

**FORTY-FIRST DAY - MARCH 13, 2008****LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE  
SECOND SESSION****FORTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, March 13, 2008

**PRAYER**

The prayer was offered by Pastor Robert Snell, Southern Heights Presbyterian Church, Lincoln.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senator Ashford who was excused; and Senators Heidemann, Lautenbaugh, Pedersen, Synowiecki, and White who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fortieth day was approved.

**COMMITTEE REPORTS**

## Revenue

**LEGISLATIVE BILL 605.** Placed on General File with amendment.  
AM2254

- 1 1. Strike sections 3 through 5 and insert the following
- 2 new sections:
- 3 Sec. 2. Section 79-1202, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 79-1202 The official name of each educational service
- 6 unit shall be Educational Service Unit No. ... of the State
- 7 of Nebraska, and the individual number of each unit shall be
- 8 determined by the State Board of Education. ~~School District 55-001~~
- 9 ~~of Lancaster County shall remain Educational Service Unit No. 18.~~
- 10 ~~School District 28-001 of Douglas County shall remain Educational~~
- 11 ~~Service Unit No. 19.~~ For educational service units existing on
- 12 January 1, 1998, the number of the unit shall remain the same.
- 13 For educational service units created by merger, the number of the
- 14 unit shall be the number of one of the educational service units

15 dissolving into the new educational service unit. For all other  
 16 newly created educational service units, the number shall be any  
 17 number not otherwise assigned to an existing educational service  
 18 unit.

19 Sec. 4. Original sections 79-1202 and 79-1225, Reissue  
 20 Revised Statutes of Nebraska, and section 77-3442, Revised Statutes  
 21 Cumulative Supplement, 2006, are repealed.

22 2. On page 10, line 23, strike "2010-11" and insert  
 23 "2013-14".

1 3. Renumber the remaining sections accordingly.

**LEGISLATIVE BILL 983.** Placed on General File with amendment.  
 AM2320

1 1. On page 5, lines 5 and 17, after the period insert  
 2 "The resident individual shall apply for the credit pursuant to  
 3 section 9 of this act.".

4 2. On page 6, line 8, after the period insert "The entity  
 5 shall apply for the credit pursuant to section 9 of this act.".

6 3. On page 7, line 3, after the period insert "The  
 7 corporation shall apply for the credit pursuant to section 9 of  
 8 this act."; and in line 18 after the period insert "The estate or  
 9 trust shall apply for the credit pursuant to section 9 of this  
 10 act.".

11 4. On page 8, line 3, strike "may" and insert "shall";  
 12 in line 7 strike "reserve" and insert "approve"; in line 9 strike  
 13 "reserved" and insert "approved"; in lines 12, 13 and 14, and  
 14 23 strike "five million" and insert "three million five hundred  
 15 thousand"; and strike lines 24 and 25.

(Signed) Ray Janssen, Chairperson

### **NOTICE OF COMMITTEE HEARING**

Transportation and Telecommunications

Room 1113

Wednesday, March 26, 2008 8:45 a.m.

Holzfastner, Ralph - Nebraska Railway Council

(Signed) Deb Fischer, Chairperson

### **AMENDMENT - Print in Journal**

Senator Loudon filed the following amendment to LB1094:  
 AM2318

(Amendments to AM2234)

1 1. Insert the following new section:

2 Sec. 9. The Revisor of Statutes shall assign sections 5,

3 6, and 7 of this act within Chapter 2, article 32.

4 2. Renumber the remaining sections accordingly.

### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 12, 2008, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

Festersen, Pete  
Omaha Chamber of Commerce, Greater (Withdrawn 03/10/2008)

O'Hara, Lindsay & Associates, Inc.  
Institutional Life Services, LLC

### **REPORT**

The following report was received by the Legislature:

**Health and Human Services, Department of**  
Waiver of Training Requirements for Relative Foster Care Annual Report

### **SELECT FILE**

**LEGISLATIVE BILL 1014A.** Advanced to Enrollment and Review for Engrossment.

### **BILLS ON FINAL READING**

The following bills were read and put upon final passage:

#### **LEGISLATIVE BILL 619.**

A BILL FOR AN ACT relating to the State Treasurer; to amend section 84-617, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to bad debt charges; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Adams	Engel	Howard	McDonald	Rogert
Aguilar	Erdman	Hudkins	McGill	Schimek
Avery	Fischer	Janssen	Nantkes	Stuthman
Burling	Flood	Johnson	Nelson	Wallman
Carlson	Friend	Karpisek	Pahls	Wightman
Christensen	Fulton	Kopplin	Pankonin	
Cornett	Gay	Kruse	Pirsch	
Dierks	Hansen	Langemeier	Preister	
Dubas	Harms	Louden	Raikes	

Voting in the negative, 1:

Chambers

Present and not voting, 1:

Lathrop

Excused and not voting, 6:

Ashford	Lautenbaugh	Synowiecki
Heidemann	Pedersen	White

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **LEGISLATIVE BILL 898.**

A BILL FOR AN ACT relating to the Unfair Cigarette Sales Act; to amend sections 59-1502 and 59-1505, Reissue Revised Statutes of Nebraska; to redefine a term; to change the presumed cost of doing business; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 42:

Adams	Engel	Howard	Louden	Raikes
Aguilar	Erdman	Hudkins	McDonald	Rogert
Avery	Fischer	Janssen	McGill	Schimek
Burling	Flood	Johnson	Nantkes	Stuthman
Carlson	Friend	Karpisek	Nelson	Wallman
Christensen	Fulton	Kopplin	Pahls	Wightman
Cornett	Gay	Kruse	Pankonin	
Dierks	Hansen	Langemeier	Pirsch	
Dubas	Harms	Lathrop	Preister	

Voting in the negative, 1:

Chambers

Excused and not voting, 6:

Ashford	Lautenbaugh	Synowiecki
Heidemann	Pedersen	White

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB768 with 36 ayes, 2 nays, 5 present and not voting, and 6 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 768.**

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-727, Reissue Revised Statutes of Nebraska, and section 31-740, Revised Statutes Supplement, 2007; to provide for the power to contract for library services; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 45:

Adams	Dubas	Harms	Langemeier	Pirsch
Aguilar	Engel	Heidemann	Lathrop	Preister
Avery	Erdman	Howard	Louden	Raikes
Burling	Fischer	Hudkins	McDonald	Rogert
Carlson	Flood	Janssen	McGill	Schimek
Chambers	Friend	Johnson	Nantkes	Stuthman
Christensen	Fulton	Karpisek	Nelson	Synowiecki
Cornett	Gay	Kopplin	Pahls	Wallman
Dierks	Hansen	Kruse	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Ashford	Lautenbaugh	Pedersen	White
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB914 with 32 ayes, 3 nays, 10 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

#### LEGISLATIVE BILL 914.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 66-723, 77-1783.01, 77-2709, 77-2777, 77-2778, 77-2780, 77-2792, 77-2793, 77-2796, 77-27,100, 77-4104, 77-4928, 77-5405, 77-5534, and 79-1034, Reissue Revised Statutes of Nebraska, sections 21-2612, 66-720, 66-722, 66-1344, 77-2775, 77-5723, and 77-5726, Revised Statutes Cumulative Supplement, 2006, and sections 77-2711 and 77-27,187.02, Revised Statutes Supplement, 2007; to change provisions relating to limited liability companies, timeframes for certain filings and protests, interest and delinquent taxes, and a report; to eliminate funds; to create a fund; to provide operative dates; to repeal the original sections; and to outright repeal section 77-5732, Revised Statutes Cumulative Supplement, 2006.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 42:

Adams	Engel	Heidemann	Lathrop	Raikes
Aguilar	Erdman	Howard	Louden	Rogert
Avery	Fischer	Hudkins	McDonald	Stuthman
Burling	Flood	Janssen	McGill	Synowiecki
Carlson	Friend	Johnson	Nantkes	Wallman
Chambers	Fulton	Karpisek	Nelson	Wightman
Christensen	Gay	Kopplin	Pahls	
Cornett	Hansen	Kruse	Pankonin	
Dierks	Harms	Langemeier	Pirsch	

Voting in the negative, 0.

Present and not voting, 3:

Dubas	Preister	Schimek
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Excused and not voting, 4:

Ashford	Lautenbaugh	Pedersen	White
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A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 939.**

A BILL FOR AN ACT relating to public lettings; to amend sections 13-824.01, 18-2442, and 70-637, Revised Statutes Supplement, 2007; to change bidding requirements; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	Wightman
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Raikes	

Voting in the negative, 0.

Excused and not voting, 2:

Ashford      Pedersen

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 962.**

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1412, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to meetings of a public body; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Adams	Erdman	Hudkins	McDonald	Schimek
Aguilar	Fischer	Janssen	McGill	Stuthman
Avery	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	Wightman
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Raikes	
Engel	Howard	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Burling

Excused and not voting, 2:

Ashford      Pedersen

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **LEGISLATIVE BILL 1056.**

A BILL FOR AN ACT relating to cities of the first class; to adopt the First-Class City Merger Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Raikes	

Voting in the negative, 0.

Present and not voting, 1:



White

Excused and not voting, 2:

Ashford Pedersen

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB755 with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 755.** With Emergency.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 75-111, 75-126, 75-1011, and 75-1012, Reissue Revised Statutes of Nebraska, sections 75-156, 86-127, 86-209, 86-437, and 86-465, Revised Statutes Cumulative Supplement, 2006, and section 86-459, Revised Statutes Supplement, 2007; to change provisions relating to commission powers and duties, common carrier practices, service surcharges and reports, and transfer and use of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	Wightman
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Raikes	

Voting in the negative, 0.

Excused and not voting, 2:

Ashford            Pedersen

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB756 with 37 ayes, 2 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 756.** With Emergency.

A BILL FOR AN ACT relating to transportation; to amend sections 37-1282, 60-6,288, 60-6,289, and 60-6,310, Reissue Revised Statutes of Nebraska, sections 60-141, 60-365, 60-376, 60-3,161, 60-3,198, 60-601, 60-605, 60-6,290, and 60-6,294, Revised Statutes Cumulative Supplement, 2006, and sections 60-164, 60-168.02, 60-301, 60-302, 60-311, 60-342, 60-3,196, 60-462.01, 60-4,147.02, 60-6,265, 60-6,267, 75-363, and 75-364, Revised Statutes Supplement, 2007; to change and eliminate provisions relating to certificates of title; to change provisions of the Motor Vehicle Registration Act; to change provisions relating to registration of apportionable vehicles; to adopt the most recent International Registration Plan; to define and redefine terms; to adopt certain federal requirements relating to operators' licenses, occupant protection systems, and motor carriers; to provide an exception to vehicle weight limits for idle reduction technology; to allow certain self-propelled specialized mobile equipment to be transported on highways; to change moped operation requirements; to eliminate the prohibition on the use of parking lights; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 60-6,227, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 47:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	Wightman
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Raikes	

Voting in the negative, 0.

Excused and not voting, 2:

Ashford            Pedersen

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB851 with 38 ayes, 2 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 851.** With Emergency.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-224, 8-374, 8-2106, 25-202, and 64-214, Reissue Revised Statutes of Nebraska, sections 8-115.01, 8-116, 8-120, 8-122, 8-143.01, 8-157, 8-223, 8-234, 8-910, 8-1510, 8-2102, 45-703, 45-704, 45-907, 45-922, and 45-1006, Revised Statutes Cumulative Supplement, 2006, sections 8-1,140, 8-355, 21-17,115, 45-702, and 45-722, Revised Statutes Supplement, 2007, section 9-506, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and section 9-324, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to bank charters, undivided profits, and trust companies and trust departments; to change certain notice requirements with respect to bank charter and branching applications; to change provisions relating to loans to executive officers of banks; to change provisions relating to actions for the recovery of title or possession of real estate or foreclosure of mortgages; to provide for the foreclosure of deeds of trust; to allow bank employees and agents to perform acknowledgments of written instruments and administer oaths as prescribed; to revise powers of state-chartered banks, building and loan associations, and credit unions; to change provisions relating to bank holding company ownership limitations, interstate mergers, and interstate

branching by merger; to change provisions relating to the Mortgage Bankers Registration and Licensing Act, the Delayed Deposit Services Licensing Act, and the Nebraska Installment Loan Act; to change provisions relating to priority of purchase-money security interests and the effect of errors and omissions in a financing statement; to eliminate provisions relating to the investment of funds by fiduciaries; to provide operative dates; to repeal the original sections; to outright repeal section 30-3206, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	Wightman
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Raikes	

Voting in the negative, 0.

Excused and not voting, 2:

Ashford          Pedersen

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB855 with 36 ayes, 2 nays, 9 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 855.**

A BILL FOR AN ACT relating to insurance; to amend sections 44-349, 44-356, 44-789, 44-1521, 44-1601, 44-1603, 44-1604, 44-1605, 44-1606.01, 44-1607, 44-1607.01, 44-1613, 44-1614, 44-32,106, 44-3901, 44-3902, 44-3904, 44-3909, 44-3910, 44-3911, 44-4064, 44-6009, 44-6016, 44-6603,

44-6604, and 44-7613, Reissue Revised Statutes of Nebraska, sections 13-206, 28-631, 44-1602, and 44-7508.02, Revised Statutes Cumulative Supplement, 2006, and section 44-4521, Revised Statutes Supplement, 2007; to change provisions relating to rules and regulations, fraudulent insurance acts, assessment insurers, mandated coverage, unfair insurance trade practices, group life insurance, health maintenance organizations, continuing education, licensing of insurance producers, long-term care insurance, risk-based capital, policy forms, and filing requirements; to adopt the Discount Medical Plan Organization Act; to provide for supervision of financial conglomerates; to change and provide penalties; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	Wightman
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Raikes	

Voting in the negative, 0.

Excused and not voting, 2:

Ashford            Pedersen

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 619, 898, 768, 914, 939, 962, 1056, 755, 756, 851, and 855.

**GENERAL FILE**

**LEGISLATIVE BILL 151.** Title read. Considered.

Committee AM539, found on page 1059, First Session, 2007, was adopted with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not

voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 724.** Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 726.** Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 726A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 947.** Title read. Considered.

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

**LEGISLATIVE BILL 850.** Title read. Considered.

Committee AM1703, found on page 453, was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 805.** Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1004.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 754.** Title read. Considered.

Committee AM1732, found on page 463, was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 17 present

and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 893.** Title read. Considered.

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

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 278.** Introduced by Heidemann, 1.

WHEREAS, Matt Goff of Troop 396, Falls City, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest advancement of 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: Tenderfoot; Second Class; First Class; Star; Life; and finally, Eagle. Throughout his scouting experience, Matt has learned, been tested on, and been recognized for various scouting skills; 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; and

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

WHEREAS, Matt Goff will receive the rank of Eagle Scout, 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, SECOND SESSION:

1. That the Legislature congratulates Matt Goff on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Matt Goff.

Laid over.

**LEGISLATIVE RESOLUTION 279.** Introduced by Heidemann, 1.

WHEREAS, Mark Lucas of Troop 334, St. Mary, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest advancement of 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: Tenderfoot; Second Class; First Class; Star; Life; and finally, Eagle. Throughout his scouting experience, Mark has learned, been tested on, and been recognized for various scouting skills; 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; and

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

WHEREAS, Mark Lucas will receive the rank of Eagle Scout, 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, SECOND SESSION:

1. That the Legislature congratulates Mark Lucas on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Mark Lucas.

Laid over.

### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on March 13, 2008, at 10:20 a.m. were the following: LBs 619, 898, 768, 914, 939, 962, 1056, 755e, 756e, 851e, and 855.

(Signed) Jamie Kruse  
Clerk of the Legislature's Office

### **GENERAL FILE**

**LEGISLATIVE BILL 865.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 728.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 775.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 848.** Title read. Considered.



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

**LEGISLATIVE BILL 1011.** Title read. Considered.

Senator Langemeier renewed his amendment, AM1772, found on page 534.

The Langemeier amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

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

**LEGISLATIVE BILL 821.** Title read. Considered.

Committee AM1868, found on page 586, was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

### **COMMITTEE REPORT**

Judiciary

**LEGISLATIVE BILL 736.** Placed on General File with amendment. AM2148 is available in the Bill Room.

(Signed) Brad Ashford, Chairperson

### **COMMITTEE REPORT**

Enrollment and Review

**LEGISLATIVE BILL 1014A.** Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

### **GENERAL FILE**

**LEGISLATIVE BILL 845.** Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 904.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 798.** Title read. Considered.

Committee AM1894, found on page 639, was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 764.** Title read. Considered.

Committee AM1592, found on page 644, was considered.

Senator Lathrop moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The committee amendment was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 789.** Title read. Considered.

Committee AM1928, found on page 650, was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 902.** Title read. Considered.

Senator Pankonin renewed his amendment, AM2179, found on page 921.

The Pankonin amendment was adopted with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

## COMMITTEE REPORTS

### Enrollment and Review

**LEGISLATIVE BILL 1001.** Placed on Select File with amendment. ER8188 is available in the Bill Room.

**LEGISLATIVE BILL 1001A.** Placed on Select File.

**LEGISLATIVE BILL 1094.** Placed on Select File with amendment.  
ER8187

- 1 1. On page 1, strike beginning with "the" in line 1
- 2 through the semicolon in line 4 and insert "water management; to
- 3 amend sections 2-3225, 2-3226.01, 2-3226.05, and 84-612, Revised
- 4 Statutes Supplement, 2007; to provide for payment to certain water
- 5 rights holders pursuant to forbearance contracts; to create a
- 6 fund; to transfer funds and provide for repayment; to harmonize
- 7 provisions;".

**LEGISLATIVE BILL 1094A.** Placed on Select File.

**LEGISLATIVE BILL 765.** Placed on Select File.

**LEGISLATIVE BILL 889.** Placed on Select File with amendment.  
ER8189

- 1 1. On page 1, line 4, strike "79-2013, and 79-2015" and
- 2 insert "and 79-2013"; in line 7 after "to" insert "provide and";
- 3 and in line 9 strike "section 79-2014" and insert "sections 79-2014
- 4 and 79-2015".
- 5 2. On page 5, line 14, strike the reinstated "(12)", show
- 6 as stricken, and insert "(13)".

(Signed) Amanda McGill, Chairperson

### AMENDMENTS - Print in Journal

Senator Erdman filed the following amendment to LB848:  
AM1598 is available in the Bill Room.

Senator Fischer filed the following amendment to LB162:  
AM2240 is available in the Bill Room.

Senator Raikes filed the following amendment to LB846:  
AM2181

- 1 1. On page 21, line 4, strike "The" and insert "Except as
- 2 provided in subsection (4) of this section, the"; and after line 12
- 3 insert the following new subsection:
- 4 "(4) The allocation to the Highway Allocation Fund
- 5 provided in subdivisions (3)(b) and (c) of this section shall
- 6 be adjusted so that the amount allocated in any year pursuant to
- 7 this section and sections 66-489, 66-4,105, 66-4,145, 66-4,146,
- 8 66-6,107, and 66-6,109 shall not be less than fifty-five percent of
- 9 the amount appropriated by the Legislature to the Highway Cash Fund
- 10 in the same year."
- 11 2. On page 23, line 12, strike "The" and insert "Except
- 12 as provided in subsection (3) of this section, the"; and after line
- 13 20 insert the following new subsection:
- 14 "(3) The allocation to the Highway Allocation Fund
- 15 provided in subdivisions (2)(b) and (c) of this section shall

16 be adjusted so that the amount allocated in any year pursuant to  
 17 this section and sections 66-489, 66-4,105, 66-4,145, 66-4,146,  
 18 66-6,107, and 66-6,109 shall not be less than fifty-five percent of  
 19 the amount appropriated by the Legislature to the Highway Cash Fund  
 20 in the same year."

Senator Raikes filed the following amendment to LB846:  
 AM1967

- 1 1. Insert the following new section:
- 2 Sec. 2. Section 60-6,301, Revised Statutes Supplement,
- 3 2007, is amended to read:
- 4 60-6,301 When any motor vehicle, semitrailer, or trailer
- 5 is operated upon the highways of this state carrying a load in
- 6 excess of the maximum weight permitted by section 60-6,294, the
- 7 load shall be reduced or shifted to within such maximum tolerance
- 8 before being permitted to operate on any public highway of this
- 9 state, except that:
- 10 (1) If any motor vehicle, semitrailer, or trailer exceeds
- 11 the maximum load on only one axle, only one tandem axle, or only
- 12 one group of axles when (a) the distance between the first and last
- 13 axle of such group of axles is twelve feet or less, (b) the excess
- 14 axle load is no more than five percent in excess of the maximum
- 15 load for such axle, tandem axle, or group of axles permitted by
- 16 such section, while the vehicle or combination of vehicles is
- 17 within the maximum gross load, and (c) the load on such vehicle is
- 18 such that it can be shifted or the configuration of the vehicle can
- 19 be changed so that all axles, tandem axle, or groups of axles are
- 20 within the maximum permissible limit for such axle, tandem axle, or
- 21 group of axles, such shift or change of configuration may be made
- 22 without penalty;
- 23 (2) Any motor vehicle, semitrailer, or trailer carrying
- 1 only a load of livestock may exceed the maximum load as permitted
- 2 by such section on only one axle, only one tandem axle, or only one
- 3 group of axles when the distance between the first and last axle
- 4 of the group of axles is six feet or less if the excess load on
- 5 the axle, tandem axle, or group of axles is caused by a shifting
- 6 of the weight of the livestock by the livestock and if the vehicle
- 7 or combination of vehicles is within the maximum gross load as
- 8 permitted by such section;
- 9 (3) With a permit issued by the Department of Roads
- 10 or the Nebraska State Patrol, a truck with an enclosed body and
- 11 a compacting mechanism, designed and used exclusively for the
- 12 collection and transportation of garbage or refuse, may exceed the
- 13 maximum load as permitted by such section by no more than twenty
- 14 percent on only one axle, only one tandem axle, or only one group
- 15 of axles when the vehicle is laden with garbage or refuse if the
- 16 vehicle is within the maximum gross load as permitted by such
- 17 section. There shall be a permit fee of ten dollars per month or
- 18 one hundred dollars per year. The permit may be issued for one or

19 more months up to one year, and the term of applicability shall be  
20 stated on the permit; and

21 (4) Any motor vehicle, semitrailer, or trailer carrying  
22 any kind of a load, including livestock, which exceeds the legal  
23 maximum gross load by five percent or less may proceed on its  
24 itinerary and unload the cargo carried thereon to the maximum legal  
25 gross weight at the first unloading facility on the itinerary where  
26 the cargo can be properly protected. All material so unloaded shall  
27 be cared for by the owner or operator of such vehicle at the risk  
1 of such owner or operator; ~~and~~

2 (5) ~~Any motor vehicle, semitrailer, or trailer carrying~~  
3 ~~grain or other seasonally harvested products may operate from~~  
4 ~~the field where such grain or products are harvested to storage,~~  
5 ~~market, or stockpile in the field or from stockpile to market or~~  
6 ~~factory up to seventy miles with a load that exceeds the maximum~~  
7 ~~load permitted by section 60-6,294 by fifteen percent on any tandem~~  
8 ~~axle, group of axles, and gross weight. Any truck with no more than~~  
9 ~~a single rear axle carrying grain or other seasonally harvested~~  
10 ~~products may operate from the field where such grain or products~~  
11 ~~are harvested to storage, market, or stockpile in the field or~~  
12 ~~from stockpile to market or factory up to seventy miles with a~~  
13 ~~load that exceeds the maximum load permitted by section 60-6,294~~  
14 ~~by fifteen percent on any single axle and gross weight. The owner~~  
15 ~~or a representative of the owner of the agricultural product shall~~  
16 ~~furnish the driver of the loaded vehicle a signed statement of~~  
17 ~~origin and destination.~~

18 Nothing in this section shall be construed to permit  
19 to be operated on the National System of Interstate and Defense  
20 Highways any vehicle or combination of vehicles which exceeds any  
21 of the weight limitations applicable to such system as contained in  
22 section 60-6,294.

23 If the maximum legal gross weight or axle weight of any  
24 vehicle is exceeded by five percent or less and the arresting peace  
25 officer or carrier enforcement officer has reason to believe that  
26 such excessive weight is caused by snow, ice, or rain, the officer  
27 may issue a warning citation to the operator.

1 2. Correct the operative date section and repealer so  
2 that the section added by this amendment becomes operative on its  
3 effective date.

4 3. Renumber the remaining sections and correct internal  
5 references accordingly.

## GENERAL FILE

**LEGISLATIVE BILL 1067.** Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 17 present  
and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 838.** Title read. Considered.

Committee AM1788, found on page 681, was adopted with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 1 nay, 14 present and not voting, and 8 excused and not voting.

**SENATOR LANGEMEIER PRESIDING**

**LEGISLATIVE BILL 1045.** Title read. Considered.

Committee AM1819, found on page 701, was adopted with 25 ayes, 0 nays, 15 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 15 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 593.** Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 727.** Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 15 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1145.** Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 14 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1162.** Title read. Considered.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 17 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 972.** Title read. Considered.

Committee AM1977, found on page 722, was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 993.** Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1103.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 710.** Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1048.** Title read. Considered.

Committee AM1979, found on page 750, was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1048A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 572.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1108.** Title read. Considered.

Committee AM1897, found on page 751, was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

### **MOTION - Approve Appointment**

Senator Erdman moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 900:

State Fair Board  
Tamas Allan

Voting in the affirmative, 31:

Adams	Fischer	Janssen	Lautenbaugh	Pedersen
Burling	Flood	Johnson	Louden	Pirsch
Carlson	Friend	Karpisek	McDonald	Rogert
Christensen	Gay	Kopplin	McGill	
Dierks	Hansen	Kruse	Nelson	
Engel	Harms	Langemeier	Pahls	
Erdman	Howard	Lathrop	Pankonin	

Voting in the negative, 0.

Present and not voting, 13:

Aguilar	Heidemann	Preister	Synowiecki	Wightman
Avery	Hudkins	Raikes	Wallman	
Chambers	Nantkes	Schimek	White	

Excused and not voting, 5:

Ashford	Cornett	Dubas	Fulton	Stuthman
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The appointment was confirmed with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

### COMMITTEE REPORTS

Urban Affairs

**LEGISLATIVE BILL 984.** Placed on General File.

**LEGISLATIVE BILL 1101.** Placed on General File.

**LEGISLATIVE RESOLUTION 229CA.** Placed on General File.

(Signed) Mike Friend, Chairperson

Agriculture

**LEGISLATIVE BILL 1027.** Placed on General File with amendment. AM2295 is available in the Bill Room.

**LEGISLATIVE BILL 1174.** Placed on General File with amendment. AM2319 is available in the Bill Room.

(Signed) Philip Erdman, Chairperson



**AMENDMENTS - Print in Journal**

Senator Christensen filed the following amendment to LB1094:  
AM2325

(Amendments to AM2234)

- 1 1. On page 5, line 27; and page 6, line 2, after "time"
- 2 insert "and in the same manner".
- 3 2. On page 6, line 3, after the period insert "The county
- 4 treasurer shall publish and post a list of delinquent occupation
- 5 taxes with the list of real property subject to sale for delinquent
- 6 property taxes provided for in section 77-1804. In addition, the
- 7 list shall be provided to natural resources districts which levied
- 8 the delinquent occupation taxes. The list shall include the record
- 9 owner's name, the parcel identification number, and the amount of
- 10 delinquent occupation tax. For services rendered in the collection
- 11 of the occupation tax, the county treasurer shall receive the fee
- 12 provided for collection of general natural resources district money
- 13 under section 33-114.".

Senators Heidemann, Engel, Fulton, Harms, Kruse, Nelson, and Wightman  
filed the following amendment to LB961:

AM2323

(Amendments to Standing Committee amendments, AM2139)

- 1 1. Strike section 1.
- 2 2. On page 12, line 17, strike "sections 59-1608.04 and"
- 3 and insert "section".
- 4 3. Renumber the remaining sections accordingly.

Senator Raikes filed the following amendment to LB988:  
AM2335

(Amendments to Standing Committee amendments, AM2128)

- 1 1. Strike sections 1, 8, 32, 45, and 49 and insert the
- 2 following new section:
- 3 Sec. 7. Section 79-1003.01, Revised Statutes Supplement,
- 4 2007, is amended to read:
- 5 79-1003.01 (1) ~~For purposes of this section and section~~
- 6 ~~79-1007.03, school fiscal year 2008-09,~~ summer school student unit
- 7 means one student enrolled in summer school in a school district,
- 8 whether or not the student is in the membership of the school
- 9 district, for (1) at least three hours but fewer than six hours per
- 10 day and (2) at least twelve days but fewer than twenty-four days.
- 11 Each school district shall receive a summer school student unit for
- 12 each qualified time period for which a student is enrolled, up to
- 13 six units per student per summer.
- 14 (2) For school fiscal year 2009-10 and each school fiscal
- 15 year thereafter, the department shall calculate a summer school
- 16 allowance for each district equal to two and one-half percent of
- 17 the summer school student units for such district multiplied by
- 18 eighty-five percent of the statewide average general fund operating

19 expenditures per formula student. Summer school student units shall  
 20 be calculated for each student enrolled in summer school in a  
 21 school district who attends such summer school for at least twelve  
 22 days, whether or not the student is in the membership of the school  
 1 district. The initial number of units for each such student shall  
 2 equal the sum of the ratios, each rounded down to the nearest whole  
 3 number, of the number of days for which the student attended summer  
 4 school classes in such district for at least three hours and less  
 5 than six hours per day divided by twelve days and of two times the  
 6 number of days for which the student attended summer school classes  
 7 in such district for six or more hours per day divided by twelve  
 8 days.

9 (3) Each school district shall receive an additional  
 10 summer school student unit for each summer school student unit  
 11 attributed to remedial math or reading programs. Each school  
 12 district shall also receive an additional summer school student  
 13 unit for each summer school student unit attributed to a free  
 14 lunch and free milk student. This section does not prevent school  
 15 districts from requiring and collecting fees for summer school,  
 16 except that summer school student units shall not be calculated  
 17 for ~~summer school programs for which fees are collected school~~  
 18 ~~districts which collect fees for summer school~~ from students who  
 19 qualify for free or reduced-price lunches under United States  
 20 Department of Agriculture child nutrition programs.

21 2. On page 13, line 14; page 93, line 19; page 94, lines  
 22 23 and 24 and 25; page 95, lines 3, 4, 15, 21, and 25; and page  
 23 96, lines 1, 12, and 16, strike the new matter and reinstate the  
 24 stricken matter.

25 3. On page 43, strike beginning with "final" in line  
 26 4 through "79-1065" in line 5 and insert "certification of aid  
 27 pursuant to section 79-1022".

1 4. On page 75, lines 11 through 14, strike the new  
 2 matter.

3 5. On page 92, line 24; and page 93, line 5, strike  
 4 "assessed" and insert "adjusted".

5 6. On page 93, lines 21 through 25, reinstate the  
 6 stricken matter; and in line 27 strike the new matter and reinstate  
 7 the stricken matter.

8 7. On page 94, line 1, strike the new matter; in  
 9 lines 2 through 9, reinstate the stricken matter; in line 11  
 10 strike "assessed"; reinstate the stricken matter beginning with  
 11 "(3)" in line 12 through the comma in line 14; in line 14  
 12 after the stricken "hundred" insert "ninety-six"; reinstate the  
 13 stricken matter beginning with "percent" in line 14 through the  
 14 comma in line 15; in line 15 after the stricken "seventy-five"  
 15 insert "seventy-two"; reinstate the stricken matter beginning with  
 16 "percent" in line 16 through the comma in line 18; in line 18 after  
 17 the stricken "seventy-five" insert "seventy-two"; reinstate the  
 18 stricken matter beginning with "percent" in line 18 through line

- 19 21; in line 22 strike the new matter and reinstate the stricken  
 20 matter; and in line 26, reinstate the stricken matter.  
 21 8. On page 95, lines 13 and 24; page 96, lines 15, 18,  
 22 and 19; and page 100, line 14, strike the new matter and reinstate  
 23 the stricken matter.  
 24 9. Amend the repealer, correct internal references, and  
 25 renumber the remaining sections accordingly.

## RESOLUTION

**LEGISLATIVE RESOLUTION 280.** Introduced by Burling, 33.

WHEREAS, Shane Peterson, Troop 207, son of Rodger and Patty Peterson, of Juniata, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

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, Shane has learned, been tested on, and been recognized for various scouting skills; 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. For his Eagle Scout community service project, Shane cut down and removed dying and unsightly trees in a four-hundred-foot shelterbelt on the north side of the new Prairie Loft Center. Shane also picked up trash and other debris in the shelterbelt and adjacent ditch. He spent one hundred seventy-seven hours on the project; and

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

WHEREAS, Shane was awarded the rank of Eagle Scout on January 29, 2008, thereby joining 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, SECOND SESSION:

1. That the Legislature congratulates Shane Peterson on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Shane Peterson.

Laid over.

## UNANIMOUS CONSENT - Add Cointroducers

Senators Kruse and Preister asked unanimous consent to add their names as cointroducers to LB920. No objections. So ordered.

**VISITORS**

Visitors to the Chamber were 34 third- and fourth-grade students from Sterling; 20 third- and fourth-grade students from St. Joseph Elementary, Beatrice; Jerry and Karen Peterson from Neligh; Natali Lopez, Issa Issa, Tony Garcia, and Monica Rodriguez from Lexington; and 110 eighth-grade students, teachers, and sponsors from Lexington.

The Doctor of the Day was Dr. Thomas Joseph from Lincoln.

**ADJOURNMENT**

At 12:53 p.m., on a motion by Senator White, the Legislature adjourned until 10:00 a.m., Monday, March 17, 2008.

Patrick J. O'Donnell  
Clerk of the Legislature