

NINETEENTH DAY - FEBRUARY 1, 2012**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION****NINETEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 1, 2012

PRAYER

The prayer was offered by Senator Brasch.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Flood presiding.

The roll was called and all members were present except Senator Wallman who was excused; and Senators Conrad, Karpisek, Lautenbaugh, and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 946. Placed on Select File with amendment.
ER156

- 1 1. On page 1, strike beginning with "revenue" in line
- 2 9 through "act" in line 10 and insert "state aid, tax levies,
- 3 fees, grants, and revenue bonds; to provide and change powers
- 4 and duties; to eliminate obsolete provisions; to eliminate the
- 5 Community College Foundation and Equalization Aid Act".
- 6 2. On page 10, line 10, strike "to", show as stricken,
- 7 and insert "and".
- 8 3. On page 45, line 17, strike "fund" and show as
- 9 stricken; and in line 19 strike "subsection", show as stricken, and
- 10 insert "subdivision".
- 11 4. On page 47, line 17, strike the first "fund"; and in
- 12 line 18 strike "subsection" and insert "subdivision".
- 13 5. On page 53, line 25, strike "subsection" and insert
- 14 "subdivision".

(Signed) Tyson Larson, Chairperson

COMMITTEE REPORTS

Enrollment and Review

- LEGISLATIVE BILL 66.** Placed on Final Reading.
- LEGISLATIVE BILL 66A.** Placed on Final Reading.
- LEGISLATIVE BILL 415.** Placed on Final Reading.
- LEGISLATIVE BILL 503.** Placed on Final Reading.

LEGISLATIVE RESOLUTION 40CA. Placed on Final Reading.
ST49

The following changes, required to be reported for publication in the Journal, have been made:

- 1. On page 1, line 2, "FIRST" has been struck and "SECOND" inserted.

(Signed) Tyson Larson, Chairperson

NOTICE OF COMMITTEE HEARINGS

Health and Human Services

Room 1510

Thursday, February 9, 2012 1:30 p.m.

James Jirak - Commission for the Blind and Visually Impaired

(Signed) Kathy Campbell, Chairperson

Government, Military and Veterans Affairs

Room 1507

Wednesday, February 8, 2012 1:30 p.m.

- LB827
- LB1101
- LB1094
- LB936

Room 1507

Thursday, February 9, 2012 1:30 p.m.

- LB1014
- LB944
- LB1157
- LB1025

Room 1507

Wednesday, February 15, 2012 1:30 p.m.

LB1141
LB819
LB999
LB795
LB1023

Room 1507

Thursday, February 16, 2012 1:30 p.m.

LB953
LB813
LB869
LB880

Room 1507

Wednesday, February 22, 2012 1:30 p.m.

LB975
LB1006
LB1024
LB1076

Room 1507

Thursday, February 23, 2012 1:30 p.m.

LB1116
LB1013
LB1140
LB1060

Room 1507

Friday, February 24, 2012 1:30 p.m.

LB1170
LB1171
LR371
LR381

(Signed) Bill Avery, Chairperson

GENERAL FILE

LEGISLATIVE BILL 427. Title read. Considered.

Committee AM1576, found on page 1787, First Session, 2011, was considered.

SENATOR LANGEMEIER PRESIDING

Senator Carlson renewed his amendment, AM1670, found on page 183, to the committee amendment.

The Carlson amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 344. Title read. Considered.

Committee AM1577, found on page 1800, First Session, 2011, was considered.

Senator Avery renewed his amendment, AM1672, found on page 183, to the committee amendment.

The Avery amendment was adopted with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 811. Placed on General File.

LEGISLATIVE BILL 1031. Placed on General File.

LEGISLATIVE BILL 887. Placed on General File with amendment.
AM1764

- 1 1. On page 71, line 17, before the period insert "or the
- 2 violation was not part of a pattern or practice".

LEGISLATIVE BILL 943. Placed on General File with amendment.
AM1763

- 1 1. On page 2, strike lines 5 through 8; in line 9 strike
- 2 "(2)" and insert "(1)"; in line 15 strike "(3)" and insert "(2)";
- 3 and in line 18 strike "(4)" and insert "(3)".
- 4 2. On page 3, line 10, after "insurer" insert ", if
- 5 applicable,".
- 6 3. On page 4, line 1, strike "related to a catastrophe,";
- 7 and in line 7 after "for" insert "such" and strike "related to a
- 8 catastrophe".

(Signed) Rich Pahls, Chairperson

AMENDMENT - Print in Journal

Senator Lathrop filed the following amendment to LB1073:
AM1782

- 1 1. On page 7, after line 16 insert the following new
- 2 paragraphs:
- 3 "\$12,416.61 for Miscellaneous Claim Number 2012-11854,
- 4 against the Department of Health and Human Services, made by Apex
- 5 Foster Care, Inc., Attn: Alicia Zuger, 9945 Maple Street, Omaha, NE
- 6 68134-5550.
- 7 \$6,933.14 for Miscellaneous Claim Number 2012-11863,
- 8 against the Department of Health and Human Services, made by
- 9 St. Monica's Home, Attn: Jennifer Ekeler, 120 Wedgewood Drive,
- 10 Lincoln, NE 68510.
- 11 \$402,019.17 for Miscellaneous Claim Number 2012-11882,
- 12 against the Department of Health and Human Services, made by BSM
- 13 Inc., dba McConaughy Discovery Center, Attn: Jeannie Lane, P.O. Box
- 14 299, Ogallala, NE 69153.
- 15 \$5,302.03 for Miscellaneous Claim Number 2012-11895,
- 16 against the Department of Health and Human Services, made by
- 17 Central Mediation Center, Attn: Denise Haupt, P.O. Box 838,
- 18 Kearney, NE 68848-0838.
- 19 \$1,224.00 for Miscellaneous Claim Number 2012-11896,
- 20 against the Department of Health and Human Services, made by
- 21 Women In Community Service - WICS Residence for Girls, Attn: Tauni
- 22 Waddington, 1935 D Street, Lincoln, NE 68502.
- 23 \$4,948.65 for Miscellaneous Claim Number 2012-11897,
- 1 against the Department of Health and Human Services, made by
- 2 Child Saving Institute, Attn: Susan Baumert, 4545 Dodge Street,
- 3 Omaha, NE 68132.

- 4 \$17,883.32 for Miscellaneous Claim Number 2012-11898,
5 against the Department of Health and Human Services, made by
6 Community Action Partnership of Western Nebraska, Attn: Scott
7 Stockwell, 3350 10th Street, Gering, NE 69341.
8 \$114.10 for Miscellaneous Claim Number 2012-11899,
9 against the Department of Health and Human Services, made by Myhanh
10 Che, 1333 North 161st Street, Omaha, NE 68118.
11 \$136,258.51 for Miscellaneous Claim Number 2012-11900,
12 against the Department of Health and Human Services, made by
13 Heartland Family Service, Attn: John Jeanetta, 2101 South 42nd
14 Street, Omaha, NE 68105.
15 \$62,805.41 for Miscellaneous Claim Number 2012-11901,
16 against the Department of Health and Human Services, made by Father
17 Flanagan's Boys' Home, Attn: James L. Fees, P.O. Box 145, Boys
18 Town, NE 68010.
19 \$161,541.19 for Miscellaneous Claim Number 2012-11902,
20 against the Department of Health and Human Services, made by Father
21 Flanagan's Boys' Home, Attn: James L. Fees, P.O. Box 145, Boys
22 Town, NE 68010.
23 \$994.25 for Miscellaneous Claim Number 2012-11910,
24 against the Department of Health and Human Services, made by Donald
25 Tuggle, 108 South Willow Street, North Platte, NE 69101.
26 \$952.96 for Miscellaneous Claim Number 2012-11911,
27 against the Department of Health and Human Services, made by Donald
1 Tuggle, 108 South Willow Street, North Platte, NE 69101.
2 \$810.26 for Miscellaneous Claim Number 2012-11946,
3 against the Department of Health and Human Services, made by Rick
4 Michaelsen, 405 West Q Street, McCook, NE 69001.
5 \$8,146.69 for Miscellaneous Claim Number 2012-11947,
6 against the Department of Health and Human Services, made by
7 Northeast Nebraska Juvenile Services, Attn: Mark Benne, P.O. Box
8 50, Madison, NE 68748.
9 \$3,756.63 for Miscellaneous Claim Number 2012-11948,
10 against the Department of Health and Human Services, made by
11 Dr. John Meidlinger, 207 North Pine Street, Suite 100, Grand
12 Island, NE 68801."

NOTICE OF COMMITTEE HEARING

Business and Labor

Room 1524

Monday, February 13, 2012 1:30 p.m.

AM1782 to LB1073

(Signed) Steve Lathrop, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 387. Introduced by Lautenbaugh, 18.

PURPOSE: The purpose of this study is to analyze the feasibility, process, and profitability of selling Omaha's Metropolitan Utilities District from the public domain to a private entity. With the current climate of the United States and state economies, it has become necessary to find new ways of trimming government and reducing the burdens on municipalities. This study would be a step in that direction for the city of Omaha.

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

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 576. Title read. Considered.

Committee AM1555, found on page 1801, First Session, 2011, was considered.

SENATOR CARLSON PRESIDING

The committee amendment was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 498. Title read. Considered.

Committee AM1581, found on page 1812, First Session, 2011, was considered.

Senator Loudon renewed his amendment, AM1658, found on page 384, to the committee amendment.

The Loudon amendment was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 32 ayes, 0 nays, 12 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 836. Title read. Considered.

Committee AM1700, found on page 269, was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 714. Title read. Considered.

SENATOR LANGEMEIER PRESIDING

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 852. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 853. Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 677. Title read. Considered.

Committee AM1704, found on page 306, was considered.

SENATOR SULLIVAN PRESIDING

Pending.

COMMITTEE REPORTS

Health and Human Services

LEGISLATIVE BILL 723. Placed on General File.

LEGISLATIVE BILL 794. Placed on General File.

LEGISLATIVE BILL 831. Placed on General File.

LEGISLATIVE BILL 871. Placed on General File.

LEGISLATIVE BILL 686. Placed on General File with amendment.

AM1774

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

3 Section 1. Section 38-3321, Revised Statutes Cumulative
4 Supplement, 2010, is amended to read:
5 38-3321 No person may practice veterinary medicine and
6 surgery in the state who is not a licensed veterinarian, no
7 person may perform delegated animal health care tasks in the
8 state who is not a licensed veterinary technician or an unlicensed
9 assistant performing such tasks within the limits established under
10 subdivision (2) of section 38-3326, and no person may perform
11 health care therapy on animals in the state who is not a licensed
12 animal therapist. The Veterinary Medicine and Surgery Practice Act
13 shall not be construed to prohibit:

14 (1) An employee of the federal, state, or local
15 government from performing his or her official duties;

16 (2) A person who is a student in a veterinary school from
17 performing duties or actions assigned by his or her instructors
18 or from working under the direct supervision of a licensed
19 veterinarian;

20 (3) A person who is a student in an approved veterinary
21 technician program from performing duties or actions assigned by
22 his or her instructors or from working under the direct supervision
23 of a licensed veterinarian or a licensed veterinary technician;

1 (4) Any merchant or manufacturer from selling feed or
2 feeds whether medicated or nonmedicated;

3 (5) A veterinarian regularly licensed in another state
4 from consulting with a licensed veterinarian in this state;

5 (6) Any merchant or manufacturer from selling from his or
6 her established place of business medicines, appliances, or other
7 products used in the prevention or treatment of animal diseases
8 or any merchant or manufacturer's representative from conducting
9 educational meetings to explain the use of his or her products or
10 from investigating and advising on problems developing from the use
11 of his or her products;

12 (7) An owner of livestock or a bona fide farm or ranch
13 employee from performing any act of vaccination, surgery, pregnancy
14 testing, or the administration of drugs in the treatment of
15 domestic animals under his or her custody or ownership nor the
16 exchange of services between persons or bona fide employees who are
17 principally farm or ranch operators or employees in the performance
18 of these acts;

19 (8) A member of the faculty of a veterinary school
20 or veterinary science department from performing his or her
21 regular functions, or a person lecturing or giving instructions
22 or demonstrations at a veterinary school or veterinary science
23 department or in connection with a continuing competency activity;

24 (9) Any person from selling or applying any pesticide,
25 insecticide, or herbicide;

26 (10) Any person from engaging in bona fide scientific
27 research which reasonably requires experimentation involving
1 animals;

2 (11) Any person from treating or in any manner caring for
3 domestic chickens, turkeys, or waterfowl, which are specifically
4 exempted from the Veterinary Medicine and Surgery Practice Act;

5 (12) Any person from performing dehorning or castrating
6 livestock, not to include equidae.

7 For purposes of the Veterinary Medicine and Surgery
8 Practice Act, castration shall be limited to the removal or
9 destruction of male testes; ~~or~~

10 (13) Any person who holds a valid credential in the
11 State of Nebraska in a health care profession or occupation
12 regulated under the Uniform Credentialing Act from consulting with
13 a licensed veterinarian or performing collaborative animal health
14 care tasks on an animal under the care of such veterinarian if all
15 such tasks are performed under the immediate supervision of such
16 veterinarian;:-

17 (14) A person from performing a retrievable
18 transplantation of embryos on bovine, including recovering,
19 freezing, and transferring embryos on bovine, if the procedure is
20 being performed by a person who (a) holds a master's degree with an
21 emphasis in reproductive physiology from an accredited college or
22 university, (b) performs the procedure under indirect supervision
23 of a licensed veterinarian in this state, and (c) has and can show
24 proof of valid professional liability insurance; or

25 (15) A person from performing a retrievable
26 transplantation of embryos on bovine, including recovering,
27 freezing, and transferring embryos on bovine, if the procedure is
1 being performed by a person who (a) holds a doctorate degree with
2 an emphasis in reproductive physiology from an accredited college
3 or university and (b) has and can show proof of valid professional
4 liability insurance.

5 Sec. 2. Original section 38-3321, Revised Statutes
6 Cumulative Supplement, 2010, is repealed.

(Signed) Kathy Campbell, Chairperson

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 216. Placed on Select File with amendment.
ER157

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

3 Section 1. Section 60-301, Revised Statutes Supplement,
4 2011, is amended to read:

5 60-301 Sections 60-301 to 60-3,222 and section 4 of
6 this act shall be known and may be cited as the Motor Vehicle
7 Registration Act.

8 Sec. 2. Section 60-3,100, Revised Statutes Supplement,
9 2011, is amended to read:

10 60-3,100 (1) The department shall issue to every person
11 whose motor vehicle or trailer is registered fully reflectorized
12 license plates upon which shall be displayed (a) the registration
13 number consisting of letters and numerals assigned to such motor
14 vehicle or trailer in figures not less than two and one-half inches
15 nor more than three inches in height and (b) also the word Nebraska
16 suitably lettered so as to be attractive. Two license plates shall
17 be issued for every motor vehicle, except that one plate shall
18 be issued for dealers, motorcycles, minitrucks, truck-tractors,
19 trailers, buses, ~~and~~ apportionable vehicles, and special interest
20 motor vehicles that use the special interest motor vehicle license
21 plate authorized by and issued under section 4 of this act. The
22 license plates shall be of a color designated by the director. The
23 color of the plates shall be changed each time the license plates
1 are changed. Each time the license plates are changed, the director
2 shall secure competitive bids for materials pursuant to sections
3 81-145 to 81-162. Motorcycle, minitruck, low-speed vehicle, and
4 trailer license plate letters and numerals may be one-half the size
5 of those required in this section.

6 (2) When two license plates are issued, one shall be
7 prominently displayed at all times on the front and one on the
8 rear of the registered motor vehicle or trailer. When only one
9 plate is issued, it shall be prominently displayed on the rear of
10 the registered motor vehicle or trailer. When only one plate is
11 issued for motor vehicles registered pursuant to section 60-3,198
12 and truck-tractors, it shall be prominently displayed on the front
13 of the apportionable vehicle.

14 Sec. 3. Section 60-3,104, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-3,104 The department shall issue the following types
17 of license plates:

18 (1) Amateur radio station license plates issued pursuant
19 to section 60-3,126;

20 (2) Apportionable vehicle license plates issued pursuant
21 to section 60-3,203;

22 (3) Boat dealer license plates issued pursuant to section
23 60-379;

24 (4) Bus license plates issued pursuant to section
25 60-3,144;

26 (5) Commercial motor vehicle license plates issued
27 pursuant to section 60-3,147;

1 (6) Dealer or manufacturer license plates issued pursuant
2 to sections 60-3,114 and 60-3,115;

3 (7) Disabled veteran license plates issued pursuant to
4 section 60-3,124;

5 (8) Farm trailer license plates issued pursuant to
6 section 60-3,151;

7 (9) Farm truck license plates issued pursuant to section
8 60-3,146;

- 9 (10) Farm trucks with a gross weight of over sixteen tons
10 license plates issued pursuant to section 60-3,146;
- 11 (11) Fertilizer trailer license plates issued pursuant to
12 section 60-3,151;
- 13 (12) Film vehicle license plates issued pursuant to
14 section 60-383;
- 15 (13) Gold Star Family license plates issued pursuant to
16 sections 60-3,122.01 and 60-3,122.02;
- 17 (14) Handicapped or disabled person license plates issued
18 pursuant to section 60-3,113;
- 19 (15) Historical vehicle license plates issued pursuant to
20 sections 60-3,130 to 60-3,134;
- 21 (16) Local truck license plates issued pursuant to
22 section 60-3,145;
- 23 (17) Minitruck license plates issued pursuant to section
24 60-3,100;
- 25 (18) Motor vehicle license plates for motor vehicles
26 owned or operated by the state, counties, municipalities, or school
27 districts issued pursuant to section 60-3,105;
- 1 (19) Motor vehicles exempt pursuant to section 60-3,107;
- 2 (20) Motorcycle license plates issued pursuant to section
3 60-3,100;
- 4 (21) Nebraska Cornhusker Spirit Plates issued pursuant to
5 sections 60-3,127 to 60-3,129;
- 6 (22) Nonresident owner thirty-day license plates issued
7 pursuant to section 60-382;
- 8 (23) Passenger car having a seating capacity of ten
9 persons or less and not used for hire issued pursuant to section
10 60-3,143;
- 11 (24) Passenger car having a seating capacity of ten
12 persons or less and used for hire issued pursuant to section
13 60-3,143;
- 14 (25) Pearl Harbor license plates issued pursuant to
15 section 60-3,122;
- 16 (26) Personal-use dealer license plates issued pursuant
17 to section 60-3,116;
- 18 (27) Personalized message license plates for motor
19 vehicles and cabin trailers, except commercial motor vehicles
20 registered for over ten tons gross weight, issued pursuant to
21 sections 60-3,118 to 60-3,121;
- 22 (28) Prisoner-of-war license plates issued pursuant to
23 section 60-3,123;
- 24 (29) Purple Heart license plates issued pursuant to
25 section 60-3,125;
- 26 (30) Recreational vehicle license plates issued pursuant
27 to section 60-3,151;
- 1 (31) Repossession license plates issued pursuant to
2 section 60-375;

- 3 (32) Special interest motor vehicle license plates issued
 4 pursuant to section 4 of this act;
 5 ~~(32)-(33)~~ Specialty license plates issued pursuant to
 6 sections 60-3,104.01 and 60-3,104.02;
 7 ~~(33)-(34)~~ Trailer license plates issued for trailers
 8 owned or operated by the state, counties, municipalities, or school
 9 districts issued pursuant to section 60-3,106;
 10 ~~(34)-(35)~~ Trailer license plates issued pursuant to
 11 section 60-3,100;
 12 ~~(35)-(36)~~ Trailers exempt pursuant to section 60-3,108;
 13 ~~(36)-(37)~~ Transporter license plates issued pursuant to
 14 section 60-378;
 15 ~~(37)-(38)~~ Trucks or combinations of trucks,
 16 truck-tractors, or trailers which are not for hire and
 17 engaged in soil and water conservation work and used for the
 18 purpose of transporting pipe and equipment exclusively used by such
 19 contractors for soil and water conservation construction license
 20 plates issued pursuant to section 60-3,149;
 21 ~~(38)-(39)~~ Utility trailer license plates issued pursuant
 22 to section 60-3,151; and
 23 ~~(39)-(40)~~ Well-boring apparatus and well-servicing
 24 equipment license plates issued pursuant to section 60-3,109.
- 25 Sec. 4. (1) The department shall either modify an
 26 existing plate design or design license plates to identify special
 27 interest motor vehicles, to be known as special interest motor
 1 vehicle license plates. The department, in designing such special
 2 interest motor vehicle license plates, shall include the words
 3 special interest and limit the manufacturing cost of each plate
 4 to an amount less than or equal to the amount charged for license
 5 plates pursuant to section 60-3,102. The department shall choose
 6 the design of the plate. The department shall make applications
 7 available for this type of plate when it is designed.
- 8 (2) One type of special interest motor vehicle license
 9 plate shall be alphanumeric plates. The department shall:
- 10 (a) Assign a designation up to seven characters; and
 11 (b) Not use a county designation.
- 12 (3) One type of special interest motor vehicle license
 13 plate shall be personalized message plates. Such plates shall be
 14 issued subject to the same conditions specified for personalized
 15 message license plates in section 60-3,118.
- 16 (4) A person may apply to the department for a special
 17 interest motor vehicle license plate in lieu of regular license
 18 plates on an application prescribed and provided by the department
 19 for any special interest motor vehicle, except for a motor vehicle
 20 registered under section 60-3,198, motorcycle, or trailer. The
 21 department shall make forms available for such applications through
 22 the county treasurers.

23 (5) The form shall contain a description of the special
24 interest motor vehicle owned and sought to be registered, including
25 the make, body type, model, serial number, and year of manufacture.

26 (6)(a) In addition to all other fees required to register
27 a motor vehicle, each application for initial issuance or renewal
1 of a special interest motor vehicle license plate shall be
2 accompanied by a special interest motor vehicle license plate
3 fee of fifty dollars. Twenty-five dollars of the special interest
4 motor vehicle license plate fee shall be remitted to the State
5 Treasurer for credit to the Department of Motor Vehicles Cash
6 Fund, and twenty-five dollars of the special interest motor vehicle
7 license plate fee shall be remitted to the State Treasurer for
8 credit to the Highway Trust Fund.

9 (b) If a special interest motor vehicle license plate is
10 lost, stolen, or mutilated, the owner shall be issued a replacement
11 license plate pursuant to section 60-3,157.

12 (7) When the department receives an application for a
13 special interest motor vehicle license plate, the department shall
14 deliver the plate to the county treasurer of the county in which
15 the special interest motor vehicle is registered. The county
16 treasurer shall issue the special interest motor vehicle license
17 plate in lieu of regular license plates when the applicant complies
18 with the other provisions of the Motor Vehicle Registration Act for
19 registration of the special interest motor vehicle.

20 (8) If the cost of manufacturing special interest motor
21 vehicle license plates at any time exceeds the amount charged
22 for license plates pursuant to section 60-3,102, any money to
23 be credited to the Department of Motor Vehicles Cash Fund under
24 this section shall instead be credited first to the Highway
25 Trust Fund in an amount equal to the difference between the
26 manufacturing costs of special interest motor vehicle license
27 plates and the amount charged pursuant to section 60-3,102 with
1 respect to such license plates and the remainder shall be credited
2 to the Department of Motor Vehicles Cash Fund.

3 (9) The special interest motor vehicle license plate
4 shall be affixed to the rear of the special interest motor vehicle.

5 (10) A special interest motor vehicle shall not be used
6 for the same purposes and under the same conditions as other motor
7 vehicles of the same type and shall not be used for business or
8 occupation or regularly for transportation to and from work. A
9 special interest motor vehicle may be driven on the public streets
10 and roads only for occasional transportation, public displays,
11 parades, and related pleasure or hobby activities.

12 (11) It shall be unlawful to own or operate a motor
13 vehicle with special interest motor vehicle license plates in
14 violation of this section. Upon conviction of a violation of any
15 provision of this section, a person shall be guilty of a Class V
16 misdemeanor.

17 (12) For purposes of this section, special interest motor
 18 vehicle means a motor vehicle of any age which is being collected,
 19 preserved, restored, or maintained by the owner as a leisure
 20 pursuit and not used for general transportation of persons or
 21 cargo.

22 Sec. 5. This act becomes operative on January 1, 2013.

23 Sec. 6. Original section 60-3,104, Reissue Revised
 24 Statutes of Nebraska, and sections 60-301 and 60-3,100, Revised
 25 Statutes Supplement, 2011, are repealed.

26 2. On page 1, strike lines 2 through 6 and insert
 27 "section 60-3,104, Reissue Revised Statutes of Nebraska, and
 1 sections 60-301 and 60-3,100, Revised Statutes Supplement, 2011;
 2 to provide for special interest motor vehicle license plates; to
 3 provide for a fee; to provide a penalty; to define special interest
 4 motor vehicle; to harmonize provisions; to provide an operative
 5 date; and to repeal the original sections."

LEGISLATIVE BILL 216A. Placed on Select File with amendment.
 ER158

- 1 1. On page 1, line 3, strike "First Session, 2011" and
- 2 insert "Second Session, 2012".

LEGISLATIVE BILL 391. Placed on Select File with amendment.
 ER159

1 1. Strike the original sections and all amendments
 2 thereto and insert the following new sections:
 3 Section 1. The Legislature finds that:
 4 (1) The land, water, and other resources of Nebraska are
 5 being severely impacted by the invasion of an increasing number of
 6 harmful invasive species;

7 (2) These impacts are resulting in damage to Nebraska's
 8 environment and causing economic hardships; and

9 (3) The multitude of public and private organizations
 10 with an interest in controlling and preventing the spread
 11 of harmful invasive species in Nebraska need a mechanism for
 12 cooperation, communication, collaboration, and developing a
 13 statewide plan of action to meet these threats.

14 Sec. 2. For purposes of sections 1 to 6 of this act,
 15 invasive species means aquatic or terrestrial organisms not native
 16 to the region that cause economic or biological harm and are
 17 capable of spreading to new areas, and invasive species does not
 18 include livestock as defined in sections 54-1368 and 54-1902, honey
 19 bees, domestic pets, intentionally planted agronomic crops, or
 20 nonnative organisms that do not cause economic or biological harm.

21 Sec. 3. (1) The Nebraska Invasive Species Council is
 22 created.

23 (2) Voting members of the council shall include a
 1 designated representative of:

- 2 (a) The Nature Conservancy, Nebraska Office;

- 3 (b) The Department of Agriculture;
 4 (c) The Game and Parks Commission;
 5 (d) The Nebraska Forest Service;
 6 (e) The University of Nebraska-Lincoln;
 7 (f) The Nebraska Cooperative Fish and Wildlife Research
 8 Unit;
 9 (g) The Nebraska Weed Control Association; and
 10 (h) The Nebraska Association of Resources Districts.
 11 (3) Voting members of the council shall also include up
 12 to five members at large who shall represent public interests,
 13 at least three of which shall represent agricultural land owner
 14 interests, as appointed by the Governor.
 15 (4) Nonvoting, ex officio members of the council shall
 16 include a designated representative of:
 17 (a) The Midwest Region of the National Park Service;
 18 (b) The Animal and Plant Health Inspection Service of the
 19 United States Department of Agriculture;
 20 (c) The Natural Resources Conservation Service of the
 21 United States Department of Agriculture; and
 22 (d) The United States Geological Survey.
 23 (5) The council shall extend membership to those entities
 24 deemed necessary to accomplish the council's duties.
 25 Sec. 4. The Nebraska Invasive Species Council shall:
 26 (1) Recommend action to minimize the effects of harmful
 27 invasive species on Nebraska's citizens in order to promote the
 1 economic and environmental well-being of the state;
 2 (2) Develop and periodically update a statewide adaptive
 3 management plan for invasive species as described in section 5 of
 4 this act;
 5 (3) Serve as a forum for discussion, identification, and
 6 understanding of invasive species issues;
 7 (4) Facilitate the communication, cooperation, and
 8 coordination of local, state, federal, private, and nongovernmental
 9 entities for the prevention, control, and management of invasive
 10 species;
 11 (5) Assist with public outreach and awareness of invasive
 12 species issues; and
 13 (6) Provide information to the Legislature for decision
 14 making, planning, and coordination of invasive species management
 15 and prevention.
 16 Sec. 5. The adaptive management plan will address the
 17 following:
 18 (1) Statewide coordination and intergovernmental
 19 cooperation;
 20 (2) Prioritization of invasive species response and
 21 management;
 22 (3) Early detection and prevention of new invasive
 23 species through deliberate or unintentional introduction;
 24 (4) Inventory and monitoring of invasive species;

25 (5) Identification of research and information gaps;

26 (6) Public outreach and education;

27 (7) Identification of funding and resources available for
 1 invasive species prevention, control, and management; and

2 (8) Recommendations for legislation regarding invasive
 3 species issues.

4 Sec. 6. (1) The adaptive management plan shall be updated
 5 at least once every three years following its initial development.
 6 The plan shall be submitted to the Governor and the Agriculture
 7 Committee of the Legislature.

8 (2) The Nebraska Invasive Species Council shall submit an
 9 annual report of its activities to the Governor and the Agriculture
 10 Committee of the Legislature by December 15 of each year. The
 11 annual report shall include an evaluation of progress made in the
 12 preceding year.

13 (3) The council shall complete the initial adaptive
 14 management plan within three years after the effective date of this
 15 act.

16 (4) Prior to the start of the 2014 legislative session,
 17 the council shall prepare a report to the Agriculture Committee of
 18 the Legislature that makes recommendations as to the extension or
 19 modification of the council.

20 (5) The council may establish advisory and technical
 21 subcommittees that the council considers necessary to aid and
 22 advise it in the performance of its functions.

23 2. On page 1, line 2, strike beginning with the first
 24 comma through "and" and insert "; to define a term; and to".

(Signed) Tyson Larson, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator K. Haar asked unanimous consent to add his name as cointroducer to LB427. No objections. So ordered.

Senator Coash asked unanimous consent to add his name as cointroducer to LB903. No objections. So ordered.

VISITORS

Visitors to the Chamber were a group from Scottsbluff-Gering United Chamber and Leadership Scottsbluff.

ADJOURNMENT

At 11:46 a.m., on a motion by Speaker Flood, the Legislature adjourned until 10:00 a.m., Thursday, February 2, 2012.

Patrick J. O'Donnell
Clerk of the Legislature