

**THIRTY-THIRD DAY - FEBRUARY 22, 2007****LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE  
FIRST SESSION****THIRTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 22, 2007

**PRAYER**

The prayer was offered by Senator Langemeier.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Engel, Gay, and Pedersen who were excused; and Senators Flood, Karpisek, Preister, and Raikes who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-second day was approved.

**ANNOUNCEMENT**

Senator Johnson announced the Health and Human Services Committee will hold an executive session Thursday, February 22, 2007, at 9:15 a.m., in Room 2022.

**GENERAL FILE**

**LEGISLATIVE BILL 145.** Title read. Considered.

Committee AM55, found on page 442, was adopted with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 83.** Title read. Considered.

Senator Chambers offered the following amendment:  
FA30

P. 5, line 17 strike "unsatisfactory" and insert after "discharged" "for unsatisfactory performance"; in line 23 strike "unsatisfactorily" and insert after "discharged" "for unsatisfactory performance."

Senator Wightman moved the previous question. The question is, "Shall the debate now close?"

Senator Wightman moved for a call of the house. The motion prevailed with 18 ayes, 10 nays, and 21 not voting.

Senator Wightman requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 31:

Adams	Dubas	Johnson	McGill	Rogert
Aguilar	Erdman	Karpisek	Mines	Wallman
Avery	Flood	Kruse	Nantkes	Wightman
Burling	Fulton	Langemeier	Nelson	
Carlson	Hansen	Lathrop	Pankonin	
Christensen	Harms	Louden	Pirsch	
Cornett	Hudkins	McDonald	Raikes	

Voting in the negative, 1:

Chambers

Present and not voting, 11:

Fischer	Janssen	Preister	Synowiecki
Heidemann	Kopplin	Schimek	White
Howard	Pahls	Stuthman	

Excused and not voting, 6:

Ashford	Engel	Gay
Dierks	Friend	Pedersen

The motion to cease debate prevailed with 31 ayes, 1 nay, 11 present and not voting, and 6 excused and not voting.

The Chambers amendment was adopted with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Advanced to E & R for review with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

**RESOLUTIONS****LEGISLATIVE RESOLUTION 35.** Introduced by Avery, 28.

WHEREAS, T. Nicholas Deliyannis, of Troop 10, Lincoln, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Nicholas has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. Nicholas earned 24 merit badges. For his Eagle Scout community service project, Nicholas built bat houses for Wyuka Cemetery to help with insect control; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, on Sunday, March 4, 2007, T. Nicholas Deliyannis will receive the rank of Eagle Scout, and through his hard work and perseverance, will join other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRETH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates T. Nicholas Deliyannis on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to T. Nicholas Deliyannis.

Laid over.

**LEGISLATIVE RESOLUTION 36.** Introduced by Preister, 5.

WHEREAS, more than forty years ago, the well-known writer, scientist, and ecologist, Rachel Carson, alerted the United States and the world to the potential hazards of pesticides in her landmark book, *Silent Spring*; and

WHEREAS, despite the warning, more than 6.6 billion pounds of pesticides are spread on the earth annually, and the quantity of pesticides used in the United States has continued to grow over the years and poses a potential threat to all life forms; and

WHEREAS, our children are uniquely vulnerable to chemical pesticides due to their developing physiology and to their habit of frequently putting their hands into their mouths; and

WHEREAS, chemical pesticides applied outdoors are washed into our waterways and our drinking water sources. Several types of cancer,

neurological disease, endocrine disorders, and birth defects have all been associated with exposure to common pesticides; and

WHEREAS, Rachel Carson made a profound impact on how we treat the environment and more can still be done to further her legacy; and

WHEREAS, the Legislature would like to invite citizens throughout Nebraska to observe May 27, the birthdate of Rachel Carson, by refraining from using pesticides on this day and ask the citizens of Nebraska for their cooperation in seeking alternative methods of pest management, including the practice of integrated pest management.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That May 27, 2007, be designated as Rachel Carson Day.

Laid over.

### ANNOUNCEMENT

Senator Chambers designates LB 476 as his priority bill.

### COMMITTEE REPORTS

#### Revenue

**LEGISLATIVE BILL 106.** Placed on General File - Com AM365.  
AM365

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 77-4001, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 77-4001 Sections 77-4001 to 77-4025 and section 4 of this
- 6 act shall be known and may be cited as the Tobacco Products Tax
- 7 Act.
- 8 Sec. 2. Section 77-4002, Reissue Revised Statutes of
- 9 Nebraska, is amended to read:
- 10 77-4002 For purposes of the Tobacco Products Tax Act,
- 11 unless the context otherwise requires, the definitions found in
- 12 sections 77-4003 to 77-4007 and section 4 of this act shall be
- 13 used.
- 14 Sec. 3. Section 77-4004, Reissue Revised Statutes of
- 15 Nebraska, is amended to read:
- 16 77-4004 First owner ~~shall mean means~~ any person:
- 17 (1) Engaged in the business of selling tobacco products
- 18 or smoking tobacco in this state who brings or causes to be brought
- 19 into this state from outside this state any tobacco products or
- 20 smoking tobacco for sale in this state, including a retailer who
- 21 purchases directly from suppliers outside this state who are not
- 22 licensed pursuant to subsection (2) of section 77-4009;
- 23 (2) Who makes, manufactures, or fabricates tobacco
- 1 products or smoking tobacco in this state for sale in this state;
- 2 or

3 (3) Engaged in business outside this state who ships  
4 or transports tobacco products or smoking tobacco to retailers in  
5 this state and who becomes licensed pursuant to subsection (2) of  
6 section 77-4009.

7 Sec. 4. Smoking tobacco means (1) cigars, (2) cheroots,  
8 (3) stogies, (4) periques, and (5) granulated, plug cut, crimp cut,  
9 ready rubbed, and other tobacco prepared in such manner as to be  
10 suitable for smoking, except that smoking tobacco does not mean  
11 cigarettes as defined in section 77-2601.

12 Sec. 5. Section 77-4007, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14 77-4007 Tobacco products ~~shall mean (1) cigars, (2)~~  
15 ~~cheroots, (3) stogies, (4) periques, (5) granulated, plug cut,~~  
16 ~~crimp cut, ready rubbed, and other smoking tobacco, (6) means (1)~~  
17 ~~snuff, (7)-(2) snuff flour, (8)-(3) cavendish, (9)-(4) plug and~~  
18 ~~twist tobacco, (10)-(5) fine cut and other chewing tobacco, (11)~~  
19 ~~(6) shorts, refuse scraps, clippings, cuttings, and sweepings of~~  
20 ~~tobacco, and (12)-(7) other kinds and forms of tobacco, prepared~~  
21 ~~in such manner as to be suitable for chewing, or smoking in a pipe~~  
22 ~~or otherwise or both for chewing and smoking, except that tobacco~~  
23 ~~products shall does not mean cigarettes as defined in section~~  
24 ~~77-2601.~~

25 Sec. 6. Section 77-4008, Reissue Revised Statutes of  
26 Nebraska, is amended to read:

27 77-4008 ~~(1)-(1)(a)~~ A tax is hereby imposed upon the first  
1 owner of tobacco products and smoking tobacco to be sold in this  
2 state.

3 (b) The tax on tobacco products shall be sixty-five  
4 cents per ounce and a proportionate tax at the like rate on all  
5 fractional parts of an ounce. Such tax shall be computed based on  
6 the net weight as listed by the manufacturer. Any product listed  
7 by the manufacturer as having a net weight of less than one ounce  
8 shall be taxed as if the product has a net weight of one ounce.

9 (c) The tax on smoking tobacco shall be twenty percent  
10 of ~~(a)-(i)~~ the purchase price of such tobacco products paid by the  
11 first owner or ~~(b)-(ii)~~ the price at which a first owner who made,  
12 manufactured, or fabricated the tobacco product sells the items to  
13 others. ~~Such tax~~

14 (d) The tax on tobacco products and smoking tobacco shall  
15 be in addition to all other taxes.

16 (2) Whenever any person who is licensed under section  
17 77-4009 purchases tobacco products or smoking tobacco from another  
18 person licensed under section 77-4009, the seller shall be liable  
19 for the payment of the tax.

20 (3) ~~On and after October 1, 2002, and continuing until~~  
21 ~~October 1, 2004, the Tax Commissioner shall remit the amount~~  
22 ~~collected pursuant to this section to the State Treasurer, and the~~  
23 ~~State Treasurer shall credit three fourths of such amount to the~~  
24 ~~General Fund and one fourth of such amount to the Cash Reserve~~

25 ~~Fund. On and after October 1, 2004, amounts collected~~ Amounts  
 26 collected pursuant to this section shall be used and distributed  
 27 pursuant to section 77-4025.

1 Sec. 7. Section 77-4009, Reissue Revised Statutes of  
 2 Nebraska, is amended to read:

3 77-4009 (1) Each first owner of tobacco products and  
 4 smoking tobacco to be sold in this state shall be licensed by  
 5 the Tax Commissioner. Every application for such license shall be  
 6 made on a form prescribed by the Tax Commissioner. The application  
 7 shall include: (a) The name and address of the applicant or, if  
 8 the applicant is a firm, partnership, limited liability company, or  
 9 association, the name and address of each of its members or, if  
 10 the applicant is a corporation, the name and address of each of  
 11 its officers and the address of its principal place of business;  
 12 (b) the location of the place of business to be licensed; and (c)  
 13 such other information as the Tax Commissioner may require for the  
 14 purpose of administering the Tobacco Products Tax Act.

15 (2) A person outside of this state who ships or  
 16 transports tobacco products or smoking tobacco to any person  
 17 in this state to be sold in this state may make application for a  
 18 license and be granted such a license by the Tax Commissioner. If  
 19 a license is granted, such person shall be subject to the Tobacco  
 20 Products Tax Act and shall be entitled to act as a licensee.  
 21 A person outside this state who receives a license shall have  
 22 established sufficient contact with this state for the exercise  
 23 of personal jurisdiction over the person in any matter or issue  
 24 arising under the act.

25 Sec. 8. Section 77-4014, Reissue Revised Statutes of  
 26 Nebraska, is amended to read:

27 77-4014 (1) On or before the tenth day of each calendar  
 1 month ~~commencing on or after January 1, 1988,~~ every person licensed  
 2 under subsection (1) of section 77-4009 shall file a return with  
 3 the Tax Commissioner showing either the quantity and the price of  
 4 each tobacco product or smoking tobacco brought or caused to be  
 5 brought into this state for sale or the quantity and the price  
 6 of each tobacco product or smoking tobacco made, manufactured,  
 7 or fabricated in this state for sale in this state, whichever  
 8 is applicable, during the preceding calendar month. For tobacco  
 9 products, such return shall also include the net weight as listed  
 10 by the manufacturer.

11 (2) Every person licensed pursuant to subsection (2) of  
 12 section 77-4009 shall, in the manner described in subsection (1) of  
 13 this section, file a return showing in detail the different kinds,  
 14 quantity, and wholesale sales price of each tobacco product or  
 15 smoking tobacco shipped or transported to retailers in this state  
 16 to be sold by such retailers during the preceding calendar month.  
 17 For tobacco products, such return shall also include the net weight  
 18 as listed by the manufacturer.

19 (3) Returns shall be made upon forms furnished and

20 prescribed by the Tax Commissioner. Each return shall be  
21 accompanied by a remittance for the full tax liability shown, less  
22 an amount of such liability equal to any amount allowed a payer of  
23 the sales and use tax pursuant to subdivision (1)(d) of section  
24 77-2708 as compensation to reimburse the licensee for his or her  
25 expenses incurred in complying with the Tobacco Products Tax Act.  
26 Sec. 9. Section 77-4017, Reissue Revised Statutes of  
27 Nebraska, is amended to read:

1 77-4017 (1) Every licensee shall keep complete and  
2 accurate records for all places of business, including itemized  
3 invoices of tobacco products and smoking tobacco (a) held,  
4 purchased, manufactured, or brought in or caused to be brought  
5 into this state or (b) for a licensee located outside of this  
6 state, shipped or transported to retailers in this state. For  
7 tobacco products, such return shall also include the net weight as  
8 listed by the manufacturer.

9 (2) All books, records, and other papers and documents  
10 required to be kept by this section shall be preserved for a period  
11 of at least three years after the due date of the tax imposed  
12 by the Tobacco Products Tax Act unless the Tax Commissioner, in  
13 writing, authorizes their destruction or disposal at an earlier  
14 date.

15 (3) At any time during usual business hours, duly  
16 authorized agents or employees of the Tax Commissioner may enter  
17 any place of business of a licensee and inspect the premises,  
18 the records required to be kept pursuant to this section, and  
19 the tobacco products and smoking tobacco contained in such place  
20 of business for purposes of determining whether or not such  
21 licensee is in full compliance with the act. Refusal to permit  
22 such inspection by a duly authorized agent or employee of the  
23 Tax Commissioner shall be grounds for revocation, cancellation, or  
24 suspension of the license.

25 Sec. 10. Section 77-4018, Reissue Revised Statutes of  
26 Nebraska, is amended to read:

27 77-4018 When tobacco products or smoking tobacco for  
1 which the tax imposed by the Tobacco Products Tax Act has been  
2 reported and paid are (1) sold, shipped, or transported by the  
3 licensee to retailers, licensees, or ultimate consumers outside  
4 this state or (2) returned to the manufacturer by the licensee, a  
5 refund or credit of the tax shall be made to the licensee. For the  
6 purpose of making such credit or refund, the Tax Commissioner may  
7 issue a tax credit or may prepare a voucher showing the net amount  
8 of such refund due. The Tax Commissioner shall have a warrant  
9 drawn upon the State Treasurer for the amount of any such refund  
10 certified by the Tax Commissioner.

11 Sec. 11. Section 77-4024, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 77-4024 Any person who violates the Tobacco Products Tax  
14 Act or any person who sells, delivers, or accepts tobacco products

15 or smoking tobacco with the intent to evade the act shall be guilty  
 16 of a Class IV felony.

17 Sec. 12. This act becomes operative on October 1, 2007.

18 Sec. 13. Original sections 77-4001, 77-4002, 77-4004,  
 19 77-4007, 77-4008, 77-4009, 77-4014, 77-4017, 77-4018, and 77-4024,  
 20 Reissue Revised Statutes of Nebraska, are repealed.

**LEGISLATIVE BILL 364.** Placed on General File - Com AM459.  
 AM459

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

3 Section 1. Section 77-2014, Reissue Revised Statutes of  
 4 Nebraska, is amended to read:

5 77-2014 (1) Every sum of money retained by an executor,  
 6 administrator, or trustee, or paid into his or her hands for any  
 7 tax on any property, shall be paid by him or her within thirty  
 8 days thereafter to the county treasurer of the proper county, and  
 9 the county treasurer shall give, and every executor, administrator,  
 10 or trustee shall take a receipt from him ~~of said or her of such~~  
 11 payments.

12 (2)(a) For purposes of this section, proper county shall  
 13 mean the county of the decedent's residence, except (i) when the  
 14 decedent had an interest in real property located in a county other  
 15 than his or her residence at the time of the death of the decedent,  
 16 the words proper county shall mean the county in which the real  
 17 property is situated, or (ii) when the decedent had an interest in  
 18 personal property subject to being listed and assessed for personal  
 19 property taxation at the time of the death of the decedent, the  
 20 words proper county shall mean the county where the property is  
 21 listed and assessed.

22 (b) When the decedent is a nonresident, proper county  
 23 shall mean the county provided in subdivisions (2)(a)(i) and  
 1 (2)(a)(ii) of this section and, as to any other property which may  
 2 be subject to Nebraska inheritance taxation, the county where such  
 3 property is located.

4 (3) The total inheritance tax assessed against the estate  
 5 shall be apportioned among the counties in the ratio that the value  
 6 of the gross property subject to tax and not subject to tax under  
 7 sections 77-2004, 77-2006, and 77-2007.04 located in each county  
 8 bears to the gross value of all property ~~reportable for Nebraska~~  
 9 ~~inheritance tax purposes, subject to tax and not subject to tax~~  
 10 under sections 77-2004, 77-2006, and 77-2007.04.

11 (4) Questions that may arise as to the proper place to  
 12 list and assess such personal property for the purposes of sections  
 13 77-2001 to 77-2037 shall be determined pursuant to procedure set  
 14 forth in sections 77-2018.01 to 77-2027.

15 Sec. 2. Original section 77-2014, Reissue Revised  
 16 Statutes of Nebraska, is repealed.



**LEGISLATIVE BILL 456.** Placed on General File - Com AM84.  
AM84

- 1 1. Strike original section 3.  
 2 2. On page 4, strike lines 18 through 25 and insert the  
 3 following new subsection:  
 4 "(6)(a) For all taxable years beginning on or after  
 5 January 1, 2007, and before January 1, 2008, under the Internal  
 6 Revenue Code of 1986, as amended, there shall be allowed to each  
 7 partner, shareholder, member, or beneficiary of a partnership,  
 8 subchapter S corporation, limited liability company, or estate or  
 9 trust a nonrefundable credit against the income tax imposed by  
 10 the Nebraska Revenue Act of 1967 equal to fifty percent of the  
 11 partner's, shareholder's, member's, or beneficiary's portion of the  
 12 amount of franchise tax paid to the state under sections 77-3801 to  
 13 77-3807 by a financial institution.  
 14 (b) For all taxable years beginning on or after January  
 15 1, 2008, under the Internal Revenue Code of 1986, as amended,  
 16 there shall be allowed to each partner, shareholder, member, or  
 17 beneficiary of a partnership, subchapter S corporation, limited  
 18 liability company, or estate or trust a nonrefundable credit  
 19 against the income tax imposed by the Nebraska Revenue Act of 1967  
 20 equal to the partner's, shareholder's, member's, or beneficiary's  
 21 portion of the amount of franchise tax paid to the state under  
 22 sections 77-3801 to 77-3807 by a financial institution.  
 23 (c) Each partner, shareholder, member, or beneficiary  
 1 shall report his or her share of the credit in the same manner  
 2 and proportion as he or she reports the partnership, subchapter S  
 3 corporation, limited liability company, or estate or trust income.  
 4 If any partner, shareholder, member, or beneficiary cannot fully  
 5 utilize the credit for that year, the credit may not be carried  
 6 forward or back."  
 7 3. On page 5, strike line 1.  
 8 4. Renumber the remaining section accordingly.

**LEGISLATIVE BILL 356.** Indefinitely postponed.

(Signed) Ray Janssen, Chairperson

**GENERAL FILE****LEGISLATIVE BILL 223.** Title read. Considered.

Committee AM192, found on page 450, was adopted with 26 ayes, 1 nay, 15 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 441.** Title read. Considered.

Senator McDonald renewed her amendment, AM320, found on page 632.

The McDonald amendment was adopted with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 441A.** Title read. Considered.

Advanced to E & R for review with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

**AMENDMENTS - Print in Journal**

Senator Wightman filed the following amendment to LB 374:  
AM443

- 1 1. On page 3, line 2, strike "six" and insert "eight".

Senator Fischer filed the following amendment to LB 286:  
AM290

(Amendments to Standing Committee amendments, AM178)

- 1 1. Insert the following new section:
- 2 Sec. 18. (1) When a motor vehicle, commercial trailer,
- 3 semitrailer, or cabin trailer is purchased by a motor vehicle
- 4 dealer or trailer dealer and the original assigned certificate of
- 5 title has been lost or mutilated, the dealer selling such motor
- 6 vehicle or trailer may apply for an original certificate of title
- 7 in the dealer's name. The following documentation and fees shall be
- 8 submitted by the dealer:
- 9 (a) An application for a certificate of title in the name
- 10 of such dealer;
- 11 (b) A photocopy from the dealer's records of the front
- 12 and back of the lost or mutilated original certificate of title
- 13 assigned to a dealer with a reassignment to a purchaser;
- 14 (c) A notarized affidavit from the purchaser of
- 15 such motor vehicle or trailer for which the original assigned
- 16 certificate of title was lost or mutilated stating that the
- 17 original assigned certificate of title was lost or mutilated; and
- 18 (d) The appropriate certificate of title fee.
- 19 (2) The application and affidavit shall be on forms
- 20 prescribed by the department. When the motor vehicle dealer or
- 21 trailer dealer receives the new certificate of title in such
- 22 dealer's name and assigns it to the purchaser, the dealer shall
- 1 record the original sale date and provide the purchaser with a
- 2 copy of the front and back of the original lost or mutilated
- 3 certificate of title as evidence as to why the purchase date of

4 the motor vehicle or trailer is prior to the issue date of the new  
5 certificate of title.

6 2. On page 1, lines 5 and 6, strike "and 17" and insert  
7 "17, and 18".

8 3. Renumber the remaining sections and correct internal  
9 references accordingly.

## RESOLUTION

**LEGISLATIVE RESOLUTION 37.** Introduced by Hudkins, 21; Dierks, 40; Dubas, 34; Engel, 17; Erdman, 47; Hansen, 42; Karpisek, 32; McDonald, 41; Pedersen, 39; Rogert, 16; Stuthman, 22; Wallman, 30.

WHEREAS, since Congress passed the federal Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991, the total length law of the State of Nebraska for combination vehicles was frozen at sixty-five feet; and

WHEREAS, today, grain elevators and agriculture producers alike are faced with serious transportation challenges, including sustained record fuel prices, transporting commodities longer distances to terminal markets or processing facilities, and the lack of interest or capacity by railroads to haul grain; and

WHEREAS, other states maintained their longer combination truck lengths under the 1991 federal act; and

WHEREAS, while each state varies on its laws, rules, and regulations on operating longer vehicles, some states have either adopted or maintained the standards of eighty-one feet, six inches, off of interstate highways, and one hundred ten feet on interstate highways; and

WHEREAS, Nebraska beet growers have benefited for some time under a federal exemption that allows combination truck lengths at eighty-one feet, six inches; and

WHEREAS, last year Nebraska custom harvesters obtained a federal exemption to allow the State of Nebraska to permit the operation of commercial vehicle combinations not exceeding eighty-one feet, six inches.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. The Legislature supports an immediate review of the current federal ISTEA restrictions imposed on Nebraska which prohibit extending the length of combination vehicles and an examination of the feasibility for seeking a federal exemption that would allow extended combination truck lengths for purposes of hauling corn, wheat, soybeans, sorghum, millet, dry beans, and any other grain as defined by law.

2. The Legislature invites the grain warehouse and feed industry, trucking industry, farm commodity organizations, and state and local government representatives, representatives from the Department of Roads, the Nebraska State Patrol, the Department of Motor Vehicles, the Department of Agriculture, and the Nebraska Safety Council to examine all practical issues surrounding any combination vehicle extension in Nebraska and to examine applicable laws, rules, and regulations in states already permitting extended lengths.

3. The Clerk of the Legislature shall send copies of this resolution to the Nebraska congressional delegation, the Majority Leader and the Minority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Majority Leader and the Minority Leader of the United States House of Representatives, and President George W. Bush.

### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR 37 was referred to the Reference Committee.

### **GENERAL FILE**

**LEGISLATIVE BILL 470.** Title read. Considered.

Pending.

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

Senator Mines asked unanimous consent to add his name as cointroducer to LB 124. No objections. So ordered.

### **VISITORS**

Visitors to the Chamber were Jo Anne Bourquard of National Conference of State Legislatures from Denver, Colorado; 39 fourth-grade students and teachers from Lincoln Christian School, Lincoln; and Judy Myers from Blair and Collin Wederquist from Bellevue.

The Doctor of the Day was Dr. Hal Pumphrey from Lincoln.

### **ADJOURNMENT**

At 11:58 a.m., on a motion by Senator Janssen, the Legislature adjourned until 9:00 a.m., Friday, February 23, 2007.

Patrick J. O'Donnell  
Clerk of the Legislature