

MOTION - Approve Appointment

Senator Aguilar moved the adoption of the Government, Military and Veterans Affairs report for the confirmation of the following appointment(s) found on page 1418:

Accountability and Disclosure Commission
Paul Hosford

Voting in the affirmative, 27:

Adams	Fischer	Heidemann	Mines	Synowiecki
Aguilar	Flood	Janssen	Nelson	Wallman
Burling	Friend	Karpisek	Pankonin	Wightman
Carlson	Fulton	Kruse	Pirsch	
Christensen	Gay	McDonald	Rogert	
Erdman	Hansen	McGill	Stuthman	

Voting in the negative, 0.

Present and not voting, 9:

Chambers	Harms	Langemeier	Pahls	White
Dubas	Johnson	Lathrop	Preister	

Excused and not voting, 13:

Ashford	Dierks	Hudkins	Nantkes	Schimek
Avery	Engel	Kopplin	Pedersen	
Cornett	Howard	Louden	Raikes	

The appointment was confirmed with 27 ayes, 0 nays, 9 present and not voting, and 13 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 321. Senator Mines offered the following amendment:

AM1215

(Amendments to Standing Committee amendments, AM728)

- 1 Purpose: Transfer \$4,000,000 General Funds from the
- 2 regional centers to behavioral health aid to provide behavioral
- 3 health services for children. State intent to close the Hastings
- 4 Regional Center on July 1, 2007, and transfer developmental
- 5 disability services to the Norfolk Regional Center.
- 6 1. On page 66, strike line 22 and insert "GENERAL FUND
- 7 65,194,933 67,685,837"; and strike line 25 and insert "PROGRAM
- 8 TOTAL 97,232,184 99,723,088".
- 9 2. On page 67, line 2, strike "\$61,194,933" and insert
- 10 "\$65,194,933"; and in line 5 strike "\$63,685,837" and insert

11 "\$67,685,837".

12 3. On page 68, strike line 24, and insert "GENERAL FUND
13 37,085,734 39,166,082"; and strike line 27 and insert "PROGRAM
14 TOTAL 48,521,026 50,601,374".

15 4. On page 69, after line 14 insert:

16 "It is the intent of the Legislature that the Hastings
17 Regional Center close on July 1, 2007. It is also the intent of the
18 Legislature that services provided to persons with developmental
19 disabilities at the Hastings Regional Center shall be moved to the
20 Norfolk Regional Center on July 1, 2007.".

Senator Mines withdrew his amendment.

Senator Stuthman withdrew his amendment, AM1216, found on page 1382.

Senator Stuthman offered the following amendment:

AM1265

(Amendments to Standing Committee amendments, AM728)

1 1. On page 55, strike line 5 and insert "GENERAL FUND
2 3,525,000 3,525,000"; strike line 7 and insert "PROGRAM TOTAL
3 12,105,000 12,105,000"; in lines 9 and 12 strike "\$3,391,250" and
4 insert "\$3,525,000"; and in line 25 strike "\$1,666,250" and insert
5 "\$1,800,000".

6 2. On page 56, line 1, strike "\$1,666,250" and insert
7 "\$1,800,000".

8 3. On page 57, strike line 11 and insert "GENERAL
9 FUND 3,984,342 4,104,452"; strike line 14 and insert "PROGRAM
10 TOTAL 47,576,494 47,963,755"; in line 16 strike "\$4,118,092" and
11 insert "\$3,984,342"; and in line 19 strike "\$4,238,206" and insert
12 "\$4,104,452".

The Stuthman amendment was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Senator Chambers offered the following amendment:

AM1268

(Amendments to Standing Committee amendments, AM728)

1 1. On page 131, line 1, strike "6,490,285 6,490,324"
2 and insert "1,490,285 1,490,324"; in line 3 strike "9,694,436
3 9,757,347" and insert "4,694,436 4,757,347"; and in lines 8 and 11
4 strike "\$6,357,944" and insert "\$1,357,944".

SENATOR LANGEMEIER PRESIDING

Senator Chambers withdrew his amendment.

Senator Chambers offered the following amendment:

FA104

Amend AM728 On page 131, line 1, strike "6,490,285 6,490,324" and insert "6,490,285 1,490,324"; in line 3, strike "9,694,436 9,757,347" and insert "9,694,436 4,757,347"; in line 11, strike "6,357,944" and insert "1,357,944."

SENATOR ERDMAN PRESIDING

Pending.

AMENDMENTS - Print in Journal

Senator Synowiecki filed the following amendment to LB 540:

AM1253

(Amendments to E & R amendments, ER8104)

- 1 1. On page 2, line 17, strike "the Vera Institute of
- 2 Justice" and insert "an organization with expertise in the field of
- 3 corrections policy and administration".

Senators McDonald and Lathrop filed the following amendment to LB 274:

AM1263

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. (1) The Legislature finds it is necessary that
- 4 a leak check be performed following an interruption of service of
- 5 a liquefied petroleum gas vapor service system to ensure safe and
- 6 proper operation. Further, the Legislature finds that a leak check
- 7 must be performed by a qualified service technician.
- 8 (2) It is the intent of the Legislature to create a
- 9 mechanism that will educate users of liquefied petroleum gas of
- 10 the requirements for a leak check when an interruption of service
- 11 occurs.
- 12 (3) For purposes of this section:
- 13 (a) Interruption of service means the gas supply to a
- 14 liquefied petroleum gas vapor service system is turned off;
- 15 (b) Leak check means an operation performed on a complete
- 16 liquefied petroleum gas piping system and the connection equipment
- 17 to verify that the liquefied petroleum gas vapor service system
- 18 does not leak;
- 19 (c) Liquefied petroleum gas provider means any person
- 20 or entity engaged in the business of supplying, handling,
- 21 transporting, or selling at retail liquefied petroleum gas in this
- 22 state; and
- 23 (d) Liquefied petroleum gas vapor service system means
- 1 an installation with a maximum operating pressure of one hundred
- 2 twenty-five pounds per square inch or less and includes, but is
- 3 not limited to, the container assembly, pressure regulator or
- 4 regulators, piping system, gas utilization equipment and components

5 thereof, and venting system in residential, commercial, or
6 institutional installations. Liquefied petroleum gas vapor service
7 system does not include:

8 (i) Portable liquefied petroleum gas appliances and
9 equipment of all types that are not connected to a fixed-fuel
10 piping system;

11 (ii) Farm appliances and equipment in liquid service,
12 including, but not limited to, brooders, dehydrators, dryers, and
13 irrigation equipment;

14 (iii) Liquefied petroleum gas equipment for vaporization,
15 gas mixing, and gas manufacturing;

16 (iv) Liquefied petroleum gas piping for buildings under
17 construction or renovations that is not to become part of the
18 permanent building piping system, such as temporary fixed piping
19 for building heat; or

20 (v) Fuel gas system engines, including, but not limited
21 to tractors, mowers, trucks, and recreational vehicles.

22 (4) The liquefied petroleum gas provider shall affix a
23 container warning label on each tank supplying liquefied petroleum
24 gas to a liquefied petroleum gas vapor service system. The
25 container warning label shall be affixed near the tank shutoff.

26 (5) The container warning label required by subsection
27 (4) of this section shall include this warning:

1 WARNING: Do Not Open Container Shutoff Valve! If this
2 valve is turned off for any reason, the National Fuel Gas Code
3 (NFPA 54) requires a leak check of the system serviced by the
4 container at the time the valve is turned back on. The leak
5 check must be conducted by a qualified service technician. Do Not
6 Attempt To Open The Valve Yourself! Failure to follow this warning
7 may result in the ignition of leaking gas, causing serious and
8 potentially fatal injury, fire, or explosion.

9 The container warning label shall include the statutory
10 reference to this section.

11 (6) If the container warning label is affixed near the
12 tank shutoff as required by subsection (4) of this section and
13 the liquefied petroleum gas vapor service system is turned on
14 prior to a leak check by a qualified service technician approved
15 by the liquefied petroleum gas provider, the liquefied petroleum
16 gas provider shall not be liable for any damage, injury, or
17 death if the proximate cause of the damage, injury, or death was
18 the negligence of a person or persons other than the liquefied
19 petroleum gas provider.

20 Sec. 2. This act becomes operative on July 1, 2008.

RESOLUTIONS**LEGISLATIVE RESOLUTION 121.** Introduced by Pedersen, 39.

PURPOSE: To examine the feasibility of the adoption of juvenile certification legislation to provide that the juvenile court shall have original jurisdiction as to any juveniles who have committed crimes outlined in Nebraska statutes.

The study shall include, but not be limited to, determining:

(1) Whether all crimes should go to the juvenile court or if there are certain types of crimes that should remain in county or district court;

(2) Whether there are types of crimes that would automatically be sent to adult court and the procedures that would need to be followed in order to do that; and

(3) The types of evidence that would need to be presented in order to transfer a case to adult court or to keep a case in juvenile court.

In making the above determinations, the issues to be considered include: The type of treatment the juvenile would most likely be amenable to; whether there is evidence that the alleged offense included violence or was committed in an aggressive or pre-meditated manner; motivation for the commission of the offense; age of the juvenile and age and circumstances of others involved in the crime; previous history of the juvenile, including whether the previous offenses were adjudicated in juvenile court; whether the crimes were against persons or relating to property; any previous history of antisocial behavior, including any patterns of physical violence; the sophistication and maturity of the juvenile; whether he or she has had previous contact with law enforcement agencies and the nature of the contact; whether there are facilities available to the juvenile court for the treatment and rehabilitation of the juvenile; and whether the best interests of the juvenile and the security of the public may require that the juvenile continue in custody or under supervision for a period of time extending beyond his or her minority and, if so, any available alternatives.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 122. Introduced by Aguilar, 35.

PURPOSE: To examine matters and issues within the jurisdiction of the Government, Military and Veterans Affairs Committee.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 123. Introduced by Ashford, 20; Flood, 19; Lathrop, 12; Nantkes, 46; Nelson, 6; Pirsch, 4; White, 8; Wightman, 36.

WHEREAS, Richard E. Shugrue is retiring from Creighton University after forty-one years of teaching, first in the Department of Political Science and then, since 1971, at the Creighton Law School; and

WHEREAS, Dr. Shugrue practiced law in Lincoln from 1961 to 1964 and was a special assistant director for the Department of Agriculture from 1964 to 1966; and

WHEREAS, Dr. Shugrue has authored a wide range of scholarly articles and books and has been a long-time participant in many professional programs, including the House of Delegates of the Nebraska State Bar Association, of which he was the chairperson, the Board of Directors of the American Judicature Society, and the Nebraska State Bar Foundation, of which he is a Fellow; and

WHEREAS, Dr. Shugrue has been presented many awards over the years, including the Outstanding Legal Educator Award (1997), the Commitment to Judicial Branch Education Award (2005), and the B'nai B'rith Community Service Award (2007); and

WHEREAS, Dr. Shugrue is also active in other areas of public service, including the Omaha Human Relations Board, the Nebraska Criminal Code Revision Commission, the Nebraska Association of Mental Health, the Nebraska Advisory Committee for the United States Commission on Civil Rights, the National Conference on Christians and Jews/Nebraska-Iowa, and the Omaha Literary Council.

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

1. That the Legislature congratulates Richard E. Shugrue on his outstanding career and upon his retirement.

2. That a copy of this resolution be presented to Richard E. Shugrue.

Laid over.

VISITORS

Visitors to the Chamber were 41 fourth-grade students and teachers from St. Michael School, Hastings; 44 fifth-grade students, teachers, and sponsors from Omaha Christ the King School, Omaha; 56 fourth-grade students from Westridge Elementary, Elkhorn; and 100 fourth-grade students and sponsors from Field Club Elementary, Omaha.

RECESS

At 11:58 a.m., on a motion by Senator Pirsch, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Langemeier presiding.

ROLL CALL

The roll was called and all members were present except Senators Christensen, Dubas, Hudkins, Louden, and Synowiecki who were excused until they arrive.

RESOLUTION

LEGISLATIVE RESOLUTION 124. Introduced by Fischer, 43.

PURPOSE: The purpose of this study is to examine the issues and matters within the scope of the Transportation and Telecommunications Committee of the Legislature.

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

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

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

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 321. The Chambers amendment, FA104, found in this day's Journal, was renewed.

Senator Ashford offered the following amendment to the Chambers amendment:

AM1274

(Amendments to FA104)

- 1 1. Strike amendment 1 and insert the following new
- 2 amendment:
- 3 "1. In the Standing Committee amendments, AM728, on page
- 4 131, line 1, strike "6,490,285" and insert "6,225,285"; in line 3
- 5 strike "9,694,436" and insert "9,429,436"; and in line 8 strike
- 6 "\$6,357,944" and insert "\$6,092,944".

Senator Ashford withdrew his amendment.

The Chambers amendment, FA104, found in this day's Journal, was renewed.

Senator Chambers moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 9:

Adams	Chambers	McGill	Pedersen	Schimek
Avery	Lathrop	Pankonin	Preister	

Voting in the negative, 27:

Aguilar	Fischer	Harms	Langemeier	Stuthman
Ashford	Flood	Heidemann	Mines	Wallman
Carlson	Friend	Janssen	Nantkes	Wightman
Cornett	Fulton	Johnson	Nelson	
Engel	Gay	Karpisek	Pirsch	
Erdman	Hansen	Kopplin	Rogert	

Present and not voting, 8:

Burling	Howard	McDonald	Raikes
Dierks	Kruse	Pahls	White

Excused and not voting, 5:

Christensen	Dubas	Hudkins	Louden	Synowiecki
-------------	-------	---------	--------	------------

The Chambers amendment lost with 9 ayes, 27 nays, 8 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Pedersen offered the following motion:
To reconsider the vote taken on AM1166.

The Pedersen motion to reconsider prevailed with 26 ayes, 13 nays, 7 present and not voting, and 3 excused and not voting.

The McDonald et al. amendment, AM1166, found on page 1423 and considered on page 1449, was reconsidered.

Senator Aguilar moved the previous question. The question is, "Shall the

debate now close?" The motion prevailed with 29 ayes, 3 nays, and 17 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 37 ayes, 1 nay, and 11 not voting.

Senator Heidemann requested a roll call vote, in reverse order, on the McDonald et al. amendment.

Voting in the affirmative, 27:

Aguilar	Dierks	Karpisek	McGill	Stuthman
Avery	Dubas	Kopplin	Pahls	Wallman
Carlson	Flood	Langemeier	Pedersen	White
Chambers	Hansen	Lathrop	Preister	
Christensen	Howard	Louden	Rogert	
Cornett	Johnson	McDonald	Schimek	

Voting in the negative, 15:

Adams	Erdman	Harms	Nantkes	Raikes
Burling	Fischer	Heidemann	Nelson	Synowiecki
Engel	Fulton	Mines	Pirsch	Wightman

Present and not voting, 6:

Ashford	Hudkins	Kruse
Gay	Janssen	Pankonin

Excused and not voting, 1:

Friend

The McDonald et al. amendment was adopted with 27 ayes, 15 nays, 6 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 322. ER8099, printed separately and referred to on page 1389, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 323. ER8101, found on page 1389, was adopted.

Senator Erdman offered the following amendment:

AM1229

(Amendments to Standing Committee amendments, AM1090)

- 1 1. On page 6, after line 4 insert the following new
- 2 subsection:
- 3 "(23) The State Treasurer shall transfer nineteen million
- 4 dollars from the Cash Reserve Fund to the Highway Cash Fund in four
- 5 equal quarterly amounts on or before July 15, 2008, October 15,
- 6 2008, January 15, 2009, and April 15, 2009.".

SENATOR SCHIMEK PRESIDING

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

Senator Mines moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

The motion to cease debate prevailed with 26 ayes, 2 nays, 17 present and not voting, and 4 excused and not voting.

Senator Erdman requested a roll call vote on his amendment.

Voting in the affirmative, 16:

Adams	Erdman	Karpisek	Mines
Aguilar	Friend	Langemeier	Pedersen
Chambers	Gay	Lathrop	Pirsch
Christensen	Hansen	McDonald	Rogert

Voting in the negative, 24:

Ashford	Dierks	Heidemann	Nelson	Stuthman
Avery	Engel	Hudkins	Pankonin	Synowiecki
Burling	Fischer	Johnson	Preister	Wallman
Carlson	Fulton	Kopplin	Raikes	Wightman
Cornett	Harms	McGill	Schimek	

Present and not voting, 7:

Dubas	Janssen	Louden	White
Howard	Kruse	Pahls	

Excused and not voting, 2:

Flood	Nantkes
-------	---------

The Erdman amendment lost with 16 ayes, 24 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 88. Advanced to E & R for engrossment.

LEGISLATIVE BILL 339. ER8102, found on page 1389, was adopted.

Senator Cornett offered the following amendment:

AM1262

- 1 1. In the Standing Committee amendment, AM1125, strike
- 2 section 3 and insert:
- 3 Sec. 3. Claims described in subdivisions (4) and (5)
- 4 of section 81-8,297 and claims relating to expiration of state
- 5 warrants shall have no time bar to recovery. Except as provided
- 6 in section 25-213, all other claims permitted under the State
- 7 Miscellaneous Claims Act shall be forever barred unless the claim
- 8 is filed with the Risk Manager within two years after the time the
- 9 claim accrued.

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

Advanced to E & R for engrossment.

COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 324, 324A, 435, and 610.

ST9032

Enrollment and Review Change to LB 435

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

1. In the Standing Committee amendments, AM854, on page 3, line 7, "and" has been inserted after the semicolon.

(Signed) Amanda McGill, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 125. Introduced by Flood, 19.

WHEREAS, Mitchell J. Pruss, of Troop 124, Norfolk, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, Mitchell J. Pruss started his scouting career in 1996 as a Tiger Scout with Pack 131 in Norfolk, Nebraska. Mitchell earned 18 of the Webelos activity badges and the Arrow of Light award. Mitchell joined Troop 124 in 2001;

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

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. Mitchell earned 29 merit badges. Mitchell, for his Eagle Scout community service project, led the scouts of Troop 124 and family members in organizing the building and placement of benches for TaHaZouka Parks Disc Golf Course in Norfolk, Nebraska; and

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

WHEREAS, on Saturday, June 16, 2007, Mitchell J. Pruss will receive his Eagle Scout badge at a Court of Honor and, through his hard work and perseverance, will join other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Mitchell J. Pruss on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Mitchell J. Pruss.

Laid over.

LEGISLATIVE RESOLUTION 126. Introduced by Adams, 24.

PURPOSE: To examine high ability learner programs and the effectiveness of the current program format and funding level. Three years ago, funding was reduced drastically and many students and teachers suffered. Programs and services were cut as well as professional training opportunities for teachers. Nebraska is currently funding high ability learner programs at a level much below its surrounding states.

Students in all parts of Nebraska should have equal access to enrichment and acceleration but many do not. Many of the districts in remote areas have students that need acceleration and could benefit from opportunities presented by distance learning or online learning. Because of funding cuts, these opportunities may not be available. Consequently, these high ability learners are not progressing adequately and are left behind. When these

students leave the K-12 environment for further learning opportunities, they are in the position of catching up, which costs them tuition and time.

The study shall include, but not be limited to:

(1) Examination of the criteria used by the State Department of Education to determine an approved accelerated or differentiated curriculum program;

(2) Examination of best practices recommended by the National Association for Gifted Children;

(3) Examination of the current funding format, including recommendations for an appropriate funding level;

(4) Examination of professional training opportunities for teachers, including graduate level courses and workshops available in the state; and

(5) Examination of school districts in the state that are providing an excellent level of services or programs for high ability learners.

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

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

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

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 342. Title read. Considered.

Committee AM1079, printed separately and referred to on page 1257, was considered.

Senator Raikes renewed his amendment, AM1256, found on page 1451, to the committee amendment.

SENATOR ERDMAN PRESIDING

Senator Raikes moved for a call of the house. The motion prevailed with 19 ayes, 0 nays, and 30 not voting.

The Raikes amendment was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

The committee amendment, as amended, was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 342A. Title read. Considered.

Advanced to E & R for review with 26 ayes, 1 nay, 17 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 542. Title read. Considered.

SENATOR LANGEMEIER PRESIDING

Committee AM1082, found on page 1264, was considered.

Senator Synowiecki renewed his amendment, AM1202, found on page 1424, to the committee amendment.

The Synowiecki amendment was adopted with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 482. Title read. Considered.

Committee AM932, found on page 1163, was considered.

Senator Johnson renewed his amendment, AM1192, found on page 1392, to the committee amendment.

SENATOR AGUILAR PRESIDING

Senator Wallman moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

The Johnson amendment was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Senator Erdman offered the following amendment to the committee amendment:

FA105

Amend AM932 On page 3 line 13 strike the new matter and insert "fifty-five"

Pending.

AMENDMENTS - Print in Journal

Senators Adams, Ashford, Avery, Burling, Flood, Johnson, Kopplin, and Raikes filed the following amendment to LB 641:

(Amendment, AM1258, is printed separately and available in the Bill Room, Room 1104.)

Senator Erdman filed the following amendment to LB 482:
AM1275

(Amendments to Standing Committee amendments, AM932)

- 1 1. Strike section 5.
- 2 2. On page 1, line 3, strike "5" and insert "4"; strike
- 3 beginning with "development" in line 8 through line 10 and insert
- 4 "funding of such program with designated cash funds and matching
- 5 private funds."; and in line 11 before "The" insert "(1)".
- 6 3. On page 2, after line 1 insert the following new
- 7 subsection:
- 8 "(2) It is the intent of the Legislature that the Autism
- 9 Treatment Program provide regular objective longitudinal outcome
- 10 data with respect to such services and the effects of such services
- 11 on the expenditure of related state special education funds and
- 12 other public funds on behalf of children receiving services under
- 13 such program.".
- 14 4. On page 3, line 13, strike "fifty-three" and insert
- 15 "fifty-four".
- 16 5. Renumber the remaining sections accordingly.

Senator Cornett filed the following amendment to LB 588:

(Amendment, AM1278, is printed separately and available in the Bill Room, Room 1104.)

Senator Cornett filed the following amendment to LB 588:
AM1279

(Amendments to AM1278)

- 1 1. On page 10, line 19, strike "forty" and insert
- 2 "fifty".
- 3 2. On page 11, strike beginning with "Trauma" in line 2
- 4 through line 6 and insert "Claims for inpatient trauma services
- 5 shall not be reimbursed under the Diagnostic Related Group
- 6 inpatient hospital fee schedule established under this section
- 7 until January 1, 2010. Claims for inpatient trauma services prior
- 8 to January 1, 2010, shall be reimbursed under the fees established
- 9 by the compensation court pursuant to subdivision (1)(b) of section
- 10 48-120 or as contracted pursuant to subdivision (1)(d) of such
- 11 section. For purposes of this subsection, trauma means a major
- 12 single-system or multisystem injury requiring immediate medical or
- 13 surgical intervention or treatment to prevent death or permanent
- 14 disability."; and in line 15 strike "three" and insert "two and
- 15 one-half".

Senator Cornett filed the following amendment to LB 588A:
AM1189

- 1 1. Insert the following new sections:
- 2 Sec. 2. There is hereby appropriated (1) \$1,563,274 from
- 3 the General Fund for FY2007-08 and (2) \$828,535 from the General
- 4 Fund, \$328,287 from the Cash Fund, \$250,124 from Federal Funds, and
- 5 \$156,327 from the Revolving Fund for FY2008-09 to the Department of
- 6 Administrative Services, for Program 593, to aid in carrying out
- 7 the provisions of Legislative Bill 588, One Hundredth Legislature,
- 8 First Session, 2007.
- 9 No expenditures for permanent and temporary salaries and
- 10 per diems for state employees shall be made from funds appropriated
- 11 in this section.
- 12 Sec. 3. There is hereby appropriated (1) \$1,563,274 from
- 13 the Workers' Compensation Claims Revolving Fund for FY2007-08 and
- 14 (2) \$1,563,274 from the Workers' Compensation Claims Revolving Fund
- 15 for FY2008-09 to the Department of Administrative Services, for
- 16 Program 593, to aid in carrying out the provisions of Legislative
- 17 Bill 588, One Hundredth Legislature, First Session, 2007.
- 18 No expenditures for permanent and temporary salaries and
- 19 per diems for state employees shall be made from funds appropriated
- 20 in this section.

GENERAL FILE

LEGISLATIVE BILL 482. The Erdman amendment, FA105, found in this day's Journal, to the committee amendment, was renewed.

Senator Erdman moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

The Erdman amendment was adopted with 29 ayes, 0 nays, 13 present and not voting, and 7 excused and not voting.

Committee AM932, found on page 1163 and considered in this day's Journal, as amended, was renewed.

The committee amendment, as amended, was adopted with 32 ayes, 1 nay, 9 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 38 ayes, 1 nay, 3 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 377. Senator Ashford withdrew his amendment AM832, printed separately and referred to on page 950.

Senator Fulton withdrew his amendment, AM988, found on page 1167.

Senator Ashford renewed the Ashford et al. amendment, AM1099, found on page 1257.

Senator Ashford offered the following amendment to the Ashford et al. amendment:
AM1267

(Amendments to AM1099)

- 1 1. On page 1, lines 11 through 16, strike the new matter
- 2 and insert "On July 1, 2007, the salary of the Chief Justice and
- 3 the judges of the Supreme Court shall be one hundred thirty-one
- 4 thousand two hundred eighty-five dollars and sixty-one cents. On
- 5 July 1, 2008, the salary of the Chief Justice and the judges of
- 6 the Supreme Court shall be one hundred thirty-five thousand eight
- 7 hundred eighty dollars and sixty cents.".

The Ashford amendment was adopted with 28 ayes, 0 nays, 14 present and not voting, and 7 excused and not voting.

Senator Chambers offered the following amendment to the Ashford et al. amendment:
FA106

Amend AM1267 P. 1, line 2, strike "the Chief Justice and"; and in line 5, strike "the Chief Justice and".

Senator Chambers moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 3:

Chambers	Stuthman	Wallman
----------	----------	---------

Voting in the negative, 24:

Ashford	Engel	Fulton	Langemeier	Raikes
Avery	Erdman	Harms	Lathrop	Schimek
Carlson	Fischer	Heidemann	Nantkes	Synowiecki
Dierks	Flood	Karpisek	Nelson	Wightman
Dubas	Friend	Kopplin	Pirsch	

Present and not voting, 15:

Adams	Christensen	Howard	Louden	Pahls
Aguilar	Cornett	Johnson	McDonald	Pankonin
Burling	Hansen	Kruse	McGill	White

Excused and not voting, 7:

Gay Janssen Pedersen Rogert
Hudkins Mines Preister

The Chambers amendment lost with 3 ayes, 24 nays, 15 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

The Ashford et al. amendment, as amended was adopted with 30 ayes, 3 nays, 9 present and not voting, and 7 excused and not voting.

Senator Chambers requested a roll call vote on the advancement of the bill.

Advanced to E & R for review with 29 ayes, 3 nays, 10 present and not voting, and 7 excused and not voting.

SPEAKER FLOOD PRESIDING

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 83, 84, 87, 88, and 92 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 83, 84, 87, 88, and 92.

VISITORS

Visitors to the Chamber were 60 fourth-grade students, teachers, and sponsors from Hillrise Elementary, Elkhorn; 15 seventh- and eighth-grade students, teacher, and sponsors from Deshler Lutheran School, Deshler; and Carolyn Matthews from Lincoln.

The Doctor of the Day was Dr. Mark Butler from Lincoln.

ADJOURNMENT

At 9:25 p.m., on a motion by Senator Langemeier, the Legislature adjourned until 9:00 a.m., Wednesday, May 9, 2007.

Patrick J. O'Donnell
Clerk of the Legislature

