

JANUARY 19, 2001

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January 19, 2001 LB 101, 122, 168, 169, 239, 267, 496, 677
759
LR 22-25

SENATOR COORDSEN PRESIDING

SENATOR COORDSEN: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twelfth day of the Ninety-Seventh Legislative Session. Our pastor for the day is Pastor Irwin Edwards, of the Nazarene Church in Cozad, Cozad, Nebraska, which is in Senator Cudaback's District. Pastor Edwards.

PASTOR EDWARDS: (Prayer offered.)

SENATOR COORDSEN: Thank you, Pastor. I now call to order the twelfth day of the Ninety-Seventh Legislature, First Session. Roll call.

CLERK: I have a quorum present, Mr. President.

SENATOR COORDSEN: Corrections for the Journal?

CLERK: I have no corrections, Mr. President.

SENATOR COORDSEN: Messages, reports and announcements?

CLERK: Mr. President, I have a Reference report referring LBs 614 through LB 700. Your Committee on Urban Affairs, chaired by Senator Hartnett, reports LB 101 to General File with amendments; Revenue Committee reports LB 122 to General File, LB 169 to General File, LB 168 General File with amendments, and LB 267 as indefinitely postponed.

Priority bill designation: Senator Don Pederson has selected LB 677; Senator Price, LB 759; Senator Tyson, LB 496. Senator Price would move to withdraw LB 239. That will be laid over, Mr. President. And new resolutions: LR 22 by Senator Erdman, congratulating the women's volleyball team; LR 23 by Senator Erdman, congratulating Ogallala girls volleyball team; Senator Thompson offers LR 24, congratulating the Papillion-LaVista Monarchs volleyball team; LR 25 by Senator Thompson, congratulating the Papillion-LaVista Monarchs girls softball team. Those will be laid over.

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Report of registered lobbyists for this week, and a series of reports from the Health and Human Services System, Energy Office, and from...well, those are the reports that I have. Those will be acknowledged as received and on file in the Clerk's Office, available for member review. That's all that I have, Mr. President. (Legislative Journal pages 347-353.)

SENATOR COORDSEN: Thank you, Mr. Clerk. Moving on then on our agenda to General File, Mr. Clerk.

CLERK: Mr. President, the first bill this morning, LB 177. It's a bill by Senator Bourne. (Read title.) The bill was introduced on January 4 of this year, referred to Urban Affairs Committee. The bill was advanced to General File. I have no amendments at this time, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. To open on LB 177, Senator Bourne.

SENATOR BOURNE: Thank you, Mr. President, members. This, LB 177 is a fairly straightforward bill that is designed to eliminate duplicative government procedures. When the Metropolitan Utilities District was set up in 1913, it was established that the Douglas County Treasurer was the ex-officio treasurer for this political subdivision as well as many other political subdivisions. As time went on, the county treasurer, their role as the ex-officio treasurer was removed from other political subdivisions and yet it still remains for the Metropolitan Utilities District. Basically, what happens is the Metropolitan Utilities District collects receipts, and then those receipts have to be sent over for review by the Douglas County Treasurer. This is, basically, a streamlining of government functions. The Metropolitan Utilities District still has to do an annual audit by an independent third party, and that audit is referred on to the State Auditor who can review the records to make sure everything is in line, so there is no danger to the public. Let's see, the Douglas County Treasurer is supportive of this change. They feel that it would, you know, it would save time and effort and money in their office as well as in MUD. It's, basically, a streamlining issue. There is no danger to the public as there is still audit measures in

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place. It's fairly straightforward. And I'd appreciate your support.

SENATOR COORDSEN: Thank you, Senator Bourne. You've heard the opening. There are no lights on. Did you wish to close, Senator Bourne? Closing is waived. The question before the body is the advancement to E & R Initial of LB 177. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 33 ayes, 0 nays, Mr. President, on the advancement of LB 177.

SENATOR COORDSEN: Thank you, Mr. Clerk. LB 177 is advanced. Next item, Mr. Clerk.

CLERK: LB 222, Mr. President, offered by Senator Tyson. (Read title.) The bill was introduced on January 4 of this year, referred to the Urban Affairs, advanced to General File. I have no amendments to the bill at this time, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. Senator Tyson, to open on LB 222.

SENATOR TYSON: Thank you, Senator Coordsen and members of the body. LB 222 allows the cities of first and second class to extend water and sewer districts to the extent of their extraterritorial zoning jurisdictions. Now with cities of the first class, that is two miles. To the cities of the second class, that is one mile. The current laws allow only within one mile in all cases. This allows them to go...this allows, essentially, cities of the first class to go two miles, and this is done as an aid to developing that area around the cities, and you might say it's an economic development type of bill. It also allows them, of course, to construct those and pay for them over time, and that's really all the bill does. It allows one additional mile of zoning for first class cities, such as Norfolk where I come from, and that is all there is to it. Thank you very much.

SENATOR COORDSEN: Thank you, Senator Tyson. There are no lights on. Did you wish to say anything in closing? Closing is

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waived. The question before the body is the advancement to E & R Initial of LB 222. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 222.

SENATOR COORDSEN: LB 222 is advanced. Next item, Mr. Clerk.

CLERK: Mr. President, on LB 49 by Senator Landis. (Read title.) The bill was introduced on January 4, referred to the Banking, Commerce, and Insurance Committee, advanced to General File. I have no amendments to the bill at this time, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. To open on LB 49, Senator Landis, please.

SENATOR LANDIS: Thank you, Senator Coordsen, and members of the Legislature. Article 9 is a major rewrite of the security agreement section of the Uniform Commercial Code. We passed that bill in 1999 and it becomes operative July 1 of this year. When we passed it in 1999, we passed one of the final drafts of the Uniform State Law Commissioners. However, in the intervening time they've found four technical, we would call them reviscr's amendments in which the Uniform Commissioners said you know there is a slightly better way to say the same thing. For example, in one section we change from the word "type" of agreement to "kind" of agreement. In another place, we change some language that says "aids the filing office in determining" to "enables the filing office to detect". As you can see, these aren't giant changes in the statute. In fact, there are four of them. One makes clear that a financing statement means an initial financing statement done before the act. So these four minor changes were all the suggestions of the Uniform State Law Commissioners in their last and final version of Article 9 that was sent out to the states, and we acted so expeditiously that we didn't have those four changes when we passed the act. I would ask for the advancement of LB 49.

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SENATOR COORDSEN: Thank you, Senator Landis. You've heard the opening. There are no lights on. Senator Landis, did you wish to say anything in closing? Closing is waived. The question before the body is the advancement of LB 49 to E & R Initial. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on the advancement of LB 49.

SENATOR COORDSEN: LB 49 is advanced. Next item, Mr. Clerk.

CLERK: Mr. President, on LB 54. It's a bill by Senator Landis. (Read title.) The bill was introduced on January 4, referred to the Banking, Commerce, and Insurance Committee for public hearing, advanced to General File. I have no amendments to the bill at this time, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. To open on LB 54, Senator Landis please.

SENATOR LANDIS: Thank you, Senator Coordsen, and members of the Legislature. To explain LB 54, you need to go back to explain the Article 9 change that we made in 1999 and a little bit of history about security agreements in this state. A security agreement is a promise that a loan will be repaid, and the form of the promise that if the loan isn't repaid, there are goods or collateral that can be taken in the place of the proceeds for the loan that should be returned. So it says, look, if I don't pay you back, you can have the couch and chairs and TV in my living room, and this is in two forms; it has two stages. First, there is a security agreement between the debtor and the lender in which they make this promise to repay and you can take the goods if you don't repay, and the debtor's signature is on that instrument. Then the lender takes another piece of paper and historically went down to the county court house and filed it, and it was a financing statement. The financing statement isn't signed by the debtor, it is only signed by the lender, and it simply says these goods of so-and-so and so-and-so are now available to me as a promise against the loan I've given that person. So I'm telling the world that if you thought that you

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were going to be able to take these goods for your lending to that person, you won't because I'm going to get them. In fact, this notice to the world is called "perfection". At the same time, there grew up, not the voluntary lending practices, the security agreement, but places in which people had incurred debts for which the state provided the relief in the form of a statutory lien. For example, if you...well, it occurs in many places, but if you take your car in to be repaired and they repair the car, and you've come to pick up the car and won't pay for it, they don't have to turn the car over to you. They have a lien against the car for the services they put into the car. Now you don't have a security agreement for that, the debtor hasn't signed a security agreement, but the person who has given the services has extended value and the statutory lien steps in and says the law says there is this same relationship in which the personal property is subject to the claims of the essentially lender or the provider of the service. And there are a number of these statutory liens in the agricultural areas. There is one for threshers. There is one for veterinarians. There is one for petroleum products, fertilizer, ag chemicals, seeds, electrical power, ag production input liens, agister's liens and feed and feed ingredient liens; all of which means, look, if you buy feed for your cattle and you feed your cattle but you don't pay for the feed, how does the feed grain merchant get their money back. the answer is, the law has created a special lien for them against the cattle that got fed with the grain. They go down to the court house, or historically have, and told the world, look, so-and-so's cattle are now subject to my lien. I want you to know, if you think you're going to get those cattle for your debts, you won't because I'm first in line. Unfortunately these two systems lay side-by-side and not integrated, so when it came time to check on whether or not somebody's goods were available to be claimed against, you had to check essentially two different places. And worse than that, these were county filings so you had to check these two different statuses in multiple counties, particularly for multicounty operations. Well, that made a nightmare. It worked in the nineteenth century; it probably worked in the early twentieth century when operations were local, people stayed in one place, you did business in town, all the merchants knew each other. They knew who the people were that were running a farm

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or a ranch. It doesn't work anymore. There are many multicounty holdings. People are doing business from border to border in this country and globally. So the idea that you are going to know the people in your town, and when you go to the county court house you're going to discover what those arrangements are is nuts. So Article 9 of the Uniform Commercial Code which governs one of...well, actually both of these now, but one of these tracks, the security agreement track, said we need to find a central filing mechanism. We want to get states so that they have central filings and, thank goodness, in Nebraska we were ahead of the curve, we've been doing central filings for five, six, eight, ten years now. In our revamping in 1999, we said this, to clarify this new statewide filing system, we're going to make the security agreements and the statutory liens filed in the same place, in the same computer listing. So that if you want to see if any personal property has a claim against it, whether it is a statutory lien or a security agreement, you'll have one and only one place to check. Now the virtue of that is it makes searching a lot, lot simpler. It also gives you much more protection if you are going to extend your capital because you'll know what that...you know, what the status of the personal property that has been promised to you is. There is a difficulty, however, and that is there are the forms that are used for these two systems still remain a little different. When you have a security agreement, you file an agri...I am sorry, you file a financing statement. When you have a statutory lien in which you don't have the signature of the debtor but you have this claim of right under a state law, you file a notice of lien, two different pieces of documentation. When we move to this merged system that will take place July 1, 2001, we kept those phrases in our law, the notice of lien and the financing statement. What the sharp-eyed counsel of the Banking, Commerce, and Insurance Committee discovered over this summer, and also with the help of some of the other technical thinkers in this field, was that for agriculturally based statutory liens or ag liens, sort of a separate body of statutory liens that are named by that certain term, for those kinds of liens, come July 1, they will have an obligation to file a financing statement and a notice of lien. What's the information on those two things? Exactly the same thing, who is

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the borrower, who is the lender, and what are the goods. There is no essential difference in the data on the two forms, but because these two systems have been in our law for so long, in our merger we didn't make it clear that the filer of this kind of document would only have to do one or the other. In fact, we kept that language that we've always had which means, come July 1, ag lien filers will file two almost identical pieces of paper to do exactly the same thing, to give exactly the same notice because they have their foot in two different historical paths, the security agreement path and the statutory lien. LB 54 goes through all of Article 9, which is why it is so thick, and it essentially says, come July 1, file a financing statement. That's all you have to do, ag lien holders, a financing statement will do. And in that sense, it reduces the need for the filers of agricultural liens, come July 1, from filing two pieces of paper and down to one. If you take a look at the committee hearing statement, you will see that there are three speakers in the neutral position, Senator Schrock among them, Greg Ruehle from the Nebraska Cattlemen, and Bob Hallstrom from the Bankers Association. This bill was used as the opportunity to talk about a circumstance out west in which I am not sure if it was a sale barn or a cattle feeding operation went down, that they went into bankruptcy, that the bank who was making...forcing them into bankruptcy had frozen all of these operations and that people who were doing business with this operation ..

SENATOR COORDSEN: One minute.

SENATOR LANDIS: ...had their goods and services frozen as well and that that has an unfortunate circumstance on the community. It was their chance to talk about that difficulty out west. However, it doesn't relate directly to the virtues or vices of the bill, and I think the people who made that testimony. So as you look at that, the neutral testimony is on a slightly different subject than this. In fact, there is only proponent testimony on the terms of this bill from both the Cooperative Council who does a lot of agricultural liens, and Greg Lemon in the Secretary of State's Office because they all thought that this was a wise idea. I'd ask for the advancement of the bill.

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SENATOR COORDSEN: Thank you, Senator Landis. Senator Beutler, please, to speak to LB 54.

SENATOR BEUTLER: Senator Coordsen, members of the Legislature, Senator Landis, as usual, I think this is a great piece of work and I am glad to see it's being all integrated more. I would certainly like to encourage the committee to proceed to integrate the rest of the provisions of the various agricultural statutory liens into the law because it does appear to me that they are all over the place in terms of time lines and a number of other provisions. I wanted to bring to your attention what appears to be one very internal contradiction in existing law. I don't think that this has to do with the changes you are making, although the statute is affected by your changes and it may. But what I wanted to ask you to do is to look at the two sections, and not necessarily comment today, but let me know if you would be amenable to deleting by amendment Section 6 of the bill. Section 6 of the bill is a criminal penalty provision. If you look at Section 5 of the bill, to explain, if you would look at Section 5 of the bill, subsection (3) on page 7, and this whole section deals with threshing machine and combine and mechanical corn picker liens. I assume it applies in favor of those people who periodically come through the state and assist the farmers in getting the crop in. And under subsection (3) it says with regard to when a farmer comes to sell the grain, it says that that person, the farmer who is selling, has to notify the purchaser, who I assume ordinarily is some sort of co-op, that the threshing, combining, dah-dah-dah bill has not been paid. In other words, he has to say to the cooperative, to the buyer that the bill has not been paid. It doesn't say whether he has to say in writing or say orally. And then once he says that, he can say it hasn't been paid, then he can go ahead and sell it and the consequence of that then is that the lien that existed shifts from the grain itself to the purchase price. So the statute seems to imply that it's all right to go ahead and make that transaction of selling it, so long as you've been open with the purchaser as to whether or not the lien has been paid. It says nothing about getting the consent of the lienholder in order to make that transaction. But then when you flip back to the criminal provision, which is poorly drafted I think at best, it says if it's sold and it hasn't been paid, I don't know if

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that's refusing to pay for those services, I don't know how you...how the question of refusal to pay those services might enter in, but it seems to imply that if you sold it without getting the consent of the lienholder that it's a criminal violation. Whereas as I discussed with you earlier, the earlier provision seems to imply that you can sell it without the consent of the lienholder.

SENATOR COORDSEN: One minute.

SENATOR BEUTLER: And so the question in my mind is whether or not this is forming some kind of trap for the farmer or seller that they might not be aware of, and why can't we rely upon the usual secured transactions remedies without this criminal provision and go ahead and treat this more like a normal secured transaction. Or at the very minimum, can we clean up the two sections so they make sense with one another. I realize this is not the most important thing on your mind, but I thought it was something that we could at least clarify along the way if it wasn't going to upset the balance of things. Thank you.

SENATOR COORDSEN: Thank you, Senator Beutler. (Visitors introduced.) Moving on on our list of speakers, Senator Janssen, please.

SENATOR JANSSEN: Thank you, Mr. President, and members of the Legislature. Senator Landis, I'd like to ask you just one question.

SENATOR COORDSEN: Senator Landis, would you respond?

SENATOR JANSSEN: Senator Landis, does this in any way change anything that the person who owes the debt has to make a filing of reports, or is it just the person who has borrowed the equipment and money have to file those liens?

SENATOR LANDIS: Let me give you my answer and I'll see if my answer fits the question.

SENATOR JANSSEN: Okay.

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SENATOR LANDIS: The person who files is the person who is owed the money...

SENATOR JANSSEN: Right.

SENATOR LANDIS: ...essentially. If I buy a sofa on time from let's...I would have said Wanek's last year...if I buy a sofa on time from the New York...or from the Nebraska Furniture Mart, the Nebraska Furniture Mart gets me to promise that if I don't pay, the sofa is to be returned and maybe some other goods to pay the debt. The Nebraska Furniture Mart will file the financing statement. I will fill out the form, the security agreement, sign it there, then the Nebraska Furniture Mart will go down and file the financing statement. The person who is owed the money files the form and that's the way it has always been. This does not change that.

SENATOR JANSSEN: It does not change that.

SENATOR LANDIS: Right.

SENATOR JANSSEN: All right, thank you. That's the only question I had.

SENATOR LANDIS: Okay.

SENATOR COORDSEN: Thank you, Senator Janssen. Next speaker, Senator Landis, please.

SENATOR LANDIS: Thank you, Mr. Speaker. Senator Beutler said that this probably was not the most important piece of legislation this session, and I'm kind of hurt because I kind of thought it was, and I was surprised that the press hadn't focused as much attention on this one as many others that they seem to want to write about. The provision that Senator Beutler has pointed out is unique in two ways. First, the thresher's lien that we're talking about in this area is a...is not a part of the Uniform Commissioner's Security Agreement Law, Article 9 of the UCC. It is a homegrown Nebraska written statutory lien that grew out of our agricultural history and it is specific to our state. Secondly, the criminal statute of which he points

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out was passed in 1923, well before the Uniform Commercial Code, which came in in the fifties, and the rise of these other things. So it was...it's an almost slightly post-frontier phenomenon in which threshers who would come through and do custom combining at that time, although they probably wouldn't have been called custom combining them, would do the work, go to the court house, file at the court house that they'd done the work and move on to the next county and do some more. And on the face of it, I think you've made an excellent point. There is, in fact, a conflict here of these very old statutes. The reason that they are being amended is because we're harmonizing Nebraska statutory liens to the rest of this change of law, but, in fact, it seems to me that probably if you simply repealed Section 6, which is this 1923 misdemeanor for secreting the grain, you're probably as well off as a way to resolve this conflict as anything. I would entertain that idea on Select File, if we would put it in the Journal and give notice to the ag groups. If there is a downside to repealing that, I'd like to know it. On the other hand, I can't imagine a county attorney in this state filing under 52-503 for the selling or disposal of grain to beat a thresher's lien. I just...that's not what county attorneys are going to do and a Class III misdemeanor is, I think, a useless tool for the enforcement of people who commit this wrong. Thank you.

SENATOR COORDSEN: Thank you, Senator Landis. Senator Beutler, please.

SENATOR BEUTLER: Senator Landis, I think your process suggestion is a good one, but I mainly just wanted to clear up one point. I, obviously, misspoke. I was suggesting that my suggestion wasn't the biggest thing in the world, not that your bill wasn't the biggest thing in the world. In fact, I think it has some considerable size and clout. Thank you.

SENATOR COORDSEN: Thank you, Senator Beutler. There are no further lights on. Senator Landis, did you wish to say anything in closing? Closing is waived. The question before the body is the advancement to E & R Initial of LB 54. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

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CLERK: 32 ayes, 0 nays, Mr. President, on the advancement of LB 54.

SENATOR COORDSEN: Thank you, Mr. Clerk. LB 54 is advanced to E & R Initial. Next item, Mr. Clerk.

CLERK: Mr. President, LB 68, a bill introduced by Senator Bruning. (Read title.) The bill was introduced on January 4 of this year, referred to the Banking, Commerce, and Insurance Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR COORDSEN: Thank you. Senator Bruning, to open on LB 68.

SENATOR BRUNING: Mr. President and members of the Legislature, LB 68 is intended to clarify provisions of the existing Nebraska Time-Share Act. The bill was advanced out of Banking Committee 8 to 0 this year, 8 to 0 last year as well, actually, but it died for lack of time. Let me walk through what the provisions and the changes do here. First of all, we had some ambiguous provisions, and this is the Real Estate Commission that works with this act, had some ambiguous provisions. This will change that and, essentially, add some consumer protections. Specifically, number one, the changes will prevent a developer from shopping for public offering statements with the least disclosure requirements. It will restrict any developer to litigating anything under Nebraska law. Right now, they can shop around, they can offer to Nebraskans but use a different site as the location for that offering that may have less restrictive provisions in it so that our people are not necessarily protected by Nebraska law. Number two, it requires any developer to have a Nebraska broker as a part of the process under...who is licensed under Nebraska real estate laws. Number three, it imposes supervision requirements on the developer so that the developer must control all aspects of an offering of a time share, not just some of them. They need to control all of them and, again, they are responsible to the Nebraska Real Estate Commission as they do that. Number four, and this is probably the most important, it expands escrow options. Right now Nebraska is the only one of 50 states, for example, that Disney time shares does not register in. Why is that? Because

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the Nebraska Time-Share Act requires that any money that is escrowed, if one of us were to purchase a time share under Disney, the money has to be escrowed here in Nebraska. For a company like Disney or many others, that's a fatal flaw so they don't do business here, they don't register here. They still pursue our citizens, certainly, but they don't register here and so we don't have control over them. This bill would amend that so that Nebraska law still controls but the money can be escrowed in any state. With that, Mr. Chairman, I thank you and I will certainly answer any questions that the body may have.

SENATOR COORDSEN: Thank you, Senator Bruning. There are no lights on. Did you wish to say anything in closing? Closing is waived. The question before the body is the advancement to E & R Initial of LB 68. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on the advancement of LB 68.

SENATOR COORDSEN: Thank you, Mr. Clerk. LB 68 is advanced to E & R Initial. Next item, Mr. Clerk.

CLERK: LB 138, Mr. President, introduced by Senator Kristensen. (Read title.) The bill was introduced on January 4 of this year, referred to the Banking, Commerce, and Insurance Committee, advanced to General File. I have no amendments to the bill at this time, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. To open on LB 138, Senator Kristensen.

SPEAKER KRISTENSEN: Thank you, Mr. President and members of the Legislature. LB 138 deals with the model Business Corporation Act. As you recall, in 1995, we did a major update which updated the uniform laws dealing with corporations; how corporations are formed, how they transact business, a variety of large and small changes. One change that was made was the repeal of one section, and the reason that was done is because we were adopting a model law. That model law is done by a set of uniform commissioners. Senator Landis can easily tell you

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about model laws because he deals with them on a regular basis in his committee but we all see them. This particular section of statute repealed the law which we had which says that it is lawful for corporations to convey real estate by a deed with or without a corporate seal; corporate seal being that little instrument that embosses a piece of paper that in the old days when you would have a document, to make it authentic or official, and to make sure that it was only your signature or your corporation or your business, we did it with a lot of things. There was an embosser. That was a seal. It went from that to an ink seal. We've done a variety of those. We use them for your notaries and so on, are types of seals. We repealed that section of law and thus we conformed ourselves with the model Corporation Act. What happened was that the impact of repealing it raised the question of whether the seal was necessary because the people who dealt with real estate in the state had said, you know, in the past we've always had a statute that says you can do it with or without the seal. When you do away with this section of law, what does that mean? Can we do it or can't we do it with or without a seal? A title standard was adopted by the Bar Association which said that that's fine, you could do it either way, and really good title has been passed with or without a seal, but the question still remains, the desire to make sure that it's reflected in statute that the title standard has a basis in law leads to the introduction of LB 138. The Banking Committee was kind enough to schedule this early and advance it out of committee. I believe it to be a restoration of a statute that was unique to ours. It will be a slight change from the model act, but it is certainly one that I think will serve us well, and I'd be happy to answer any questions. Thank you, Mr. President.

SENATOR COORDSEN: Thank you, Senator Kristensen. Senator Landis, please, to speak to the bill.

SENATOR LANDIS: No questions other than to say I think this is a good piece of work and recognizes the reality that not everybody even remembers what their corporate seal is, for heaven's sakes. The general mood of the intent of law recently is to make sure that contracts and obligations don't fail due to technicalities. That's the whole purpose of the Uniform

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Commercial Code; it is the purpose of many of the uniform acts. Take down the kinds of small technicalities that can defeat a contractor or defeat a transaction, and Senator Kristensen has found exactly that kind of a situation here and is making the way much smoother, I think, to honor deeds on the face of them rather than find some technicality that could be used to defeat them. I endorse the measure and hope that we can advance it today.

SENATOR COORDSEN: Thank you, Senator Landis. There are no other lights on. Senator Kristensen, did you wish to say anything in closing?

SPEAKER KRISTENSEN: I would waive closing.

SENATOR COORDSEN: Closing is waived. The question before the body is the advancement to E & R Initial of LB 138. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on the advancement of LB 138.

SENATOR COORDSEN: LB 138 is advanced to E & R Initial. Next item, Mr. Clerk.

CLERK: LB 36, Mr. President, introduced by Senator Thompson. (Read title.) The bill was introduced on January 4, referred to Transportation Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. To open on LB 36, Senator Thompson, please.

SENATOR THOMPSON: Senator Coordsen, and members of the body, LB 36 is the result of a recommendation from the Nebraska State Patrol Task Force, which this group created last year in the 2000 session, and which began meeting over the summer and issued a preliminary report in December. I chaired that commission and Senator Chambers was also a member of the task force as a representative of the Executive Board of the Legislature. The Nebraska State Patrol, just to refresh your memories, has

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doubled its mission-related duties since 1978. At the same time, we've increased the number of troopers by 30. Two years ago, the law enforcement agencies of Nebraska issued a statement saying that the ability of the State Patrol to perform its mission-related duties had been watered down to the extent that it was not possible and it was also a concern to all the law enforcement agencies of the state, and that the piece of legislation which I introduced was the result of some of those recommendations from that group. As a result, we looked at the mission-related duties of the patrol trying to see if there were some that could be eliminated, others that could be reorganized or enhanced with other agencies in state government, and also to look at what resources need to be brought to bear to the patrol to be able to effectively discharge their duties. One of the areas that we felt, as a task force, could be eliminated was the inspection of school buses. Nebraska has 4,357 school buses, and since 1947 the Nebraska State Patrol has been required to annually inspect those school buses and also to inspect buses as they come on line for the districts. Since that time, the Department of Education has also issued rules regarding inspection of school buses. And in front of you in the packet that I gave you is what is called Rule 94, and this is the requirements of the Department of Education for school bus inspections, and if you leaf through it you can see it's quite extensive. And the pages I'm looking at are...say things like inspect for specified wheel nut torque, inspect for excessive corrosion of wheel components, inspect for vacuum and/or air leakage, and so forth. The school districts are required to have a mechanic examine their school buses four times a year, and they supply this report with a check list on their inspections to the Department of Education. Likewise, the State Patrol has an inspection sheet that looks like this that is supplied once a year. Our task force believes that this is a duplication. While it's nice to be able to have lots of oversight of safety issues in school districts, we also have to look at what should be a priority of the patrol, and we feel the priorities need to go to law enforcement and criminal investigations. And this would free up a significant amount of time that is devoted to driving to, making arrangements for, and actually inspecting school buses. And additional to the inspection by the school district is the fact that our

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commercial drivers licences require that the driver inspect before and after each time the vehicle is used. So as a result, what this bill does is take this duty from the State Patrol's responsibility. It will not eliminate anything anyone else is doing. The Department of Education testified in a neutral position at the hearing, and explained their four annual inspections and what they are requiring districts to do. We have letters of support from the School Administrators Association and the School Board Association, both of which have told me they will be more than willing to help make sure the districts are aware that the responsibility will now be with them and not with both the patrol and them, and will help assist in implementing any changes that may be appropriate. And with that, I would conclude and ask that this...take this opportunity to, for once, I think it's my first bill to take a duty away from a state agency, but it's an area that I believe is duplication and that we should redirect the use of the troopers to other areas more needed in terms of its law enforcement and criminal investigation. Thank you.

SENATOR COORDSEN: Thank you, Senator Thompson. To speak to the bill, Senator Vrtiska, please.

SENATOR VRTISKA: Thank you, Senator Coordsen. I just rise in strong support of LB 36. I think that many of us who have worked with school districts over the period of time understand that we are certainly in favor of safe buses and the fact that inspections are needed, but many of us over the years and many of the administrators I've talked to can't understand why we're taking time away from the State Patrol to do a job that is being done by mechanics and people who are knowledgeable about the safety of school buses. So I applaud the bill, and the fact that Senator Thompson brought it here today and I think it's important and it's something we should look positive towards. With that, I thank you for your time.

SENATOR COORDSEN: Thank you, Senator Vrtiska. Senator Aguilar.

SENATOR AGUILAR: Thank you, Senator Coordsen. I also rise in support of the bill. Just want to make a statement, that where I work at Central Catholic, I had the opportunity to assist the

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State Patrol in making some of the inspections, and although we have to do four others by a mechanic during the year, those by the mechanic are much more thorough. The mechanic gets underneath the vehicle, gets under the hood and checks out all the brakes a lot more effectively than the State Patrol officer does, so I really do believe this is a duplication of services and a waste of the state's money. I feel the State Patrol has much more important priorities than duplicating someone else's service. Thank you.

SENATOR COORDSEN: Thank you, Senator Aguilar. Senator Janssen.

SENATOR JANSSEN: Thank you, Senator Coordsen, members of the Legislature. Senator Thompson, was there...when the State Patrol conducted these inspections, was there ever a charge by the state to that district for that inspection?

SENATOR COORDSEN: Senator Thompson, for a question.

SENATOR THOMPSON: Not that I know of. I think this is just a service of the patrol to the district.

SENATOR JANSSEN: Right. Now I am of the understanding that the district has to inspect each one of their buses four times a year,...

SENATOR THOMPSON: That's correct.

SENATOR JANSSEN: ...by an independent mechanic or someone with knowledge of buses, hopefully, but...

SENATOR THOMPSON: Yes.

SENATOR JANSSEN: And that is a cost to the school district every time that they are inspected, is that correct?

SENATOR THOMPSON: Yes.

SENATOR JANSSEN: All right, so to your knowledge there never was a charge by the state to that district. It was something that they just came and did once a year, is that right?

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SENATOR THOMPSON: That's right. It was just part of the mission of the patrol.

SENATOR JANSSEN: All right. I was just thinking that the... Mr. Chairman, if this was a charge by the state that is eliminating one-fifth of the cost of the inspections, but apparently there never was a charge, so there is nothing to be saved. It's just the time, I am sure, of having someone out there with the State Patrolman when they were inspecting the bus, so I applaud you for this. I think it's a good step. It's one less regulation that entities have to follow. It's a good bill. Thank you.

SENATOR COORDSEN: Thank you, Senator Janssen. Senator Foley, please.

SENATOR FOLEY: Thank you, Senator Coordsen. I wonder if Senator Thompson would yield to a question or two.

SENATOR COORDSEN: Question, Senator Thompson.

SENATOR FOLEY: Senator Thompson, I tend to agree with the intent of your bill, which is to take this burden off the State Patrol. I think that is a needless burden to place on that agency. I'm just concerned about the existing inspection process. Is it correct to say that there would still be quarterly inspections of the school buses?

SENATOR THOMPSON: Yes.

SENATOR FOLEY: Okay.

SENATOR THOMPSON: In your packet, the Rule 94 section underneath the...this is what's required by the State Department of Education, and I also have the form. I didn't put that with it but I'd be happy to run it over to you that shows what the school districts are required to submit and the dates. This particular one is August 25th, November 12th, January 31st, and April 22nd, that would still be required.

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SENATOR FOLEY: So the school district selects a local mechanic, an independent mechanic in the area to conduct these inspections, is that correct?

SENATOR THOMPSON: Yes, and I will find that in the rule, but that's what they are required to do.

SENATOR FOLEY: Okay, so the State Patrol inspection truly is just a mere duplication of an existing inspection process, just one more?

SENATOR THOMPSON: Right, the State Patrol inspection was first, I believe,...

SENATOR FOLEY: I see.

SENATOR THOMPSON: ...back in the forties, and these have been developed since then.

SENATOR FOLEY: All right, thank you very much.

SENATOR COORDSEN: Thank you, Senator Foley. Senator Jones, please.

SENATOR JONES: Mr. President and members of the body, I sit on the Transportation Committee and this bill came before us there and I think it came out with an 8 to 0 vote on it and I strongly supported that. It is just a duplication and I think the State Patrol has got plenty to do out on the road, and it just gives them more opportunity to get out there. And they wasn't really charging the schools simply because that was just considered another one of their duties in all the duties that they had, and we have been overloading them every year more and more. And I think that this is just another opportunity, if we can take some of the load off of them because it is a duplication, and I think it's really more important that the mechanics do this anyway than the State Patrol because they understand all the mechanism of a motor, and underneath the buses and every thing. So I think this is a good bill and I support it. Thank you.

SENATOR COORDSEN: Thank you, Senator Jones. There are no

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further lights on. Senator Thompson, did you wish to say anything in closing on the bill? Closing is waived. The question before the body is the advancement to E & R Initial of LB 36. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on the advancement of LB 36.

SENATOR COORDSEN: LB 36 is advanced to E & R Initial. Next item, Mr. Clerk.

CLERK: Mr. President, the next bill, LB 194, offered by Senator Dierks. (Read title.) The bill was introduced on January 4, referred to the Agriculture Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. Senator Dierks, to open on LB 194.

SENATOR DIERKS: Thank you, Mr. President. Members of the Legislature, LB 194 is a bill that was brought to me by the Nebraska Dairy Industry Development Board. It amends the Dairy Industry Development Act to essentially double the size of the existing board. The Nebraska Dairy Industry Development Act was enacted in 1992 in anticipation that the federal milk checkoff collected for milk promotion would be rescinded. It was rescinded in December of '98. Collection of the state dairy checkoff began the following month. Use of these funds is overseen by the Nebraska Dairy Industry Development Board. Nebraska law essentially dictates that the size of the board will correspond roughly with the number of producers. Current law provides that membership is roughly one member for every 100 producers. LB 197 (sic-194) would change that to roughly one member for every 50 producers. Because of the steady decline of milk producers, the board, which originally began in '92 with 14 members has now been reduced to 7 members, and it's believed that it will shrink down to maybe even 5 members with the new census of producers will be certified in June. With the change in LB 194, the board is expected to come back to a total of 12 or 13 members. The process for nominating and selecting board

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members is essentially apportioned board membership to dairy co-ops and other first purchasers according to the percentage of producers from which they purchase...from whom they purchase milk. I've had the Pages to hand out a little handout for you that you can follow that shows you how the membership is elected. Currently, two first purchasers are able to name representatives and four others combined to name one representative. With further attrition by the board to five, as anticipated, essentially Dairy Farmers of America will name four members, and all the other first purchasers combined will name one. The change in the bill essentially providing for one member for every 50 producers will enable a greater diversity of representation. Wells' Blue Bunny is anticipated to be able to name a member; American Milk Processors, Incorporated, will be able to name two members. Specifically, Section 2 of the bill provides for a one-time nomination and selection process to essentially double the size of the board. The bill further states the intent that the size of the board will be maintained at roughly one member for every 50 producers. The bill would have minimal fiscal impact. The board members are only reimbursed for actual and necessary expenses paid out of the cash fund. Last year board members were reimbursed \$813. The bill would result in some additional reimbursement expense but the increase would be minimal and anticipated by the fiscal staff to be within the current cash fund authority for that purpose. I would ask your advancement of LB 194 to Select File. Thank you.

SENATOR COORDSEN: Thank you, Senator Dierks. There are no lights on. Did you wish to say anything further in closing on this bill? Closing is waived. The question before the body is the advancement of LB 194 to E & R Initial. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 194.

SENATOR COORDSEN: Thank you, Mr. Clerk. LB 194 is advanced to E & R Initial. Next item, Mr. Clerk.

CLERK: LB 197, Mr. President, a bill by Senator Dierks. (Read

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title.) The bill was introduced on January 4, referred to the Agriculture Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. Senator Dierks, to open on LB 197.

SENATOR DIERKS: Thank you, Mr. President. Members of the Legislature, LB 197 is a statutory housekeeping bill brought at the request of the Department of Agriculture. It amends provisions of the Nebraska Poultry Disease Control Act found at 2-3001 of our statutes, and the Nebraska Livestock Auction Act beginning at Section 54-1156. The Nebraska Livestock Market Act, a measure which governs the operation of the Omaha stockyards is outright repealed. Sections 1 through 4 of the bill updates the provisions of the poultry disease control statutes. Through the authority of these statutes, the Nebraska Department of Agriculture coordinates with the National Poultry Improvement Plan, called the NPPI, administered by the animal and plant health inspection service, that's called APHIS, of USDA. For the members benefit, I have asked the Pages to distribute a sheet which provide a backdrop about the NPPI. The NPPI, the Nebraska Poultry Improvement Plan, is essentially a national standard establishing best management practices for the control and prevention of poultry disease. Under the NPPI, APHIS adopted disease monitoring and operating protocols for participating egg and poultry producers. The states administer the programs and generally adopt the program standards developed by APHIS through rule and regulation of the state agency, although states are free to adopt more stringent standards. Participation by the state's individual producers is voluntary, but participation enables producers to earn a type of certification that their products are disease free or produced in compliance with the disease management practices of the NPPI. Participating producers may market their products under emblems that signify this fact. The provisions of the NPPI are changed from time to time based upon the recommendations of the national plan conferences attended by delegates representing the industry and regulatory officials. The latest updates to the plan were adopted by final rule of the FDA as published in the February 2000 edition of the Federal Register. With that

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background, I would point out the substantive changes contained in Sections 1 through 4. Section 1 of the bill amends 2-3002 to expand the definition of poultry to include the ratite species, ostriches, emus, rheas, and so forth, and to otherwise rewrite the definition of poultry in closer conformity with NPPI. Their inclusion would authorize the Department of Agriculture to determine disease management standards for these species. It would also include these animals within the provisions of 2-3004, which requires poultry to originate from a flock participating in NPPI programs to be sold and imported into the state. The bill also specifically grants the Department of Agriculture quarantine authority and authority to inspect records as tools for enforcing the Poultry Disease Control Act. These changes, including the expanded enforcement authority, are endorsed by the Nebraska Poultry Improvement Association. Section 5 through 22 amends provisions of the Nebraska Livestock Auction Act found at Sections 54-1156 through 54-1185. The act governs the establishment and operation of livestock auction markets. The act is administered by a three-member Livestock Auction Market board, consisting of the Director of Agriculture, the State Veterinarian, and one livestock auction market owner or operator. The board is responsible for reviewing applications for new auction market licenses for ability to meet standards of performance, and for administering disciplinary actions for violation of the act. The act also provides for the appointment of veterinarians as agents of the state to perform health inspections of livestock sold at auction markets. Finally, the act coordinates with the Nebraska brand inspection law to facilitate brand inspection at markets within the brand area, and those requesting brand inspection outside of the brand area. The name of the Livestock Auction Act is changed to the Livestock Auction Market Act. This had been the original name of this act. The word "Market" had been dropped in the past to avoid confusion with the Livestock Market Act, which is outright repealed in this bill. The bill also amends definitions section by adding a definition for accredited veterinarian and designated veterinarian. The definition for accredited veterinarian refers to those accredited under federal regulations for certifying veterinarians for purposes of writing health certificates for animals across state lines. Designated veterinarians are those accredited veterinarians assigned by the

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State Veterinarian for duty at the auction markets. Current law provides only that the veterinarians be qualified as duly licensed. The definition and use of the new term is consistent with current practice for selecting designated veterinarians. Horses and mules are removed from the definition of livestock for purposes of the act. The practical consequences is to remove the requirement for health inspections when these species are sold through a livestock auction market. This change reflects changes in the industry. Very few horses or draft animals are sold through the auction markets anymore. Most horses and mules that sold at auctions are sold at private sales which are exempt from the requirements of the act. The bill increases the compensation of the public member of the Livestock Auction Market Board from the current \$10 per day of actual service to \$50 per day or \$25 for a half day of actual service. And, finally, the bill adopts the recommendation of the Program Evaluation and Review Committee to repeal the Livestock Market Act. This act, similar to the Livestock Auction Act, applied only to the Omaha Stockyards. The Omaha Stockyards are no longer in existence. I'd ask your favorable support of the legislation and advance it on to E & R and to Select File. Thank you.

SENATOR COORDSEN: Thank you, Senator Dierks. There are no lights on. Did you wish to say anything in closing on LB 197? Closing is waived. The question before the body is the advancement to E & R Initial of LB 197. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 197.

SENATOR COORDSEN: LB 197 is advanced to E & R Initial. Next item, Mr. Clerk.

CLERK: LB 198, Mr. President, by Senator Dierks. (Read title.) The bill was introduced on January 4, referred to the Agriculture Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR COORDSEN: Thank you, Mr. Clerk. Senator Dierks, to

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open on LB 198.

SENATOR DIERKS: Thank you, Mr. President and members of the Legislature. LB 198 is brought to us by the Department of Agriculture as a cleanup to the Nebraska Pasteurized Milk Law, and the Nebraska Manufacturing Milk Act. These provisions of law provide the regulatory authority for the Department of Agriculture to enforce regulations for maintaining sanitary conditions, guarding against adulteration, and otherwise assuring the quality and grading standards of milk consumed by humans and processed into other products. Nebraska law adopts by reference the Grade A Pasteurized Milk Ordinance and related technical documents as its basic standards. The Pasteurized Milk Ordinance is a publication of the Food and Drug Administration and is developed by the National Conference of Interstate Milk Shippers, a national delegate body of state and federal regulators, industry participants, and consumer advocates. The conference meets every two years to update provisions of the milk ordinance. Since the changes tend to be incremental, the bill to adopt the most recent additions to the ordinance is brought every four years. Current law adopts 1995 additions. This bill would incorporate the 1999 addition. Adoption of the Pasteurized Milk Ordinance is optional. However, interstate milk carriers regulated directly by the Department of Health apply the ordinance, and federal regulations for the procurement of milk stipulate that suppliers comply with its provisions. It is also recognized by reciprocal agreement with other states. Milk and milk products originating in states that apply the ordinance to its milk industry is accepted for import without further regulatory intervention in the receiving states. Each state is reviewed periodically by FDA and rated according to the degree of adherence to and enforcement of the ordinance. Those states that have maintained a sufficient rating may ship milk through interstate commerce. Our Manufacturing Milk Ordinance is similar in that it follows the guidelines to pasteurized milk ordinance, and also utilizes model regulatory standards that are recognized by all 50 states. There is very little substantive or policy change from existing law. The bill will provide for licensing bulk milk pickup tankers. Under previous conditions, the Pasteurized Milk Ordinance, this was optional. Updates to the PMO have made this

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a mandatory feature. Additionally, administrative procedures under Section 3 of PMO, which are already adopted in current law, are adopted with a modification that adds administrative due process for appeal of disciplinary actions taken by the department that are not included in the PMO. The other substantive change of note is found in Section 9 of the bill which amends a provision of the Manufacturing Milk Act. The change pertains to administrative disciplinary procedures in the event of a producer that has adulterated his milk with the presence of drug residues, antibiotic residues. Current law provides that upon a first violation a producer permit is suspended for two days, for four days upon a second violation, and that the department may initiate revocation after the third violation. LB 198 changes the procedure by providing that upon any violation, the producer permit is suspended until subsequent testing confirms that the drug residues are no longer present. This may be a shorter or a longer time frame than two or four days but it ties suspension to the actual presence of drug residues. The change is brought to make the Manufacturing Milk Act consistent with the Pasteurized Milk Ordinance for the treatment of drug residues. Further, the bill provides that if a producer's milk contaminates a load of milk that the person may be held liable for the value of the entire load of milk. Much of the remaining provisions update references or harmonize or make minor substantive changes that are summarized in the section-by-section summary of the committee's statement. I would urge the body to advance LB 198 to Select File. Thank you.

SENATOR COORDSEN: Thank you, Senator Dierks. Senator Chambers, please, to speak to LB 198.

SENATOR CHAMBERS: Mr. President and members of the Legislature, this is a little off the track. I know my colleagues would be very surprised to learn that I'm going to go to Washington, DC, and participate in the festivities of the inauguration. You would be greatly surprised. Well, it is not my intent to surprise you because I am not going.

SENATOR COORDSEN: Thank you, Senator Chambers, for the delightful piece of advice, and I would share with you, Senator,

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that neither am I. Okay, there are no other lights on. Senator Dierks, did you have anything to say in closing? Closing is waived. The question before the body is the advancement to E & R Initial of LB 198. Those in favor please vote aye, those opposed nay. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 198.

SENATOR COORDSEN: Thank you, Mr. Clerk. LB 198 is advanced to E & R Initial. Messages, Mr. Clerk. Mr. Speaker, do you have an announcement?

SPEAKER KRISTENSEN: Yes, Mr. President, I do. Before we adjourn today, I want to inform you that I am passing out a memo. It will be available to all of you dealing with priority bill designation. Earlier in the session, I talked a little bit about we were holding off priority bill designations. I've had a chance to look at that. We considered some changes. Those changes I am not ready to implement at this time, and so there will be a memo out design...or telling you what the priority bill designation process is. Basically, it is the same one that we've had for the last three years that when you file your designation, if you are going to prioritize someone else's bill, on your letter would you please have them sign the bottom of that letter and don't have a separate letter, and file that with my office, file that with the Clerk. We will time stamp it and keep track of the order, and then that will be the order of the priority bills as we begin to go through debate. I don't know when we are going to stop our worksheet order and begin to consider priority bills. It will be sometime in the...well, not too distant future, but it will be a few weeks anyway. This memo that I am going to have passed out will give you a more detailed look at it since I know that you probably might have trouble comprehending all of my explanation here on the floor. I did reduce it to writing. I'd have you look at that and have your staff become familiar with it. Since there are not a large number of bills on the floor at this point, we will meet on Monday at 10:00 a.m. There is probably, I don't know, less than a half a dozen, maybe half of a half a dozen bills that are in the process to be debated on Monday. I don't think any of them

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are monumental at this point, and so we'll meet at 10:00 a.m.
Mr. President, if the Clerk has any other announcements, I'd be
glad to defer at this point back to the Chair.

SENATOR COORDSEN: Thank you, Mr. Speaker. Mr. Clerk.

CLERK: Mr. President, Enrollment and Review reports LB 1, LB 2,
LB 3, LB 4, LB 5, LB 6, LB 7, LB 8, and LB 9 to Select File,
some of which have Enrollment and Review amendments attached.
Mr. President, your Committee on Natural Resources reports
LB 130 to General File, LB 134 to General File, and LB 136 to
General File, LB 137 to General File, LB 135 to General File
with committee amendments attached. Health and Human Services
reports LB 247 to General File, and LB 279 indefinitely
postponed. Government Committee reports LB 67 to General File,
LB 252 to General File. Natural Resources reports LB 111 to
General File with amendments; LB 131, General File with
amendments. Revenue reports LB 118 to General File, LB 156 to
General File, LB 365 to General File, LB 275 to General File
with amendments, LB 233 indefinitely postponed. And Government
Committee reports LB 125 to General File with amendments. And,
Mr. President, Health Committee reports LB 209 to General File,
LB 214 to General File with amendments. All of those committee
reports signed by their respective Chairpersons. I have an
amendment to be printed to LB 54 by Senator Beutler. Banking
Committee will meet underneath the north balcony upon
adjournment; Banking Committee upon adjournment underneath the
north balcony. Reference Committee, Mr. President, will meet
upon adjournment in Room 2102. I have a communication from the
Committee on Committees signed by Senator Preister, as Vice
Chair, with respect to temporary appointment to a committee.
And, Mr. President, a series of adds: Senator Thompson would
add her name to LB 21, LB 471; Senator Burling to LB 369;
Senator Smith, LB 556 and LB 28; Senator Quandahl to LB 677;
Senator Erdman, LB 338, LB 26, LR 18; Senator Burling to LB 781;
Senator Byars to LB 24; Senator Aguilar to LB 36; Senator Erdman
LB 185 and LB 291. That's all that I have at this time,
Mr. President. (Legislative Journal pages 354-358.)

SENATOR COORDSEN: Thank you, Mr. Clerk. Senator Kristensen.

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SPEAKER KRISTENSEN: Mr. President, I move that we adjourn until Monday, January 22nd, at 10:00 a.m.

SENATOR COORDSEN: Ten a.m., 10:00 a.m., you've heard the motion, all in favor please say aye. Opposed nay. Motion carried. We are adjourned.

Proofed by: Kathleen Higley