

THIRTY-FIRST DAY - FEBRUARY 26, 2008**LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE
SECOND SESSION****THIRTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 26, 2008

PRAYER

The prayer was offered by Pastor Donella Silveira, Immanuel Lutheran Church, Chadron.

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 Senators Cornett, Dubas, Engel, Flood, Friend, Fulton, Heidemann, Janssen, Kruse, McDonald, Nantkes, Raikes, Stuthman, and White who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirtieth day was approved.

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 898. Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

COMMITTEE REPORT

Banking, Commerce and Insurance

LEGISLATIVE BILL 920. Placed on General File.

(Signed) Rich Pahls, Chairperson

MOTIONS - Approve Appointments

Senator Louden moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 666:

Environmental Quality Council
Lon Keim

Voting in the affirmative, 26:

Adams	Erdman	Karpisek	Nelson	Wallman
Aguilar	Fischer	Langemeier	Pahls	Wightman
Ashford	Gay	Lathrop	Pedersen	
Carlson	Harms	Lautenbaugh	Pirsch	
Christensen	Howard	Louden	Rogert	
Dierks	Hudkins	McGill	Schimek	

Voting in the negative, 0.

Present and not voting, 9:

Avery	Chambers	Johnson	Pankonin	Synowiecki
Burling	Hansen	Kopplin	Preister	

Excused and not voting, 14:

Cornett	Flood	Heidemann	McDonald	Stuthman
Dubas	Friend	Janssen	Nantkes	White
Engel	Fulton	Kruse	Raikes	

The appointment was confirmed with 26 ayes, 0 nays, 9 present and not voting, and 14 excused and not voting.

Senator Ashford moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 673:

Nebraska Board of Parole
Esther Casmer

Voting in the affirmative, 38:

Adams	Dubas	Harms	McGill	Schimek
Aguilar	Engel	Howard	Nelson	Stuthman
Ashford	Erdman	Hudkins	Pahls	Synowiecki
Avery	Fischer	Johnson	Pankonin	Wallman
Burling	Friend	Karpisek	Pedersen	White
Carlson	Fulton	Kopplin	Pirsch	Wightman
Christensen	Gay	Langemeier	Raikes	
Dierks	Hansen	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 5:

Chambers Flood Lathrop Lautenbaugh Preister

Excused and not voting, 6:

Cornett Janssen McDonald
Heidemann Kruse Nantkes

The appointment was confirmed with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

MOTION - Withdraw LR233CA

Senator Christensen renewed his motion, MO134, found on page 692, to withdraw LR233CA.

Pending.

MOTION - Suspend Rules

Senator Flood offered the following motion to LR233CA:
MO135

Suspend Rule 3, Section 13, to permit cancellation of the public hearing on Wednesday, February 27, 2008, by the Judiciary Committee.

The Flood motion to suspend the rules prevailed with 40 ayes, 1 nay, 5 present and not voting, and 3 excused and not voting.

MOTION - Withdraw LR233CA

Senator Christensen renewed his motion, MO134, found on page 692 and considered in this day's Journal, to withdraw LR233CA.

The Christensen motion to withdraw prevailed with 41 ayes, 1 nay, 4 present and not voting, and 3 excused and not voting.

NOTICE OF COMMITTEE HEARING

Judiciary

Room 1113

Wednesday, February 27, 2008 1:30 p.m.

LR233CA (cancel)

(Signed) Brad Ashford, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 249. Introduced by Stuthman, 22.

WHEREAS, the Howells High School Bowling Team won their first Class D State Bowling Championship; and

WHEREAS, the Howells High School Bowling Team consists of Aaron Brodecky, Adam Brodecky, E. J. Brodecky, Joe Ritzdorf, Mitch Tomka, and Nick Wieman; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Howells High School Bowling Team be congratulated for their exemplary effort this season.

2. That a copy of this resolution be sent to Coach Ann Brodecky and the Howells High School Bowling Team.

Laid over.

LEGISLATIVE RESOLUTION 250. Introduced by Stuthman, 22.

WHEREAS, the Howells High School Wrestling Team won the Class D State Wrestling Championship for the second straight year; and

WHEREAS, all eight of the qualifying wrestlers on the Howells High School Wrestling Team won medals at the championship; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Howells High School Wrestling Team be congratulated for their exemplary effort this season.

2. That a copy of this resolution be sent to Head Coach Brian Jones and the Howells High School Wrestling Team.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 606. Title read. Considered.

Committee AM1884, found on page 654, was considered.

Senator Hudkins requested a ruling of the Chair on whether the committee amendment is germane to the bill.

The Chair ruled the committee amendment is germane to the bill.

Senator Hudkins challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?" The motion failed with 2 ayes, 30 nays, 15 present and not voting, and 2 excused and not voting.

The Chair was sustained.

SENATOR LANGEMEIER PRESIDING

SENATOR AGUILAR PRESIDING

Senator Pahls offered the following amendment to the committee amendment:

AM2052

(Amendments to Standing Committee amendments, AM1884)

- 1 1. Insert the following new sections:
- 2 Sec. 8. (1) On and after the effective date of this act,
- 3 the University of Nebraska Medical Center shall develop, staff, and
- 4 maintain an accredited laboratory to conduct postnatal tissue and
- 5 fluid research and stem cell research.
- 6 (2) For purposes of this section:
- 7 (a) Amniotic fluid means the fluid inside the amnion;
- 8 (b) Placenta means the organ that forms on the inner wall
- 9 of the human uterus during pregnancy;
- 10 (c) Postnatal tissue and fluid means the placenta,
- 11 umbilical cord, and amniotic fluid expelled or extracted in
- 12 connection with the birth of a human being;
- 13 (d) Stem cells means unspecialized or undifferentiated
- 14 cells that can self-renew and have the potential to differentiate
- 15 into specialized cell types; and
- 16 (e) Umbilical cord means the gelatinous tissue and blood
- 17 vessels connecting an unborn human being to the placenta.

18 Sec. 9. Section 71-7611, Revised Statutes Supplement,

- 19 2007, is amended to read:
- 20 71-7611 (1) The Nebraska Health Care Cash Fund is
 - 21 created. The State Treasurer shall transfer fifty-five million
 - 22 five hundred thousand dollars annually no later than July 15
 - 1 from the Nebraska Medicaid Intergovernmental Trust Fund and the
 - 2 Nebraska Tobacco Settlement Trust Fund to the Nebraska Health
 - 3 Care Cash Fund. The state investment officer upon consultation
 - 4 with the Nebraska Investment Council shall advise the State
 - 5 Treasurer on the amounts to be transferred from the Nebraska
 - 6 Medicaid Intergovernmental Trust Fund and from the Nebraska Tobacco
 - 7 Settlement Trust Fund under this section in order to sustain such
 - 8 transfers in perpetuity. The state investment officer shall report
 - 9 to the Legislature on or before October 1 of every even-numbered
 - 10 year on the sustainability of such transfers.
 - 11 (2) Any money in the Nebraska Health Care Cash Fund
 - 12 available for investment shall be invested by the state investment

13 officer pursuant to the Nebraska Capital Expansion Act and the
 14 Nebraska State Funds Investment Act.

15 (3) One million dollars in the Nebraska Health Care Cash
 16 Fund is designated each year for the Autism Treatment Program
 17 Act for five fiscal years beginning in fiscal year 2007-08 and
 18 shall be distributed in each fiscal year as follows: (a) First,
 19 to the Department of Health and Human Services for costs related
 20 to application and implementation of the waiver; (b) second, to
 21 the department for other medical costs for children who would
 22 not otherwise qualify for medicaid except for the waiver; and (c)
 23 third, the balance to the Autism Treatment Program Cash Fund. The
 24 State Treasurer shall transfer the balance of the funding to the
 25 Autism Treatment Program Cash Fund based on the estimated costs
 26 of administrative and other medical costs as determined by the
 27 Legislature through the appropriation process. The transfers to
 1 the Autism Treatment Program Cash Fund in any fiscal year shall
 2 be contingent upon the receipt of private matching funds under
 3 the Autism Treatment Program Act, with no less than one dollar of
 4 private funds received for every two dollars transferred from the
 5 Nebraska Health Care Cash Fund to the Autism Treatment Program Cash
 6 Fund.

7 (4) The State Treasurer shall distribute five hundred
 8 thousand dollars from the Nebraska Health Care Cash Fund to the
 9 University of Nebraska Medical center for the purposes provided in
 10 section 8 of this act.

11 ~~(4)-(5)~~ The University of Nebraska and postsecondary
 12 educational institutions having colleges of medicine in Nebraska
 13 and their affiliated research hospitals in Nebraska, as a condition
 14 of receiving any funds appropriated or transferred from the
 15 Nebraska Health Care Cash Fund, shall not discriminate against
 16 any person on the basis of sexual orientation.

17 2. On page 4, line 25, strike "section 71-7608" and
 18 insert "sections 71-7608 and 71-7611"; and in line 26 strike "is"
 19 and insert "are".

20 3. Renumber the remaining sections accordingly.

Senator Pahls withdrew his amendment.

Committee AM1884, found on page 654 and considered in this day's
 Journal, was renewed.

The committee amendment was adopted with 43 ayes, 0 nays, 4 present and
 not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present
 and not voting, and 2 excused and not voting.

AMENDMENT - Print in Journal

Senator Preister filed the following amendment to LB1049:
AM2035

- 1 1. Insert the following new section:
- 2 Sec. 3. The following section is outright repealed:
- 3 Section 37-102, Reissue Revised Statutes of Nebraska.
- 4 2. On page 2, strike beginning with "eight" in line 4
- 5 through the comma in line 5, show as stricken, and insert "nine
- 6 members, three from each of the three congressional districts.";
- 7 strike beginning with the first "and" in line 8 through the period
- 8 in line 9, show as stricken, and insert "On the effective date
- 9 of this act, the members serving in districts 5, 6, and 7 shall
- 10 be designated to represent the third congressional district, the
- 11 members serving in districts 3, 4, and 8 shall be designated
- 12 to represent the first congressional district, and the members
- 13 serving in districts 1 and 2 shall be designated to represent the
- 14 second congressional district. A third member shall be appointed
- 15 to represent the second congressional district. As the terms of
- 16 the members serving on the effective date expire, their successors
- 17 shall be appointed from the congressional district they were
- 18 designated to represent. The members shall represent the general
- 19 public and have demonstrated competence, experience, and interest
- 20 in matters under the jurisdiction of the commission."; strike
- 21 beginning with "At" in line 12 through the period in line 14 and
- 22 show the old matter as stricken; and in line 22 before "district"
- 23 insert "congressional".
- 1 3. On page 3, line 1, after "in" insert "congressional";
- 2 and in line 12 after the period insert "This subsection shall not
- 3 apply to any member serving on the effective date of this act
- 4 designated to represent a district in which he or she does not
- 5 reside.".

COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 1045. Placed on General File with amendment.
AM1819

- 1 1. Strike section 1 and insert the following new section:
- 2 Section 1. (1) If an insurer reduces or eliminates any
- 3 coverage in or introduces a more restrictive condition as part of a
- 4 policy in force delivered or issued for delivery in this state and
- 5 subject to sections 44-514 to 44-521 or section 44-522 or 44-523
- 6 prior to renewal of the policy and other than at the request of
- 7 the named insured or as required by law, the insurer shall send
- 8 to the named insured a notice explaining clearly what coverage has
- 9 been reduced or eliminated or what condition has been restricted.
- 10 The notice may be in a printed or electronic form. If the named
- 11 insured does not receive the notice, the reduction or elimination

12 of coverage or restrictive condition shall not become part of
 13 the policy. It shall be conclusively presumed that all insureds
 14 received the notice if it was sent by email or first-class mail
 15 to the named insured's last-known email address or mailing address
 16 contained in the policy.

17 (2) Notice of any reduction or elimination of coverage
 18 or restrictive condition as part of a policy in force delivered or
 19 issued for delivery in this state and subject to sections 44-514 to
 20 44-521 or section 44-522 or 44-523 and other than at the request
 21 of the named insured or as required by law shall be sent to each
 22 agency that holds an agency contract with the insurer prior to
 23 the introduction into the marketplace of a policy containing the
 1 reduction or elimination of coverage or restrictive condition.

2 (3) Nothing in this section shall restrict the right of
 3 the parties to an insurance contract to amend the contract, during
 4 the policy term but not during the renewal process, pursuant to an
 5 endorsement attached to the policy if requested by a named insured
 6 under the policy. An endorsement attached to a policy pursuant to
 7 this subsection requires no further notice beyond such endorsement.

(Signed) Rich Pahls, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 911. Placed on General File with amendment.
 AM1971 is available in the Bill Room.

LEGISLATIVE BILL 1092. Placed on General File with amendment.
 AM1974

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

3 Section 1. Each seat on each school bus purchased new,
 4 other than by a school board or board of education, on or after
 5 January 1, 2010, to be operated for the transportation of public
 6 school children in Nebraska shall be equipped with lap-shoulder
 7 belts sufficient to allow each passenger who is being transported
 8 to use a separate belt. The belts shall meet the standards under 49
 9 C.F.R. 571.208, as such regulation existed on January 1, 2008.

10 Sec. 2. Section 79-601, Reissue Revised Statutes of
 11 Nebraska, is amended to read:

12 79-601 (1) The school board or board of education of any
 13 public school district may, when authorized by a majority vote of
 14 the members of such board, purchase out of the general fund of
 15 the district a school bus or buses for the purpose of providing
 16 transportation facilities for school children to and from school
 17 and to and from all school-related activities. Each seat on each
 18 school bus purchased new on or after January 1, 2010, by a school
 19 board or board of education to be operated for the transportation
 20 of public school children in Nebraska shall be equipped with

21 lap-shoulder belts sufficient to allow each passenger who is being
22 transported to use a separate belt. The belts shall meet the
23 standards under 49 C.F.R. 571.208, as such regulation existed on
1 January 1, 2008.

2 (2) The school board or board of education of any
3 public school district providing such transportation facilities for
4 children attending public schools shall also provide transportation
5 without cost for children who attend nonprofit private schools
6 which are approved for continued legal operation under rules and
7 regulations established by the State Board of Education pursuant
8 to subdivision (5)(c) of section 79-318. Such transportation shall
9 be provided for only such children attending nonprofit private
10 schools who reside in a district which provides transportation to
11 public school students, and such transportation shall extend only
12 from some point on the regular public school route nearest or
13 most easily accessible to their homes to and from a point on the
14 regular public school route nearest or most easily accessible to
15 the school or schools attended by such children. The governing
16 body of such nonprofit private school, on a form to be provided
17 by the State Department of Education, shall certify to the public
18 school district the names, addresses, and days of school attendance
19 of children transported and such other information useful in
20 operating the transportation facility as may be required by rules
21 established by the State Board of Education. Transportation shall
22 be provided for nonprofit private school children only at times
23 when transportation is being provided for public school children.

24 (3) The school board or board of education of any public
25 school district may enter into a contract with a municipality or
26 county pursuant to section 13-1208.

27 Sec. 3. Section 79-609, Reissue Revised Statutes of
1 Nebraska, is amended to read:

2 79-609 (1) The school board or board of education, after
3 consultation with a member of the Nebraska State Patrol, shall
4 determine the number of passengers that may be safely transported
5 in each bus.

6 (2)(a) Any company or agency that provides transportation
7 of pupils by school bus and contracts directly with the pupils or
8 their parents, (b) the school board or board of education of the
9 public schools, and (c) the governing authority of any private,
10 denominational, or parochial school in this state shall provide,
11 at least twice during each school year to each pupil who is
12 transported in a school bus, instruction in safe riding practice,
13 ~~and~~ participation in emergency evacuation drills, and instruction
14 in proper use of lap belts, shoulder belts, or lap-shoulder belts.

15 (3) The operator of a school bus equipped with an
16 occupant protection system as defined in section 60-6,265 shall
17 wear such system whenever the vehicle is in motion.

18 (4) Each passenger on a school bus that is equipped
19 with lap belts, shoulder belts, or lap-shoulder belts shall be

20 transported only in a designated seating position and shall wear
 21 such a belt, properly adjusted and fastened, at all times while the
 22 bus is in operation.

23 (5) Nothing in this section shall be construed to
 24 increase or decrease the liability of a school district to a
 25 school bus passenger or other person for personal injury to the
 26 school bus passenger caused solely due to the failure to use such
 27 a belt or the misuse of such a belt by the injured passenger or
 1 another passenger.

2 (6) Nothing in this section shall be construed to
 3 increase or decrease the liability of a school district for the
 4 continued operation or use of a school bus which is not equipped
 5 with lap-shoulder belts as described in section 79-601.

6 Sec. 4. Original sections 79-601 and 79-609, Reissue
 7 Revised Statutes of Nebraska, are repealed.

(Signed) Deb Fischer, Chairperson

Natural Resources

LEGISLATIVE BILL 593. Placed on General File.

LEGISLATIVE BILL 727. Placed on General File.

LEGISLATIVE BILL 1145. Placed on General File.

LEGISLATIVE BILL 1162. Placed on General File.

LEGISLATIVE BILL 802. Indefinitely postponed.

LEGISLATIVE BILL 1061. Indefinitely postponed.

(Signed) LeRoy Loudon, Chairperson

MESSAGE FROM THE GOVERNOR

February 26, 2008

Patrick J. O'Donnell
 Clerk of the Legislature
 State Capitol, Room 2018
 Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 395 and 395A were received in my office on February 22, 2008.

I signed these bills and delivered them to the Secretary of State on February 26, 2008.

Sincerely,
 (Signed) Dave Heineman
 Governor

GENERAL FILE

LEGISLATIVE BILL 844. Title read. Considered.

Committee AM1784, found on page 644, was considered.

SENATOR MCDONALD PRESIDING

Senator Chambers offered the following amendment to the committee amendment:

FA182

Amend AM1784

P. 6, lines 13-15 reinstate stricken matter.

SENATOR LANGEMEIER PRESIDING

Pending.

COMMITTEE REPORTS

Natural Resources

LEGISLATIVE BILL 534. Indefinitely postponed.

LEGISLATIVE BILL 799. Indefinitely postponed.

LEGISLATIVE BILL 800. Indefinitely postponed.

LEGISLATIVE BILL 1059. Indefinitely postponed.

LEGISLATIVE BILL 1132. Indefinitely postponed.

(Signed) LeRoy Loudon, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 720. Placed on General File with amendment.
AM2044

- 1 1. Strike original sections 3, 4, and 6 and insert the
- 2 following new sections:
- 3 Sec. 3. Section 86-247, Revised Statutes Cumulative
- 4 Supplement, 2006, is amended to read:
- 5 86-247 All telephone solicitation messages ~~delivered~~
- 6 transmitted by an automatic dialing-announcing device shall:
- 7 (1) At the beginning of the message, state clearly the
- 8 identity of the person making the call; and
- 9 (2) During or after the message, state clearly the
- 10 telephone number, other than that of the device which made the
- 11 call, or address of such person.
- 12 Sec. 5. Section 86-256, Revised Statutes Cumulative
- 13 Supplement, 2006, is amended to read:
- 14 86-256 (1) Any person using an automatic
- 15 dialing-announcing device other than for telephone solicitations

16 shall register the device with the commission pursuant to the
 17 application process, without a fee, and shall include with the
 18 application a detailed explanation of the use planned and the
 19 script message to be used.

20 (2) All telephone messages transmitted by an automatic
 21 dialing-announcing device other than telephone solicitations shall:

22 (a) At the beginning of the message, state clearly the
 23 identity of the person on whose behalf the message is being
 1 transmitted;

2 (b) During or after the message, state clearly the
 3 telephone number, other than that of the device which made the
 4 call, or address of the person operating the device; and

5 (c) Transmit messages only between the hours of 8 a.m.
 6 and 9 p.m. at the location of the person receiving the message.

7 (3) This section does not apply to (a) a message from
 8 any elementary, secondary, or postsecondary educational institution
 9 to any of its students, parents, or employees, (b) a message to a
 10 person with whom the person placing the call or the person on whose
 11 behalf the message is being transmitted has an established business
 12 or personal relationship, or (c) a message from an employer
 13 advising any of its employees of work schedules.

14 (4) A person contracting with a third party to connect
 15 or operate an automatic dialing-announcing device for other
 16 than telephone solicitations shall be jointly and severally
 17 liable with the third party for connecting and operating the
 18 automatic dialing-announcing device in violation of the Automatic
 19 Dialing-Announcing Devices Act or the rules and regulations adopted
 20 and promulgated under the act.

21 (5) A person contracting with a third party to connect
 22 or operate an automatic dialing-announcing device for other
 23 than telephone solicitations shall file with the commission the
 24 message to be used within twenty-four hours after the message is
 25 transmitted.

26 2. On page 8, lines 5 and 6, strike "script" and insert
 27 "message".

1 3. On page 9, line 4, strike "86-248,".

2 4. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 721. Placed on General File with amendment.
 AM2039

1 1. Strike beginning with "The" on page 4, line 23,
 2 through page 5, line 9, and insert "The Office of the Nebraska
 3 Capitol Commission shall secure services as necessary to design,
 4 fabricate, and install fountains within each of the four courtyards
 5 of the State Capitol consistent with fountains as identified among
 6 restoration recommendations contained in the Capitol Landscape
 7 Restoration Master Plan. Installation of the fountains shall be
 8 completed no later than June 30, 2011."

LEGISLATIVE BILL 878. Placed on General File with amendment.
AM2041

- 1 1. On page 3, line 3, strike "for" and show as stricken;
 2 and in line 11 after the period insert "Elected officials may be
 3 recalled only for malfeasance in office, misfeasance in office,
 4 nonfeasance in office, or conviction of a crime involving an act of
 5 dishonesty or a false statement.".
- 6 2. On page 4, line 15, strike "or" and after the second
 7 "office" insert ", or conviction of a crime involving an act of
 8 dishonesty or a false statement.".
- 9 3. On page 7, lines 2 and 7, strike "or"; in line 3
 10 after "office" insert ", or conviction of a crime involving an
 11 act of dishonesty or a false statement"; and in line 7 after the
 12 second comma insert "or conviction of a crime involving an act of
 13 dishonesty or a false statement.".
- 14 4. On page 9, lines 2 through 4, strike the new matter;
 15 and in lines 4 and 5 reinstate the stricken matter.

LEGISLATIVE BILL 889. Placed on General File with amendment.
AM2043

- 1 1. Strike original section 14 and insert the following
 2 new section:
 3 Sec. 14. A political subdivision shall not use a
 4 design-build contract or construction management at risk contract
 5 for a project, in whole or in part, for road, street, highway,
 6 water, wastewater, utility, or sewer construction, except that a
 7 city of the metropolitan class may use a design-build contract
 8 or construction management at risk contract for the purpose of
 9 complying with state or federal requirements to control or minimize
 10 overflows from combined sewers.
- 11 2. On page 2, line 3; and page 6, line 4, strike "15" and
 12 insert "14".
- 13 3. On page 4, line 6, after the second comma insert "or";
 14 and strike beginning with the third comma in line 6 through "Act"
 15 in line 10.
- 16 4. On page 5, line 10, strike "and"; and in lines 13
 17 through 15 strike the new matter and reinstate the stricken matter.
- 18 5. On page 6, line 6, strike "seventy-five percent", show
 19 as stricken, and insert "two-thirds".
- 20 6. On page 20, line 18, strike "79-2013, and 79-2015" and
 21 insert "and 79-2013"; in line 20 strike "section is" and insert
 22 "sections are"; and in line 21 strike "Section 79-2014" and insert
 23 "Sections 79-2014 and 79-2015".

(Signed) Ray Aguilar, Chairperson

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 766. Placed on Select File with amendment.
ER8166

- 1 1. In the Standing Committee amendments, AM1865:
- 2 a. On page 1, line 11, after the semicolon insert "and";
- 3 and
- 4 b. On page 3, line 3, strike the comma.

LEGISLATIVE BILL 855. Placed on Select File with amendment.
ER8167

- 1 1. In the Standing Committee amendments, AM1832:
- 2 a. On page 7, lines 20 and 23, strike "service" and
- 3 insert "services";
- 4 b. On page 9, line 27, strike the period, show as
- 5 stricken, and insert "; and";
- 6 c. On page 13, line 12, after "payment" insert an
- 7 underscored comma;
- 8 d. On page 14, line 8, after "union's" insert "or
- 9 organization's";
- 10 e. On page 18, line 7, strike "provides" and insert
- 11 "provide";
- 12 f. On page 21, lines 20 and 27, strike the semicolon and
- 13 insert an underscored period;
- 14 g. On page 22, line 3, strike "; and" and insert an
- 15 underscored period;
- 16 h. On page 24, line 20, strike the second comma;
- 17 i. On page 25, line 22, after the second "for" insert an
- 18 underscored comma;
- 19 j. On page 30, line 3, strike "sections 14 and" and
- 20 insert "section 14 or"; and in line 5 strike "spouse", show as
- 21 stricken, and insert "spouses";
- 22 k. On page 40, line 10, strike the comma;
- 23 l. On page 53, line 26, strike "any" and insert "each";
- 1 m. On page 56, line 17; page 57, line 27; and page
- 2 70, line 16, strike "act" and insert "Discount Medical Plan
- 3 Organization Act";
- 4 n. On page 57, line 2, strike "exists" and insert
- 5 "exist";
- 6 o. On page 64, lines 2, 10, and 17, strike "material"
- 7 and insert "materials"; in line 3 strike the semicolon and insert
- 8 an underscored period; in line 7 strike "insured" and insert
- 9 "insurance"; and in line 8 strike "; and" and insert an underscored
- 10 period;
- 11 p. On page 70, lines 19 and 20, strike "Discount Medical
- 12 Plan Organization Act" and insert "act"; and
- 13 q. On page 78, lines 14 and 26, after "thereof" insert an
- 14 underscored comma.

15 2. On page 1, strike beginning with "44-1601" in
 16 line 1 through line 8 and insert "44-349, 44-356, 44-789,
 17 44-1521, 44-1601, 44-1603, 44-1604, 44-1605, 44-1606.01, 44-1607,
 18 44-1607.01, 44-1613, 44-1614, 44-32,106, 44-3901, 44-3902, 44-3904,
 19 44-3909, 44-3910, 44-3911, 44-4064, 44-6009, 44-6016, 44-6603,
 20 44-6604, and 44-7613, Reissue Revised Statutes of Nebraska,
 21 sections 13-206, 28-631, 44-1602, and 44-7508.02, Revised Statutes
 22 Cumulative Supplement, 2006, and section 44-4521, Revised Statutes
 23 Supplement, 2007; to change provisions relating to rules and
 24 regulations, fraudulent insurance acts, assessment insurers,
 25 mandated coverage, unfair insurance trade practices, group life
 26 insurance, health maintenance organizations, continuing education,
 27 licensing of insurance producers, long-term care insurance,
 1 risk-based capital, policy forms, and filing requirements; to
 2 adopt the Discount Medical Plan Organization Act; to provide for
 3 supervision of financial conglomerates; to change and provide
 4 penalties; to harmonize provisions; to provide operative dates; and
 5 to repeal the original sections."

LEGISLATIVE BILL 756. Placed on Select File with amendment.
 ER8168 is available in the Bill Room.

LEGISLATIVE BILL 912. Placed on Select File.

(Signed) Amanda McGill, Chairperson

AMENDMENTS - Print in Journal

Senator Friend filed the following amendment to LB1096:
 AM2048

(Amendments to Standing Committee amendments, AM1911)

1 1. On page 2, line 5, after the period insert "The fire
 2 chief shall promulgate, implement, and enforce rules governing the
 3 actions and conduct of volunteer members of the department so as to
 4 be in conformity with the personnel policies of the city.".
 5 2. On page 4, line 13, after the second comma insert
 6 "or", strike ", or donations" and insert "solicited", and after
 7 "collected" insert an underscored comma; and in line 16 after
 8 "department" insert "at a given place and time".
 9 3. On page 5, line 1, after "audited" insert "at the
 10 expense of the taxing authority"; in line 19 after "shall" insert
 11 "solicit," and after "charge" insert an underscored comma; in line
 12 20 after the second comma insert "or" and strike ", or donations";
 13 and in line 27 after the third comma insert "or" and strike ", or
 14 donations".

Senator Chambers filed the following amendment to LB844:
FA183
Amend AM1784
P. 8, lines 10-12 strike new matter.

Senator Chambers filed the following amendment to LB844:
FA184
Amend AM1784
P. 9, lines 4, 5 strike new matter.

UNANIMOUS CONSENT - Add Cointroducers

Senator Lathrop asked unanimous consent to add his name as cointroducer to LB606. No objections. So ordered.

Senators Ashford, Avery, Lathrop, McGill, Preister, and White asked unanimous consent to add their names as cointroducers to LB786. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Lathrop withdrew his name as cointroducer to LB1019.

VISITORS

Visitors to the Chamber were Dehnia Herrick from Nebraska Wesleyan; members of Future Business Leaders Association from across the state; 50 fourth-grade students, teachers, and sponsors from York; Senator Hansen's wife, Linda Hansen; and members of Leadership Lincoln County from Lincoln County and Senator Langemeier's sister-in-law, Kendi Saner, from North Platte.

The Doctor of the Day was Dr. Komal Bhuller from Omaha.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Friend, the Legislature adjourned until 9:00 a.m., Wednesday, February 27, 2008.

Patrick J. O'Donnell
Clerk of the Legislature