

SIXTH DAY - JANUARY 16, 2008
LEGISLATIVE JOURNAL
ONE HUNDREDTH LEGISLATURE
SECOND SESSION

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 16, 2008

PRAYER

The prayer was offered by Senator Engel.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Langemeier presiding.

The roll was called and all members were present except Senator Harms who was excused; and Senators Ashford, Cornett, Karpisek, Kruse, Loudon, Preister, and Schimek who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

NOTICE OF COMMITTEE HEARINGS

Revenue

Room 1524

Wednesday, January 23, 2008 1:30 p.m.

LB722
LB914
LB916
LB915
LB898
LB896

(Signed) Ray Janssen, Chairperson

Government, Military and Veterans Affairs

Room 1507

Wednesday, January 23, 2008 1:30 p.m.

LB750
LB856
LB857
LB721
LB752
LB763

(Signed) Ray Aguilar, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senators Adams, Ashford, Christensen, Hansen, Howard, Johnson, Lautenbaugh, Pankonin, and Wallman asked unanimous consent to add their names as cointroducers to LB157. No objections. So ordered.

Senator Lautenbaugh asked unanimous consent to add his name as cointroducer to LB764. No objections. So ordered.

Senator Gay asked unanimous consent to add his name as cointroducer to LB813 and LB826. No objections. So ordered.

Senator Dubas asked unanimous consent to add her name as cointroducer to LB837. No objections. So ordered.

Senator Aguilar asked unanimous consent to add his name as cointroducer to LB843. No objections. So ordered.

Senator Christensen asked unanimous consent to add his name as cointroducer to LB844. No objections. So ordered.

Senator Cornett asked unanimous consent to add her name as cointroducer to LB895 and LB926. No objections. So ordered.

Senator Pirsch asked unanimous consent to add his name as cointroducer to LB918. No objections. So ordered.

Senator Karpisek asked unanimous consent to add his name as cointroducer to LB920. No objections. So ordered.

Senators Dierks and Preister asked unanimous consent to add their names as cointroducers to LB921, LB922, and LB923. No objections. So ordered.

Senator Burling asked unanimous consent to add his name as cointroducer to LB948. No objections. So ordered.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 988. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to state aid to schools; to amend sections 79-1023, 79-1025, 79-1029, 79-1065, and 79-1229, Reissue Revised Statutes of Nebraska, sections 79-233, 79-1008.01, 79-1009, 79-1010, 79-1026.01, 79-1030, and 79-1065.02, Revised Statutes Cumulative Supplement, 2006, and sections 77-1327, 77-3442, 79-4,108, 79-1001, 79-1003, 79-1003.01, 79-1007.02, 79-1007.03, 79-1007.04, 79-1007.06, 79-1007.07, 79-1007.08, 79-1007.09, 79-1007.10, 79-1008.02, 79-1013, 79-1014, 79-1015.01, 79-1016, 79-1018.01, 79-1022, 79-1028, 79-1031.01, 79-1073, 79-1083.03, and 79-1241.03, Revised Statutes Supplement, 2007; to change provisions relating to a tax levy for learning communities; to redefine terms; to provide for elementary class size restrictions; to change provisions relating to the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; to eliminate a provision relating to recalculation; to repeal the original sections; and to outright repeal section 79-1022.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 989. Introduced by Friend, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 14-557, 77-208, 77-209, 77-1322, and 77-1917.01, Reissue Revised Statutes of Nebraska; to change priority of certain special assessment liens; and to repeal the original sections.

GENERAL FILE

LEGISLATIVE BILL 205. Senator Howard renewed her amendment, AM1563, found on page 222 and considered on page 243.

Senator White moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

The Howard amendment was adopted with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

Senator Erdman withdrew his motion, found on page 512, First Session, 2007, to indefinitely postpone.

Senator Gay offered the following amendment:

FA154

On page 2, line 10 after "designee" strike the first comma through "at a designated school bus stop."

SPEAKER FLOOD PRESIDING

Senator Gay moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Gay requested a roll call vote on his amendment.

Voting in the affirmative, 31:

| | | | | |
|-------------|---------|------------|-------------|----------|
| Adams | Dubas | Gay | Lathrop | Pirsch |
| Ashford | Engel | Hansen | Lautenbaugh | Stuthman |
| Avery | Erdman | Heidemann | Louden | Wightman |
| Burling | Fischer | Johnson | McGill | |
| Carlson | Flood | Karpisek | Nantkes | |
| Christensen | Friend | Kopplin | Nelson | |
| Cornett | Fulton | Langemeier | Pankonin | |

Voting in the negative, 12:

| | | | |
|----------|----------|----------|------------|
| Chambers | Janssen | Pedersen | Synowiecki |
| Howard | McDonald | Raikes | Wallman |
| Hudkins | Pahls | Schimek | White |

Present and not voting, 2:

| | |
|-------|----------|
| Kruse | Preister |
|-------|----------|

Excused and not voting, 4:

| | | | |
|---------|--------|-------|--------|
| Aguilar | Dierks | Harms | Rogert |
|---------|--------|-------|--------|

The Gay amendment was adopted with 31 ayes, 12 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Erdman withdrew his amendment, AM337, found on page 564, First Session, 2007.

Senator Wightman offered the following amendment:

FA155

Strike line 15, on page 2, which states "The school district shall review the policy annually."

SENATOR LANGEMEIER PRESIDING

Senator Wightman moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

Senator Wightman requested a roll call vote on his amendment.

Voting in the affirmative, 22:

| | | | | |
|-------------|---------|-------------|----------|----------|
| Adams | Engel | Gay | Louden | Rogert |
| Avery | Erdman | Hansen | Nelson | Wightman |
| Burling | Fischer | Heidemann | Pahls | |
| Carlson | Friend | Johnson | Pankonin | |
| Christensen | Fulton | Lautenbaugh | Pirsch | |

Voting in the negative, 19:

| | | | | |
|----------|---------|------------|----------|------------|
| Aguilar | Dubas | Karpisek | McDonald | Raikes |
| Ashford | Howard | Kopplin | McGill | Synowiecki |
| Chambers | Hudkins | Langemeier | Pedersen | Wallman |
| Cornett | Janssen | Lathrop | Preister | |

Present and not voting, 5:

| | | | | |
|-------|---------|---------|----------|-------|
| Kruse | Nantkes | Schimek | Stuthman | White |
|-------|---------|---------|----------|-------|

Excused and not voting, 3:

| | | |
|--------|-------|-------|
| Dierks | Flood | Harms |
|--------|-------|-------|

The Wightman amendment lost with 22 ayes, 19 nays, 5 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 1 nay, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 990. Introduced by Christensen, 44.

A BILL FOR AN ACT relating to education; to provide for a certificate of attendance as prescribed.

LEGISLATIVE BILL 991. Introduced by Avery, 28.

A BILL FOR AN ACT relating to elections; to amend sections 32-107,

32-108, 32-114, 32-115, 32-221, 32-302, 32-307, 32-813, 32-816, 32-902, 32-907, 32-910, 32-912, 32-917, 32-918, 32-919, 32-920, 32-922, 32-923, 32-925, 32-927, 32-929, 32-933, 32-934, 32-935, 32-937, 32-1302, 32-1307, 32-1403, 32-1503, 32-1504, 32-1508, 32-1512, 32-1519, 32-1528, 32-1531, and 32-1532, Reissue Revised Statutes of Nebraska, sections 32-101, 32-306, 32-308, 32-311.01, 32-314, 32-321, 32-325, 32-807, 32-901, 32-915, 32-916, 32-921, 32-936, 32-938, 32-940, 32-941, 32-945, 32-952, 32-1502, and 32-1530, Revised Statutes Cumulative Supplement, 2006, and sections 32-310, 32-904, 32-906, 32-913, 32-914, 32-1001, 32-1002, and 32-1041, Revised Statutes Supplement, 2007; to provide for voter registration on election day as prescribed; to change provisions relating to registration and voting; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 992. Introduced by Avery, 28.

A BILL FOR AN ACT relating to state funds; to amend section 72-1260, Reissue Revised Statutes of Nebraska, and section 84-1309.01, Revised Statutes Cumulative Supplement, 2006; to provide duties and responsibilities relating to public funds invested in Sudan-related companies; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 993. Introduced by McDonald, 41.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-117.06, Reissue Revised Statutes of Nebraska; to change provisions relating to a fund; and to repeal the original section.

LEGISLATIVE BILL 994. Introduced by Johnson, 37.

A BILL FOR AN ACT relating to the Behavioral Health Oversight Commission; to amend section 71-818, Revised Statutes Cumulative Supplement, 2006; to change a termination date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 995. Introduced by General Affairs Committee: McDonald, 41, Chairperson; Dierks, 40; Dubas, 34; Janssen, 15; Karpisek, 32.

A BILL FOR AN ACT relating to cemeteries; to amend sections 12-401, 12-806, 12-807, 12-808, 12-810, 12-1202, and 12-1204, Reissue Revised Statutes of Nebraska, and sections 12-402, 12-805, and 12-1401, Revised Statutes Cumulative Supplement, 2006; to change and eliminate provisions relating to cemetery boards, cemetery funds, abandoned and neglected cemeteries, Indian burial grounds, and pioneer cemeteries; to harmonize provisions; to repeal the original sections; and to outright repeal section 12-806.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 996. Introduced by General Affairs Committee:

McDonald, 41, Chairperson; Dierks, 40; Dubas, 34; Janssen, 15; Karpisek, 32.

A BILL FOR AN ACT relating to bingo and other gambling; to amend sections 9-255.09, 9-255.10, 9-335, 9-340, and 9-635, Reissue Revised Statutes of Nebraska, and sections 9-1,104, 9-226, 9-322, 9-620, and 9-653, Revised Statutes Cumulative Supplement, 2006; to provide for independent testing laboratories for gaming-related equipment and services; to change and eliminate provisions relating to bingo and lotteries; to harmonize provisions; to repeal the original sections; and to outright repeal section 9-237, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 997. Introduced by McDonald, 41; Aguilar, 35; Dubas, 34.

A BILL FOR AN ACT relating to cities and villages; to amend sections 13-315 and 18-2720, Reissue Revised Statutes of Nebraska, and sections 18-2705, 18-2709, and 18-2717, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to tax levies and economic development programs; and to repeal the original sections.

LEGISLATIVE BILL 998. Introduced by Gay, 14; Kopplin, 3; McGill, 26.

A BILL FOR AN ACT relating to the Nebraska Innovation Zone Commission; to amend section 84-612, Revised Statutes Supplement, 2007; to transfer funds from the Cash Reserve Fund; to appropriate funds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 999. Introduced by Hansen, 42.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend section 54-1,100, Reissue Revised Statutes of Nebraska; to change provisions relating to recorded brands; and to repeal the original section.

LEGISLATIVE BILL 1000. Introduced by Pirsch, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.02, 77-4212, and 84-612, Revised Statutes Supplement, 2007; to change income tax calculations; to change funding for the Property Tax Credit Act; to transfer money from the Cash Reserve Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1001. Introduced by White, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.16 and 77-27,132, Revised Statutes Supplement, 2007; to adopt the Low-Income Home Energy Conservation Act; to provide for a sales and use tax exemption; to harmonize provisions; to repeal the original sections; and

to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 210. Title read. Considered.

Committee AM252, found on page 503, First Session, 2007, was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 312. Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 379. Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 380. Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 383. Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 14 present and not voting, and 7 excused and not voting.

LEGISLATIVE RESOLUTION 5CA. Read. Considered.

Senator Friend renewed his amendment, AM1536, found on page 172.

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

Pending.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1002. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to insurance; to require disclosure of

information by issuers of group health benefit plans as prescribed; to provide a duty for the Revisor of Statutes.

NOTICE OF COMMITTEE HEARINGS

Judiciary

Room 1113

Wednesday, January 23, 2008 1:30 p.m.

LB766
LB772
LB773
LB774
LB775
LB804

Thursday, January 24, 2008 1:30 p.m.

LB810
LB844
LB736
LB808
LB794

(Signed) Brad Ashford, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator McDonald asked unanimous consent to add her name as cointroducer to LB157. No objections. So ordered.

Senator Lautenbaugh asked unanimous consent to add his name as cointroducer to LB770. No objections. So ordered.

Senator Pankonin asked unanimous consent to add his name as cointroducer to LB920. No objections. So ordered.

VISITORS

Visitors to the Chamber were Senator Wightman's wife, Jan, and granddaughter, Emalie Wightman from Omaha; a group from Eagle; and 60 twelfth-grade students, teachers, and sponsors from Syracuse-Dunbar-Avoca, Syracuse.

RECESS

At 11:56 a.m., on a motion by Senator McGill, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators Harms, Pankonin, and Pedersen who were excused; and Senators Cornett, Heidemann, Janssen, Kruse, McDonald, Nantkes, and Preister who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

| LB/LR | Committee |
|--------------|---|
| LB959 | Appropriations |
| LB960 | Appropriations |
| LB961 | Appropriations |
| LB962 | Government, Military and Veterans Affairs |
| LB963 | Judiciary |
| LB964 | Revenue |
| LB965 | Revenue |
| LB966 | Appropriations |
| LB967 | Nebraska Retirement Systems |
| LB968 | Nebraska Retirement Systems |
| LB969 | Banking, Commerce and Insurance |
| LB970 | Education |
| LB971 | Urban Affairs |
| LB972 | Health and Human Services |
| LB973 | Education |
| LB974 | Revenue |
| LB975 | Natural Resources |
| LB976 | Education |
| LB977 | Education |
| LB978 | Education |
| LB979 | Revenue |
| LB980 | Banking, Commerce and Insurance |
| LB981 | Government, Military and Veterans Affairs |
| LB982 | Appropriations |
| LB983 | Revenue |
| LB984 | Urban Affairs |
| LB985 | Revenue |
| LB986 | Natural Resources |
| LB987 | Education |

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

ANNOUNCEMENT

Senator Wallman designates LB575 as his priority bill.

UNANIMOUS CONSENT - Add Cointroducer

Senator Pahls asked unanimous consent to add his name as cointroducer to LB157. No objections. So ordered.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1003. Introduced by Pahls, 31.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-7611, Revised Statutes Supplement, 2007; to adopt the Saving the Cure Act; to provide for an accredited laboratory at the University of Nebraska Medical Center to conduct research as prescribed; to provide for funding; to harmonize provisions; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 157. Senator Chambers withdrew his motion, found on page 1548, First Session, 2007, to bracket until May 25, 2007.

Committee AM250, found on page 689 and considered on pages 799 and 1482, First Session, 2007, was renewed.

Senator Stuthman asked unanimous consent to withdraw his amendment, AM844, found on page 1245 and considered on pages 1483 and 1548, First Session, 2007, and replace it with his substitute amendment, AM1574, to the committee amendment. No objections. So ordered.

AM1574

(Amendments to Standing Committee amendments, AM250)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. (1) If a mother seeking safe-haven care
- 4 voluntarily delivers a child seventy-two hours old or younger to
- 5 a hospital staff member who engages in the admission, care, or
- 6 treatment of patients, when such hospital staff member is at a
- 7 hospital, the hospital staff member shall, without a court order,
- 8 take temporary physical custody of the child.
- 9 (2) If a hospital staff member takes temporary physical
- 10 custody of a child pursuant to this section, the hospital staff
- 11 member shall:
- 12 (a) Perform any act necessary, in accordance with

13 generally accepted standards of professional practice, to protect,
14 preserve, or aid the physical health or safety of the child during
15 the temporary physical custody;

16 (b) Notify the Department of Health and Human Services
17 within four hours; and

18 (c) Place such child with an agency as defined in section
19 43-121.

20 (3) For purposes of this section, generally accepted
21 standards of professional practice means medical treatment or care
22 of the type, quality, and amount that a hospital staff person would
1 be expected to provide according to the professional standards of
2 care for hospital staff with regard to the medical treatment and
3 care of infants.

4 Sec. 2. (1) The mother of a child left with a hospital
5 staff member pursuant to section 1 of this act may claim the
6 child within forty-eight hours after delivery of the child to the
7 hospital staff member. Such claim shall be made to the entity
8 having physical or legal custody of the child.

9 (2) If the mother does not reclaim such child within the
10 forty-eight-hour period described in subsection (1) of this act,
11 she shall be presumed to have (a) intended to leave the child and
12 (b) consented to termination of her parental rights.

13 Sec. 3. Upon receipt of notice pursuant to section 1 of
14 this act, the Department of Health and Human Services shall contact
15 the Nebraska State Patrol to determine if the child is a missing
16 person as defined in section 43-2003.

17 Sec. 4. (1) The Department of Health and Human Services
18 shall maintain and update on a monthly basis a report of the number
19 of children who have been left with safe-haven providers pursuant
20 to this section and the number of children abandoned by other
21 means.

22 (2) Beginning January 1, 2009, the department shall
23 submit an annual report to the Legislature that compiles the
24 monthly reports required pursuant to subsection (1) of this
25 section.

26 Sec. 5. The Department of Health and Human Services shall
27 develop and implement a public information program to inform the
1 general public of the provisions of sections 1 to 4 of this
2 act. The department shall also work in conjunction with other
3 departments and agencies of the state, the Nebraska Hospital
4 Association or its successor entity, and the Nebraska Adoption
5 Agency Association or its successor entity in development of the
6 program. The program may include, but need not be limited to,
7 educational and informational materials in print, audio, video,
8 electronic, and other media, public service announcements and
9 advertisements, and the establishment of a toll-free hotline. The
10 department shall develop a method that would allow the parent
11 of any newborn infant placed under such sections to provide
12 information about the medical history of the infant, including

13 family medical history, anonymously.

14 Sec. 6. The Department of Health and Human Services
15 shall explore the possibility of expending funds received from
16 the United States Department of Health and Human Services pursuant
17 to the Promoting Safe and Stable Families Program in order to
18 implement the public information program required by section 5 of
19 this act and to alleviate the burden such program may have on the
20 department's appropriation from the state. When implementing its
21 public information program, the department shall prioritize those
22 areas of the state that have been identified as having the highest
23 teen pregnancy rates.

24 Sec. 7. Section 28-705, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

26 28-705 (1) Any person who abandons and neglects or
27 refuses to maintain or provide for his or her spouse or his or
1 her child or dependent stepchild, whether such child is born in or
2 out of wedlock, commits abandonment of spouse, child, or dependent
3 stepchild.

4 (2) It is not a violation of this section for a mother
5 to leave a child who is seventy-two hours old or younger with
6 a hospital staff member pursuant to section 1 of this act if
7 the mother provides the hospital staff member with proof of her
8 identity.

9 ~~(2)-(3)~~ For the purposes of this section, child shall
10 mean an individual under the age of sixteen years.

11 ~~(3)-(4)~~ When any person abandons and neglects to provide
12 for his or her spouse or his or her child or dependent stepchild
13 for three consecutive months or more, it shall be prima facie
14 evidence of intent to violate the provisions of subsection (1) of
15 this section.

16 ~~(4)-(5)~~ A designation of assets for or use of income by
17 an individual in accordance with section 68-922 shall be considered
18 just cause for failure to use such assets or income to provide
19 medical support of such individual's spouse.

20 ~~(5)-(6)~~ Abandonment of spouse, child, or dependent
21 stepchild is a Class I misdemeanor.

22 Sec. 7. Original section 28-705, Revised Statutes
23 Cumulative Supplement, 2006, is repealed.

Pending.

NOTICE OF COMMITTEE HEARINGS
Health and Human Services

Room 1510

Wednesday, January 23, 2008 1:30 p.m.

LB713
LB730
LB738
LB797

Judy Meter - Foster Care Review Board
Christine Peterson - Nebraska Department of Health and Human Services
Joann Scheafer - Nebraska Department of Health and Human Services
John C. Wyvill - Nebraska Department of Health and Human Services
Ronald Albin - Foster Care Review Board
Gene Klein - Foster Care Review Board
Alfredo Ramirez - Foster Care Review Board

Thursday, January 24, 2008 1:30 p.m.

LB782
LB793
LB796
LB765

Scot Adams - Nebraska Department of Health and Human Services
Vivianne Chaumont - Nebraska Department of Health and Human Services

Friday, January 25, 2008 1:30 p.m.

LB806
LB809

John Hilgert - Nebraska Department of Health and Human Services
Todd Landry - Nebraska Department of Health and Human Services

(Signed) Joel Johnson, Chairperson

Revenue

Room 1524

Thursday, January 24, 2008 1:30 p.m.

LB710
LB814
LB893

LB985
LB965
LB964

(Signed) Ray Janssen, Chairperson

Natural Resources

Room 1525

Wednesday, January 23, 2008 1:30 p.m.

LB724
LB725
LB726

(Signed) LeRoy Louden, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 1004. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2753 and 77-2790, Revised Statutes Supplement, 2007; to change an income tax withholding amount; to harmonize provisions; to repeal the original sections; and to declare an emergency.

AMENDMENT - Print in Journal

Senator Dierks filed the following amendment to LB586:

AM1575

(AMENDMENTS TO STANDING COMMITTEE AMENDMENTS, AM402)

- 1 1. On page 1, strike lines 1 and 2.
- 2 2. Renumber the remaining amendment accordingly.

GENERAL FILE

LEGISLATIVE BILL 157. Senator Chambers offered the following motion:

MO107

Recommit to the Judiciary Committee.

PRESIDENT SHEEHY PRESIDING

Senator Chambers withdrew his motion to recommit.

Senator Stuthman withdrew his amendment, AM1574, found in this day's

Journal.

Senator White withdrew his amendment, AM1118, found on page 1270, First Session, 2007.

Senator Stuthman withdrew his amendment, AM1539, found on page 170.

Committee AM250, found on page 689 and considered on pages 799 and 1482, First Session, 2007, and in this day's Journal, was renewed.

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

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1005. Introduced by Howard, 9; Ashford, 20; Hudkins, 21.

A BILL FOR AN ACT relating to schools; to amend section 79-2110, Revised Statutes Supplement, 2007; to change provisions relating to learning community diversity plans; and to repeal the original section.

LEGISLATIVE BILL 1006. Introduced by Aguilar, 35; Johnson, 37.

A BILL FOR AN ACT relating to in-home personal services; to provide for a statewide registry; to require a study of wages; and to require reports.

LEGISLATIVE BILL 1007. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-520, Revised Statutes Cumulative Supplement, 2006, and sections 13-518 and 77-3442, Revised Statutes Supplement, 2007; to change provisions relating to the Nebraska Budget Act; to change levy limitations; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1008. Introduced by Wightman, 36; Burling, 33; Fulton, 29; Heidemann, 1; Nantkes, 46; Nelson, 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 32-519, Reissue Revised Statutes of Nebraska, sections 13-520 and 23-3202, Revised Statutes Cumulative Supplement, 2006, and sections 77-1339, 77-1340, 77-1342, and 77-3442, Revised Statutes Supplement, 2007; to change budget limitations; to require reimbursement by counties to the state for property tax assessment services; to provide for reassumption of

the assessment function by counties by July 1, 2011; to change tax levy limitations; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 77-1340.01, 77-1340.02, and 77-1340.03, Reissue Revised Statutes of Nebraska, and section 77-1340, Revised Statutes Supplement, 2007, as amended by section 4 of this legislative bill.

LEGISLATIVE BILL 1009. Introduced by Avery, 28; Raikes, 25.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110, Reissue Revised Statutes of Nebraska; to provide for a tax levy for school district safety and security purposes; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1010. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2708, Revised Statutes Cumulative Supplement, 2006, and section 77-2703, Revised Statutes Supplement, 2007; to change the sales and use tax collection fees; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1011. Introduced by Langemeier, 23; Erdman, 47.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend section 76-2244, Reissue Revised Statutes of Nebraska, sections 76-2207, 76-2221, 76-2222, and 76-2249, Revised Statutes Cumulative Supplement, 2006, and sections 76-2213.01, 76-2223, 76-2228, 76-2229, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2233, and 76-2241, Revised Statutes Supplement, 2007; to change provisions relating to appraiser trainees, the Uniform Standards of Professional Appraisal Practice, exemptions under the act, the Real Property Appraiser Board, the classification of appraisers, the restricted use of certain titles, credentialing, and fees as prescribed; to harmonize provisions; and to repeal the original sections.

UNANIMOUS CONSENT - Add Cointroducers

Senator Pirsch asked unanimous consent to add his name as cointroducer to LB157. No objections. So ordered.

Senator Engel asked unanimous consent to add his name as cointroducer to LB997. No objections. So ordered.

VISITORS

Visitors to the Chamber were Senator Christensen's wife, Kathy, and Jane Moreland from Imperial.

The Doctor of the Day was Dr. Dale Michels from Lincoln.

ADJOURNMENT

At 3:07 p.m., on a motion by Speaker Flood, the Legislature adjourned until 9:00 a.m., Thursday, January 17, 2008.

Patrick J. O'Donnell
Clerk of the Legislature