

**FIFTY-EIGHTH DAY - APRIL 15, 2008****LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE  
SECOND SESSION****FIFTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, April 15, 2008

**PRAYER**

The prayer was offered by Senator Wallman.

**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 Senators Cornett, Lautenbaugh, Preister, and White who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-seventh day was approved.

**MESSAGES FROM THE GOVERNOR**

April 11, 2008

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 171, 171A, 179, 179A, 467, 467A, 575, 765, 766, 777, 889, 912, 952, 973, and 1049 were received in our office on April 7, 2008.

I signed these bills and delivered them to the Secretary of State on April 11, 2008.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 14, 2008

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 916, 965e, 1058e, 1068, and 1154 were received in my office on April 8, 2008.

I signed these bills and delivered them to the Secretary of State on April 14, 2008.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 14, 2008

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

Dear Mr. President and Members of the Legislature:

I am returning LB 1154A without my signature and with my objections.

The legislation appropriates \$7,650 of General Funds to the Nebraska Secretary of State in order to convene the first three meetings of the Learning Community Coordinating Council. The expenses for the Secretary of State to schedule and host the first meeting of the newly-elected council members during the month of January 2009, and to schedule and host at least one meeting in the following February and March, can be absorbed within existing appropriations.

During the 2007 session, LB 641A was enacted and will provide, in the 2008-09 fiscal year, \$500,000 to the metropolitan area learning community to be used for the administration, operation and programs of the learning community. Therefore, the appropriation proposed in LB 1154A is duplicative of the appropriation which was enacted last year.

For these reasons, I urge you to sustain my veto of LB 1154A.

Sincerely,  
(Signed) Dave Heineman  
Governor

**REFERENCE COMMITTEE REPORT**2008 Resolutions calling for an Interim Study

- LR221 Interim study to examine implementation of a statewide stroke registry  
Health and Human Services
- LR275 Interim study to examine the process of creating legislative task forces, committees, and commissions  
Executive Board
- LR276 Interim study to examine the standards and oversight of death investigations in Nebraska  
Judiciary
- LR285 Interim study to examine whether state-funded building projects should be required to meet high performance green building standards  
Government, Military and Veterans Affairs
- LR286 Interim study to examine return flow issues as they affect surface water irrigation  
Natural Resources
- LR287 Interim study to examine Nebraska state forests as potential renewable energy resources  
Natural Resources
- LR288 Interim study to examine the causes and effects of water depletion across the state of Nebraska  
Natural Resources
- LR289 Interim study to examine public power issues relating to the generation of power in the state of Nebraska  
Natural Resources
- LR290 Interim study to examine the possibility of recycling construction waste and deconstruction materials  
Natural Resources
- LR291 Interim study to examine the process for obtaining an instream flow right by either a natural resources district or the Game and Parks Commission  
Natural Resources
- LR292 Interim study to review services available for at-risk children age birth to five years  
Education

- LR293 Interim study to examine ways to develop interest in science and math disciplines  
Education
- LR294 Interim study to examine alternative salary compensation and funding systems for teachers  
Education
- LR295 Interim study to examine regional models of delivering education in rural communities  
Education
- LR296 Interim study of the impact of a future Base Realignment and Closure Commission on Nebraska's current military installations and missions  
Government, Military and Veterans Affairs
- LR297 Interim study to examine issues relating to the inspection requirements for Class B swimming pools and certified swimming pool operators  
Health and Human Services
- LR298 Interim study to examine issues under the jurisdiction of the Government, Military and Veterans Affairs Committee  
Government, Military and Veterans Affairs
- LR299 Interim study to examine changes being implemented by insurance companies to reduce private insurance benefits covering prosthetic limbs  
Banking, Commerce and Insurance
- LR300 Interim study to examine issues relating to the authority of the Dept. of Natural Resources to set the boundaries of game refuges  
Natural Resources
- LR301 Interim study to examine issues regarding the Comprehensive Health Insurance Pool  
Banking, Commerce and Insurance
- LR302 Interim study to examine issues relating to the availability and use of rooms for school children visiting the State Capitol and coordination of tours by the tour office  
Executive Board
- LR303 Interim study to examine issues relating to establishment of a laboratory at the University of Nebraska Medical Center to conduct medical research on umbilical cord blood and tissue  
Health and Human Services

- LR304 Interim study to examine issues relating to early retirement by public school teachers  
Education
- LR305 Interim study to examine requiring issuers of group health benefit plans to provide information regarding claims paid and the amount of premiums by line of coverage  
Banking, Commerce and Insurance
- LR306 Interim study to examine issues relating to the use of latex in public places and efforts to restrict or eliminate the use of latex  
Health and Human Services
- LR307 Interim study to examine Nebraska's aid to dependent children program  
Health and Human Services/Appropriations
- LR308 Interim study to examine costs associated with the creation of the learning community  
Appropriations/Education
- LR309 Interim study to determine whether Nebraska should enact the Uniform Limited Partnership Act (2001)  
Banking, Commerce and Insurance
- LR310 Interim study to examine the mandatory retirement age and lack of purchase of service provisions in the Nebraska State Patrol Retirement System  
Nebraska Retirement Systems
- LR311 Interim study to examine the public employee retirement systems administered by the Public Employees Retirement Board  
Nebraska Retirement Systems
- LR312 Interim study to examine whether the Legislature should adopt a statewide 24/7 sobriety program  
Judiciary
- LR313 Interim study to examine the need for a uniform voluntary procedure of dispute resolution between railroads and entities who enter into agreements to construct certain facilities  
Transportation and Telecommunications
- LR314 Interim study to examine means to fully cash fund the duties carried out by the Dept. of Agriculture under the Noxious Weed Control Act  
Agriculture

- LR315 Interim study to review the statutory provisions for disease eradication programs administered by the Bureau of Animal Industry  
Agriculture
- LR316 Interim study to continue examination of activities and staffing of the Dept. of Agriculture and the Bureau of Animal Industry  
Agriculture
- LR317 Interim study to examine the use of electronic surveillance devices and software by individuals who engage in the crime of stalking  
Judiciary
- LR318 Interim study to examine the participation rate of the food stamp program in Nebraska  
Health and Human Services
- LR319 Interim study to examine the statutes governing the placement of electric transmission lines  
Natural Resources
- LR321 Interim study to examine issues relating to the Nebraska expressway system  
Transportation and Telecommunications
- LR322 Interim study to examine the current and proposed system that the Dept. of Roads uses to prioritize the needs of Nebraska's highways  
Transportation and Telecommunications
- LR323 Interim study to examine tax incentive programs in Nebraska and other states to assess cost and effectiveness  
Revenue
- LR324 Interim study to conduct a comprehensive study on Nebraska's highway development and funding system  
Transportation and Telecommunications
- LR326 Interim study to examine issues under the jurisdiction of the Transportation and Telecommunications Committee  
Transportation and Telecommunications
- LR327 Interim study to review the report and recommendations of the Tax Policy Reform Commission  
Revenue

- LR328 Interim study to develop and publish information necessary to implement a method of valuation of agricultural real estate used by neighboring agricultural states  
Revenue
- LR329 Interim study to examine state policy changes that should be pursued to ensure that state economic development efforts fully leverage the state's public and private research capacity  
Appropriations/Revenue
- LR330 Interim study to identify points of diversion for transferring excess water, flood water, and storm water between river basins to increase water management capabilities  
Natural Resources
- LR331 Interim study to examine how to simplify and grant authority to a single entity to divert excess water in the Platte River to Johnson and Elwood Reservoirs after stream flows reach a specific level  
Natural Resources
- LR332 Interim study to examine the concept of transferring storm water runoff from cities to the Republican River Basin to help with interstate water compact compliance  
Natural Resources
- LR333 Interim study to review the crime of destruction of property through the use of graffiti and to make recommendations to combat the crime  
Judiciary
- LR334 Interim study of the effects of LB 588, 2007, on the premium cost to consumers of workers' compensation insurance in Nebraska and the impact of certain hospital fee schedules on Nebraska hospitals  
Business and Labor
- LR335 Interim study to examine policies, programs, services, and strategies to encourage and support family farm proprietorship  
Agriculture
- LR336 Interim study to examine how to better educate parents, school officials, day care providers, and the public regarding the administration of the influenza vaccine  
Health and Human Services
- LR337 Interim study to examine the needs of the state for development of a plan to provide behavioral health workers support personnel necessary to support community-based behavioral health services and funding of the plan

## Health and Human Services

- LR338 Interim study to conduct research and develop recommendations relating to the implementation of the Nebraska Behavioral Health Services Act  
Health and Human Services/Appropriations
- LR339 Interim study to examine issues raised by LB 742, 2008, relating to educational requirements for licensure as an engineer  
Health and Human Services
- LR340 Interim study to examine transparency in health care pricing and billing  
Health and Human Services
- LR341 Interim study to review issues associated with requiring that DNA samples be collected for arrestees for felony sex offenses and other specified offenses  
Judiciary
- LR342 Interim study to examine the transfer of administration and enforcement of construction standards for onsite wastewater treatment systems from the Dept. of Environmental Quality to the Dept. of Health and Human Services  
Natural Resources/Health and Human Services
- LR343 Interim study to examine the collection and distribution of municipal aid and equalization to communities in Nebraska  
Revenue
- LR344 Interim study to examine the process and standards used to revise the State Electrical Act  
General Affairs
- LR345 Interim study to examine issues relating to the horseracing industry in Nebraska  
General Affairs
- LR346 Interim study to reexamine the effects of changing the age of majority from age nineteen to age eighteen  
Judiciary
- LR347 Interim study to examine issues under the jurisdiction of the Education Committee  
Education
- LR348 Interim study to examine the issue of language access in Nebraska's health care and human services systems  
Health and Human Services



- LR349 Interim study to conduct a comprehensive examination of city and county state aid programs currently in state law  
Revenue
- LR350 Interim study to examine development of renewable energy and other systems for capturing energy values from agricultural products and waste streams  
Agriculture
- LR352 Interim study to examine a model for wind and solar rights in the State of Nebraska  
Natural Resources
- LR353 Interim study to examine the rural economic development potential of wind energy development in Nebraska  
Agriculture
- LR354 Interim study to review the statutory provisions of the Adult Protective Services Act  
Judiciary
- LR355 Interim study to examine the feasibility of the Dept. of Health and Human Services contracting with other social services agencies for the provision of foster care services  
Health and Human Services
- LR356 Interim study to examine financing mechanisms for a natural resources district encompassing a city of the metropolitan class in order to implement flood control and water quality projects  
Revenue
- LR357 Interim study to examine policies relating to livestock friendly county programs in the state  
Agriculture
- LR358 Interim study to examine issues raised by LB 1073, 2008, that proposed to adopt the Nebraska Construction Prompt Pay Act  
Business and Labor
- LR359 Interim study to review changes to Nebraska's statewide assessment statutes and the Quality Education Accountability Act and to evaluate models for implementing statewide assessment  
Education
- LR360 Interim study to examine the feasibility of including Highway 133 as part of the expressway system in Nebraska  
Transportation and Telecommunications

- LR361 Interim study to examine the impact of federal and state bans on the slaughter of horses  
Agriculture
- LR362 Interim study to examine issues relating to illegal immigration  
Judiciary
- LR363 Interim study to identify powers and duties of the Dept. of Health and Human Services, to prioritize programs and services, and to examine funding of programs and services  
Health and Human Services
- LR364 Interim study to review matters under the jurisdiction of the Natural Resources Committee  
Natural Resources
- LR365 Interim study to examine railroads' responsibilities to the citizens of the state  
Transportation and Telecommunications
- LR366 Interim study to examine the impact that improved irrigation efficiency could have on Nebraska's water shortage  
Natural Resources
- LR367 Interim study to examine issues relating to the current and future availability and access to telecommunications and information services throughout the state  
Transportation and Telecommunications
- LR368 Interim study to examine policy changes to provide cooperation between governmental agencies and tribal governments relating to paleontological resources  
Government, Military and Veterans Affairs
- LR369 Interim study to examine policy changes in order to provide guidance and oversight of Nebraska's home schools  
Education
- LR370 Interim study to examine issues relating to the effect of mandatory overtime at twenty-four-hour care facilities  
Business and Labor/Health and Human Services
- LR371 Interim study to determine current energy usage by schools and school districts and to examine effective energy efficiency measures  
Natural Resources/Education

- LR372 Interim study to examine standardization among the different classes of cities and villages regarding adoption, implementation, and enforcement of municipal ordinances  
Urban Affairs
- LR373 Interim study to review the use of homeowners associations in sanitary and improvement districts  
Urban Affairs
- LR374 Interim study to examine issues under the jurisdiction of the Urban Affairs Committee  
Urban Affairs
- LR375 Interim study to examine issues raised by LB 899, 2008, which proposed the establishment of a land reutilization authority within metropolitan class cities  
Urban Affairs/Revenue
- LR377 Interim study to examine issues relating to the Department of Natural Resources  
Natural Resources
- LR385 Interim study to examine requiring state government to purchase certain goods and services produced in the State of Nebraska  
Government, Military and Veterans Affairs
- LR388 Interim study to review the constitutional references to and the statutory powers and duties of the State Board of Education and the Commissioner of Education  
Education
- LR389 Interim study to develop a plan for implementation of mandatory alcoholic liquor server training for employees of retail liquor licensees  
Judiciary/General Affairs
- LR390 Interim study to examine firearm-related violence in Nebraska  
Judiciary

(Signed) L. Patrick Engel, Chairperson  
Legislative Council, Executive Board

**COMMITTEE REPORTS**

## Enrollment and Review

**LEGISLATIVE BILL 469.** Placed on Final Reading.

ST9106

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

1. Because of the amendment of section 71-7606 by Laws 2007, LB 296, the original sections have been struck and the following new sections inserted:

Section 1. Section 71-7606, Revised Statutes Supplement, 2007 is amended to read:

71-7606 (1) The purpose of the Nebraska Health Care Funding Act is to provide for the use of dedicated revenue for health-care-related expenditures.

(2) Any funds appropriated or distributed under the act shall not be considered ongoing entitlements or obligations on the part of the State of Nebraska and shall not be used to replace existing funding for existing programs.

(3) No funds appropriated or distributed under the act shall be used for abortion, abortion counseling, referral for abortion, ~~school-based health clinics,~~ or research or activity of any kind involving the use of human fetal tissue obtained in connection with the performance of an induced abortion or involving the use of human embryonic stem cells or for the purpose of obtaining other funding for such use.

(4) The Department of Health and Human Services shall report annually to the Legislature and the Governor regarding the use of funds appropriated under the act and the outcomes achieved from such use.

Sec. 2. Original section 71-7606, Revised Statutes Supplement, 2007, is repealed.

2. On page 1, the matter beginning with "Reissue" in line 2 through "Nebraska" in line 3 has been struck and "Revised Statutes Supplement, 2007" inserted.

**LEGISLATIVE BILL 609A.** Placed on Final Reading Second.

ST9108

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

1. In the Heidemann amendment, AM2682, on page 1, line 3, "Section 15," has been inserted after the period; in lines 4, 16, and 21 ", section 15" has been struck; in line 15 "section 15," has been inserted after "Original"; and in line 20 "section 15," has been inserted after "amend".

**LEGISLATIVE BILL 720.** Placed on Final Reading.

**LEGISLATIVE BILL 734.** Placed on Final Reading.

**LEGISLATIVE BILL 837.** Placed on Final Reading.

**LEGISLATIVE BILL 928.** Placed on Final Reading.

ST9107

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

1. Sections have been renumbered and internal references corrected to incorporate all adopted amendments.

2. In lieu of the Dubas amendments, FA273 and AM2282, in the Johnson amendment, AM2642, on page 5, lines 15 and 16, the new matter has been struck and "no later than December 1 before the next regular session of the Legislature" inserted.

3. In the Heidemann amendment, AM2519, amendments 2 and 3 have been struck.

4. In the Johnson amendment, AM2304, sections 3, 4, and 7 have been struck.

5. In the Standing Committee amendments, AM2435:

a. Section 33 and all amendments thereto have been struck and the following new sections inserted:

Sec. 42. Sections 1, 15, 16, 19, 20, 21, 22, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 45, and 47 of this act become operative three calendar months after the adjournment of this legislative session. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 23, 24, 26, 27, 28, and 43 of this act become operative on December 1, 2008. Sections 14 and 46 of this act become operative on July 1, 2008. The other sections of this act become operative on their effective date.

Sec. 46. Original section 43-4001, Revised Statutes Supplement, 2007, is repealed.;

b. On page 44, line 26, "38-711," has been inserted after the first comma; and

c. On page 45, line 2, "section 71-5830.01, Reissue Revised Statutes of Nebraska, sections 71-810 and 71-818, Revised Statutes Cumulative Supplement, 2006," has been inserted after "Original"; in line 4 "30-2483," has been inserted after "sections"; in line 5 "81-656" has been struck and "68-909, 81-656," inserted; and in line 6 "68-949, 71-1910," has been inserted after "sections".

6. On page 1, the matter beginning with "repeal" in line 1 through line 4 and all amendments thereto have been struck and "amend sections 30-2483, 71-5830.01, 81-653, 81-655, and 81-659, Reissue Revised Statutes of Nebraska, sections 68-909, 71-810, 71-818, 81-656, and 81-660, Revised Statutes Cumulative Supplement, 2006, sections 38-101, 38-711, 38-1901, 38-1902, 38-1907, 38-1915, 38-3321, 43-4001, 68-949, 71-1910, 71-2619, 71-2620, 71-2621, 71-3503, 71-3505, 71-3507, 71-3508.03, 71-3517, 71-3519, 71-5306, 81-654, 81-657, and 81-664, Revised Statutes Supplement, 2007, and section 71-7608, Revised Statutes Supplement, 2007, as amended by section 7, Legislative Bill 606, One Hundredth Legislature, Second Session, 2008; to require notice of appointment of a personal representative as prescribed; to provide for the performance of collaborative animal health care tasks under the Uniform Credentialing Act as prescribed; to provide additional functions for certified registered nurse anesthetists; to define and redefine terms; to change provisions relating to

medical radiographers, licensing and registration requirements under the Medical Radiography Practice Act and the Radiation Control Act, laboratories, and collection and use of fees; to change membership provisions of the Children's Behavioral Health Task Force; to change reporting requirements under the Medical Assistance Act; to rename, extend, and change membership and duties of the Behavioral Health Oversight Commission of the Legislature; to exempt certain recreational facilities from the Child Care Licensing Act; to provide for fingerprinting and a background check under the Radiation Control Act; to change an exemption from certificate of need requirements; to change provisions relating to the Nebraska Tobacco Settlement Trust Fund; to name an act and change and eliminate provisions relating to the brain injury registry; to repeal the Hepatitis C Education and Prevention Act; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 71-545, 71-546, 71-547, 71-548, 71-549, 71-550, and 81-661, Revised Statutes Supplement, 2007; and to declare an emergency." inserted.

**LEGISLATIVE BILL 928A.** Placed on Final Reading.

ST9102

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

1. On page 1, line 4, "an appropriation" has been struck and "certain appropriations" inserted.

**LEGISLATIVE BILL 986.** Placed on Final Reading.

ST9105

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

1. On page 1, the matter beginning with "section" in line 1 through line 5 and all amendments thereto have been struck and "sections 81-1504.01 and 81-15,160, Revised Statutes Supplement, 2007; to adopt the Electronics Recycling Act; to provide fees; to provide for a report regarding and grants from the Waste Reduction and Recycling Incentive Fund; to delete obsolete provisions; to harmonize provisions; to provide severability; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 986A.** Placed on Final Reading.

**LEGISLATIVE BILL 1027.** Placed on Final Reading.

ST9110

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

1. In the Standing Committee amendment, AM2295, on page 16, line 11, "and 77-5209" has been struck and ", 77-5209, and 77-5211" inserted.

**LEGISLATIVE BILL 1027A.** Placed on Final Reading.

**LEGISLATIVE BILL 1055.** Placed on Final Reading Second.

**LEGISLATIVE BILL 1147.** Placed on Final Reading.  
ST9087

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

1. On page 1, the matter beginning with "sections" in line 1 through line 9 and all amendments thereto have been struck and "sections 79-933, 79-947.04, and 81-2027.06, Reissue Revised Statutes of Nebraska, sections 23-2306, 23-2309.01, 23-2310.05, 24-708, 24-710.07, 24-710.10, 81-2027.03, 84-1307, 84-1310.01, and 84-1311.03, Revised Statutes Cumulative Supplement, 2006, and sections 23-2320, 79-947.01, and 84-1322, Revised Statutes Supplement, 2007; to change contribution allocation provisions and contribution requirements under the County Employees Retirement Act and the State Employees Retirement Act; to provide for early retirement with reduced monthly retirement income under the Judge's Retirement Act; to change benefit adjustment provisions relating to the Judges Retirement Act, the School Employees Retirement Act, and the Nebraska State Patrol Retirement Act; to change provisions relating to service annuities under the School Employees Retirement Act; to provide for a comprehensive review of the Nebraska Investment Council; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

**LEGISLATIVE BILL 1147A.** Placed on Final Reading.

**LEGISLATIVE BILL 1172.** Placed on Final Reading.

**LEGISLATIVE BILL 1172A.** Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

### **WITHDRAW - Amendment to LB846**

Senator Fischer withdrew her amendment, AM2700, found on page 1351, to LB846.

### **MOTION - Return LB846 to Select File**

Senator Fischer moved to return LB846 to Select File for the following specific amendment:

AM2771

(Amendments to Final Reading copy)

- 1 1. Strike sections 20 to 22 and insert the following new
- 2 sections:
- 3 Sec. 8. Section 66-499, Revised Statutes Cumulative
- 4 Supplement, 2006, is amended to read:
- 5 66-499 Unless otherwise provided, all sums of money
- 6 received under sections 66-489 and 66-4,105 by the State Treasurer
- 7 shall be credited to the Highway Trust Fund. Credits and refunds
- 8 of the tax provided for in such sections allowed to producers,
- 9 suppliers, distributors, wholesalers, exporters, importers, or

10 retailers shall be paid from the Highway Trust Fund. The balance of  
11 the amount credited, after credits and refunds, shall be allocated  
12 to the Highway Cash Fund.

13 Sec. 21. Section 84-612, Revised Statutes Supplement,  
14 2007, is amended to read:

15 84-612 (1) There is hereby created within the state  
16 treasury a fund known as the Cash Reserve Fund which shall be under  
17 the direction of the State Treasurer. The fund shall only be used  
18 pursuant to this section.

19 (2) The State Treasurer shall transfer funds from the  
20 Cash Reserve Fund to the General Fund upon certification by the  
21 Director of Administrative Services that the current cash balance  
22 in the General Fund is inadequate to meet current obligations. Such  
1 certification shall include the dollar amount to be transferred.

2 Any transfers made pursuant to this subsection shall be reversed  
3 upon notification by the Director of Administrative Services that  
4 sufficient funds are available.

5 (3) The State Treasurer, at the direction of the  
6 budget administrator of the budget division of the Department  
7 of Administrative Services, shall transfer such amounts not to  
8 exceed seven million seven hundred fifty-three thousand two hundred  
9 sixty-three dollars in total from the Cash Reserve Fund to the  
10 Nebraska Capital Construction Fund between July 1, 2003, and June  
11 30, 2007.

12 (4) The State Treasurer, at the direction of the budget  
13 administrator, shall transfer an amount equal to the total amount  
14 transferred pursuant to subsection (3) of this section from the  
15 General Fund to the Cash Reserve Fund on or before June 30, 2008.

16 (5) In addition to receiving transfers from other funds,  
17 the Cash Reserve Fund shall receive federal funds received by the  
18 State of Nebraska for undesignated general government purposes,  
19 federal revenue sharing, or general fiscal relief of the state.

20 (6) On June 15, 2007, the State Treasurer shall transfer  
21 fifteen million six hundred seventy-four thousand one hundred seven  
22 dollars from the Cash Reserve Fund to the General Fund.

23 (7) On June 16, 2008, the State Treasurer shall transfer  
24 seventeen million nine hundred thirty-one thousand thirty dollars  
25 from the Cash Reserve Fund to the General Fund.

26 (8) On June 15, 2009, the State Treasurer shall transfer  
27 four million nine hundred ninety thousand five hundred five dollars  
1 from the Cash Reserve Fund to the General Fund.

2 (9) On or before June 16, 2008, the State Treasurer, at  
3 the direction of the budget administrator, shall transfer fifty  
4 million dollars from the Cash Reserve Fund to the General Fund.

5 (10) On or before June 16, 2009, the State Treasurer,  
6 at the direction of the budget administrator, shall transfer fifty  
7 million dollars from the Cash Reserve Fund to the General Fund.

8 (11) From the effective date of an endowment agreement  
9 as defined in subdivision (3)(c) of section 79-1101 until June



10 30, 2007, forty million dollars of the Cash Reserve Fund shall be  
11 deemed to constitute the Early Childhood Education Endowment Fund.  
12 Such funds shall remain part of the Cash Reserve Fund for all  
13 purposes, except that the interest earned on such forty million  
14 dollars shall accrue as provided in section 84-613.

15 (12) The State Treasurer, at the direction of the budget  
16 administrator, shall transfer such amounts, as certified by the  
17 Director of Administrative Services, for employee health insurance  
18 claims and expenses, not to exceed twelve million dollars in total  
19 from the Cash Reserve Fund to the State Employees Insurance Fund  
20 between May 1, 2007, and June 30, 2011.

21 (13) On July 9, 2007, the State Treasurer shall transfer  
22 twelve million dollars from the Cash Reserve Fund to the Nebraska  
23 Capital Construction Fund.

24 (14) On July 9, 2007, the State Treasurer shall transfer  
25 five million dollars from the Cash Reserve Fund to the Job Training  
26 Cash Fund. The State Treasurer shall transfer from the Job Training  
27 Cash Fund to the Cash Reserve Fund such amounts as directed in  
1 section 81-1201.21.

2 (15) On July 7, 2008, the State Treasurer shall transfer  
3 five million dollars from the Cash Reserve Fund to the Job Training  
4 Cash Fund. The State Treasurer shall transfer from the Job Training  
5 Cash Fund to the Cash Reserve Fund such amounts as directed in  
6 section 81-1201.21.

7 (16) On or before August 1, 2007, the State Treasurer,  
8 at the direction of the budget administrator, shall transfer  
9 seventy-five million dollars from the Cash Reserve Fund to the  
10 Nebraska Capital Construction Fund.

11 (17) On or before June 30, 2009, the State Treasurer  
12 shall transfer nine million five hundred ninety thousand dollars  
13 from the Cash Reserve Fund to the Nebraska Capital Construction  
14 Fund.

15 (18) The State Treasurer, at the direction of the budget  
16 administrator, shall transfer an amount equal to the total amount  
17 transferred pursuant to subsection (12) of this section from  
18 the appropriate health insurance accounts of the State Employees  
19 Insurance Fund in such amounts as certified by the Director of  
20 Administrative Services to the Cash Reserve Fund on or before June  
21 30, 2011.

22 (19) On July 9, 2007, the State Treasurer shall  
23 transfer one million dollars from the Cash Reserve Fund to the  
24 Microenterprise Development Cash Fund.

25 (20) On July 9, 2007, the State Treasurer shall transfer  
26 two hundred fifty thousand dollars from the Cash Reserve Fund to  
27 the Building Entrepreneurial Communities Cash Fund.

1 (21) On July 7, 2008, the State Treasurer shall  
2 transfer one million dollars from the Cash Reserve Fund to the  
3 Microenterprise Development Cash Fund.

4 (22) On July 7, 2008, the State Treasurer shall transfer

5 two hundred fifty thousand dollars from the Cash Reserve Fund to  
6 the Building Entrepreneurial Communities Cash Fund.

7 (23) On July 7, 2009, the State Treasurer shall transfer  
8 five million dollars from the Cash Reserve Fund to the Roads  
9 Operations Cash Fund. The Department of Roads shall use such  
10 funds to provide the required state match for federal funding made  
11 available to the state through congressional earmarks.

12 (24) On July 7, 2010, the State Treasurer shall transfer  
13 five million dollars from the Cash Reserve Fund to the Roads  
14 Operations Cash Fund. The Department of Roads shall use such  
15 funds to provide the required state match for federal funding made  
16 available to the state through congressional earmarks.

17 (25) On July 7, 2011, the State Treasurer shall transfer  
18 five million dollars from the Cash Reserve Fund to the Roads  
19 Operations Cash Fund. The Department of Roads shall use such  
20 funds to provide the required state match for federal funding made  
21 available to the state through congressional earmarks.

22 Sec. 22. Sections 5, 8, 10, 13, 14, 16, 18, and 23 of  
23 this act become operative on July 1, 2009. The other sections of  
24 this act become operative on their effective date.

25 Sec. 23. Original section 66-6,109, Reissue Revised  
26 Statutes of Nebraska, sections 66-499, 66-4,105, 66-4,145,  
27 66-4,146, and 66-6,107, Revised Statutes Cumulative Supplement,  
1 2006, and section 66-489, Revised Statutes Supplement, 2007, are  
2 repealed.

3 Sec. 24. Original sections 66-4,103 and 66-697, Reissue  
4 Revised Statutes of Nebraska, sections 39-2215, 66-482, 66-485,  
5 66-488, 66-489.01, 66-495.01, 66-4,114, 66-6,111, and 66-726,  
6 Revised Statutes Cumulative Supplement, 2006, and section 84-612,  
7 Revised Statutes Supplement, 2007, are repealed.

8 2. On page 1, line 4, after the second comma insert  
9 "66-499, "; in line 6 strike "section 66-489" and insert "sections  
10 66-489 and 84-612"; and in line 8 after the semicolon insert "to  
11 change allocation of tax proceeds; to provide for transfers from  
12 the Cash Reserve Fund;".

13 3. On page 2, line 6, after "sections" insert "66-499,".

14 4. On page 12, line 14; page 19, line 20; and page 23,  
15 line 3, strike "two" and insert "seven".

16 5. On page 15, line 24; page 20, lines 6 and 8; and page  
17 23, lines 7 and 9, strike "January" and insert "July".

18 6. On page 20, line 17, strike "October 1, 2008" and  
19 insert "April 1, 2009".

20 7. On page 21, strike beginning with "The" in line 2  
21 through line 4 and insert "The change in the average wholesale  
22 price between two six-month periods shall be adjusted so that the  
23 increase or decrease in the tax provided for in this section or  
24 section 17 of this act does not exceed one cent per gallon.".

25 8. On page 22, lines 7 and 18, after "two" insert "and  
26 eight-tenths"; and in lines 11 and 19 after the period insert "The

- 27 changes made to this section by this legislative bill apply for tax  
 1 periods beginning on and after July 1, 2009."  
 2 9. On page 24, line 8, after "two" insert "and  
 3 eight-tenths"; and in line 10 after the period insert "The changes  
 4 made to this section by this legislative bill apply for tax periods  
 5 beginning on and after July 1, 2009."  
 6 10. Renumber the remaining sections and correct internal  
 7 references accordingly.

The Fischer motion to return prevailed with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 846.** The Fischer specific amendment, AM2771, found in this day's Journal, was adopted with 34 ayes, 4 nays, and 11 present and not voting.

Advanced to Enrollment and Review for Reengrossment.

### RESOLUTIONS

**LEGISLATIVE RESOLUTION 392.** Introduced by Pirsch, 4.

WHEREAS, speeding in residential neighborhoods represents the single greatest complaint to police departments in the United States; and

WHEREAS, the death rate per million miles driven on residential streets is almost three times the death rate on other streets and highways; and

WHEREAS, motor vehicle crashes are the leading cause of death for children ages two through fourteen years.

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

1. That the Legislature recognizes the seriousness of speeding in residential neighborhoods with respect to causing injury and death to children.

2. That the Legislature declares May 1, 2008, as "Keep Kids Alive-Drive 25 Day".

Laid over.

**LEGISLATIVE RESOLUTION 393.** Introduced by Christensen, 44.

WHEREAS, Todd Allen Ford, Jr. of Grant, 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, Todd 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. Todd, for his Eagle Scout community service project, raised money and spent many hours laboring to build a Military Monument in a city park; and

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

WHEREAS, Todd, 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 Todd Allen Ford, Jr. on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Todd Allen Ford, Jr.

Laid over.

**LEGISLATIVE RESOLUTION 394.** Introduced by Christensen, 44.

WHEREAS, Emily Bryan of McCook, Nebraska, has earned the Girl Scout Gold Award; and

WHEREAS, for her project, Emily made thirty-six fleece blankets for the residents of the Highland Park Retirement Home and also regularly visited a resident who did not get many visitors. Her project impacted the lives of the residents by showing them that the youth of the community still care about them; and

WHEREAS, the Girl Scout Gold Award is the highest award in Girl Scouting; and

WHEREAS, Emily Bryan was honored at an awards banquet on April 6, 2008.

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

1. That the Legislature congratulates Emily Bryan for her exemplary achievement in earning the Girl Scout Gold Award.
2. That a copy of this resolution be sent to Emily Bryan.

Laid over.

**LEGISLATIVE RESOLUTION 395.** Introduced by Christensen, 44.

WHEREAS, Kim Ellicott of Bartley, Nebraska, has earned the Girl Scout Gold Award; and

WHEREAS, for her project, Kim made fleece blankets to share with the pediatric cancer patients at Omaha's Children's Hospital. The blankets were given to five children from her area that receive treatment at Children's Hospital. She also made hats for the infants in the Neonatal Intensive Care Unit; and

WHEREAS, the Girl Scout Gold Award is the highest award in Girl Scouting; and

WHEREAS, Kim Ellicott was honored at an awards banquet on April 6, 2008.

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

1. That the Legislature congratulates Kim Ellicott for her exemplary achievement in earning the Girl Scout Gold Award.

2. That a copy of this resolution be sent to Kim Ellicott.

Laid over.

**LEGISLATIVE RESOLUTION 396.** Introduced by Christensen, 44.

WHEREAS, Kelsey Coolidge of Indianola, Nebraska, has earned the Girl Scout Gold Award; and

WHEREAS, for her project, Kelsey made three portable bridges and a book of Bridging Ceremonies to go with each bridge. The largest bridge will accommodate a wheelchair. The bridges and ceremony books were made so that future Girl Scouts and leaders in the McCook service area would have a nice bridge to use when girls move up to the next level of Scouting, as well as a resource for their leaders when planning their ceremony; and

WHEREAS, the Girl Scout Gold Award is the highest award in Girl Scouting; and

WHEREAS, Kelsey Coolidge was honored at an awards banquet on April 6, 2008.

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

1. That the Legislature congratulates Kelsey Coolidge for her exemplary achievement in earning the Girl Scout Gold Award.

2. That a copy of this resolution be sent to Kelsey Coolidge.

Laid over.

**LEGISLATIVE RESOLUTION 397.** Introduced by Christensen, 44.

WHEREAS, Briana Licht of Palisade, Nebraska, has earned the Girl Scout Gold Award; and

WHEREAS, for her project, Briana wanted to do something for the veterans in her area and made tie blankets with their service emblem for every veteran at the community nursing home; and

WHEREAS, the Girl Scout Gold Award is the highest award in Girl Scouting; and

WHEREAS, Briana Licht was honored at an awards banquet on April 6, 2008.

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

1. That the Legislature congratulates Briana Licht for her exemplary achievement in earning the Girl Scout Gold Award.

2. That a copy of this resolution be sent to Briana Licht.

Laid over.

### SELECT FILE

**LEGISLATIVE RESOLUTION 229CA.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 746.** ER8242, found on page 1408, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 781.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 911.** ER8243, found on page 1436, was adopted.

Senator Fischer offered the following amendment:

AM2764

(Amendments to E & R amendments, ER8243)

- 1 1. On page 16, line 11, strike "11.00 2.75 6.00 2.25" and
- 2 insert "10.00 .25 5.00 4.75".
- 3 2. On page 20, line 6, after the period insert "The
- 4 license or card shall be delivered as provided in section
- 5 60-4,113".

The Fischer amendment was adopted with 28 ayes, 0 nays, and 21 present and not voting.

Senator Hudkins offered the following amendment:

AM2767

(Amendments to E & R amendments, ER8243)

- 1 1. On page 6, line 23, after "gender," insert "race or
- 2 ethnicity".
- 3 2. On page 21, line 5, after "gender:" insert "race or
- 4 ethnicity".

**SENATOR ERDMAN PRESIDING**

The Hudkins amendment was adopted with 29 ayes, 0 nays, and 20 present and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 911A.** Advanced to Enrollment and Review for Engrossment.

### **WITHDRAW - Amendments to LB853**

Senator Hudkins withdrew her amendments, AM2352, AM2353, and AM2013, found on page 980, to LB853.

### **MOTION - Return LB853 to Select File**

Senator Chambers moved to return LB853 to Select File for his specific amendment, FA258, found on page 1255.

The Chambers motion to return failed with 4 ayes, 31 nays, 11 present and not voting, and 3 excused and not voting.

### **MOTION - Return LB853 to Select File**

Senator Chambers moved to return LB853 to Select File for his specific amendment, FA259, found on page 1255.

Senator Chambers withdrew his motion to return.

## **BILL ON FINAL READING**

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB853 with 40 ayes, 3 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 853.**

A BILL FOR AN ACT relating to insurance; to amend sections 44-1101, 44-1103, 44-1105, 44-1106, 44-1107, 44-1108, 44-1109, 44-1110, 44-1111, 44-1112, 44-1113, 44-1114, and 44-1115, Reissue Revised Statutes of Nebraska, and sections 44-1102 and 44-1104, Revised Statutes Supplement, 2007; to change provisions relating to the Viatical Settlements Act; 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, 40:

Adams	Engel	Heidemann	Louden	Pirsch
Ashford	Erdman	Janssen	McDonald	Rogert
Avery	Fischer	Johnson	McGill	Schimek
Burling	Flood	Karpisek	Nantkes	Stuthman
Carlson	Fulton	Kopplin	Nelson	Synowiecki
Christensen	Gay	Kruse	Pahls	Wallman
Dierks	Hansen	Langemeier	Pankonin	White
Dubas	Harms	Lautenbaugh	Pedersen	Wightman

Voting in the negative, 2:

Chambers      Hudkins

Present and not voting, 3:

Cornett      Howard      Lathrop

Excused and not voting, 4:

Aguilar      Friend      Preister      Raikes

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

## **SPEAKER FLOOD PRESIDING**

### **RESOLUTIONS**

Pursuant to Rule 4, Sec. 5(b), LRs 379, 380, 381, 382, 383, 384, and 386 were adopted.

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 379, 380, 381, 382, 383, 384, and 386.

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB853.



**RESOLUTION**

**LEGISLATIVE RESOLUTION 398.** Introduced by Langemeier, 23.

WHEREAS, Mike Nolan has tirelessly served the city of Norfolk as city administrator since 1980 and has helped Norfolk become one of the most progressive first class cities in the state; and

WHEREAS, Mr. Nolan has been a molder of consensus, working with state and local officials, city employees, public agencies, business leaders, and Nebraska state senators; and

WHEREAS, Mr. Nolan has had a profound impact on the quality of life in the city of Norfolk, northeast Nebraska, and the State of Nebraska; and

WHEREAS, over the course of his three decades of broad municipal leadership, Mr. Nolan has received numerous awards and recognitions including the Jack Kidder Memorial Award for excellence and innovation in public service and the Nebraska Chapter of the American Society for Public Administration Public Service Excellence Award; and

WHEREAS, Mr. Nolan has continually worked to become more effective in everything he does as evidenced by his participation in courses and seminars on such topics as financial administration, economic development strategies, negotiation, and dispute resolution.

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

1. That the Legislature commends Mike Nolan for his outstanding service for the city of Norfolk.
2. That a copy of this resolution be sent to Mike Nolan.

Laid over.

**COMMITTEE REPORTS**

General Affairs

**LEGISLATIVE BILL 251.** Indefinitely postponed.

**LEGISLATIVE BILL 544.** Indefinitely postponed.

**LEGISLATIVE BILL 546.** Indefinitely postponed.

**LEGISLATIVE BILL 645.** Indefinitely postponed.

**LEGISLATIVE BILL 955.** Indefinitely postponed.

(Signed) Vickie McDonald, Chairperson

**VISITORS**

Visitors to the Chamber were Senator Ashford's son, Tom Ashford, and John Ekstrom from Omaha; Tariq Al-Amin from Omaha; 35 fourth-grade students from Shoemaker Elementary, Grand Island; 54 fifth-grade students, teachers, and sponsors from Christ the King School, Omaha; and 85 fourth-grade students from Fullerton Magnet Center, Omaha.

**RECESS**

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

**AFTER RECESS**

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

**ROLL CALL**

The roll was called and all members were present except Senators Engel and Raikes who were excused; and Senators Ashford, Chambers, Kopplin, Lautenbaugh, and Louden who were excused until they arrive.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 15, 2008, at 12:25 p.m. was the following: LB853.

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

**RESOLUTION**

**LEGISLATIVE RESOLUTION 399.** Introduced by Business and Labor Committee: Cornett, 45, Chairperson; Lathrop, 12; Rogert, 16; White, 8.

**PURPOSE:** To study how the federal Family and Medical Leave Act of 1993 has been implemented in Nebraska both in public and private employment, how pertinent employment policies differ from one employer to another, and how the federal act and employer policies are impacting Nebraska families.

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

1. That the Business and Labor 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.

**EXECUTIVE BOARD ANNOUNCEMENT**

The Executive Board announced the following committee assignments:

Senators Adams, Cornett, Gay, Harms, Lathrop, Stuthman, and Wallman have been appointed to the Developmental Disabilities Special Investigative Committee.

The Developmental Disabilities Special Investigative Committee also met and selected Senator Lathrop as the Chairperson of the Committee and Senator Harms as the Vice Chairperson.

**MOTION - Suspend Rules**

Senator Langemeier offered the following motion to LB308A:  
MO183

Suspend Rule 5, Section 7, and Rule 7, Section 3(d), to permit consideration of AM2766.

The Langemeier motion to suspend the rules prevailed with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

**MOTION - Return LB308A to Select File**

Senator Langemeier moved to return LB308A to Select File for the following specific amendment:  
AM2766

(Amendments to Final Reading copy)

- 1 1. Strike the original section and insert the following
- 2 new sections:
- 3 Section 1. Section 9-506, Uniform Commercial Code,
- 4 Reissue Revised Statutes of Nebraska, as amended by section 28,
- 5 Legislative Bill 851, One Hundredth Legislature, Second Session,
- 6 2008, is amended to read:
- 7 9-506 Effect of errors or omissions.
- 8 ~~(a)-(i)~~ This subsection applies until September
- 9 2, 2009. A financing statement substantially satisfying the
- 10 requirements of this part is effective, even if it has minor errors
- 11 or omissions, unless the errors or omissions make the financing
- 12 statement seriously misleading.
- 13 ~~(b)-(ii)~~ Except as otherwise provided in ~~subsection (c),~~
- 14 subdivision (iii) of this subsection, a financing statement that
- 15 fails sufficiently to provide the name of the debtor in accordance
- 16 with section 9-503(a) is seriously misleading.
- 17 ~~(c)-(iii)~~ If a search of the records of the filing office
- 18 under the debtor's correct name, ~~or, in the case of a debtor who~~
- 19 ~~is an individual, the debtor's correct last name,~~ using the filing
- 20 office's standard search logic, if any, would disclose a financing
- 21 statement that fails sufficiently to provide the name of the debtor

22 in accordance with section 9-503(a), the name provided does not  
 1 make the financing statement seriously misleading.

2 ~~(d)-(iv)~~ For purposes of section 9-508(b), the "debtor's  
 3 correct name" in ~~subsection (c) subdivision (iii) of this~~  
 4 subsection (b)(i) means the correct name of the new debtor.

5 (b)(i) This subsection applies beginning on September  
 6 2, 2009. A financing statement substantially satisfying the  
 7 requirements of this part is effective, even if it has minor errors  
 8 or omissions, unless the errors or omissions make the financing  
 9 statement seriously misleading.

10 (ii) Except as otherwise provided in subdivision (iii) of  
 11 this subsection, a financing statement that fails sufficiently to  
 12 provide the name of the debtor in accordance with section 9-503(a)  
 13 is seriously misleading.

14 (iii) If a search of the records of the filing office  
 15 under the debtor's correct name, or, in the case of a debtor who  
 16 is an individual, the debtor's correct last name, using the filing  
 17 office's standard search logic, if any, would disclose a financing  
 18 statement that fails sufficiently to provide the name of the debtor  
 19 in accordance with section 9-503(a), the name provided does not  
 20 make the financing statement seriously misleading.

21 (iv) For purposes of section 9-508(b), the "debtor's  
 22 correct name" in subdivision (iii) of this subsection means the  
 23 correct name of the new debtor.

24 Sec. 2. Original section 9-506, Uniform Commercial Code,  
 25 Reissue Revised Statutes of Nebraska, as amended by section 28,  
 26 Legislative Bill 851, One Hundredth Legislature, Second Session,  
 27 2008, is repealed.

1 2. On page 1, strike beginning with "appropriations" in  
 2 line 1 through line 3 and insert "financing statements; to amend  
 3 section 9-506, Uniform Commercial Code, Reissue Revised Statutes  
 4 of Nebraska, as amended by section 28, Legislative Bill 851, One  
 5 Hundredth Legislature, Second Session, 2008; to change provisions  
 6 relating to the effects of errors and omissions; to provide  
 7 operative dates; and to repeal the original section."

The Langemeier motion to return prevailed with 31 ayes, 0 nays, 11 present  
 and not voting, and 7 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 308A.** The Langemeier specific amendment,  
 AM2766, found in this day's Journal, was adopted with 34 ayes, 0 nays, 8  
 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**SPEAKER FLOOD PRESIDING**

**MOTION - Return LB1022 to Select File**

Senator Hansen moved to return LB1022 to Select File for the following specific amendment:

AM2779

(Amendments to Final Reading copy)

- 1 1. Insert the following new sections:
- 2 Sec. 7. Human legend drug means any drug labeled for
- 3 human use and required by federal law or regulation to be dispensed
- 4 pursuant to a prescription, including finished dosage forms and
- 5 active ingredients. Human legend drug does not include a device or
- 6 a device component, part, or accessory.
- 7 Sec. 23. A veterinary drug distributor shall not:
- 8 (1) Operate from a place of residence;
- 9 (2) Possess, sell, purchase, trade, or otherwise furnish
- 10 controlled substances; and
- 11 (3) Possess, sell, purchase, trade, or otherwise furnish
- 12 human legend drugs.
- 13 2. On page 2, line 1, strike "27" and insert "29"; and in
- 14 line 10 strike "10" and insert "11".
- 15 3. On page 3, line 10, after the comma insert "meaning
- 16 that the veterinarian has recently seen and is personally
- 17 acquainted with the keeping and care of the animal by virtue of an
- 18 examination of the animal or by medically appropriate and timely
- 19 visits to the premises where the animal is kept."
- 20 4. Renumber the remaining sections and correct the
- 21 internal references accordingly.

The Hansen motion to return prevailed with 36 ayes, 0 nays, 6 present and not voting, and 7 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1022.** The Hansen specific amendment, AM2779, found in this day's Journal, was adopted with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION - Return LB819 to Select File**

Senator Cornett moved to return LB819 to Select File for the following specific amendment:

AM2777

(Amendments to Final Reading copy)

- 1 1. Insert the following sections:
- 2 Section 1. (1) Personal injury includes mental injuries
- 3 and mental illness unaccompanied by physical injury for an employee
- 4 who is a first responder if such first responder:

5 (a) Establishes, by a preponderance of the evidence, that  
 6 the employee's employment conditions causing the mental injury or  
 7 mental illness were extraordinary and unusual in comparison to the  
 8 normal conditions of the particular employment; and

9 (b) Establishes, by a preponderance of the evidence, the  
 10 medical causation between the mental injury or mental illness and  
 11 the employment conditions by medical evidence.

12 (2) For purposes of this section, mental injuries and  
 13 mental illness arising out of and in the course of employment  
 14 unaccompanied by physical injury are not considered compensable if  
 15 they result from any event or series of events which are incidental  
 16 to normal employer and employee relations, including, but not  
 17 limited to, personnel actions by the employer such as disciplinary  
 18 actions, work evaluations, transfers, promotions, demotions, salary  
 19 reviews, or terminations.

20 (3) For purposes of this section, first responder means a  
 21 firefighter, a law enforcement officer, a crime scene investigator,  
 22 or an out-of-hospital emergency care provider as defined in section  
 1 38-1208.

2 (4) This section terminates on January 1, 2014.

3 Sec. 2. Section 48-151, Reissue Revised Statutes of  
 4 Nebraska, is amended to read:

5 48-151 Throughout the Nebraska Workers' Compensation Act,  
 6 the following words and phrases shall be considered to have  
 7 the following meaning, respectively, unless the context clearly  
 8 indicates a different meaning in the construction used:

9 (1) Physician means any person licensed to practice  
 10 medicine and surgery, osteopathic medicine, chiropractic, podiatry,  
 11 or dentistry in the State of Nebraska or in the state in which the  
 12 physician is practicing;

13 (2) Accident means an unexpected or unforeseen injury  
 14 happening suddenly and violently, with or without human fault, and  
 15 producing at the time objective symptoms of an injury. The claimant  
 16 has the burden of proof to establish by a preponderance of the  
 17 evidence that such unexpected or unforeseen injury was in fact  
 18 caused by the employment. There is no presumption from the mere  
 19 occurrence of such unexpected or unforeseen injury that the injury  
 20 was in fact caused by the employment;

21 (3) Occupational disease means only a disease which is  
 22 due to causes and conditions which are characteristic of and  
 23 peculiar to a particular trade, occupation, process, or employment  
 24 and excludes all ordinary diseases of life to which the general  
 25 public is exposed;

26 (4) Injury and personal injuries mean only violence to  
 27 the physical structure of the body and such disease or infection  
 1 as naturally results therefrom and personal injuries described in  
 2 section 1 of this act. The terms include disablement resulting  
 3 from occupational disease arising out of and in the course of  
 4 the employment in which the employee was engaged and which was

5 contracted in such employment. The terms include an aggravation  
6 of a preexisting occupational disease, the employer being liable  
7 only for the degree of aggravation of the preexisting occupational  
8 disease. The terms do not include disability or death due to  
9 natural causes but occurring while the employee is at work and do  
10 not include an injury, disability, or death that is the result of a  
11 natural progression of any preexisting condition;

12 (5) Death, when mentioned as a basis for the right to  
13 compensation, means only death resulting from such violence and its  
14 resultant effects or from occupational disease;

15 (6) Without otherwise affecting either the meaning or the  
16 interpretation of the abridged clause, personal injuries arising  
17 out of and in the course of employment, it is hereby declared  
18 not to cover workers except while engaged in, on, or about the  
19 premises where their duties are being performed or where their  
20 service requires their presence as a part of such service at the  
21 time of the injury and during the hours of service as such workers,  
22 and not to cover workers who on their own initiative leave their  
23 line of duty or hours of employment for purposes of their own.  
24 Property maintained by an employer is considered the premises of  
25 such employer for purposes of determining whether the injury arose  
26 out of employment;

27 (7) Willful negligence consists of (a) a deliberate act,  
1 (b) such conduct as evidences reckless indifference to safety, or  
2 (c) intoxication at the time of the injury, such intoxication being  
3 without the consent, knowledge, or acquiescence of the employer or  
4 the employer's agent;

5 (8) Intoxication includes, but is not limited to, being  
6 under the influence of a controlled substance not prescribed by a  
7 physician;

8 (9) Prospective loss costs means prospective loss costs  
9 as defined in section 44-7504 and prepared, filed, or distributed  
10 by an advisory organization which has been issued a certificate of  
11 authority pursuant to section 44-7518; and

12 (10) Whenever in the Nebraska Workers' Compensation Act  
13 the singular is used, the plural is considered included; when the  
14 masculine gender is used, the feminine is considered included.

15 Sec. 3. Section 48-1,110, Revised Statutes Supplement,  
16 2007, is amended to read:

17 48-1,110 Sections 48-101 to 48-1,117 and sections 1 and  
18 4 of this act shall be known and may be cited as the Nebraska  
19 Workers' Compensation Act.

20 Sec. 4. The changes made by this legislative bill to the  
21 Nebraska Workers' Compensation Act apply only to personal injuries  
22 that occurred on or after the operative date of this section.

23 Sec. 13. Sections 1 to 4 and 14 of this act become  
24 operative on January 1, 2009. The other sections of this act become  
25 operative on their effective date.

26 Sec. 14. Original section 48-151, Reissue Revised

- 27 Statutes of Nebraska, and section 48-1,110, Revised Statutes  
 1 Supplement, 2007, are repealed.  
 2 2. On page 1, line 2, strike "48-668" and insert "48-151,  
 3 48-668,".  
 4 3. On page 1, line 5, after "sections" insert  
 5 "48-1,110,".  
 6 4. On page 1, line 1, strike "the" through "Law" and  
 7 insert "labor"; in line 8 after "compensation" insert "of the  
 8 Employment Security Law and provisions relating to certain mental  
 9 injuries in the Nebraska Workers' Compensation Act"; and in line 9  
 10 after the first semicolon insert "to provide operative dates;".  
 11 5. Renumber the remaining sections accordingly.

Senator Gay requested a ruling of the Chair on whether the Cornett amendment is germane to the bill.

The Chair ruled the Cornett amendment is germane to the bill.

Senator Gay challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Gay withdrew his motion to overrule the Chair.

Senator Erdman raised a point of order on whether the Cornett amendment, AM2777, was a reconsideration of LB1082, pursuant to Rule 7, Sec. 7.

The Chair ruled the Cornett amendment, AM2777, is not a reconsideration as it relates to LB819.

Senator Erdman challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?" The motion failed with 17 ayes, 24 nays, 5 present and not voting, and 3 excused and not voting.

The Chair was sustained.

### **SENATOR LANGEMEIER PRESIDING**

The Cornett motion to return LB819 to Select File for her specific amendment, AM2777, found in this day's Journal, was renewed.

Senator Ashford moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 6 nays, and 17 not voting.

Senator Cornett requested a roll call vote on her motion to return.

Voting in the affirmative, 25:



Ashford	Flood	Karpisek	Nantkes	Rogert
Avery	Friend	Kopplin	Pahls	Schimek
Carlson	Howard	Kruse	Pankonin	Synowiecki
Cornett	Hudkins	Lathrop	Pedersen	Wallman
Dierks	Janssen	McGill	Preister	White

Voting in the negative, 18:

Adams	Erdman	Hansen	Langemeier	Nelson
Aguilar	Fischer	Harms	Lautenbaugh	Stuthman
Burling	Fulton	Heidemann	Louden	
Christensen	Gay	Johnson	McDonald	

Present and not voting, 4:

Chambers	Dubas	Pirsch	Wightman
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Excused and not voting, 2:

Engel	Raikes
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The Cornett motion to return prevailed with 25 ayes, 18 nays, 4 present and not voting, and 2 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 819.** The Cornett specific amendment, AM2777, found in this day's Journal, was considered.

Senator Ashford moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

Senator Cornett requested a roll call vote on her specific amendment.

Voting in the affirmative, 26:

Ashford	Flood	Kopplin	Pankonin	Wallman
Avery	Friend	Kruse	Pedersen	White
Carlson	Howard	Lathrop	Preister	
Cornett	Hudkins	McGill	Rogert	
Dierks	Janssen	Nantkes	Schimek	
Dubas	Karpisek	Pahls	Synowiecki	

Voting in the negative, 18:

Adams	Erdman	Hansen	Langemeier	Nelson
Aguilar	Fischer	Harms	Lautenbaugh	Stuthman
Burling	Fulton	Heidemann	Louden	
Christensen	Gay	Johnson	McDonald	

Present and not voting, 3:

Chambers	Pirsch	Wightman
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Excused and not voting, 2:

Engel	Raikes
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The Cornett specific amendment was adopted with 26 ayes, 18 nays, 3 present and not voting, and 2 excused and not voting.

Senator Fulton requested a record vote on the advancement of the bill.

Voting in the affirmative, 26:

Ashford	Flood	Kruse	Pedersen	Wallman
Avery	Friend	Lathrop	Pirsch	White
Carlson	Howard	McGill	Preister	
Cornett	Janssen	Nantkes	Rogert	
Dierks	Karpisek	Pahls	Schimek	
Dubas	Kopplin	Pankonin	Synowiecki	

Voting in the negative, 17:

Adams	Erdman	Harms	Louden	Wightman
Aguilar	Fischer	Heidemann	McDonald	
Burling	Fulton	Johnson	Nelson	
Christensen	Hansen	Langemeier	Stuthman	

Present and not voting, 4:

Chambers	Gay	Hudkins	Lautenbaugh
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Excused and not voting, 2:

Engel	Raikes
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Advanced to Enrollment and Review for Reengrossment with 26 ayes, 17 nays, 4 present and not voting, and 2 excused and not voting.

**COMMITTEE REPORTS**  
Enrollment and Review

**LEGISLATIVE BILL 308A.** Placed on Final Reading Second.  
ST9112

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

1. In the Langemeier amendment, AM2766, on page 3, line 7, "operative dates" has been struck and "for applicability" inserted.

**LEGISLATIVE BILL 746.** Placed on Final Reading.

**LEGISLATIVE BILL 781.** Placed on Final Reading.

**LEGISLATIVE BILL 846.** Placed on Final Reading Second.  
ST9111

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

1. On page 1, the matter beginning with "a" in line 7 through "tax" in line 8 has been struck and "and change taxes" inserted.

**LEGISLATIVE BILL 911.** Placed on Final Reading.

**LEGISLATIVE BILL 911A.** Placed on Final Reading.

**LEGISLATIVE BILL 1022.** Placed on Final Reading Second.

**LEGISLATIVE RESOLUTION 229CA.** Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

**AMENDMENT - Print in Journal**

Senator Kruse filed the following amendment to LR238:  
AM2780

- 1 1. In the last "WHEREAS", strike "Businesses" and insert
- 2 "Business".

**REFERENCE COMMITTEE REPORT**

2008 Resolution calling for an Interim Study

LR399 Interim study to examine how the federal Family and Medical Leave Act has been implemented in Nebraska Business and Labor

(Signed) L. Patrick Engel, Chairperson  
Legislative Council, Executive Board

**RESOLUTION**

**LEGISLATIVE RESOLUTION 400.** Introduced by Agriculture Committee: Erdman, 47, Chairperson; Dierks, 40; Dubas, 34; Karpisek, 32; McDonald, 41; Preister, 5; Wallman, 30.

**PURPOSE:** It is the purpose of this resolution to monitor activity and examine issues relating to the implementation of the legislative intent stated in subsection (4) of section 2-101 as amended by Legislative Bill 1116, One Hundredth Legislature, Second Session, 2008. LB 1116 states legislative intent that the Nebraska State Fair relocate to Fonner Park in Grand Island before the fair to be held in 2010 and that the Nebraska State Fairgrounds be transferred to the University of Nebraska for development as a research and innovation campus. LB 1116 reflects and acknowledges the agreement of pertinent parties for the Nebraska State Fair Board's use of Fonner Park, a plan of capital improvements to upgrade the Fonner Park facility to serve as a state fair exhibition facility, and funding contributions by the University of Nebraska, the city of Grand Island, the Nebraska State Fair Board, and the State of Nebraska. It is a goal of this study to monitor, report on, or make recommendations relating to, but not necessarily limited to:

(1) The performance of financial commitments of the University of Nebraska, the city of Grand Island, and the Nebraska State Fair Board, including incremental benchmarks of funding contributions;

(2) The resolution of any property issues pertaining to interests of third parties held through long-term leasing arrangements and capital improvements made by such entities upon the Nebraska State Fairgrounds;

(3) The future of live and simulcast racing currently conducted at the Nebraska State Fairgrounds and the potential for live racing to be relocated to another site;

(4) The cooperation and coordination between the University of Nebraska, the Nebraska State Fair Board, and other appropriate entities to perform activities of due diligence associated with the property transfer contemplated by LB 1116;

(5) The completion and execution of those agreements between and among the Nebraska State Fair Board, the Hall County Livestock Improvement Association, and any other appropriate entities regarding site governance, revenue sharing, and facility utilization;

(6) The completion and execution of a site plan for capital improvements and activities for carrying out such plan of improvements, including the utilization of funds available in the Nebraska State Fair Relocation Cash Fund and the Nebraska State Fair Support and Improvement Cash Fund;

(7) Additional statutory revisions necessitated by or to accommodate the relocation of the Nebraska State Fair; and

(8) Planning and vision for the Nebraska State Fair.

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

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

2. That the chairperson of the Agriculture Committee of the Legislature, in consultation with the members of the committee and other members of the Legislature, shall conduct the study contemplated by this resolution in consultation with the Nebraska State Fair Board, the Hall County Livestock Improvement Association, the city of Grand Island, the city of Lincoln, the Department of Administrative Services, the State Racing Commission, and other appropriate public and private organizations in carrying out the purposes of the study.

Referred to the Executive Board.

## **REFERENCE COMMITTEE REPORT**

### 2008 Resolution calling for an Interim Study

LR400     Interim study to examine issues relating to the implementation of the legislative intent stated in LB1116, regarding relocation of the State Fair to Grand Island  
Agriculture

(Signed) L. Patrick Engel, Chairperson  
Legislative Council, Executive Board

## **RESOLUTION**

**LEGISLATIVE RESOLUTION 401.** Introduced by Pedersen, 39; Erdman, 47.

WHEREAS, the Nebraska State Fair has been held in Lincoln, Nebraska, since 1901; and

WHEREAS, while the attractions and exhibits of the Nebraska State Fair have changed over the years, the loyalty, dedication, and hard work of the people who made the fair possible has not; and

WHEREAS, the success of the Nebraska State Fair and of horseracing in Lincoln would not have been possible without the contribution of the many employees and volunteers, some of whom worked at the fair and at the horseraces for decades.

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

1. That the Legislature recognizes the loyalty and dedication of these employees and volunteers of the Nebraska State Fair and horseracing industry.

2. That the Legislature encourages the University of Nebraska, the Nebraska State Fair Board, and the city of Lincoln to do everything they can to address concerns of employees if the fair is moved to another community.

3. That a copy of this resolution be sent to the Board of Regents of the University of Nebraska, the Nebraska State Fair Board, and the Mayor of the city of Lincoln.

Laid over.

**BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 280.**

A BILL FOR AN ACT relating to juveniles; to amend sections 24-517, 25-2740, and 43-247, Revised Statutes Cumulative Supplement, 2006; to provide for jurisdiction over custody proceedings as prescribed; to harmonize provisions; 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Engel	Kruse	Lathrop	Lautenbaugh	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**MOTION - Return LB280A to Select File**

Senator Stuthman moved to return LB280A to Select File for the following specific amendment:

FA274

Strike the enacting clause.

Senator Stuthman withdrew his motion to return.

**BILLS ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 280A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 280, One Hundredth Legislature, Second Session, 2008.

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, 4:

Chambers	Janssen	Pedersen	Schimek
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Voting in the negative, 31:

Adams	Dubas	Harms	McDonald	Synowiecki
Aguilar	Erdman	Heidemann	Nantkes	White
Ashford	Fischer	Howard	Nelson	Wightman
Avery	Flood	Johnson	Pirsch	
Carlson	Fulton	Kopplin	Preister	
Christensen	Gay	Langemeier	Rogert	
Dierks	Hansen	Louden	Stuthman	

Present and not voting, 9:

Burling	Friend	Karpisek	Pahls	Wallman
Cornett	Hudkins	McGill	Pankonin	

Excused and not voting, 5:

Engel	Kruse	Lathrop	Lautenbaugh	Raikes
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Having failed to receive a constitutional majority voting in the affirmative, the bill failed to pass.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB736 with 36 ayes, 2 nays, 6 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 736.**

A BILL FOR AN ACT relating to motor vehicle operators' licenses; to amend sections 60-498.02, 60-4,118.06, and 60-6,209, Reissue Revised Statutes of Nebraska, sections 60-480, 60-497.01, 60-4,115, 60-601, 60-6,197.01, 60-6,211.05, and 83-1,127.02, Revised Statutes Cumulative Supplement, 2006, and section 60-6,197.03, Revised Statutes Supplement, 2007; to provide for an ignition interlock permit; to change penalty provisions relating to driving under the influence; to change provisions relating to installation and use of an ignition interlock device; to provide fees for permits; to create a fund; to harmonize provisions; to provide an operative date; 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Engel	Kruse	Lathrop	Lautenbaugh	Raikes
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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 736A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 736, One Hundredth Legislature, Second Session, 2008.

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

Voting in the negative, 0.

Excused and not voting, 4:

Engel            Kruse            Lautenbaugh    Raikes

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

**LEGISLATIVE BILL 844.**

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-416, Revised Statutes Cumulative Supplement, 2006; to change penalty provisions for marijuana possession; 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, 40:

Adams	Dubas	Harms	Langemeier	Pirsch
Aguilar	Erdman	Heidemann	Lathrop	Preister
Ashford	Fischer	Howard	McDonald	Rogert
Burling	Flood	Hudkins	McGill	Stuthman
Carlson	Friend	Janssen	Nelson	Synowiecki
Christensen	Fulton	Johnson	Pahls	Wallman
Cornett	Gay	Karpisek	Pankonin	White
Dierks	Hansen	Kopplin	Pedersen	Wightman

Voting in the negative, 2:

Chambers      Nantkes

Present and not voting, 3:

Avery            Louden            Schimek

Excused and not voting, 4:

Engel                      Kruse                      Lautenbaugh      Raikes

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 LB895 with 34 ayes, 4 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 895.** With Emergency.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 18-2720 and 77-27,196.01, Reissue Revised Statutes of Nebraska, sections 77-5701, 77-5703, 77-5708, 77-5712, 77-5714, 77-5723, 77-5726, 77-5727, and 77-5731, Revised Statutes Cumulative Supplement, 2006, and sections 77-27,187.01, 77-27,187.02, 77-27,188, 77-5715, and 77-5725, Revised Statutes Supplement, 2007; to eliminate certain loan servicing requirements under the Local Option Municipal Economic Development Act; to change provisions of certain tax incentive laws; to define and redefine terms; to provide a fee; to provide for applicability; 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, 43:

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

Voting in the negative, 1:

Chambers

Present and not voting, 1:

Schimek

Excused and not voting, 4:

Engel            Kruse            Lautenbaugh    Raikes

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 LB1001 with 37 ayes, 3 nays, 5 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1001.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3104, 77-3105, and 77-3106, Reissue Revised Statutes of Nebraska, and sections 77-2753 and 77-3102, Revised Statutes Supplement, 2007; to adopt the Low-Income Home Energy Conservation Act; to change provisions relating to income tax withholding; to harmonize provisions; to provide an operative date; 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, 43:

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

Voting in the negative, 1:

Stuthman

Present and not voting, 1:

Burling

Excused and not voting, 4:

Engel            Kruse            Lautenbaugh    Raikes

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

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1001A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1001, One Hundredth Legislature, Second Session, 2008.

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, 43:

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

Voting in the negative, 1:

Stuthman

Present and not voting, 1:

Christensen

Excused and not voting, 4:

Engel            Kruse            Lautenbaugh    Raikes

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 LB1014 with 36 ayes, 3 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1014.** With Emergency.

A BILL FOR AN ACT relating to courts; to amend sections 24-303, 24-508, 24-730, 25-534, 25-1129, 25-1130, 29-1816, 42-357, 42-925, 43-272.01, 43-276, 43-1311, 43-1312, 43-1411.01, 43-1608, 43-1609, 43-1610, 43-1611, 43-1612, and 43-1613, Reissue Revised Statutes of Nebraska, sections 24-312, 24-517, 24-1301, 24-1302, 25-2704, 25-2733, 25-2740, 29-2246, 29-3927, 43-247, 43-2,129, 43-2404.02, 43-3001, 79-215, 84-917, and 86-2,107, Revised Statutes Cumulative Supplement, 2006, and sections 42-353, 42-359, 42-364, 42-364.13, 42-371, 43-512.15, 43-2922, 43-2923, 43-2924, 43-2927, 43-2928, 43-2929, 43-2930, 43-2932, 43-2934, 43-2936, 43-2937, and 43-2943, Revised Statutes Supplement, 2007; to change and eliminate provisions relating to judicial hearings, court duties and authority, jurisdiction, retired judges, referees, protection orders, appeals, clerk magistrates, facilitated conferencing, mediators, support orders, support order liens, the Parenting Act, domestic relations matters, parenting plans, compulsory school attendance, and service of documents other than summons; to provide for court referral to mediation or another form of alternative dispute resolution, problem solving court programs, determination of criminal charge versus juvenile code adjudication, paternity proceedings, procedures and requirements for certain decrees, and admissibility of certified copies of school records; to permit jurors to take notes; to require notice of federal law in domestic violence cases; to adopt the Legal Education for Public Service Loan Repayment Act; to eliminate duplicative and conflicting provisions; to harmonize provisions; to provide duties for the Revisor of Statutes; to provide operative dates; to provide for severability; to repeal the original sections; to outright repeal sections 25-1133, 25-2734, and 43-261, Reissue Revised Statutes of Nebraska, and section 43-2931, Revised Statutes Supplement, 2007; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 2:

Louden            Preister

Excused and not voting, 4:

Engel            Kruse            Lautenbaugh    Raikes

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1014A.** With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1014, One Hundredth Legislature, Second Session, 2008; to reduce an appropriation; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

Christensen

Excused and not voting, 5:

Engel            Kruse            Lautenbaugh    Preister            Raikes

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

**LEGISLATIVE BILL 151.** With Emergency.

A BILL FOR AN ACT relating to banks and banking; to amend section 3-118, Uniform Commercial Code, Reissue Revised Statutes of Nebraska; to provide a statute of limitations for certificate of deposit obligations as prescribed; to provide an operative date; to repeal the original section; 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, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Chambers        Fulton            Preister  
Engel            Kruse            Raikes

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

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 280, 736, 736A, 844, 895, 1001, 1001A, 1014, and 1014A.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 195.**

A BILL FOR AN ACT relating to the Nebraska State Quarter; to repeal provisions relating to the selection process; and to outright repeal section 90-120, 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	Dubas	Hudkins	McDonald	Schimek
Aguilar	Erdman	Janssen	McGill	Stuthman
Ashford	Fischer	Johnson	Nantkes	Synowiecki
Avery	Flood	Karpisek	Nelson	Wallman
Burling	Gay	Kopplin	Pahls	White
Carlson	Hansen	Langemeier	Pankonin	Wightman
Christensen	Harms	Lathrop	Pedersen	
Cornett	Heidemann	Lautenbaugh	Pirsch	
Dierks	Howard	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Friend

Excused and not voting, 6:

Chambers	Fulton	Preister
Engel	Kruse	Raikes

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

**LEGISLATIVE BILL 710.**

A BILL FOR AN ACT relating to the Land Reutilization Act; to amend sections 77-3206, 77-3207, 77-3210, 77-3212, and 77-3213, Reissue



Revised Statutes of Nebraska; to require notice of sale of real property by a land reutilization authority as prescribed; to harmonize provisions; 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	Dubas	Howard	McDonald	Schimek
Aguilar	Erdman	Hudkins	McGill	Stuthman
Ashford	Fischer	Janssen	Nantkes	Synowiecki
Avery	Flood	Johnson	Nelson	Wallman
Burling	Friend	Karpisek	Pahls	White
Carlson	Gay	Kopplin	Pankonin	Wightman
Christensen	Hansen	Lathrop	Pedersen	
Cornett	Harms	Lautenbaugh	Pirsch	
Dierks	Heidemann	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Langemeier

Excused and not voting, 6:

Chambers	Fulton	Preister
Engel	Kruse	Raikes

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

#### **LEGISLATIVE BILL 724.**

A BILL FOR AN ACT relating to the Remedial Action Plan Monitoring Act; to amend section 81-15,184, Revised Statutes Cumulative Supplement, 2006; to change fee provisions; 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	Erdman	Janssen	McGill	Stuthman
Aguilar	Fischer	Johnson	Nantkes	Synowiecki
Ashford	Flood	Karpisek	Nelson	Wallman
Avery	Gay	Kopplin	Pahls	White
Burling	Hansen	Langemeier	Pankonin	Wightman
Carlson	Harms	Lathrop	Pedersen	
Christensen	Heidemann	Lautenbaugh	Pirsch	
Dierks	Howard	Louden	Rogert	
Dubas	Hudkins	McDonald	Schimek	

Voting in the negative, 0.

Present and not voting, 2:

Cornett            Friend

Excused and not voting, 6:

Chambers	Fulton	Preister
Engel	Kruse	Raikes

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

### **EASE**

The Legislature was at ease from 5:30 p.m. until 6:00 p.m.

### **SENATOR PIRSCH PRESIDING**

#### **BILLS ON FINAL READING**

The following bills were read and put upon final passage:

#### **LEGISLATIVE BILL 726.**

A BILL FOR AN ACT relating to the Wastewater Treatment Facilities Construction Assistance Act; to amend section 81-15,151, Reissue Revised Statutes of Nebraska, and section 81-15,153, Revised Statutes Cumulative Supplement, 2006; to change provisions relating the Wastewater Treatment Facilities Construction Loan Fund; 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, 41:

Adams	Dierks	Heidemann	Louden	Stuthman
Aguilar	Dubas	Howard	McDonald	Synowiecki
Ashford	Erdman	Hudkins	McGill	Wallman
Avery	Fischer	Janssen	Nantkes	White
Burling	Flood	Johnson	Pahls	Wightman
Carlson	Friend	Karpisek	Pedersen	
Chambers	Gay	Kopplin	Pirsch	
Christensen	Hansen	Lathrop	Rogert	
Cornett	Harms	Lautenbaugh	Schimek	

Voting in the negative, 0.

Present and not voting, 3:

Langemeier	Nelson	Pankonin
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Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 726A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 726, One Hundredth Legislature, Second Session, 2008.

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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 727.**

A BILL FOR AN ACT relating to natural resources; to amend section 61-206, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to hearing requests; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

Adams

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 728.**

A BILL FOR AN ACT relating to the state song; to amend section 90-111, Reissue Revised Statutes of Nebraska; to change provisions relating to the state song; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

Burling

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 754.** With Emergency.

A BILL FOR AN ACT relating to the Convention Center Facility Financing Assistance Act; to amend section 13-2610, Revised Statutes Supplement, 2007; to change provisions relating to areas with a high concentration of poverty; to repeal the original section; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

Louden

Excused and not voting, 5:

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

### **LEGISLATIVE BILL 764.**

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1014, 28-1015, and 28-1016, Revised Statutes Cumulative Supplement, 2006, and sections 28-101, 28-1008, and 28-1013, Revised Statutes Supplement, 2007; to prohibit certain treatment of bovines and equines; to define terms; to provide penalties; to harmonize provisions; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

Louden

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **SPEAKER FLOOD PRESIDING**

**LEGISLATIVE BILL 775.**

A BILL FOR AN ACT relating to courts; to amend section 24-401, Reissue Revised Statutes of Nebraska; to change provisions relating to deputy clerks; 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 789.** With Emergency.

A BILL FOR AN ACT relating to the Agricultural Opportunities and Value-Added Partnerships Act; to amend section 2-5420, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to grants; to repeal the original section; 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

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

### LEGISLATIVE BILL 798.

A BILL FOR AN ACT relating to relating to water; to amend sections 46-283, 46-287, and 46-299, Reissue Revised Statutes of Nebraska, and sections 46-286 and 46-291, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to irrigation water reuse pits, applications for transfer of appropriations, and intentional underground water storage permittees as prescribed; to harmonize provisions; 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 805.**

A BILL FOR AN ACT relating to the Propane Education and Research Council; to amend section 66-1618, Reissue Revised Statutes of Nebraska; to change membership provisions; 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 821.**

A BILL FOR AN ACT relating to claims against the state; to amend sections 81-8,210, 81-8,212, 81-8,213, 81-8,220, 81-8,227, 81-8,228, 81-8,300, and 81-8,305, Reissue Revised Statutes of Nebraska, and sections 81-8,211 and 81-8,224, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to the Risk Manager, the State Claims Board, and claim procedures; to harmonize provisions; 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, 43:

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

Voting in the negative, 0.

Present and not voting, 1:

Hansen

Excused and not voting, 5:

Engel	Fulton	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **MOTION - Return LB838 to Select File**

Senator Schimek moved to return LB838 to Select File for her specific amendment, FA272, found on page 1379.

Senator Schimek withdrew her motion to return.

### **BILLS ON FINAL READING**

The following bills were read and put upon final passage:

#### **LEGISLATIVE BILL 838.**

A BILL FOR AN ACT relating to elections; to amend sections 32-202, 32-953, 32-954, and 32-957, Reissue Revised Statutes of Nebraska, and section 32-947, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to identification envelopes for early voting and voting by mail; to eliminate the requirement of a secrecy envelope for elections held by mail; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 32-955, Reissue Revised Statutes of Nebraska.

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	Dubas	Heidemann	Louden	Rogert
Aguilar	Erdman	Howard	McDonald	Stuthman
Ashford	Fischer	Hudkins	McGill	Synowiecki
Avery	Flood	Janssen	Nantkes	Wallman
Burling	Friend	Johnson	Nelson	White
Carlson	Fulton	Karpisek	Pahls	Wightman
Christensen	Gay	Langemeier	Pankonin	
Cornett	Hansen	Lathrop	Pedersen	
Dierks	Harms	Lautenbaugh	Pirsch	

Voting in the negative, 1:

Chambers

Present and not voting, 2:

Kopplin      Schimek

Excused and not voting, 4:

Engel              Kruse              Preister              Raikes

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

**LEGISLATIVE BILL 845.**

A BILL FOR AN ACT relating to motor carriers; to amend section 75-369.06, Reissue Revised Statutes of Nebraska, and sections 75-363 and 75-369.03, Revised Statutes Supplement, 2007; to create a penalty for out-of-service order violations and to authorize administrative fines for such violations; to change provisions governing distribution of civil penalties; 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	Dierks	Harms	Lathrop	Pedersen
Aguilar	Dubas	Heidemann	Lautenbaugh	Pirsch
Ashford	Erdman	Howard	Louden	Rogert
Avery	Fischer	Hudkins	McDonald	Schimek
Burling	Flood	Janssen	McGill	Stuthman
Carlson	Friend	Johnson	Nantkes	Synowiecki
Chambers	Fulton	Karpisek	Nelson	Wallman
Christensen	Gay	Kopplin	Pahls	White
Cornett	Hansen	Langemeier	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Engel	Kruse	Preister	Raikes
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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 LB848 with 40 ayes, 1 nay, 4 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 848.**

A BILL FOR AN ACT relating to cooperatives; to amend sections 21-2901, 21-2903, 21-2910, 21-2922, 21-2929, 21-2930, 21-2935, 21-2939, 21-2945, 21-2949, 21-2950, 21-2951, 21-2952, 21-2953, 21-2955, 21-2956, 21-2959, 21-2960, 21-2978, 21-2980, 21-2982, 21-2992, 21-29,110, 21-29,117, 21-29,122, 21-29,123, 29-21,124, 21-29,125, 21-29,126, and 21-29,127, Revised Statutes Supplement, 2007; to change and eliminate provisions relating to the Nebraska Limited Cooperative Association Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 21-29,118, 21-29,119, 21-29,120, 21-29,121, and 21-29,128, Revised Statutes Supplement, 2007.

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

Voting in the negative, 0.

Excused and not voting, 4:

Engel                      Kruse                      Preister                      Raikes

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 850.**

A BILL FOR AN ACT relating to education; to amend section 79-1232, Reissue Revised Statutes of Nebraska; to provide for and change provisions relating to insurance coverage for members of any school board, board of education, learning community coordinating council, or educational service unit board; to repeal the original section; and to outright repeal section 79-502, Reissue Revised Statutes of Nebraska.

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

Voting in the negative, 0.

Excused and not voting, 4:

Engel                      Kruse                      Preister                      Raikes

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

**LEGISLATIVE BILL 865.**

A BILL FOR AN ACT relating to raptors; to amend section 37-513, Revised Statutes Supplement, 2007; to allow trapping of raptors within the county road right-of-way; 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, 40:

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

Voting in the negative, 2:

Chambers      Stuthman

Present and not voting, 3:

Ashford      Karpisek      Wightman

Excused and not voting, 4:

Engel      Kruse      Preister      Raikes

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

### **LEGISLATIVE BILL 893.**

A BILL FOR AN ACT relating to real estate; to amend sections 77-1834, 77-1914, and 77-1917, Reissue Revised Statutes of Nebraska; to change provisions relating to tax deeds and foreclosures; to harmonize provisions; 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	Dierks	Harms	Lathrop	Pedersen
Aguilar	Dubas	Heidemann	Lautenbaugh	Pirsch
Ashford	Erdman	Howard	Louden	Rogert
Avery	Fischer	Hudkins	McDonald	Schimek
Burling	Flood	Janssen	McGill	Stuthman
Carlson	Friend	Johnson	Nantkes	Synowiecki
Chambers	Fulton	Karpisek	Nelson	Wallman
Christensen	Gay	Kopplin	Pahls	White
Cornett	Hansen	Langemeier	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Engel	Kruse	Preister	Raikes
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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 LB902 with 35 ayes, 4 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 902.**

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-410, Revised Statutes Cumulative Supplement, 2006, and section 28-405, Revised Statutes Supplement, 2007; to change provisions relating to controlled substances; 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, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Engel	Kruse	Preister	Raikes
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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 904.**

A BILL FOR AN ACT relating to veterans aid; to amend section 80-403, Reissue Revised Statutes of Nebraska; to change provisions relating to an application for relief; 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, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Johnson

Excused and not voting, 4:

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

**LEGISLATIVE BILL 947.**

A BILL FOR AN ACT relating to cities and villages; to amend sections 16-321 and 17-568.01, Reissue Revised Statutes of Nebraska; to increase minimum bidding amount requirements for cities of the first and second class and villages as prescribed; 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, 43:



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

Voting in the negative, 0.

Present and not voting, 2:

Burling            Nelson

Excused and not voting, 4:

Engel            Kruse            Preister            Raikes

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

**LEGISLATIVE BILL 972.**

A BILL FOR AN ACT relating to optometry; to amend sections 38-2609 and 38-2611, Revised Statutes Supplement, 2007; to change provisions relating to reciprocal licensure and continuing competency requirements; to provide an operative date; 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	Dierks	Harms	Lathrop	Pedersen
Aguilar	Dubas	Heidemann	Lautenbaugh	Pirsch
Ashford	Erdman	Howard	Louden	Rogert
Avery	Fischer	Hudkins	McDonald	Schimek
Burling	Flood	Janssen	McGill	Stuthman
Carlson	Friend	Johnson	Nantkes	Synowiecki
Chambers	Fulton	Karpisek	Nelson	Wallman
Christensen	Gay	Kopplin	Pahls	White
Cornett	Hansen	Langemeier	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Engel                      Kruse                      Preister                      Raikes

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

**LEGISLATIVE BILL 993.**

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-117.06, Reissue Revised Statutes of Nebraska; to change provisions relating to a fund; 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, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Engel                      Kruse                      Preister                      Raikes

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

**LEGISLATIVE BILL 1004.** With Emergency.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2753 and 77-2790, Revised Statutes Supplement, 2007; to change an income tax withholding amount; 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, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Synowiecki

Excused and not voting, 4:

Engel	Kruse	Preister	Raikes
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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 LB1011 with 34 ayes, 4 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 1011.**

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend section 76-2244, Reissue Revised Statutes of Nebraska, sections 76-2207, 76-2217.02, 76-2221, 76-2222, and 76-2249, Revised Statutes Cumulative Supplement, 2006, and sections 76-2213.01, 76-2223, 76-2228, 76-2229, 76-2229.01, 76-2230, 76-2231.01, 76-2232, 76-2233, and 76-2241, Revised Statutes Supplement, 2007; to change provisions relating to appraiser trainees, trainee real property appraisers, the Uniform Standards of Professional Appraisal Practice, exemptions under the act, the Real Property Appraiser Board, the classification of appraisers, the restricted use of certain titles, credentialing, and fees as prescribed; to harmonize provisions; 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, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Cornett

Excused and not voting, 4:

Engel	Kruse	Preister	Raikes
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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 1045.**

A BILL FOR AN ACT relating to insurance; to change provisions relating to coverage changes in property and casualty and automobile liability policies; and to provide a duty for the Revisor of Statutes.

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

Voting in the negative, 0.

Excused and not voting, 4:

Engel            Kruse            Preister            Raikes

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

**LEGISLATIVE BILL 1048.** With Emergency.

A BILL FOR AN ACT relating to birth certificates; to amend section 71-606, Revised Statutes Supplement, 2007; to provide for certificates of birth resulting in stillbirth; to repeal the original section; 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, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Engel            Kruse            Preister            Raikes

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

**LEGISLATIVE BILL 1048A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1048, One Hundredth Legislature, Second Session, 2008.

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

Voting in the negative, 0.

Excused and not voting, 4:

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

### **LEGISLATIVE BILL 1067.**

A BILL FOR AN ACT relating to elections; to amend sections 32-1203 and 70-610, Reissue Revised Statutes of Nebraska; to change provisions relating to allocating election costs to political subdivisions; 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	Dierks	Harms	Lathrop	Pedersen
Aguilar	Dubas	Heidemann	Lautenbaugh	Pirsch
Ashford	Erdman	Howard	Louden	Rogert
Avery	Fischer	Hudkins	McDonald	Schimek
Burling	Flood	Janssen	McGill	Stuthman
Carlson	Friend	Johnson	Nantkes	Synowiecki
Chambers	Fulton	Karpisek	Nelson	Wallman
Christensen	Gay	Kopplin	Pahls	White
Cornett	Hansen	Langemeier	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Engel	Kruse	Preister	Raikes
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A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

**LEGISLATIVE BILL 1103.**

A BILL FOR AN ACT relating to farm wineries; to amend section 53-123.13, Reissue Revised Statutes of Nebraska, section 53-123.11, Revised Statutes Cumulative Supplement, 2006, and section 53-103, Revised Statutes Supplement, 2007; to redefine a term; to change requirements for sale and purchase of wines as prescribed; to harmonize provisions; 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	Dierks	Harms	Lathrop	Pedersen
Aguilar	Dubas	Heidemann	Lautenbaugh	Pirsch
Ashford	Erdman	Howard	Louden	Rogert
Avery	Fischer	Hudkins	McDonald	Schimek
Burling	Flood	Janssen	McGill	Stuthman
Carlson	Friend	Johnson	Nantkes	Synowiecki
Chambers	Fulton	Karpisek	Nelson	Wallman
Christensen	Gay	Kopplin	Pahls	White
Cornett	Hansen	Langemeier	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

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

**LEGISLATIVE BILL 1108.**

A BILL FOR AN ACT relating to mental health practitioners; to amend sections 38-2112, 38-2115, 38-2116, and 38-2124, Revised Statutes Supplement, 2007; to redefine a term; to change licensure and practice provisions; to provide an operative date; 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, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Fischer

Excused and not voting, 4:

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

#### **LEGISLATIVE BILL 1145.**

A BILL FOR AN ACT relating to the Petroleum Release Remedial Action Act; to amend sections 66-1519, 66-1523, 66-1525, and 66-1529.02, Revised Statutes Cumulative Supplement, 2006; to change dates relating to expenditure of a cash fund; 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, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:





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

### **COMMITTEE REPORT**

Enrollment and Review

**LEGISLATIVE BILL 819.** Placed on Final Reading Second.

(Signed) Amanda McGill, Chairperson

### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 15, 2008, at 5:25 p.m. were the following: LBs 280, 736, 736A, 844, 895e, 1001, 1001A, 1014e, and 1014Ae.

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

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 151, 195, 710, 724, 726, 726A, 727, 728, 754, 764, 775, 789, 798, 805, 821, 838, 845, 848, 850, 865, 893, 902, 904, 947, 972, 993, 1004, 1011, 1045, 1048, 1048A, 1067, 1103, 1108, 1145, and 1162.

### **VISITORS**

Visitors to the Chamber were 32 third- and fourth-grade students, teachers, and sponsors from Overton; 20 eleventh- and twelfth-grade students from Thedford; and Senator Nantkes' mother, Stephanie Nantkes, from Seward and Kyle Fletcher and Clinton Brooks from Lincoln.

The Doctor of the Day was Dr. Derrick Anderson from Lincoln.

### **ADJOURNMENT**

At 8:03 p.m., on a motion by Senator Gay, the Legislature adjourned until 1:30 p.m., Wednesday, April 16, 2008.

Patrick J. O'Donnell  
Clerk of the Legislature