

THIRTY-NINTH DAY - MARCH 11, 2008**LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE
SECOND SESSION****THIRTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 11, 2008

PRAYER

The prayer was offered by Father Rick Moon, Christ Episcopal Church, Beatrice.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Langemeier presiding.

The roll was called and all members were present except Senator Karpisek who was excused; and Senators Cornett, Dubas, Fulton, Heidemann, Lautenbaugh, Nantkes, Synowiecki, and White who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

RESOLUTION

LEGISLATIVE RESOLUTION 271. Introduced by McGill, 26.

WHEREAS, Joba Chamberlain, a 2003 graduate of Lincoln Northeast High School, became an All-American baseball player at the University of Nebraska and pitched his team to its only College World Series victory; and

WHEREAS, Joba was a first-round draft pick of the New York Yankees and was called up to the major leagues in August of 2007; and

WHEREAS, Joba quickly became an overnight sensation and the feel-good baseball story of the year by striking out 34 batters in 24 innings and allowing only two runs. ESPN Magazine predicted he would become the next young superstar; and

WHEREAS, Joba and his father, Harlan, through their loving father-son relationship and their affiliation with the Winnebago Tribe of Nebraska, have become powerful role models for the youth of this state, especially the Native American youth.

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

1. That March 31, 2008, be designated as Joba Chamberlain day in Nebraska.

Laid over.

MOTIONS - Approve Appointments

Senator Johnson moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 798:

Nebraska Rural Health Advisory Commission

Sharon Vandegrift

Douglas A. Dilly

Martin L. Fattig

Steven Dokken

Kathy Boswell

Voting in the affirmative, 28:

Adams	Dierks	Hansen	Louden	Rogert
Aguilar	Engel	Howard	Pahls	Schimek
Ashford	Erdman	Hudkins	Pankonin	Stuthman
Carlson	Fischer	Johnson	Pedersen	Wightman
Chambers	Friend	Kopplin	Pirsch	
Christensen	Gay	Langemeier	Raikes	

Voting in the negative, 0.

Present and not voting, 12:

Avery	Harms	Lathrop	Nelson
Burling	Janssen	McDonald	Preister
Flood	Kruse	McGill	Wallman

Excused and not voting, 9:

Cornett	Fulton	Karpisek	Nantkes	White
Dubas	Heidemann	Lautenbaugh	Synowiecki	

The appointments were confirmed with 28 ayes, 0 nays, 12 present and not voting, and 9 excused and not voting.

Senator Johnson moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 798:

Board of Emergency Medical Services

Michael Buscher
 Robert Dunn
 Shawn Baumgartner
 Leon Sykes
 Ann Fiala

Voting in the affirmative, 32:

Adams	Fischer	Howard	Louden	Rogert
Ashford	Flood	Hudkins	McGill	Schimek
Carlson	Friend	Janssen	Pahls	Wallman
Christensen	Gay	Johnson	Pankonin	Wightman
Dierks	Hansen	Kopplin	Pedersen	
Engel	Harms	Kruse	Pirsch	
Erdman	Heidemann	Langemeier	Raikes	

Voting in the negative, 0.

Present and not voting, 11:

Aguilar	Chambers	McDonald	Preister
Avery	Fulton	Nantkes	Stuthman
Burling	Lathrop	Nelson	

Excused and not voting, 6:

Cornett	Karpisek	Synowiecki
Dubas	Lautenbaugh	White

The appointments were confirmed with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Senator Johnson moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 798:

Foster Care Review Board
 Larry Brown
 Dave Schroeder

Voting in the affirmative, 36:

Adams	Fischer	Hudkins	McDonald	Schimek
Aguilar	Flood	Janssen	McGill	Wallman
Carlson	Friend	Johnson	Pahls	White
Chambers	Gay	Kopplin	Pankonin	Wightman
Christensen	Hansen	Kruse	Pedersen	
Dierks	Harms	Langemeier	Pirsch	
Engel	Heidemann	Lathrop	Raikes	
Erdman	Howard	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 8:

Ashford	Burling	Nantkes	Preister
Avery	Fulton	Nelson	Stuthman

Excused and not voting, 5:

Cornett	Dubas	Karpisek	Lautenbaugh	Synowiecki
---------	-------	----------	-------------	------------

The appointments were confirmed with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 1157A. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 878. Senator Chambers renewed his amendment, FA199, found on page 892.

SENATOR ERDMAN PRESIDING

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, 20:

Ashford	Cornett	Harms	Kopplin	Pankonin
Avery	Dubas	Howard	Langemeier	Preister
Carlson	Erdman	Hudkins	Louden	Synowiecki
Chambers	Hansen	Janssen	McDonald	Wallman

Voting in the negative, 17:

Adams	Fulton	Nantkes	Raikes	Wightman
Aguilar	Kruse	Nelson	Rogert	
Burling	Lathrop	Pedersen	Schimek	
Engel	Lautenbaugh	Pirsch	White	

Present and not voting, 9:

Christensen	Fischer	Gay	Johnson	Stuthman
Dierks	Friend	Heidemann	McGill	

Excused and not voting, 3:

Flood	Karpisek	Pahls
-------	----------	-------

The Chambers amendment lost with 20 ayes, 17 nays, 9 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment:

FA200

P. 7, line 3 after "office" insert "and render a decision within five days".

SENATOR LANGEMEIER PRESIDING

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

The Chambers amendment was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Lathrop offered the following amendment:

FA201

Strike "or involving an act through false statements" on lines 4-5, 7-8, 10-11 and 12-13 of AM2041 and in the place of the stricken language insert "evincing moral turpitude"

Senator Chambers requested a record vote on the Lathrop amendment.

Voting in the affirmative, 28:

Adams	Flood	Johnson	Nantkes	Schimek
Aguiar	Fulton	Langemeier	Nelson	Wallman
Burling	Hansen	Lathrop	Pedersen	White
Cornett	Harms	Lautenbaugh	Pirsch	Wightman
Engel	Hudkins	McDonald	Raikes	
Fischer	Janssen	McGill	Rogert	

Voting in the negative, 5:

Avery	Carlson	Chambers	Howard	Pankonin
-------	---------	----------	--------	----------

Present and not voting, 13:

Ashford	Dubas	Gay	Kruse	Synowiecki
Christensen	Erdman	Heidemann	Preister	
Dierks	Friend	Kopplin	Stuthman	

Excused and not voting, 3:

Karpisek	Louden	Pahls
----------	--------	-------

The Lathrop amendment was adopted with 28 ayes, 5 nays, 13 present and not voting, and 3 excused and not voting.

Pending.

RESOLUTION

LEGISLATIVE RESOLUTION 272. Introduced by Pankonin, 2.

WHEREAS, the Elmwood-Murdock Knights won the 2008 Class C-2 Boys' State Basketball Championship; and

WHEREAS, the Knights finished the season with a record of twenty-three wins and three losses; and

WHEREAS, the Knights have finally achieved their first victory ever in a championship game at the boys' state basketball tournament by defeating Grand Island Central Catholic; and

WHEREAS, the Knights have brought great pride to their school, their school district, their communities, their friends, and their families as they demonstrated discipline, efficiency, and tenacity throughout the season.

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

1. That the Legislature congratulates the Elmwood-Murdock Knights and head coach Terry Warner in winning the 2008 Class C-2 Boys' State Basketball Championship.

2. That a copy of this resolution be sent to the members of the Elmwood-Murdock boys' basketball team and to Coach Warner.

Laid over.

COMMITTEE REPORT

Agriculture

The Agriculture Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Tamas Allan - State Fair Board

Aye: 5 Senators Dierks, Dubas, Erdman, Karpisek, McDonald. Nay: 2 Senators Preister, Wallman. Absent: 1 Senator Chambers.

(Signed) Philip Erdman, Chairperson

MESSAGE FROM THE GOVERNOR

March 11, 2008

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Commission of Industrial Relations:

Bernard J. McGinn, 4140 South 58th Street, Lincoln, NE 68506

The aforementioned appointee is respectfully submitted for your consideration. A copy of the appointment certificate is included for your review. Background information will be provided in the very near future.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

McGinn, Bernard J. - Commission of Industrial Relations - Business and Labor

(Signed) Pat Engel, Chairperson
Legislative Council, Executive Board

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 755. Placed on Final Reading.

LEGISLATIVE BILL 851. Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

AMENDMENT - Print in Journal

Senator Chambers filed the following amendment to LB878:

FA203

P. 4, line 13 strike "in concise language"; on page 6, line 17 strike and show as stricken "in concise language".

VISITORS

Visitors to the Chamber were Mike Roccaforte from Omaha; two groups of fourth-grade students, teachers, and sponsors from Crete; Dr. David Kassmeier from Norfolk and Dr. Jeremiah Rethwisch from Omaha; and members of Leadership Nebraska City from Nebraska City.

RECESS

At 12:01 p.m., on a motion by Senator Howard, 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 Cornett and Karpisek who were excused; and Senators Ashford, Dierks, Heidemann, and Johnson who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1092. Title read. Considered.

Committee AM1974, found on page 702, was considered.

Senator Avery renewed the Karpisek amendment, AM2260, found on page 892, to the committee amendment.

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 784A. Introduced by Howard, 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 784, One Hundredth Legislature, Second Session, 2008.

RESOLUTION

LEGISLATIVE RESOLUTION 273. Introduced by Nelson, 6.

WHEREAS, the Omaha Central High School Eagles won the 2008 Class A Boys' State Basketball Championship; and

WHEREAS, Omaha Central has won three consecutive state championships and six state championships overall in boys' state basketball; and

WHEREAS, Omaha Central finished the 2008 season with twenty-five wins and three losses.

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

1. That Omaha Central High School be congratulated for their achievement in winning the 2008 Class A Boys' State Basketball Championship.

2. That the following individual players be recognized and congratulated by the Legislature: Donald Jones; Chris Griffin; Ronnell Grixby; Paul Simms; Ted Lampkin; Lorenzo Wilson; Rashad Middleton; Josh Jones; Daryle Hawkins; Deverell Biggs; Jason Felici; Denzell Cook; and Doug Knickrehm.

3. That head coach Eric Behrens and assistant coaches Charles Williams, Chad Burns, Herb Welling, Jay Landstrom, Matt Hamill, and Deron Larson be recognized and congratulated by the Legislature.

4. That a copy of this resolution be sent to Coach Eric Behrens and Omaha Central Principal Greg Emmel.

Laid over.

SENATOR FRIEND PRESIDING**GENERAL FILE**

LEGISLATIVE BILL 1092. The Karpisek amendment, AM2260, found on page 892 and considered in this day's Journal, to the committee amendment, was renewed.

Senator Nelson moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 3 nays, and 18 not voting.

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

Senator Avery requested a roll call vote on the Karpisek amendment.

Voting in the affirmative, 23:

Avery	Fischer	Kruse	Pahls	Rogert
Chambers	Flood	Lathrop	Pankonin	Schimek
Christensen	Harms	Louden	Pedersen	White
Dierks	Howard	McGill	Preister	
Engel	Johnson	Nantkes	Raikes	

Voting in the negative, 21:

Adams	Friend	Hudkins	Nelson	Wightman
Aguilar	Fulton	Kopplin	Pirsch	
Burling	Gay	Langemeier	Stuthman	
Carlson	Hansen	Lautenbaugh	Synowiecki	
Erdman	Heidemann	McDonald	Wallman	

Excused and not voting, 5:

Ashford	Cornett	Dubas	Janssen	Karpisek
---------	---------	-------	---------	----------

The Karpisek amendment lost with 23 ayes, 21 nays, and 5 excused and not voting.

The Chair declared the call raised.

Committee AM1974, found on page 702 and considered in this day's Journal, was renewed.

Pending.

AMENDMENTS - Print in Journal

Senator Pedersen filed the following amendment to LB880:
AM2101

(Amendments to Standing Committee amendments, AM1787)

- 1 1. Insert the following new section:
- 2 Sec. 7. Section 18-1755, Revised Statutes Cumulative
- 3 Supplement, 2006, is amended to read:
- 4 18-1755 A city of the metropolitan, primary, first, or
- 5 second class or village acquiring an interest in real property by
- 6 purchase or eminent domain shall do so only after the governing
- 7 body has authorized the acquisition by action taken in a public
- 8 meeting after notice and public hearing. The city or village shall
- 9 provide to the public a right of access for recreational use to
- 10 the real property acquired for public recreational purposes. Such
- 11 access shall be at designated access points and shall ~~be equal to~~
- 12 meet or exceed the right of access for recreational use held by
- 13 adjacent landowners. ~~The right of access granted to the public for~~
- 14 ~~recreational use shall meet or exceed such right held by a private~~
- 15 ~~landowner adjacent to the real property.~~

- 16 2. On page 2, line 20, strike "twenty", show as stricken,
 17 and insert "five".
 18 3. On page 3, line 4, strike "and 2-3290.01" and insert
 19 ", 2-3290.01, and 18-1755".
 20 4. Renumber the remaining sections and correct internal
 21 references accordingly.

Senator Erdman filed the following amendment to LB1049:
 AM2296

(Amendments to E & R amendments, ER8179)

- 1 1. Strike the original sections and all amendments
 2 thereto and insert the following new sections:
 3 Section 1. Section 37-101, Reissue Revised Statutes of
 4 Nebraska, is amended to read:
 5 37-101 ~~(1)-(1)(a)~~ The Game and Parks Commission shall
 6 consist of ~~eight~~ nine members, one from each of the eight districts
 7 provided for by section 37-102 and one at-large member, and shall
 8 be appointed by the Governor with the consent of a majority of all
 9 members of the Legislature.
 10 (b) Members of the commission shall be legal residents
 11 and citizens of Nebraska and shall be well informed on wildlife
 12 conservation and restoration. Until January 1, 2006, at least two
 13 members of the commission shall be actually engaged in agricultural
 14 pursuits and shall reside on a farm or ranch. On and after January
 15 1, 2006, at and interested in matters under the jurisdiction of the
 16 commission.
 17 (c) At least three members of the commission shall be
 18 actually engaged in agricultural pursuits, and at least two of such
 19 members shall reside on a farm or ranch.
 20 (d) Not more than ~~four~~ five of the members of the
 21 commission shall be affiliated with the same political party. The
 22 political party affiliation of each prospective member shall be
 1 determined as of the statewide general election prior to his or her
 2 appointment.
 3 (e) Members of the commission representing districts
 4 provided for by section 37-102 shall be bona fide residents of the
 5 district from which they are appointed.
 6 (f) When a member ceases to be a member of the political
 7 party determined under subdivision (d) of this subsection, ceases
 8 to be a bona fide resident of the district, or ceases to be
 9 actually engaged in agricultural pursuits if required to meet the
 10 qualifications for his or her appointment, the office shall be
 11 immediately vacated.
 12 (2)-(2)(a) When the term of ~~any~~ a member of the
 13 commission representing a district provided for by section 37-102
 14 expires, a successor shall be appointed as provided in subsection
 15 (1) of this section for a term of five years from the same district
 16 as the member whose term has expired. The terms of the members
 17 -serving district numbers 4, 6, and 8 on the operative date of

18 this act shall be extended to January 15 of the year following
 19 the expiration of their current terms. Members appointed for terms
 20 expiring prior to January 1, 2012, shall be appointed for five-year
 21 terms. Members appointed for terms expiring on or after January
 22 1, 2012, shall be appointed for four-year terms. The terms of all
 23 members shall begin on January 15, and the term of the at-large
 24 member shall begin January 15, 2009. Beginning with appointments
 25 made for terms beginning after January 1, 2008, in districts which
 26 contain more than one county, the Governor shall not appoint a
 27 person from the same county as his or her predecessor.

1 (b) Each member shall serve until the appointment and
 2 qualification of his or her successor. In case of a vacancy
 3 occurring prior to the expiration of the term of a member, the
 4 appointment shall be made only for the remainder of the term.
 5 An appointment made for the remainder of the term shall not be
 6 considered a full term.

7 (c) No person who has served two full terms shall be
 8 eligible for reappointment as a member of the commission.

9 (3) ~~All members of the commission shall be citizens and~~
 10 ~~bona fide residents of the district from which they are appointed.~~
 11 ~~When a member ceases to be a bona fide resident of the district,~~
 12 ~~from which he or she was appointed, the office shall be immediately~~
 13 ~~vacated.~~

14 (4) ~~(3)~~ If the Legislature is not in session when members
 15 of the commission are appointed by the Governor, they shall take
 16 office and act as recess appointees until the Legislature next
 17 thereafter convenes.

18 (5) ~~(4)~~ Members may be removed by the Governor for
 19 inefficiency, neglect of duty, or misconduct in office, but only
 20 after delivering to the member a copy of the charges and affording
 21 an opportunity of being publicly heard in person or by counsel in
 22 his or her own defense, upon not less than ten days' notice. Such
 23 hearing shall be held before the Governor. ~~(6)~~ If such member is
 24 removed, the Governor shall file in the office of the Secretary of
 25 State a complete statement of all charges made against such member
 26 and his or her findings thereon, together with a complete record
 27 of the proceedings. ~~No person who has served a full five year term~~
 1 ~~shall be eligible for reappointment as a member of the commission~~
 2 ~~until at least five years have elapsed between any previous term~~
 3 ~~which he or she might have served and the effective date of his or~~
 4 ~~her new appointment.~~

5 Sec. 2. This act becomes operative on January 1, 2009.

6 Sec. 3. Original section 37-101, Reissue Revised Statutes
 7 of Nebraska, is repealed.

RESOLUTION**LEGISLATIVE RESOLUTION 274.** Introduced by Pirsch, 4.

WHEREAS, the Academic Decathlon competition is a strenuous mental competition that many teams enter but in which few prevail; and

WHEREAS, the Academic Decathlon is a scholastic competition for teams of high school students; and

WHEREAS, the Harry A. Burke High School team from Omaha, Nebraska, entered and won the Nebraska Academic Decathlon with the highest score ever recorded in the history of the state competition; and

WHEREAS, the Burke High School Academic Decathlon team qualified for the national tournament scheduled for April 30 through May 3 in Garden Grove, California; and

WHEREAS, team members Robb Dooling, Emma Evans, Elizabeth Hattig, Erika Goergen, Eugene Kim, Ope Omojola, Mark Trost, Sarah Schmoker, Sara Schweneker, Claire Seger, and Kyle Sloup deserve special recognition for their teamwork and diverse knowledge which has contributed to the team's success; and

WHEREAS, the academic, athletic, and artistic accomplishments of the youth of this state should be recognized by the Nebraska Legislature.

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

1. That the Legislature recognizes and congratulates the members of the Burke High School Academic Decathlon team and their coach, Judy Kennedy.

2. That a copy of this resolution be sent to the Burke High School Academic Decathlon team and their coach, Judy Kennedy.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1092. Senator Stuthman offered the following amendment to the committee amendment:

FA204

Amend AM1974

On page 2, after line 26, add sub-section 4: "The cost to implement this bill be funded by the general appropriation of state funds by the legislature."

Senator Stuthman moved for a call of the house. The motion prevailed with 24 ayes, 0 nays, and 25 not voting.

The Stuthman amendment lost with 8 ayes, 23 nays, 12 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

The committee amendment, AM1974, was adopted with 32 ayes, 4 nays, 7 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 4 nays, 6 present and not voting, and 6 excused and not voting.

COMMITTEE REPORTS

Urban Affairs

LEGISLATIVE BILL 1095. Placed on General File with amendment. AM2220

- 1 1. On page 2, lines 13 and 14, strike the new matter and
 2 insert the following new subsections:
- 3 "(3) The prohibition in subsection (1) of this section
 4 shall not apply to the extension by a jurisdictional utility of
 5 a transmission line connecting to distribution facilities owned or
 6 operated by a jurisdictional utility, a city, or a metropolitan
 7 utilities district.
- 8 (4)(a) The prohibition in subsection (1) of this section
 9 shall not apply to the extension by a metropolitan utilities
 10 district of a transmission line connecting to distribution
 11 facilities owned or operated by such metropolitan utilities
 12 district.
- 13 (b) The extension by a metropolitan utilities district
 14 of a transmission line connecting to distribution facilities owned
 15 or operated by such metropolitan utilities district shall not
 16 constitute an enlargement or expansion of its natural gas service
 17 area and shall not be considered part of its natural gas service
 18 area.
- 19 (c) The extension of a transmission line by a
 20 jurisdictional utility as provided in subsection (3) of this
 21 section shall not constitute an enlargement or expansion of the
 22 jurisdictional utility's natural gas service area and shall not be
 23 considered part of its natural gas service area if the transmission
 1 line makes its connection to distribution facilities in a county in
 2 which the natural gas service area or a portion of the natural gas
 3 service area of a metropolitan utilities district is located.
- 4 (5) The prohibition in subsection (1) of this section
 5 shall not apply to the extension by a city that owns or operates a
 6 natural gas utility of a transmission line that connects to its own
 7 distribution facilities.
- 8 (6) For purposes of this section, a transmission line
 9 means a pipeline other than a gathering pipeline, distribution
 10 pipeline, or service line that transports natural gas.
- 11 (7) Nothing in this section shall be construed to
 12 authorize a jurisdictional utility to extend a transmission line to
 13 a high-volume ratepayer with an existing source and adequate
 14 supply of natural gas that is located outside the area in

15 which that jurisdictional utility has existing natural gas utility
 16 infrastructure."

(Signed) Mike Friend, Chairperson

Education

LEGISLATIVE BILL 1125. Placed on General File with amendment.
 AM2298

1 1. On page 6, line 10, strike "fifteen" and insert "ten".

(Signed) Ron Raikes, Chairperson

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 1014A. Placed on Select File.

(Signed) Amanda McGill, Chairperson

GENERAL FILE

LEGISLATIVE BILL 777. Title read. Considered.

Committee AM2002, found on page 680, was considered.

Senator Janssen renewed his amendment, AM2170, found on page 812, to the committee amendment.

The Janssen amendment was adopted with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

Senator Janssen moved for a call of the house. The motion prevailed with 34 ayes, 1 nay, and 14 not voting.

Senator Janssen requested a roll call vote on the committee amendment, as amended.

Senator Hudkins requested the roll call vote be taken in reverse order.

Voting in the affirmative, 28:

Adams	Erdman	Janssen	Louden	Raikes
Aguilar	Fischer	Johnson	McDonald	Rogert
Ashford	Flood	Kopplin	McGill	Synowiecki
Avery	Friend	Langemeier	Nantkes	Wightman
Burling	Fulton	Lathrop	Pirsch	
Christensen	Harms	Lautenbaugh	Preister	

Voting in the negative, 7:

Carlson	Hudkins	Pedersen	Wallman
Hansen	Kruse	Stuthman	

Present and not voting, 8:

Dierks	Gay	Howard	Pankonin
Dubas	Heidemann	Nelson	Schimek

Absent and not voting, 1:

Chambers

Excused and not voting, 5:

Cornett	Engel	Karpisek	Pahls	White
---------	-------	----------	-------	-------

The committee amendment, as amended, was adopted with 28 ayes, 7 nays, 8 present and not voting, 1 absent and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 756. Placed on Final Reading.

LEGISLATIVE BILL 855. Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

AMENDMENT - Print in Journal

Senator Gay filed the following amendment to LB1113:
AM2249

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. The Nebraska Legislative Issues Task Force is
- 4 hereby created. It shall consist of no less than one and no more
- 5 than any of the forty-nine members of the Legislature or their
- 6 designees. The Executive Board of the Legislative Council shall
- 7 appoint the chairperson of the task force from the membership of
- 8 the task force.
- 9 The duties of the task force shall include, but not be
- 10 limited to: The study of state legislative issues facing Nebraska.

- 11 The task force shall complete its work and issue a
12 final report outlining its findings and recommendations to the
13 Legislature no later than December 15, 2008.
14 This section terminates on December 31, 2008.
15 Sec. 2. Since an emergency exists, this act takes effect
16 when passed and approved according to law.

VISITORS

Visitors to the Chamber were 105 fourth-grade students, teachers, and sponsors from Gomez Heritage, Omaha.

The Doctor of the Day was Dr. Roger Meyer from Utica.

ADJOURNMENT

At 5:07 p.m., on a motion by Senator Hansen, the Legislature adjourned until 9:00 a.m., Wednesday, March 12, 2008.

Patrick J. O'Donnell
Clerk of the Legislature

