritas Life Insurance Corporation
- Libsack, Fiona  
Regional West Health Services
- Licht, Alice L.  
Agri-Business Association, Nebraska  
Anderson Management Services, Inc.  
Auctioneers Association, Nebraska  
Automotive Recycling Industry of Nebraska  
Aviation Trade Association, Nebraska  
Hotel & Motel Association, Inc., Nebraska  
Interior Design, Nebraska Coalition for  
Pest Control Association, Nebraska State
- Licht, Andrew W.  
Anderson Management Services, Inc.
- Lindsay, John  
O'Hara, Lindsay & Associates, Inc.
- Lineweber, Ray L.  
United Transportation Union
- Loeffler, Michael T.  
Northern Natural Gas
- Logsdon, Robert R.  
Cox Nebraska Telcom, LLC
- Lombardi, Richard A.  
American Communications Group, Inc.
- Lowrey, Lon  
Novartis Pharmaceuticals Corporation

Luetkenhaus, Brandon M.

Credit Union League and Affiliates, Nebraska

Mass, Ken E.

AFL-CIO, Nebraska State

Mauk, Daniel S.

Norfolk Area Chamber of Commerce

McBride, David S.

Insurance and Financial Advisors, National Association of  
Optometric Association, Nebraska

McClure, John

Nebraska Public Power District

McGuire, Mark D.

Crow Butte Resources, Inc.  
Education Association, Nebraska State

McHugh, Jim

Regional West Health Services

McKenzie, Janis M.

Gifted, Nebraska Association For The  
Independent Colleges & Universities of Nebraska (AICUN), Association  
of  
Insurance Federation, Nebraska

Meek, Randy D.

Brotherhood of Locomotive Engineers, Nebraska State Legislative Board

Menzel, Elaine

County Officials, Nebraska Association of

Meurrens, Bradley A.

Advocacy Services, Inc., Nebraska

Mihovk, Donald J.

Chamber of Commerce & Industry, Nebraska

Mikkelsen, Brian

Education Association, Nebraska State

Miller, Amy

ACLU Nebraska

Mills, Jack D.

Risk Management Association, Nebraska Intergovernmental

Moening, Jessica  
Republican Party, Nebraska

Moors, H. Jack  
3M Traffic Safety Systems  
Cargill Inc.  
Corn Growers Association, Nebraska  
Crow Butte Resources, Inc.  
Hastings Exposition and Racing, Inc.  
Johnson & Johnson  
Novartis Pharmaceuticals Corporation  
Syngenta  
Tobacco & Candy Distributors, Nebraska Association of

Morrissey, Spencer W.  
Brotherhood of Maintenance of Way Employes

Mourad, Greg W.  
National Right to Work Committee

Moylan, James H.  
Beverage Association, Nebraska Licensed  
R.J. Reynolds Tobacco

Mueller, William J.  
Ruth Mueller Robak LLC

Mumgaard, D. Milo  
Appleseed Center for Law in the Public Interest, Nebraska

Munguia, Roberto F.  
Burlington Northern Santa Fe

Nabb, Douglas  
Fremont Public Schools

Neilan, Perre S.  
Realtors Association, Nebraska

Nielsen, Coleen J.  
Insurance Information Service, Nebraska  
Medco Health Solutions, Inc.  
Merck & Company  
State Farm Insurance Companies

Niemann, Nicholas K.  
Omaha Chamber of Commerce, Greater

Nowka, Trent P.

Cutshall & Associates

O'Hara, Lindsay & Associates, Inc.

Ambulatory Centers, Nebraska Association of Independent  
Aquila

Automobile Manufacturers, Alliance of

Beverage Association, Nebraska

Blue Cross & Blue Shield of Nebraska

City of Lincoln

City of Norfolk

County Judges Association, Nebraska

Endow Nebraska

Finocchiaro Wine Company, Inc.

First National of Nebraska, Inc.

Hall County Livestock Improvement Association

Housing & Redevelopment Officials, Nebraska Chapter of the National  
Association of

Humanities Council, Nebraska

Kinder Morgan, Inc.

Nucor Corporation

Omaha Public Power District

Omaha Public Schools

Peru State College Foundation

Pioneer - A DuPont Company

Trial Attorneys, Nebraska Association of

Winnebago Tribe of Nebraska

O'Hara, Paul V.

O'Hara, Lindsay & Associates, Inc.

Olhausen, Vaun C.

Schering-Plough External Affairs, Inc.

Olsen, Keith R.

Farm Bureau Federation, Nebraska

O'Neill, Jr., Thomas J.

Independent Colleges & Universities of Nebraska (AICUN), Association  
of

Orton, Leroy

Irrigation Association, Nebraska State

Waste Water Assn., Nebraska On-Site

Well Drillers Association, Nebraska

Othmer, Mark F.

Iowa/Nebraska Equipment Dealers Association



- Otto, James A.  
Restaurant Association, Nebraska  
Retail Federation, Nebraska
- Overcash, James A.  
Electrical Contractors Association, National
- Owen, Rose Marie  
Medco Health Solutions, Inc.
- Ozanne, Colleen K.  
State Farm Insurance Companies (NE)
- Pack, Mary M.  
Radcliffe, Walter H. of Radcliffe & Associates
- Paden, Nicholas  
Campbell, Mary M./Campbell & Associates
- Pallesen, Jr., Charles M.  
Medical Association, Nebraska
- Parker, David R.  
Great West Casualty Company
- Partington, Jim  
Restaurant Association, Nebraska
- Passarelli, Angelo D.  
Millard Public Schools
- Peeetz, Natalie, Peeetz & Company  
Apollo Group, Inc./Univ. of Phoenix  
Next Generation Nebraska  
Omaha Royals Limited Partnership  
Susan A. Buffett Foundation
- Perkins, Gary A.  
Children's Hospital  
Childrens Healthcare Services
- Peters, William E.  
Burlington Northern Santa Fe  
Cigar Association of America, Inc.  
Golden Rule Insurance Company
- Peterson, Alan E.  
Media of Nebraska, Inc.

- Peterson, Patricia Schuett  
Investment Finance Authority, Nebraska
- Petsch, Jean M.  
General Contractors, Associated
- Pierson, Darwin R.  
Oil & Gas Association, Nebraska Independent
- Pittman, Jack F.  
Highway Users, Nebraska Coalition of
- Plucker, Julia  
Bennington Public Schools  
Coast Casinos, Inc.  
Community Alliance, Inc.  
Credit Union League and Affiliates, Nebraska  
Nebraska School Activities Association  
Scheels All Sports Inc.
- Polt, Brendon A.  
Health Care Association, Nebraska
- Popken, Kent T.  
Qwest Communications
- Potter, Cara E.  
National Association of Chain Drug Stores
- Prenda, Amy  
Kissel/E&S Associates, LLC
- Preston, James N.  
Trucking Association, Nebraska
- Ptacek, Patrick J.  
Grain and Feed Association, Nebraska
- Quandahl, Mark  
Republican Party, Nebraska
- Radcliffe, Walter H. of Radcliffe & Associates  
ALLTEL Communications  
Broadcasters Association, Nebraska  
Cable Communications Association, Nebraska  
Certified Public Accountants, Nebraska Society of  
Citizens For Bellevue  
Fair Board, Nebraska State  
Father Flanagan Boys Home aka Girls and Boys Town

Father Flanagans Boys Home d/b/a Boys Town National Research  
Hospital  
Financial Services Coalition, Nebraska  
Health Care Association, Nebraska  
Home Builders Association, Nebraska State  
INTRALOT USA  
League of Nebraska Municipalities  
Lincoln Public Schools  
Media of Nebraska, Inc.  
Medical Center, Nebraska  
Motion Picture Association of America  
Omaha Property Owners Association  
Optometric Association, Nebraska  
Property Casualty Insurers Association of America  
Public Health Funding, Nebraskans for  
Pyrotechnics Association, Nebraska  
Realtors Association, Nebraska  
State Troopers Association of Nebraska, Inc.  
Tyson Foods, Inc.  
University of Nebraska  
UST Public Affairs, Inc.  
Waste Connections, Inc.  
Wholesale Liquor Distributors Association, Nebraska

Rasmussen, Dennis  
Keigher/Rasmussen & Associates, LLC

Redoutey, Laura J.  
Hospital Association, Nebraska

Reid, William S.  
Eli Lilly and Company

Rempe, Jay E.  
Farm Bureau Federation, Nebraska

Renner, Shawn D.  
Media of Nebraska, Inc.

Rex, L. Lynn  
League of Nebraska Municipalities

Reynolds, Simera  
Mothers Against Drunk Driving, Nebraska

Richards, Thomas  
Omaha Public Power District

Riibe, Diane

Project Extra Mile

Riskowski, Al

Family Council, Nebraska

Robak, Kim M.

Ruth Mueller Robak LLC

Robertson, Rob J.

Farm Bureau Federation, Nebraska

Rowley, Mitch

Catholic Conference, Nebraska

Ruth Mueller Robak LLC

Airport Officials, Nebraska Association of  
American Express Travel Related Services, Inc.

Ash Grove Cement Co.

Bankers Association, Heartland Community

Better Nebraska Association

Big Red Lottery Services, Ltd.

Chief Industries, Inc.

Cingular Wireless LLC

Collectors Association, Nebraska

Commercial Property Owners, Nebraska Association of

Cornerstone Energy, Inc.

Court Reporters Association, Nebraska

Cutshall & Associates

Dental Association, Nebraska

District Court Judges Association, Nebraska

Duncan Aviation

Eastern Nebraska Development Council

eBay, Inc.

Electrical Contractors Association, National

Eye Physicians and Surgeons, Nebraska Academy of

First Data Corporation

General Contractors of America, NE Chapter, Associated

Independent Accountants, Nebraska Society of

Joseph's, Inc.

Kearney Area Chamber of Commerce

Lamar Advertising Company

Land Title Association, Nebraska

Lincoln Airport Authority

Lyman-Richey Corporation

Machinery Company, Nebraska

MDS Pharma Services (US), Inc.

Methodist Health Systems, Nebraska

Millard Public Schools

MultiState Associates, Inc. on behalf of MedImmune Incorporated

Nebraska Interactive  
Nebraska State Bar Association  
Pharmaceutical Research and Manufacturers of America  
Press Association, Nebraska  
Service Contract Industry Council

Ruth, Larry L.  
Ruth Mueller Robak LLC

Ryan, Beth  
Union Pacific Railroad

Sahling-Zart, Shelley R.  
Lincoln Electric System

Schimek, Herbert H.  
Education Association, Nebraska State

Schleppenbach, Greg  
Catholic Conference, Nebraska

Schmit-Albin, Julie  
Nebraska Right to Life

Schuller, Lynne  
Horsemen Benevolent & Protective Association

Sedlacek, Ronald J.  
Chamber of Commerce & Industry, Nebraska  
MoneyGram International (MoneyGram Payment Systems, Inc.)

Sellentini, Jerry L.  
School Administrators, Nebraska Council of

Setzpfandt, Scott  
HLR Service Corporation

Sher, Bradley L.  
BryanLGH Health System

Shultz, Jack L.  
Eli Lilly and Company  
Motorcycle Industry Council, Inc.

Siefken, Kathy  
Grocery Industry Association, Nebraska  
Shazam

Simino, Charles G.

Sprint Nextel

Smith, Milford L.

Education Equity and Adequacy, Nebraska Coalition of

Snyder, Patricia

Health Care Association, Nebraska

Stading, Donald R.

Ameritas Life Insurance Corporation

Stilmock, Gerald M.

Bankers Association, Nebraska

Firefighters Association, Nebraska State Volunteer

National Federation of Independent Business

Pharmacists Association, Nebraska

Stremming, Troy A.

Ameristar Casinos, Inc.

Sullivan, J. Scott

Credit Union League and Affiliates, Nebraska

Todd, Jr., A. Loy

Car & Truck Dealers Association, Nebraska New

Tumbleson, Brandi Holys

March of Dimes Birth Defects Foundation

Uhe, Fred J.

Sarpy County Board of Commissioners

Ulbrich, Barbara

State Farm Insurance Companies

Ullstrom, Galen F.

Mutual of Omaha Insurance Company

Urdahl, Michael B.

Great Plains Communications

Varney, Michael

Farmers Insurance Group

Vasina, Mark A.

Nebraskans for Peace, Inc.

Vickers, Tom

Community College Association, Nebraska

Educational Lands and Funds, Board of  
ESU#3 Consortium  
Nurses Association, Nebraska  
Postsecondary Career Schools, Nebraska Council of Private  
Propane Gas Association, Nebraska  
Westside Community Schools

Vodvarka, Dan  
Certified Public Accountants, Nebraska Society of

Wagner, Connie  
Licensed Practical Nurse Association of Nebraska

Warth, Terry  
Nebraska Public Power District

Weak, Jeffrey John  
Metro Omaha Theme Park

Weber, Rocky  
Cooperative Council, Nebraska

Welsch, Mark E.  
GASP-Group to Alleviate Smoking Pollution

Werner, Terry  
Social Workers, Nebraska Chapter, National Association of

Wesely, Don  
City of Norfolk  
Motorola, Inc.

Weston, Deborah L.  
ARC of Nebraska

Wickman-Byrd, Barbara J.  
Metro Omaha Builders Association

Wightman, Anna Castner  
First National of Nebraska, Inc.

Williams, David M.  
Ameritas Life Insurance Corporation

Wimmer, J. Kent  
Western Sugar Cooperative (CO)

Wininger, Dwight

Rural Telecommunications Coalition, Nebraska

Winston, Ken

Library Association, Nebraska  
Nebraskans Against the Death Penalty  
Sierra Club, Nebraska

Withem, Ron

University of Nebraska

Wolf, Jesse

Education Association, Nebraska State

Wood, Keith

National Rifle Association Institute for Legislative Action

Woythaler-Runestad, Carly

Hospital Association, Nebraska

Wurster, Donald F.

National Indemnity Company

Yost, Kurt T.

Bankers, Nebraska Independent Community  
Central Nebraska Public Power & Irrigation District  
Midwest Check Cashiers, Inc.

Young, Lora

Nebraska Travel Association

Zumwinkle, Mike

Cargill Inc.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 965.** Introduced by Jensen, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2005; to adopt the Long-Term Care Savings Plan Act; to provide an income tax credit; to harmonize provisions; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 966.** Introduced by Jensen, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07 and 77-2716, Revised Statutes Supplement, 2005; to provide income tax credits and deductions for long-term care insurance premiums as



prescribed; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 967.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.55, Revised Statutes Cumulative Supplement, 2004; to terminate the sale and use tax on contractor labor for home repairs; and to repeal the original section.

### GENERAL FILE

**LEGISLATIVE BILL 542.** The Standing Committee amendment, AM0932, found on page 1003 and considered on pages 1363, 1379, and 1403, First Session, 2005, as amended, was renewed.

Senator Jensen asked unanimous consent to withdraw his pending amendment, AM1448, found on page 1379 and considered on page 1404, First Session, 2005, to the Standing Committee amendment, and replace it with the Burling et al. substitute pending amendment, AM1834, found on page 211, to the Standing Committee amendment. No objections. So ordered.

The Burling et al. amendment was adopted with 26 ayes, 1 nay, 20 present and not voting, and 2 excused and not voting.

Senator Beutler withdrew his pending amendment, FA226, found on page 1379, First Session, 2005.

Senator Beutler withdrew his pending amendment, FA231, found on page 1412, First Session, 2005.

Pending.

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 968.** Introduced by Redfield, 12; Erdman, 47; Foley, 29; Friend, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.02, Reissue Revised Statutes of Nebraska; to change income tax rate schedules as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 969.** Introduced by Byars, 30.

A BILL FOR AN ACT relating to accreditation, curriculum, and instruction; to amend section 79-704, Reissue Revised Statutes of Nebraska; to limit

biennial secondary course offerings; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 970.** Introduced by Schrock, 38; Stuhr, 24.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-413 and 37-414, Reissue Revised Statutes of Nebraska, and section 37-452, Revised Statutes Supplement, 2005; to provide for apprentice hunter education exemptions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 971.** Introduced by Schrock, 38; Stuhr, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 2-3225, Revised Statutes Cumulative Supplement, 2004, and section 77-3442, Revised Statutes Supplement, 2005; to change tax levy provisions for natural resources districts; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 972.** Introduced by McDonald, 41; Stuthman, 22.

A BILL FOR AN ACT relating to government officials; to amend sections 32-562, 32-1205, and 32-1306, Reissue Revised Statutes of Nebraska, and section 32-571, Revised Statutes Supplement, 2005; to change provisions relating to resignations, vacancy appointments, recall election costs, and recall elections; and to repeal the original sections.

**LEGISLATIVE BILL 973.** Introduced by Schimek, 27.

A BILL FOR AN ACT relating to state employees; to amend section 84-1611, Reissue Revised Statutes of Nebraska; to permit state contributions for health plans on behalf of married employees as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 974.** Introduced by Flood, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.24, Revised Statutes Supplement, 2005; to provide a sales tax exemption relating to city or village celebrations; and to repeal the original section.

### GENERAL FILE

**LEGISLATIVE BILL 542.** Senator Chambers withdrew his pending amendments, FA229, FA230, and FA234, found on pages 1412 and 1413, First Session, 2005.

Senator Chambers offered the following amendment to the Standing Committee amendment:

FA325

Amend AM1834

1. Add a new section: "In the interest of production agriculture, meetings shall be held only on rainy days or at night since hay must be made while the sun shines."

Senator Chambers withdrew his amendment.

The Standing Committee amendment, as amended, was adopted with 31 ayes, 1 nay, 14 present and not voting, and 3 excused and not voting.

Senator Chambers offered the following amendment:

FA326

Amend AM1834

P. 1, line 13, strike "sixteen" and insert "516"

Senator Chambers moved for a call of the house. The motion prevailed with 19 ayes, 1 nay, and 29 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 2:

Chambers      Kruse

Voting in the negative, 32:

Aguilar	Cornett	Heidemann	Mines	Stuhr
Baker	Cunningham	Hudkins	Pahls	Stuthman
Brashear	Engel	Janssen	Pedersen, Dw.	Thompson
Brown	Erdman	Jensen	Raikes	Wehrbein
Burling	Fischer	Kopplin	Redfield	
Byars	Flood	Kremer	Schrock	
Combs	Friend	Langemeier	Smith	

Present and not voting, 11:

Beutler	Howard	McDonald	Schimek
Connealy	Johnson	Preister	Synowiecki
Cudaback	Louden	Price	

Excused and not voting, 4:

Bourne	Foley	Landis	Pederson, D.
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The Chambers amendment lost with 2 ayes, 32 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 975.** Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Hudkins, 21; Kopplin, 3; Kremer, 34; Louden, 49; McDonald, 41; Smith, 48; Stuhr, 24.

A BILL FOR AN ACT relating to livestock; to amend sections 54-2416, 54-2417, 54-2418, 54-2419, 54-2422, 54-2423, 54-2424, 54-2425, 54-2426, 54-2427, 54-2428, 54-2431, 54-2432, 54-2433, and 54-2435, Reissue Revised Statutes of Nebraska, and section 54-2429, Revised Statutes Supplement, 2005; to change provisions of the Livestock Waste Management Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 976.** Introduced by Synowiecki, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2005; to exempt certain public retirement benefits from income taxation; and to repeal the original section.

**LEGISLATIVE BILL 977.** Introduced by Schrock, 38; Connealy, 16.

A BILL FOR AN ACT relating to motor vehicle fuel tax; to amend sections 66-489 and 66-4,105, Revised Statutes Cumulative Supplement, 2004; to change the tax rate on certain motor fuels; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 978.** Introduced by Heidemann, 1; Hudkins, 21.

A BILL FOR AN ACT relating to liquor; to amend sections 53-101, 53-123, and 53-124, Reissue Revised Statutes of Nebraska; to provide for bed and breakfast licenses; to provide fees; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 979.** Introduced by Landis, 46.

A BILL FOR AN ACT relating to county zoning; to amend section 23-174.01, Reissue Revised Statutes of Nebraska, and section 23-114, Revised Statutes Cumulative Supplement, 2004; to provide for regulation and restriction of development rights as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 980.** Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to insurance; to amend section 44-354, Reissue Revised Statutes of Nebraska; to remove exemptions relating to special fees as prescribed; and to repeal the original section.

**NOTICE OF COMMITTEE HEARING**  
**Banking, Commerce and Insurance**  
Room 1507

LB 875	Tuesday, January 17, 2006	1:30 p.m.
LB 876	Tuesday, January 17, 2006	1:30 p.m.
LB 877	Tuesday, January 17, 2006	1:30 p.m.
LB 778	Tuesday, January 17, 2006	1:30 p.m.

(Signed) Mick Mines, Chairperson

**VISITORS**

Visitors to the Chamber were Professor Alan Rosenthal from Rutgers University and the following 15 civics teachers from across Nebraska: Chad Bailey, Michael Barrett, Lori Broady, Gene Dorn, Roy Ferris, N. Dennis Fornander, H.L. "Jack" Hanger, Fred Kluck, Keith Kucera, Ken Meyers, Mark Mueller, Patricia O'Malley, Dave Rosenbaum, Lynn Sill, and Peggy Williams.

**RECESS**

At 11:57 a.m., on a motion by Senator Jensen, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Bourne, Jensen, and Thompson who were excused; and Senators Brown, Foley, Landis, Price, and Raikes who were excused until they arrive.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB 934	Judiciary
LB 935	Revenue
LB 936	Judiciary
LB 937	Revenue

LB 938	Natural Resources
LB 939	Executive Board
LB 940	Government, Military and Veterans Affairs
LB 941	Government, Military and Veterans Affairs
LB 942	Revenue
LB 943	Revenue
LB 944	Health and Human Services
LB 945	Revenue
LB 946	Education
LB 947	Transportation and Telecommunications
LB 948	General Affairs
LB 949	Health and Human Services
LB 950	Health and Human Services
LB 951	Health and Human Services
LB 952	Health and Human Services
LB 953	Health and Human Services
LB 954	Judiciary
LB 955	Government, Military and Veterans Affairs
LB 956	Executive Board
LB 957	Revenue
LB 958	Transportation and Telecommunications
LB 959	Revenue
LB 960	Revenue
LB 961	Education
LB 962	Appropriations
LB 963	Judiciary
LB 964	General Affairs
LR 262CA	Revenue

(Signed) L. Patrick Engel, Chairperson  
Legislative Council, Executive Board

### NOTICE OF COMMITTEE HEARING

**Agriculture**  
Room 1524

LB 834	Tuesday, January 17, 2006	1:30 p.m.
LB 855	Tuesday, January 17, 2006	1:30 p.m.
LB 874	Tuesday, January 17, 2006	1:30 p.m.

(Signed) Bob Kremer, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 542.** Senator Chambers offered the following amendment:

FA327

Amend AM1834

P. 1, line 13, strike "sixteen" and insert "49".

Senator Chambers requested a record vote on his amendment.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 19:

Baker	Connealy	Friend	Pahls	Smith
Beutler	Cornett	Hudkins	Pedersen, Dw.	Stuhr
Burling	Erdman	Kopplin	Schimek	Stuthman
Combs	Fischer	Kremer	Schrock	

Present and not voting, 18:

Aguilar	Cunningham	Johnson	Mines	Synowiecki
Brashear	Engel	Kruse	Pederson, D.	Wehrbein
Byars	Howard	Louden	Preister	
Cudaback	Janssen	McDonald	Redfield	

Excused and not voting, 11:

Bourne	Foley	Landis	Raikes
Brown	Heidemann	Langemeier	Thompson
Flood	Jensen	Price	

The Chambers amendment lost with 1 aye, 19 nays, 18 present and not voting, and 11 excused and not voting.

Pending.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 981.** Introduced by Thompson, 14; Brown, 6.

A BILL FOR AN ACT relating to public records; to amend sections 84-712 and 84-712.01, Revised Statutes Cumulative Supplement, 2004; to provide procedures for the release of geographic information systems data as public records; to provide limitations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 982.** Introduced by Thompson, 14.

A BILL FOR AN ACT relating to fees and salaries; to amend section 33-110, Reissue Revised Statutes of Nebraska; to increase fees related to marriage licenses; and to repeal the original section.

**LEGISLATIVE BILL 983.** Introduced by Thompson, 14.

A BILL FOR AN ACT relating to relating to appropriations; to appropriate funds to the Department of Health and Human Services.

**LEGISLATIVE BILL 984.** Introduced by Howard, 9.

A BILL FOR AN ACT relating to labor and employment; to adopt the Employee Freedom Act.

**LEGISLATIVE BILL 985.** Introduced by Mines, 18.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-1601, 8-1602, and 8-1605, Revised Statutes Cumulative Supplement, 2004; to change provisions relating to banker's banks; and to repeal the original sections.

**LEGISLATIVE BILL 986.** Introduced by Kremer, 34; Burling, 33; Fischer, 43; Loudon, 49.

A BILL FOR AN ACT relating to agriculture; to amend sections 23-358, 23-358.01, 81-2,236, 81-2,237, and 81-2,238, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to animal damage control; to harmonize provisions; to repeal the original sections; and to outright repeal sections 23-359 and 23-361, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 987.** Introduced by Preister, 5.

A BILL FOR AN ACT relating to education; to create a fund; to provide state funding for teacher salaries; and to provide for appropriations.

**LEGISLATIVE BILL 988.** Introduced by Preister, 5.

A BILL FOR AN ACT relating to income tax; to amend section 77-2715.07, Revised Statutes Supplement, 2005; to provide an income tax credit for teachers as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 989.** Introduced by Smith, 48; Erdman, 47; Fischer, 43; Flood, 19; Heidemann, 1; Hudkins, 21.

A BILL FOR AN ACT relating to referendum measures; to suspend the implementation of certain statutory provisions subject to the referendum process.

**LEGISLATIVE BILL 990.** Introduced by Wehrbein, 2; Baker, 44; Connealy, 16; Erdman, 47; Fischer, 43; Hudkins, 21; Kremer, 34;



Langemeier, 23; Raikes, 25; Schrock, 38; Stuhr, 24; Stuthman, 22.

A BILL FOR AN ACT relating to the Nebraska Advantage Rural Development Act; to amend sections 77-27,188.02 and 77-27,189, Reissue Revised Statutes of Nebraska, and sections 77-27,187.01, 77-27,187.02, 77-27,188, and 77-27,195, Revised Statutes Supplement, 2005; to provide a tax credit for livestock modernization or expansion as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 991.** Introduced by Langemeier, 23; Combs, 32; Erdman, 47; Flood, 19; Friend, 10; Janssen, 15.

A BILL FOR AN ACT relating to home inspectors; to define terms; and to provide for registration and financial sureties.

**LEGISLATIVE BILL 992.** Introduced by Cornett, 45; Baker, 44; Connealy, 16; McDonald, 41; Preister, 5; Smith, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2005; to exclude military retirement benefits from income taxation; and to repeal the original section.

#### GENERAL FILE

**LEGISLATIVE BILL 542.** Senator Chambers offered the following amendment:

FA328

Amend AM1834

P. 3, line 3 strike "our" and insert "the".

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 0 nays, and 37 not voting.

The Chambers amendment was adopted with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment:

FA329

Amend AM1834

P. 1, line 5 strike "review" and insert "reform"; page 1, line 12, page 2, lines 8 and 15 strike "Review" and insert "Reform".

Senator Chambers moved for a call of the house. The motion prevailed with 20 ayes, 1 nay, and 28 not voting.

The Chambers amendment was adopted with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment:

FA331

Amend AM1834

P. 1 beginning in line 14 strike ". at least six of whom will not be terminated out of the Legislature in January 2007."

Senator Chambers moved for a call of the house. The motion prevailed with 16 ayes, 1 nay, and 32 not voting.

The Chambers amendment was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment:

FA332

Amend AM1834

P. 1, line 13 strike "sixteen" and insert "fifteen"; strike line 17 and renumber.

### **SPEAKER BRASHEAR PRESIDING**

Senator Chambers withdrew his amendment.

Senator Chambers offered the following amendment:

FA333

Amend AM1834

P. 1, line 18 strike "production".

Senator Chambers withdrew his amendment.

Senator Burling offered the following motion:

To invoke cloture on LB 542, pursuant to Rule 7, Section 10.

Senator Burling moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Burling requested a roll call vote on his motion to invoke cloture.

Voting in the affirmative, 34:

Aguilar	Cornett	Heidemann	Landis	Pederson, D.
Baker	Engel	Howard	Langemeier	Redfield
Beutler	Erdman	Hudkins	Louden	Schrock
Burling	Fischer	Janssen	McDonald	Stuhr
Byars	Flood	Kopplin	Mines	Stuthman
Combs	Foley	Kremer	Pahls	Wehrbein
Connealy	Friend	Kruse	Pedersen, Dw.	

Voting in the negative, 2:

Chambers Schimek

Present and not voting, 7:

Brashear	Cudaback	Price	Synowiecki
Brown	Johnson	Raikes	

Excused and not voting, 6:

Bourne	Jensen	Smith
Cunningham	Preister	Thompson

The Burling motion to invoke cloture prevailed with 34 ayes, 2 nays, 7 present and not voting, and 6 excused and not voting.

Senator Chambers requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 28:

Aguilar	Cornett	Foley	Kremer	Schrock
Baker	Cunningham	Friend	Kruse	Stuhr
Beutler	Engel	Heidemann	Louden	Stuthman
Burling	Erdman	Howard	Pederson, D.	Wehrbein
Byars	Fischer	Hudkins	Raikes	
Combs	Flood	Johnson	Redfield	

Voting in the negative, 6:

Chambers	Kopplin	Langemeier
Connealy	Landis	Preister

Present and not voting, 11:

Brashear	Janssen	Pahls	Schimek
Brown	McDonald	Pedersen, Dw.	Synowiecki
Cudaback	Mines	Price	

Excused and not voting, 4:

Bourne	Jensen	Smith	Thompson
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Advanced to E & R for review with 28 ayes, 6 nays, 11 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 542A.** Title read. Considered.

The Chair declared the call raised.

Senator Chambers requested a roll call vote on the advancement of the bill.

Failed to advance to E & R for review with 24 ayes, 3 nays, 18 present and not voting, and 4 excused and not voting.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 993.** Introduced by Byars, 30.

A BILL FOR AN ACT relating to accreditation, curriculum, and instruction; to amend section 79-728, Reissue Revised Statutes of Nebraska; to require kindergarten programs to meet certain standards; to harmonize provisions; to repeal the original section; and to outright repeal section 79-212, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 994.** Introduced by Health and Human Services Committee: Jensen, 20, Chairperson; Byars, 30; Cunningham, 40; Erdman, 47; Howard, 9; Johnson, 37; Stuthman, 22.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 43-522, 43-524, 43-2505, 43-2507, 43-2508, 43-2509, 43-2510, 43-2512, 43-3401, 68-1204, 68-1205, 68-1206, 68-1402, 68-1403, 68-1405, 68-1503, 68-1514, 68-1521, 68-1522, 68-1523, 71-193.01, 71-193.02, 71-193.03, 81-647, 81-668, and 81-671, Reissue Revised Statutes of Nebraska, sections 28-356, 28-372, 28-380, 71-113, and 81-1316, Revised Statutes Cumulative Supplement, 2004, and sections 68-1021.01 and 71-1,104.01, Revised Statutes Supplement, 2005; to adopt federal law by reference; to change membership on the Board of Veterinary Medicine and Surgery; to change the name of the Division of Dental Health; to transfer powers and duties to the Department of Health and Human Services Finance and Support relating to home and community based services for the elderly and children with disabilities, medically handicapped children, early intervention services for children and families, respite lifespan services, and adult protective services; to change provisions relating to medical records and health information; to provide an exemption from the State Personnel System; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 995.** Introduced by Stuthman, 22; Flood, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2101.02, Reissue Revised Statutes of Nebraska, and section 77-2101.01, Revised Statutes Supplement, 2005; to terminate estate and generation-skipping taxes; and to repeal the original sections.

**LEGISLATIVE BILL 996.** Introduced by Loudon, 49; Aguilar, 35; Baker, 44; Beutler, 28; Brown, 6; Burling, 33; Byars, 30; Combs, 32; Connealy, 16;

Cornett, 45; Engel, 17; Erdman, 47; Fischer, 43; Flood, 19; Foley, 29; Friend, 10; Heidemann, 1; Howard, 9; Hudkins, 21; Janssen, 15; Jensen, 20; Johnson, 37; Kopplin, 3; Kremer, 34; Kruse, 13; Langemeier, 23; McDonald, 41; Mines, 18; Pahls, 31; Dw. Pedersen, 39; Preister, 5; Price, 26; Redfield, 12; Schimek, 27; Schrock, 38; Smith, 48; Stuhr, 24; Stuthman, 22; Synowiecki, 7; Wehrbein, 2.

A BILL FOR AN ACT relating to the state veteran cemetery system; to amend section 12-1301, Revised Statutes Supplement, 2005; to modify restrictions on the use of General Fund money; and to repeal the original section.

**LEGISLATIVE BILL 997.** Introduced by Beutler, 28.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2715.07, Revised Statutes Supplement, 2005; to provide an income tax credit for donations of perpetual conservation easements; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

**LEGISLATIVE BILL 271.** Placed on General File as amended.  
(Standing Committee amendment, AM1802, is printed separately and available in the Bill Room, Room 1104.)

**LEGISLATIVE BILL 318.** Placed on General File as amended.  
(Standing Committee amendment, AM1815, is printed separately and available in the Bill Room, Room 1104.)

**LEGISLATIVE BILL 416.** Indefinitely postponed.

**LEGISLATIVE BILL 549.** Indefinitely postponed.

**LEGISLATIVE BILL 550.** Indefinitely postponed.

**LEGISLATIVE BILL 618.** Indefinitely postponed.

**LEGISLATIVE BILL 719.** Indefinitely postponed.

(Signed) Jim Jensen, Chairperson

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

Senator Combs filed the following amendment to LB 454:  
AM1854

(Amendments to Standing Committee amendments, AM0810)

- 1 1. On page 7, lines 17 and 18, strike "Public Safety Cash
- 2 Fund" and insert "Nebraska State Patrol Cash Fund".
- 3 2. On page 15, line 5, strike "2006" and insert "2007".

Senator Mines filed the following amendment to LB 454:  
AM1851

(Amendments to Standing Committee amendments, AM0810)

- 1 On page 10, line 18, after the last semicolon insert
- 2 "federal, state, or local government building"; and after the last
- 3 semicolon in line 25 insert "childcare center; domestic violence
- 4 victim or sexual assault victim shelter; residence of another
- 5 person without his or her permission; playground or park; public
- 6 swimming pool; public recreation facility; youth center; airport;
- 7 music concert; mental health facility."

### **UNANIMOUS CONSENT - Add Cointroducers**

Senator Redfield asked unanimous consent to add her name as cointroducer to LB 57. No objections. So ordered.

Senator McDonald asked unanimous consent to add her name as cointroducer to LB 957. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to add his name as cointroducer to LB 529. No objections. So ordered.

Senator Erdman asked unanimous consent to add his name as cointroducer to LB 791. No objections. So ordered.

Senator Schimek asked unanimous consent to add her name as cointroducer to LBs 790, 946, and 959. No objections. So ordered.

Senator Preister asked unanimous consent to add his name as cointroducer to LB 959. No objections. So ordered.

Senator Thompson asked unanimous consent to add her name as cointroducer to LB 879. No objections. So ordered.

Senator Cornett asked unanimous consent to add her name as cointroducer to LB 654. No objections. So ordered.

### **VISITORS**

Visitors to the Chamber were Tyson Larson from Weeping Water and Jacque Schneider from Hastings.

The Doctor of the Day was Dr. Shannon Kennedy from Bellevue.

### **MOTION - Adjournment**

Senator Erdman moved to adjourn until 9:00 a.m., Tuesday, January 10, 2006.

Senator Foley requested a roll call vote on the motion to adjourn.

The Erdman motion to adjourn prevailed with 24 ayes, 8 nays, 13 present and not voting, and 4 excused and not voting, and at 4:39 p.m., the Legislature adjourned until 9:00 a.m., Tuesday, January 10, 2006.

Patrick J. O'Donnell  
Clerk of the Legislature

