

LEGISLATIVE BILL 41

Passed over the Governor's veto June 1, 1977

Introduced by Judiciary Committee, Luedtke, 28, Chmn.;
Barnett, 26; Chambers, 11; Schmit, 23; DeCamp,
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AN ACT relating to crimes and punishments; to harmonize provisions with the Nebraska Criminal Code; to provide an operative date; to amend sections 28-5,106, 28-1046, 39-604, 39-619.01, 39-669.19, 39-669.21, 39-699.01, 39-6,114, 39-6,152, 39-6,159, 39-6,165, 39-6,166, 39-6,168, 39-6,169, 39-6,170, 39-6,171, 39-6,176, 39-6,187, 39-707, 39-712.01, and 39-714.02, Reissue Revised Statutes of Nebraska, 1943, and sections 2-2618, 2-3416, 28-476.02, 37-216.04, 37-216.09, 39-628.01, 39-660, 39-669.30, 39-669.34, 39-669.35, 39-6,106.01, 39-6,113, 39-6,129, 39-6,138.02, 39-6,161, 39-6,184, 39-6,188, 45-101.07, 49-1446, 49-1447, 49-1467, 49-1469, 49-1471 to 49-1479, 49-1490, 49-1492, 49-14,101, 49-14,104, 49-14,115, 49-14,134, 49-14,135, 71-1563, 71-4632, 71-5312, and 83-1069, Revised Statutes Supplement, 1976; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 2-2618, Revised Statutes Supplement, 1976, be amended to read as follows:

2-2618. Any person who violates any provision of sections 2-2613 to 2-2618 shall be guilty of a Class V misdemeanor, and ~~shall, upon conviction thereof, be punished by a fine of not less than ten dollars nor more than fifty dollars.~~

Sec. 2. That section 2-3416, Revised Statutes Supplement, 1976, be amended to read as follows:

2-3416. Any person violating any of the provisions of sections 2-3401 to 2-3416 shall be guilty of a Class III misdemeanor, and ~~shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment.~~

Sec. 3. That section 28-476.02, Revised Statutes Supplement, 1976, be amended to read as follows:

28-476.02. Any person who violates the provisions of section 28-476.01 shall be guilty of a Class III misdemeanor, and ~~shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such a fine and imprisonment:~~

Sec. 4. That section 28-5,106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-5,106. Any person, firm, or corporation who fails to acquire a valid registration certificate pursuant to the provisions of sections 28-5,103 to 28-5,106 shall be guilty of a Class IV misdemeanor, and ~~shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars:~~

Sec. 5. That section 28-1046, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

28-1046. Any person convicted of a violation of sections 28-1043 to 28-1046 shall, upon conviction thereof, be guilty of a Class IV misdemeanor, and ~~shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars:~~

Sec. 6. That section 37-216.04, Revised Statutes Supplement, 1976, be amended to read as follows:

37-216.04. It shall be unlawful: (1) For any person, holding a stamp under the provisions of sections 37-216.01 to 37-216.09, to lend or transfer the stamp to another person or for any person to borrow or use the stamp of another; (2) for any person to (a) procure a stamp under an assumed name, (b) falsely state the place of his legal residence in procuring the stamp, or (c) make any other false statement in procuring the stamp; (3) for any person to knowingly issue or aid in securing a stamp under the provisions of sections 37-216.01 to 37-216.09 for any person not legally entitled thereto; (4) for any person disqualified for a stamp to hunt game birds, upland game birds, game animals, or fur-bearing animals with or without a stamp during any period when such right has been forfeited or for which his stamp has been revoked by the Game and Parks Commission; or (5) for anyone to hunt game birds, upland game birds, game animals, or fur-bearing animals without a permit as required by section 37-201 and the stamp attached thereto. Any person violating any of the provisions of

sections 37-216.01 to 37-216.09 shall be guilty of a Class V misdemeanor and shall, upon conviction thereof, be fined not less than twenty dollars nor more than one hundred dollars, and in addition the court shall require the offender to purchase the required stamp, and any stamp obtained or used in violation of sections 37-216.01 to 37-216.09 shall be confiscated by the court.

Sec. 7. That section 37-216.09, Revised Statutes Supplement, 1976, be amended to read as follows:

37-216.09. Any person who shall violate any provision of sections 37-216.01 to 37-216.09, or who shall violate or fail to comply with any regulation thereunder shall be guilty of a Class V misdemeanor. ~~7 upon conviction thereof, be subject to the penalties provided in section 37-216.04.~~

Sec. 8. That section 39-604, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-604. (1) Any person who knowingly fails or refuses to obey any lawful order of any law enforcement officer who is controlling or directing traffic shall be guilty of a traffic infraction.

(2) Any person who knowingly fails to obey any lawful order of a law enforcement officer shall be guilty of a Class III misdemeanor whenever such order is given in furtherance of the apprehension of a person who has violated sections 39-601 to 39-6,122 or of a person whom such officer reasonably believes has violated sections 39-601 to 39-6,122.

Sec. 9. That section 39-619.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-619.01. (1) If any person shall willfully or maliciously shoot upon the public highway and injure, deface, damage or destroy any signs, monuments, road markers, traffic control or surveillance devices or other public notices lawfully placed upon said highways, he shall be deemed guilty of a Class III misdemeanor, and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment:

(2) It shall be unlawful for any person other than a duly authorized representative of the Department

of Roads or a county or municipality to remove any sign, traffic control or traffic surveillance device placed along a public street, road or highway for traffic control, warning, or informational purposes by official action of the department or a county or municipality. It shall be unlawful for any person to possess such a sign or device which has been removed in violation of this subsection.

(3) Any person violating subsection (2) of this section shall be guilty of a Class II misdemeanor ~~and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment,~~ and also shall be assessed liquidated damages in the amount of the value of the sign, traffic control or traffic surveillance device and the cost of replacing it.

Sec. 10. That section 39-628.01, Revised Statutes Supplement, 1976, be amended to read as follows:

39-628.01. Notwithstanding any more general law respecting rules of the road for motor vehicles in the State of Nebraska, whenever any person, operating a motor vehicle on any highway in this state, shall (1) meet another person operating a motor vehicle, proceeding in the opposite direction and equipped with headlamps constructed and adjusted to project glaring or dazzling light to persons in front of such headlamps, upon signal of either person aforesaid, the other shall forthwith dim the headlamps of his motor vehicle or tilt the beams of glaring or dazzling light projecting therefrom downward so as not to blind or confuse the vision of the operator in front of such headlamps, or (2) shall follow another vehicle within two hundred feet to the rear, he shall dim the headlamps of his motor vehicle or tilt the beams of glaring or dazzling light projecting therefrom downward; Provided, that the foregoing provisions shall not apply to the operators of motor vehicles aforesaid, if they shall have covered the upper one-third of the headlamps thereon with a coat of paint or with a coat of some other permanent material which shall cover the glass enclosing the lenses of such headlamps. The paint or other permanent material shall be applied so that it extends downward from the top of the lens of the headlamps and so that the lower line of the covering shall extend over the entire upper one-third of the lens of the headlamp; and provided further, that the provisions of this section requiring the covering of headlamp lenses, as aforesaid, shall not apply to tourists driving through the state for a period of not more than ten days. Any person, firm, or

corporation who shall violate any of the provisions of this section shall be guilty of a Class V misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine not less than five dollars nor more than fifty dollars for each offense, and shall stand committed until such fine and costs of prosecution are paid, secured, or otherwise discharged, according to law.~~

Sec. 11. That section 39-660, Revised Statutes Supplement, 1976, be amended to read as follows:

39-660. (1) The driver of any motor vehicle upon meeting or overtaking, from the front or rear, any school bus on which the stop warning signal lights are flashing shall reduce the speed of such vehicle to not more than twenty-five miles per hour and shall bring such vehicle to a complete stop when the school bus stop signal arm is extended and shall remain stopped until the stop arm is retracted and the school bus resumes motion or until signaled by the bus driver to proceed. This section shall not apply to approaching traffic in the opposite direction on a dual highway divided by a median strip. Any person violating the provisions of this subsection shall be guilty of a Class IV misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine of twenty-five dollars, or by imprisonment in the county jail for ten days, or by both such a fine and imprisonment.~~

(2) The driver of any school bus used for the transportation of school children, when stopping to receive or discharge pupils, shall turn on flashing stop warning signal lights at a distance of not less than three hundred feet when inside the corporate limits of any town or city and not less than five hundred feet nor more than one thousand feet in any area outside the corporate limits of any town or city from the point where such pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver shall bring the bus to a stop and extend a stop arm. After receiving or discharging pupils, the bus driver shall turn off the flashing stop warning signal lights, retract the stop arm, and then proceed on the route. No school bus shall stop to load or unload pupils unless there is at least four hundred feet of clear vision in each direction.

(3) All pupils shall be received and discharged from the right front entrance of every school bus and, if such pupils must cross a highway, the driver shall instruct such pupils to cross in front of the bus and the driver shall keep such school bus halted with stop warning signal lights flashing and the stop arm extended

until such pupils have reached the opposite side of such roadway.

(4) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a freeway and such school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

(5) Every bus used for the transportation of school children shall bear upon the front and rear thereof plainly visible signs containing the words school bus in letters not less than eight inches high.

(6) When a school bus is being operated upon a highway for purposes other than the actual transportation of children either to or from school, all markings thereon indicating school bus shall be covered or concealed. The stop arms and system of alternately flashing warning signal lights shall not be operable through the usual controls.

Sec. 12. That section 39-669.19, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-669.19. Any person operating a motor vehicle upon a public highway during the period for which his license was revoked under the provisions of section 39-669.08 and sections 39-669.15 to 39-669.19, or after such period of revocation but before issuance of a new license, shall be guilty of a Class III misdemeanor, and ~~shall, upon conviction thereof, be punished as provided in section 60-430.04.~~

Sec. 13. That section 39-669.21, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-669.21. Any person who shall violate any of the provisions of sections 39-6,127, 39-6,133, 39-6,138, 39-6,140, 39-6,192, and 60-435 shall be deemed guilty of a Class III misdemeanor, ~~and upon conviction thereof shall be fined not exceeding one hundred dollars for each offense, or shall be imprisoned in the county jail not exceeding three months, or shall be punished by both such fine and imprisonment.~~ In the event of such conviction, the trial judge shall as a part of the judgment of conviction direct the person so convicted to produce in court or submit to the prosecuting attorney, before such person shall again operate his said motor vehicle upon a highway, satisfactory proof showing that such brake or

light equipment, as the case may be, involved in such person's conviction, has been made to conform with the requirements of said sections. The failure, refusal or neglect of such convicted person to abide by such direction in the judgment of conviction to make the brake equipment or light equipment, as the case may be, conform with the requirements of said sections, shall be deemed an additional offense for which such person shall be prosecuted.

Sec. 14. That section 39-669.30, Revised Statutes Supplement, 1976, be amended to read as follows:

39-669.30. It shall be unlawful to operate a motor vehicle on the public highways after revocation of an operator's license or privilege revoked under the provisions of sections 39-669.26 to 39-669.30, except that a motor vehicle may be operated under an employment driving permit as provided by section 39-669.34. Any person who violates the provisions of this section shall be ~~punished--as--provided--in--sections--60-430-01---and--60-430-02~~ guilty of a Class III misdemeanor. Any license or privilege, revoked under the provisions of sections 39-669.26 to 39-669.30, shall remain revoked for one year and at the expiration thereof such person shall give and maintain for three years proof of financial responsibility, as required by section 60-525; Provided, that any person whose license or privilege has been revoked pursuant to sections 39-669.26 to 39-669.30 a second time within five years shall have his license or privilege revoked for three years and at the expiration thereof such person shall give and maintain for three years proof of financial responsibility, as required by section 60-524.

Sec. 15. That section 39-669.34, Revised Statutes Supplement, 1976, be amended to read as follows:

39-669.34. (1) Individuals whose permits to operate a motor vehicle are revoked under the provisions of sections 39-669.16, 39-669.27, and 39-669.30 shall be eligible to operate a motor vehicle in this state under an employment driving permit, valid for the period of revocation.

(2) Any person whose motor vehicle operator's license or privilege to operate a motor vehicle in this state has been suspended or revoked pursuant to any law of this state, except sections 39-669.16, 39-669.27, and 39-669.30, shall not be eligible to receive an employment driving permit during the period of such suspension or revocation.

(3) An individual who is issued an employment driving permit may operate a motor vehicle (a) from his residence to his place of employment and return, and (b) during the normal course of employment, if the use of a motor vehicle is necessary in the course of such employment. Such permit shall indicate for which purposes the permit may be used.

(4) The operation of a motor vehicle by the holder of an employment driving permit, except as provided in this section, shall be unlawful. Any person who violates the provisions of this section shall be guilty of a Class IV misdemeanor, ~~and shall, upon conviction thereof, be fined not less than one hundred dollars nor more than three hundred dollars.~~

Sec. 16. That section 39-669.35, Revised Statutes Supplement, 1976, be amended to read as follows:

39-669.35. (1) Application for an employment driving permit shall be made to the Department of Motor Vehicles on forms furnished for that purpose by the department. The application form shall contain such information as deemed necessary by the director to carry out the provisions of this act. To be eligible for an employment driving permit, the applicant shall furnish, along with the application to the director, the following:

(a) An affidavit from the applicant's employer stating that such applicant is required to operate a motor vehicle from his residence to his place of employment and return;

(b) If such applicant requires the use of a motor vehicle during the normal course of employment, an affidavit from the applicant's employer setting forth the facts establishing such requirement;

(c) An affidavit stating that there exists no other reasonable alternative means of transportation to and from work available to the applicant; and

(d) If applicant is self-employed, an affidavit to the department setting forth the provisions of his employment.

(2) Upon making application for such permit, the applicant shall certify that he will attend and complete, within sixty days, a driver improvement course presented by the department, or show successful completion of the driver education and training course as provided in section 39-669.27. If such course is not completed, the

employment driving permit shall be surrendered to the department. If any person shall fail to return to the department the permit as provided in this subsection, the department shall direct any peace officer or authorized representative of the department to secure possession thereof and to return the same to the department. The applicant shall also be required to file and maintain proof of financial responsibility as defined in Chapter 60, article 5.

(3) Any person who fails to surrender a permit, as required by this section, shall be guilty of a Class IV misdemeanor, and shall, upon conviction thereof, be fined in a sum not to exceed three hundred dollars;

(4) A fee of thirty dollars shall be submitted to the Department of Motor Vehicles along with the application for an employment driving permit. All fees collected shall be deposited in the General Fund.

(5) When the holder of an employment driving permit is convicted, on or after the date of issuance of the employment driving permit, of any traffic violation or of operating a motor vehicle for a purpose other than specified by such permit, the person shall not be eligible to receive another employment driving permit during that particular period of revocation.

(6) Any person, who feels himself aggrieved because of the refusal of the director to issue the employment driving permit, may appeal to the district court of the county wherein such person resides, or, in the case of a nonresident, to the district court of Lancaster County, in the manner prescribed by section 60-420.

Sec. 17. That section 39-699.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-699.01. Any person or persons who shall operate a vehicle upon any highway in violation of the duly published rules and regulations of the Department of Roads governing the use of state highways shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be fined not less than ten dollars nor more than one hundred dollars, or imprisoned in the county jail for not more than thirty days, or be both so fined and imprisoned;

Sec. 18. That section 39-6,106.01, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,106.01. It shall be unlawful for any person under sixteen years of age, unless such person is over fourteen years of age and shall have procured the limited permit provided for in section 60-407, to operate a motor vehicle; and any owner, dealer or manufacturer of motor vehicles who permits a person under sixteen years of age, except as hereinbefore provided, to operate a motor vehicle shall; ~~be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished as follows:~~ (1) For a first such offense, be guilty of a Class IV misdemeanor; such person shall be fined not less than ten dollars nor more than one hundred dollars, or imprisoned in the county jail not more than thirty days, or be both so fined and imprisoned; and (2) for each subsequent offense, be guilty of a Class III misdemeanor; such person shall be fined not less than twenty-five dollars nor more than two hundred dollars, or imprisoned in the county jail not more than sixty days, or be both so fined and imprisoned; Provided, that minors under the age of sixteen years and over the age of fourteen years who shall have complied with section 60-407, and who shall have received said limited permit, shall be punished as hereinafter provided for violations of the terms and conditions of such limited permit.

Sec. 19. That section 39-6,113, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,113. Any person who shall be convicted of a misdemeanor as provided in sections 39-601 to 39-6,122, Chapter 39, article 6 or 7, or section 60-407, for which a specific penalty is not provided shall be guilty of a Class II misdemeanor, punished by a fine or not to exceed five hundred dollars, or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment;

Sec. 20. That section 39-6,114, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,114. Any person who shall be convicted of a felony as provided in sections 39-601 to 39-6,122 or in Chapter 39, article 6 or 7, for which a specific penalty is not provided shall be punished by imprisonment for not less than one year nor more than five years, or by a fine of not less than five hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment guilty of a Class IV felony.

Sec. 21. That section 39-6,129, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,129. No person shall transport any sand, gravel, rock less than two inches in diameter, or refuse in any motor vehicle on any hard-surfaced state highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering. Any person who shall violate any of the provisions of this section shall be guilty of a Class V misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine of not less than five dollars nor more than twenty-five dollars.~~

Sec. 22. That section 39-6,138.02, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,138.02. On or after April 1, 1976, no commercial dealer shall sell or offer to sell at retail any bicycle which does not comply with section 39-6,138.01. Any person who violates this section shall be guilty of a Class V misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.~~

Sec. 23. That section 39-6,152, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,152. Any person violating the provisions of sections 39-6,148 to 39-6,151 or section 39-6,154 shall be guilty of a Class III misdemeanor ~~and shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment and shall also be ordered to remove from any vehicle or equipment any light found to be in violation of sections 39-6,148 to 39-6,151.~~

Sec. 24. That section 39-6,159, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,159. The owner or operator of any motor vehicle operated in violation of the provisions of sections 39-6,155 to 39-6,158 shall be deemed guilty of a Class III misdemeanor, ~~and upon conviction thereof shall for each offense be fined twenty-five dollars or imprisoned in the county jail for ten days, or both.~~

Sec. 25. That section 39-6,161, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,161. It shall be unlawful for any person, firm, corporation, association or copartnership, either foreign or domestic, to operate, or cause to be operated on the highways in the State of Nebraska, motor trucks or buses having a gross weight of the truck and load exceeding twelve thousand pounds, unless such truck or bus is equipped with power brakes, auxiliary brakes or some standard booster brake equipment. Any person, firm, corporation, copartnership, or association who shall violate any of the provisions of this section shall be guilty of a Class V misdemeanor, ~~and shall, upon conviction thereof, be fined not less than twenty-five dollars nor more than one hundred dollars.~~

Sec. 26. That section 39-6,165, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,165. Any person or persons violating the provisions of sections 39-6,162 and 39-6,164 shall be deemed guilty of a Class V misdemeanor, ~~and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than one hundred dollars.~~

Sec. 27. That section 39-6,166, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,166. Any person who shall willfully remove any flares or red flags placed upon the highways under the provisions of sections 39-6,162 and 39-6,164 before the driver of such vehicle is ready to proceed immediately on the highway, shall be deemed guilty of a Class V misdemeanor, ~~and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than one hundred dollars.~~

Sec. 28. That section 39-6,168, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,168. Any person, firm, copartnership, corporation or association, or their officers, agents, servants or employees, who shall sell or offer for sale either separately or as a part of the equipment of a motor vehicle, or for use upon a motor vehicle upon a highway of this state any warning device mentioned in sections 39-6,162 and 39-6,164 without first having the same tested and approved by the Department of Motor Vehicles as provided in section 39-6,167 shall be deemed guilty of a Class V misdemeanor, ~~and upon conviction thereof shall be fined in any sum not less than~~

~~twenty-five-dollars-nor-more-than-one-hundred-dollars:~~

Sec. 29. That section 39-6,169, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,169. It shall be unlawful to operate upon any public highway in this state a motor vehicle which is equipped with, or in which is located, a television set so placed that the viewing screen thereof is visible to the driver while operating such vehicle. Any person violating this section shall be guilty of a Class V misdemeanor, ~~and;--upon--conviction--thereof;--shall--be fined-in-any-sum-not-less-than--twenty-five--dollars--nor more-than-one-hundred-dollars:~~

Sec. 30. That section 39-6,170, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,170. It shall be unlawful for any person to operate a motor vehicle with any object placed or hung in or upon such vehicle, except required or permitted equipment of the vehicle, in such a manner as to obstruct or interfere with the view of the operator through the windshield, or to prevent him from having a clear and full view of the road and condition of traffic behind such vehicle; Provided, any sticker or identification authorized or required by the federal government or any agency thereof or the State of Nebraska or any political subdivision thereof may be placed upon the windshield without violating the provisions of this section. Any person violating the provisions of this section shall be guilty of a Class V misdemeanor, ~~and--shall;--upon conviction--thereof;--be-punished-by-a--fine--of--not--less than-ten-dollars-nor-more-than-twenty-five-dollars:~~

Sec. 31. That section 39-6,171, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,171. Every new motor vehicle designated by the manufacturer as 1964 year model or later, except motor trucks, buses, and taxicabs, sold in this state and operated on any highway, road, or street in this state shall be equipped with two front seat safety belts of a type which has been approved by the Department of Motor Vehicles. The purchaser of any such vehicle may designate the make or brand of or furnish such belts to be installed. Any person selling a motor vehicle not in compliance with this section shall be guilty of a Class V misdemeanor, ~~and--shall;--upon--conviction--thereof;--be fined-not-less-than-twenty-five-dollars-and-not-more-than~~

one-hundred-dollars:

Sec. 32. That section 39-6,176, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,176. Any person violating the provisions of sections 39-6,172 to 39-6,176 shall be guilty of a Class Y misdemeanor, and shall, upon conviction thereof, be fined not less than fifty dollars and not more than one hundred dollars:

Sec. 33. That section 39-6,184, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,184. Any person operating any motor vehicle, freight-carrying vehicle, bus, truck, truck-tractor, or trailer, where the weight of the vehicle and load is in violation of the provisions of section 39-6,180, and the tolerance permitted by subdivision (1) or (2) of section 39-6,182, and when the vehicle and load does not qualify for the exceptions permitted by section 39-6,185, shall be guilty of a ~~misdemeanor;--or--misdemeanors~~ traffic infraction or traffic infractions, and shall, upon conviction thereof, be fined (1) twenty-five dollars for carrying a gross load of five per cent or less over the maximum, (2) one hundred dollars for carrying a gross load of more than five per cent but not more than ten per cent over the maximum, (3) two hundred dollars for carrying a gross load of more than ten per cent but not more than fifteen per cent over the maximum, (4) three hundred fifty dollars for carrying a gross load of more than fifteen per cent but not more than twenty per cent over the maximum, (5) six hundred dollars for carrying a gross load of more than twenty per cent but not more than twenty-five per cent over the maximum, (6) one thousand dollars for carrying a gross load of more than twenty-five per cent over the maximum, (7) twenty-five dollars for carrying a load on a single axle or a group of axles of five per cent or less over the maximum, (8) seventy-five dollars for carrying a load on a single axle or a group of axles of more than five per cent but not more than ten per cent over the maximum, (9) one hundred fifty dollars for carrying a load on a single axle or a group of axles of more than ten per cent but not more than fifteen per cent over the maximum, (10) two hundred twenty-five dollars for carrying a load on a single axle or a group of axles of more than fifteen per cent but not more than twenty per cent over the maximum, (11) three hundred dollars for carrying a load on a single axle or a group of axles of more than twenty per cent and not more than twenty-five per cent over the maximum, and (12) five

hundred dollars for carrying a load on a single axle or a group of axles of more than twenty-five per cent over the maximum; Provided, that no person shall be guilty of multiple offenses when the violations (a) involve the excess weight of an axle or a group of axles and the excess weight of the gross load of a single vehicle or (b) occur on the National System of Interstate and Defense Highways.

Sec. 34. That section 39-6,187, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,187. Any driver of a vehicle who refuses to stop and submit the vehicle and load to a weighing, or who refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of section 39-6,186 shall be guilty of a Class III misdemeanor, ~~and shall, upon conviction thereof, be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned in the county jail for not more than sixty days, or both such a fine and imprisonment:~~

Sec. 35. That section 39-6,188, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,188. Any person, firm, association, partnership, or corporation who shall violate any of the provisions of sections 39-6,177 to 39-6,179, sections 60-301 to 60-343, or 79-488, or any person, firm, association, partnership, corporation, or agent thereof, who shall drive or move, cause or knowingly permit to be moved on any public highway, road, street, or alley, any vehicle or vehicles which exceed the limitations as to width, length, height, or weight, as provided in sections 39-6,177 to 39-6,179, or the safety features provided in section 79-488 for which penalty is not elsewhere provided, shall be deemed guilty of a Class III misdemeanor, ~~and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense, if the offender so violating is an individual, he may be punished by imprisonment in the county jail not exceeding thirty days, or by both such a fine and imprisonment:~~ It shall be the duty of the sheriffs of the several counties and other police officials to enforce the provisions of sections 39-6,123, 39-6,125, 39-6,126, 39-6,177 to 39-6,187, 60-301 to 60-343, and 79-488.

Sec. 36. That section 39-707, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-707. It is hereby made the duty of the road overseer or other officer in charge of road work in the area where such road is located to make complaint to the county attorney of any violation of section 39-706; and any willful neglect of this duty by a road overseer or other such officer shall be considered a Class V misdemeanor, ~~and upon conviction thereof he shall be fined not less than ten dollars nor more than fifty dollars:~~

Sec. 37. That section 39-712.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-712.01. It shall be unlawful to camp on any state or county public highway, roadside area, park, or other property acquired for highway or roadside park purposes except at such places as are designated campsites by the Department of Roads or the county, or other legal entity of government owning or controlling such places. This provision shall not apply to lands originally acquired for highway purposes which have been transferred or leased to the Game and Parks Commission, or to other lands owned or controlled by the Game and Parks Commission where camping shall be controlled by the provisions of section 81-805.

For the purposes of this section, camping is defined as temporary lodging out-of-doors and presupposes the occupancy of a shelter designed or used for such purposes, such as a sleeping bag, tent, trailer, station wagon, pickup camper, camper-bus, or other vehicle, and the use of camping equipment. A camper is defined as an occupant of any such shelter.

Any person who shall camp on any state or county public highway, roadside area, park or other property acquired for highway or roadside park purposes which has not been properly designated as a campsite, or any person who violates any lawfully promulgated rules or regulations properly posted to regulate camping at designated campsites shall be guilty of a Class V misdemeanor, and shall be ordered to pay ~~and upon conviction thereof, be punished by a fine of not less than ten dollars nor more than one hundred dollars;~~ together with any amount as determined by the court which may be necessary to reimburse the Department of Roads or the county for the expense of repairing any damage to such campsite resulting from such violation.

Sec. 38. That section 39-714.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-714.02. Any person, firm, company, or corporation, violating any of the provisions of subsections (1) and (2) of section 39-714.01, shall be deemed guilty of a Class V misdemeanor, and shall, upon conviction thereof, be fined in any sum not less than ten dollars nor more than one hundred dollars:

Sec. 39. That section 45-101.07, Revised Statutes Supplement, 1976, be amended to read as follows:

45-101.07. Any lender who violates any of the provisions of section 45-101.05 shall be guilty of a Class IV misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars:

Sec. 40. That section 49-1446, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1446. (1) No contribution shall be accepted and no expenditure shall be made by a committee which has not filed a statement of organization and which does not have a treasurer. When the office of treasurer in a candidate committee is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

(2) No expenditure shall be made by a committee without the authorization of the treasurer or the treasurer's designee. The contributions received or expenditures made by a candidate or an agent of a candidate shall be considered received or made by the candidate committee.

(3) Contributions received by an individual acting in behalf of a committee shall be reported promptly to the committee's treasurer not later than five days before the closing date of any campaign statement required to be filed by the committee, and shall be reported to the committee treasurer immediately if the contribution is received less than five days before the closing date.

(4) A contribution shall be considered received by a committee when it is received by the committee treasurer or a designated agent of the committee treasurer notwithstanding the fact that the contribution is not deposited in the official depository by the reporting deadline.

(5) Contributions received by a committee shall not be commingled with any funds of an agent of the committee or of any other person.

(6) Any person who violates the provisions of sections 49-1445 and 49-1446 shall, ~~upon conviction thereof, be punished by a fine of not more than one thousand dollars~~ be guilty of a Class IV misdemeanor.

Sec. 41. That section 49-1447, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1447. The committee treasurer shall keep detailed accounts, records, bills, and receipts necessary to substantiate the information contained in a statement or report filed pursuant to sections 49-1445 to 49-1479 or rules promulgated under sections 49-1401 to 49-14,138. The treasurer shall record the name and address of each person from whom a contribution is received except for contributions of fifty dollars or less received pursuant to subsection (2) of section 49-1472. The records of a committee shall be preserved for five years and shall be made available for inspection as authorized by the commission. Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.~~

Sec. 42. That section 49-1467, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1467. (1) Any person, other than a committee, who makes an independent expenditure advocating the election of a candidate or the defeat of a candidate's opponents or the qualification, passage, or defeat of a ballot question, which is in an amount of more than one hundred dollars, shall file a report of the independent expenditure, within ten days, with the commission and the election commissioner or, if there is no election commissioner, the clerk of the county of residence of that person. The report shall be made on an independent expenditure report form provided by the commission and shall include the date of the expenditure, a brief description of the nature of the expenditure, the amount, the name and address of the person to whom it was paid, the name and address of the person filing the report, together with the name, address, occupation, employer, and principal place of business of each person who contributed more than one hundred dollars to the expenditure. The commission shall forward copies, as required, to the appropriate filing officers as described in section 49-1464.

(2) Any person who violates the provisions of this section shall, ~~upon conviction thereof, be punished~~

~~by a fine of not more than five hundred dollars be guilty of a Class IV misdemeanor.~~

Sec. 43. That section 49-1469, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1469. (1) Any corporation, labor organization, or industry, trade, or professional association, whether organized under the laws of this state or any other state or country and doing business in this state, which makes a contribution, expenditure, or provides volunteer personal services shall file a report within ten days of such contribution, expenditure or services with the commission. Such report shall fully disclose the nature, date, and value of any contribution or expenditure, as well as the candidate in whose behalf it was made, or the proposition in behalf of or in opposition to which it was made. In the case of volunteer personal services, the corporation, labor organization, or industry, trade, or professional association shall in such report fully detail the nature, date or dates, the specifics of the personal contributions, the candidate in whose behalf it was made, and the proposition in behalf of or in opposition to which it was made.

(2) Any officer, director, stockholder, attorney, agent, or any other person acting for a corporation, labor organization, or industry, trade, or professional association, whether organized under the laws of this state or any other state or country and doing business in this state, which makes a contribution or expenditure or provides volunteer personal services shall file a report within ten days of such contribution, expenditure, or services with the commission. Such report shall fully disclose the nature, date, and value of the contribution or expenditure, as well as the candidate in whose behalf it was made, or the proposition in behalf of or in opposition to which it was made. In the case of volunteer personal services, the corporation, labor organization, or industry, trade, or professional association shall in such report fully detail the nature, date or dates, and the specifics of the personal contributions, the candidate in whose behalf it was made, or the proposition in behalf of or in opposition to which it was made.

(3) (a) Any corporation, labor organization, or industry, trade, or professional association may make an expenditure solely for the establishment and administration of a separate segregated political education fund to be utilized for the sole purpose of making contributions to and expenditures on behalf of

candidate or ballot question committees.

(b) Contributions to and expenditures from a fund established under this subsection shall be limited to money or anything of ascertainable value obtained through the voluntary contribution of the employees of the corporation, or members of the labor organization, or industry, trade, or professional association, under which the fund was established. A corporation which is nonprofit may also obtain money or anything of ascertainable value received through the contributions of members, who are individuals, of that corporation. No contribution or expenditure shall be made from such fund if the contribution or expenditure utilizes money or anything of ascertainable monetary value obtained by using or threatening to use job discrimination or financial reprisals.

(c) Any contributions or expenditures made from a separate segregated political education fund need not be reported to the commission, but such contributions or expenditures shall for reporting purposes be reported by the candidate, candidate committee, committee treasurer, political party committee, independent committee, or ballot question committee as required under sections 49-1401 to 49-14,138.

(4) Any person who knowingly violates the provisions of this section shall be guilty of a Class III misdemeanor, and--shall;--upon--conviction--thereof;--be punished-by-a-fine-of-not-more-than-one-thousand-dollars; or-by-imprisonment-in-the-county-jail-for-not--more--than ninety-days;--or-by-both-such-fine-and-imprisonment.

Sec. 44. That section 49-1471, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1471. A contribution or expenditure of more than fifty dollars shall not be made or accepted in cash. Contributions and expenditures of more than fifty dollars, other than an in-kind contribution or expenditure, shall be made by written instrument containing the names of the payor and the payee. Any person who knowingly violates this section shall be guilty of a Class III misdemeanor, and--shall;--upon conviction--thereof;--be-punished-by-a--fine--of--not--more than-one-thousand-dollars;--or--by--imprisonment--in--the county-jail-for-not-more-than-ninety--days;--or--by--both such-fine-and-imprisonment.

Sec. 45. That section 49-1472, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1472. (1) A person shall not accept or expend an anonymous contribution. An anonymous contribution received by a person shall not knowingly be deposited but shall be given to a tax exempt charitable organization. The charitable organization receiving the contribution shall provide the person with a receipt. The person shall give a copy of the receipt to the commission.

(2) A contribution received as the result of a fund raising event, or from the sale of political merchandise, or from membership fees, dues, or subscriptions for political purposes to an independent committee that is fifty dollars or less shall not be considered an anonymous contribution.

(3) A person making a contribution pursuant to subsection (2) of this section which is fifty dollars or more shall furnish the recipient with the donor's name, address, and the total amount contributed.

(4) Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Sec. 46. That section 49-1473, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1473. A contribution shall not be made, directly or indirectly, by any person in a name other than the name by which that person is identified for legal purposes. Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Sec. 47. That section 49-1474, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1474. (1) No political newsletter or other campaign mass mailing shall be sent at public expense by or on behalf of any elected official after that person has announced his candidacy for any office. An elected official violating the provisions of this subsection shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

(2) No person shall write, print, publish, post or circulate, or cause to be written, printed, published, posted or circulated, any letter, circular, bill, placard, poster or other publication, or cause any advertisement to be placed in a newspaper or any other publication, or singly or with others pay for any such advertisement, knowing such letter, circular, bill, placard, poster, publication or advertisement to contain any false statement of material fact relating to any candidate or committee or, if he is a candidate, to himself, or any false statement of material fact relating to any ballot question. Any person violating the provisions of this subsection shall be guilty of a Class III misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.~~

Sec. 48. That section 49-1475, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1475. Any person who accepts a contribution, other than by written instrument, on behalf of another and acts as the intermediary or agent of the person from whom the contribution was accepted shall disclose to the recipient of the contribution the intermediary's own name and address and the name and address of the actual source of the contribution. Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.~~

Sec. 49. That section 49-1476, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1476. A contribution of more than one hundred dollars from a committee or person whose treasurer does not reside in, whose principal office is not located in, or whose funds are not kept in this state, shall not be accepted by a person for purposes of supporting or opposing candidates for elective office or the qualification, passage, or defeat of a ballot question unless accompanied by a statement certified as true and correct by an officer of the contributing committee or person setting forth the full name and address along with the amount contributed, of each person who contributed more than one hundred dollars of the contribution. Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, ~~and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the~~

~~county-jail-for-not-more-than-ninety--days,--or--by--both such-fine-and-imprisonment;~~

Sec. 50. That section 49-1477, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1477. No person shall receive a contribution from a person other than a committee unless, for purposes of the recipient person's recordkeeping and reporting requirements, the contribution is accompanied by the name and address of each person who contributed more than one hundred dollars to the contribution. Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, ~~and-shall;--upon--conviction thereof,--be-punished-by-a--fine--of--not--more--than--one thousand-dollars,--or--by-imprisonment-in-the--county--jail for-not-more-than-ninety-days,--or--by-both-such--fine--and imprisonment;~~

Sec. 51. That section 49-1478, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1478. An expenditure shall not be made, other than for overhead or normal operating expenses, by an agent or an independent contractor, including an advertising agency, on behalf of or for the benefit of a person unless the expenditure is reported by the committee as if the expenditure were made directly by the committee, or unless the agent or independent contractor files a report of an independent expenditure as provided in section 49-1467. The agent or independent contractor shall make known to the committee all information required to be reported by the committee. Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, ~~and-shall;--upon--conviction thereof,--be-punished-by-a--fine--of--not--more--than--one thousand-dollars,--or--by-imprisonment-in-the--county--jail for-not-more-than-ninety-days,--or--by-both-such--fine--and imprisonment;~~

Sec. 52. That section 49-1479, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1479. (1) A contribution shall not be made by a person to another person with the agreement or arrangement that the person receiving the contribution will then transfer that contribution to a particular candidate committee.

(2) A candidate committee shall not make a contribution to or an independent expenditure in behalf of another candidate committee.

(3) Any person violating the provisions of subsection (1) or (2) of this section shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Sec. 53. That section 49-1490, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1490. (1) A lobbyist or anyone acting on behalf of a lobbyist shall not give a gift to any official in the executive or legislative branch of state government, or member of an official's immediate family. Any person who knowingly gives a gift in violation of this subsection shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

(2) An official in the legislative or executive branch of state government or a member of his staff or immediate family shall not solicit or accept a gift in violation of subsection (1) of this section. Any person who knowingly solicits or accepts a gift in violation of this subsection shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

(3) As used in sections 49-1480 to 49-1492, gift shall mean a payment, subscription, advance, forbearance, honorarium, or the rendering or deposit of money, services, or anything of value, the value of which exceeds ten dollars in any one-month period, unless consideration of equal or greater value is received therefor. Gift shall not include:

(a) A campaign contribution otherwise reported as required by law;

(b) A commercially reasonable loan made in the ordinary course of business;

(c) A gift received from a member of the person's immediate family, a relative, or from the spouse of any such relative;

(d) A breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for

immediate consumption; or

(e) Admissions to state regulated industries, facilities, or events.

Sec. 54. That section 49-1492, Revised Statutes Supplement, 1976, be amended to read as follows:

49-1492. (1) No person shall be employed as a lobbyist for compensation contingent in any manner upon the outcome of an administrative or legislative action.

(2) No person shall instigate the introduction of legislation for the purpose of obtaining employment in opposition thereto.

(3) No person shall attempt to influence the vote of the legislators on any matters pending or to be proposed by the promise of financial support or the financing of opposition to his candidacy at any future election.

(4) No person shall engage in practices which reflect discredit on the practice of lobbying or on the Legislature.

(5) Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Sec. 55. That section 49-14,101, Revised Statutes Supplement, 1976, be amended to read as follows:

49-14,101. (1) No person shall offer or give to the following persons anything of value, including a gift, loan, contribution, reward, or promise of future employment, based on an agreement that the vote, official action, or judgment of any public official, public employee, or candidate would be influenced thereby:

(a) A public official, public employee, or candidate;

(b) A member of the immediate family of an individual listed in subdivision (a) of this subsection; or

(c) A business with which an individual listed under subdivision (a) or (b) of this subsection is associated.

(2) No person listed in subsection (1) of this section shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the public official, public employee, or candidate would be influenced thereby.

(3) No public official or public employee shall use that person's public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

(4) No public official or public employee shall use personnel, resources, property, or funds under that individual's official care and control, other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or use such items, other than compensation provided by law, for personal financial gain.

(5) Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, and ~~shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment:~~

Sec. 56. That section 49-14,104, Revised Statutes Supplement, 1976, be amended to read as follows:

49-14,104. An official or full-time employee of the executive branch of state government shall not represent a person or act as an expert witness for compensation before a governmental body when the action or nonaction of the governmental body is of a nonministerial nature, except in a matter of public record in a court of law, but this prohibition shall not apply to an official or employee acting in an official capacity. Any person violating the provisions of this section shall be guilty of a Class III misdemeanor, and ~~shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment:~~

Sec. 57. That section 49-14,115, Revised Statutes Supplement, 1976, be amended to read as follows:

49-14,115. No member or employee of the commission shall disclose or discuss any statements, reports, records, testimony, or other information or material deemed confidential by sections 49-1401 to 49-14,138 unless ordered by a court or except as necessary in the proper performance of such member's or employee's duties under sections 49-1401 to 49-14,138. Any member who violates this section shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Sec. 58. That section 49-14,134, Revised Statutes Supplement, 1976, be amended to read as follows:

49-14,134. In addition to penalties otherwise provided in sections 49-1401 to 49-14,138, any person who files a statement or report required under sections 49-1401 to 49-14,138 knowing that information contained therein is false shall be guilty of a Class IV felony, and shall, upon conviction thereof, be punished by a fine of not more than ten thousand dollars, or by imprisonment in the Nebraska Penitentiary and Correctional Complex for a term of not more than three years, or by both such fine and imprisonment.

Sec. 59. That section 49-14,135, Revised Statutes Supplement, 1976, be amended to read as follows:

49-14,135. Except as otherwise provided in sections 49-1401 to 49-14,138, any person who violates the confidentiality of a commission proceeding pursuant to sections 49-1401 to 49-14,138 shall be guilty of a Class III misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment. A person who willfully affirms or swears falsely in regard to any material matter before a commission proceeding pursuant to sections 49-1401 to 49-14,138 shall be guilty of a Class IV felony, and shall, upon conviction thereof, be punished by a fine of not more than ten thousand dollars or by imprisonment in the Nebraska Penitentiary and Correctional Complex for not more than three years, or by both such fine and imprisonment.

Sec. 60. That section 71-1563, Revised Statutes Supplement, 1976, be amended to read as follows:

71-1563. (1) Any person who sells, offers for sale, or leases in this state any manufactured housing

unit manufactured more than six months after July 10, 1976 which does not bear the seal required by the provisions of sections 71-1555 to 71-1567, shall be guilty of a Class IV misdemeanor, ~~and shall, upon conviction thereof, be fined not less than two hundred dollars nor more than one thousand dollars;~~

(2) The department may, in accordance with the laws governing injunctions and other processes, maintain an action in the name of the state against any person who sells, offers for sale, or leases in this state any manufactured housing unit manufactured more than six months after July 10, 1976 which does not bear the seal required by the provisions of sections 71-1555 to 71-1567.

Sec. 61. That section 71-4632, Revised Statutes Supplement, 1976, be amended to read as follows:

71-4632. Any person who establishes, conducts, operates, or maintains a mobile home park without first obtaining a license therefor from the department as provided in section 71-4621 to 71-4634 shall be guilty of a Class IV misdemeanor ~~and shall, upon conviction thereof, be liable to a fine of not less than two hundred dollars nor more than five hundred dollars;~~ and each day such mobile home park shall operate without a license after a first conviction shall be considered a separate offense. Such person shall also be guilty of maintaining a nuisance pursuant to the provisions of section 28-1016, and upon conviction thereof, in addition to payment of the fine, such nuisance shall be removed.

Sec. 62. That section 71-5312, Revised Statutes Supplement, 1976, be amended to read as follows:

71-5312. Any person who shall violate any of the provisions of sections 71-5301 to 71-5313 shall be guilty of a Class IV misdemeanor ~~and shall, upon conviction thereof, be fined not less than one hundred dollars nor more than five thousand dollars and a further fine of fifty dollars per day plus costs for each day and each day shall constitute a separate offense in cases of continued violation.~~ It shall be the duty of the county attorney or the Attorney General, to whom the director reports a violation, to cause appropriate proceedings to be instituted without delay to assure compliance with sections 71-5301 to 71-5313.

Sec. 63. That section 83-1069, Revised Statutes Supplement, 1976, be amended to read as follows:

83-1069. Any person who willfully (1) files, or causes to be filed, a certificate or petition under this act, knowing any of the allegations thereof to be false, (2) deprives a subject of any of the rights granted the subject by this act or section 83-390, or (3) breaches the confidentiality of records required by section 83-1068 shall be guilty of a Class II misdemeanor and ~~shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment,~~ in addition to any civil liability which he may incur for such acts.

Sec. 64. This act shall become operative on July 1, 1978.

Sec. 65. That original sections 28-5,106, 28-1046, 39-604, 39-619.01, 39-669.19, 39-669.21, 39-699.01, 39-6,114, 39-6,152, 39-6,159, 39-6,165, 39-6,166, 39-6,168, 39-6,169, 39-6,170, 39-6,171, 39-6,176, 39-6,187, 39-707, 39-712.01, and 39-714.02, Reissue Revised Statutes of Nebraska, 1943, and sections 2-2618, 2-3416, 28-476.02, 37-216.04, 37-216.09, 39-628.01, 39-660, 39-669.30, 39-669.34, 39-669.35, 39-6,106.01, 39-6,113, 39-6,129, 39-6,138.02, 39-6,161, 39-6,184, 39-6,188, 45-101.07, 49-1446, 49-1447, 49-1467, 49-1469, 49-1471 to 49-1479, 49-1490, 49-1492, 49-14,101, 49-14,104, 49-14,115, 49-14,134, 49-14,135, 71-1563, 71-4632, 71-5312, and 83-1069, Revised Statutes Supplement, 1976, are repealed.