

FIFTY-SEVENTH DAY - APRIL 9, 2010**LEGISLATIVE JOURNAL****ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION****FIFTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, April 9, 2010

PRAYER

The prayer was offered by Father Paul Rutten, Lincoln.

ROLL CALL

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

The roll was called and all members were present except Senator Nordquist who was excused; and Senators Adams, Ashford, Cornett, and Louden who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-sixth day was approved.

RESOLUTIONS

LEGISLATIVE RESOLUTION 556. Introduced by Pahls, 31.

WHEREAS, April is National Foot Health Awareness Month; and

WHEREAS, in the United States, an estimated 23.6 million people, or 7.8 percent of the total population, are affected by diabetes; and

WHEREAS, in 2008, the Behavioral Risk Factor Surveillance System (BRFSS) estimated that 103,000 Nebraskans age eighteen or older, or approximately 7.8 percent of the state's adult population, have been diagnosed with diabetes and that more than 63,000 additional Nebraska adults have been diagnosed with prediabetes; and

WHEREAS, the American Diabetes Association estimates that more than half of all people with diabetes suffer from diabetic peripheral neuropathy (DPN); and

WHEREAS, DPN is a serious condition that damages nerve fibers due to prolonged exposure to high amounts of glucose in the bloodstream; and

WHEREAS, DPN often causes intense pain frequently described as aching, tingling, burning, and numbness of the feet; and

WHEREAS, serious foot problems most often result from nerve damage, which can cause a loss of feeling in the feet; and

WHEREAS, although it can hurt, diabetic nerve damage can also lessen the ability to feel pain, heat, and cold, which means that diabetic patients may not feel a foot injury or even a stone in their shoe or a nail in their foot; and

WHEREAS, the rate of amputations in people with diabetes is ten times higher than for people without diabetes, and studies show that 60 percent of nontraumatic lower extremity amputations performed in Nebraska in 2006-07 were due to DPN; and

WHEREAS, DPN can occur whether a person has type 1 diabetes, also known as juvenile diabetes, or type 2 diabetes, which is typically adult-onset; and

WHEREAS, DPN accounts for more diabetes-related hospitalizations than any other complication, and in Nebraska 57,346 hospital stays in 2006-07, or 14.6 percent of all hospital stays, were attributed to diabetes complications at a cost of nearly \$1.5 billion, according to the BRFSS; and

WHEREAS, the medical cost of diabetes in the United States was \$116 billion in 2007, and in Nebraska, the medical and indirect costs of diabetes, much of it due to DPN, are over \$750 million per year.

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

1. That the Legislature finds diabetic peripheral neuropathy to be a serious health issue affecting Nebraska that is deserving of attention from the Legislature.

2. That the Legislature finds that future legislation on the care and treatment of diabetes should include testing and treatment of diabetic foot issues, including diabetic peripheral neuropathy.

3. That the Legislature supports public awareness efforts to inform people of the many dangers posed by diabetes and, in particular, what steps to take to delay or prevent diabetic peripheral neuropathy.

Laid over.

LEGISLATIVE RESOLUTION 557. Introduced by Avery, 28.

WHEREAS, Marshall Ozaki 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, Marshall 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. Marshall earned 23 merit badges and refurbished the basement windows of Holy Trinity Episcopal Church in Lincoln, Nebraska, for his community service project. He also landscaped an area in front of the church into a rose garden in memory of his grandmother, Millie Ozaki, who died in September of 2008; and

WHEREAS, only five percent of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Marshall, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes; and

WHEREAS, in addition to achieving the rank of Eagle Scout, Marshall is an honor student at Lincoln East High School and is in the National Honor Society. Marshall is also a captain on the football and wrestling teams and recently received a Sertoma Sports Award for leadership.

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

1. That the Legislature congratulates Marshall Ozaki on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Marshall Ozaki.

Laid over.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 8, 2010, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Karnes, David

Curbside Rewards LLC (Withdrawn 04/07/2010)

Kelley Governmental Relations, LLC

Plucker, Julia

Plucker, Julia

Nebraska Furniture Mart

Nebraska Travel Association

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 817, 1109, 1109A, 801, 842, 849, 862, 877, 945, 950, 1010e, 1094, 1094A, 510, and 510A.

SELECT FILE

LEGISLATIVE BILL 1020. ER8239, found on page 1363, was adopted.

Senator Lathrop offered the following amendment:

AM2532

(Amendments to E & R amendments, ER8239)

- 1 1. On page 1, line 22, strike "entitlement" and insert
- 2 "monetary eligibility".
- 3 2. On page 11, line 20, strike "ineligible or".

The Lathrop amendment was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 999. ER8238, found on page 1354, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1103. ER8229, found on page 1280, was adopted.

Senator Flood withdrew his amendment, AM2498, found on page 1313.

Senator Flood renewed his amendment, AM2533, found on page 1379.

The Flood amendment was adopted with 35 ayes, 4 nays, 9 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

COMMITTEE REPORTS

Government, Military and Veterans Affairs

LEGISLATIVE RESOLUTION 538. Reported to the Legislature for further consideration.

LEGISLATIVE RESOLUTION 539. Reported to the Legislature for further consideration.

(Signed) Bill Avery, Chairperson

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 9, 2010, at 9:20 a.m. were the following: LBs 817, 1109e, 1109Ae, 801, 842, 849e, 862, 877e, 945, 950e, 1010e, 1094, 1094A, 510, and 510A.

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

RESOLUTION

LEGISLATIVE RESOLUTION 558. Introduced by Fulton, 29; Campbell, 25; Flood, 19.

WHEREAS, Michael "Mike" A. Sucha of Lincoln, Nebraska, was born in Columbus, Nebraska, on January 4, 1956, and, at the young age of fifty-four, died on February 25, 2010; and

WHEREAS, Mike Sucha grew up with his family in the Nebraska communities of Columbus, Lincoln, Syracuse, and Norfolk; and

WHEREAS, Mike Sucha was an athletic star, excelling in basketball while playing for Norfolk Catholic High School and Northeast Community College, culminating as a member of the 1976 national championship team while at Northeast Community College; and

WHEREAS, Mike Sucha volunteered at his church, Cathedral of the Risen Christ, coached youth sports teams, and served as team statistician for Lincoln Rebels youth baseball; and

WHEREAS, Mike Sucha had an uncanny gift to create and grow meaningful friendships throughout his life; and

WHEREAS, Mike Sucha is survived by his wife, Christie, his daughters, Elli and Jess, his son, Stuart, his three grandchildren, his mother, his three brothers, and his three sisters.

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

1. That the Legislature honors the memory of Mike Sucha and his many contributions and achievements.
2. That the Legislature expresses and extends its sympathy and condolences to the family of Mike Sucha.
3. That a copy of this resolution be sent to the family of Mike Sucha.

Laid over.

BILLS 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 LB712 with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 712. With Emergency Clause.

A BILL FOR AN ACT relating to legal process; to amend sections 25-410, 25-1625, 25-2720.01, 25-2803, 25-2804, 28-201, 28-502, 28-503, 28-504, 28-1006, 28-1012, 28-1019, 29-818, 29-1207, 29-1208, 29-2412, 30-2322, 30-2323, 30-2325, 30-2664, 30-2715, 43-1701, 43-1702, 43-1703, 43-1717, 43-1718.02, 43-1720, 43-1722, 43-1723, 43-1724, 43-1726, 43-1727, 43-3330, 47-502, 49-1501, 69-2304, and 69-2308, Reissue Revised Statutes of Nebraska, and sections 25-1628, 43-512.12, and 43-512.15, Revised Statutes Supplement, 2009; to provide for transfer of civil court actions; to change and eliminate provisions relating to juries; to change provisions relating to Small Claims Courts, speedy trials, fines and costs, decedents' estates, and powers of attorney; to change penalty provisions relating to criminal attempt and arson; to provide for seizure of pet animals and equines as prescribed; to provide for transfer-on-death motor vehicle certificates of title; to change provisions relating to support enforcement, reduction of jail sentences, and disposition of tenant personal property by landlords; to harmonize provisions; to provide operative dates; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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 bill was read and put upon final passage:

LEGISLATIVE BILL 780.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-151, Reissue Revised Statutes of Nebraska, and section 48-1,110, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to personal injuries; to provide applicability; 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, 40:

Adams	Cornett	Gloor	Krist	Pirsch
Ashford	Council	Haar	Langemeier	Rogert
Avery	Dierks	Hadley	Lathrop	Schilz
Campbell	Dubas	Hansen	Lautenbaugh	Stuthman
Carlson	Fischer	Harms	Louden	Sullivan
Coash	Flood	Howard	McGill	Wallman
Conrad	Fulton	Janssen	Mello	White
Cook	Giese	Karpisek	Pahls	Wightman

Voting in the negative, 5:

Christensen	Gay	Nelson	Price	Utter
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Present and not voting, 3:

Heidemann	McCoy	Pankonin
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Excused and not voting, 1:

Nordquist

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 LB861 with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 861.

A BILL FOR AN ACT relating to regulated activities; to amend sections 2-1201, 2-1219, 9-647, 9-823, 28-421, 53-123.12, 53-124.13, 53-124.14, 53-125, 53-130, 53-135, 53-138.01, 53-139, 53-149, 53-172, 53-179, 53-1,104, 60-4,152, 71-5730, and 79-267, Reissue Revised Statutes of Nebraska, sections 48-1902, 53-122, 53-123.11, 53-123.13, 53-123.15, 53-124.11, 53-124.12, 53-129, 53-132, 53-133, 53-134, 53-164.01, 53-169.01, 53-403, and 60-4,119, Revised Statutes Cumulative Supplement, 2008, and sections 53-101, 53-103, 53-124, 53-131, and 53-177, Revised Statutes Supplement, 2009; to change provisions related to the State Racing Commission; to provide authorization to change the hours for sales of alcoholic liquor and for the conduct of lotteries under the Nebraska County and City Lottery Act; to transfer definitions and fee provisions in the Nebraska Liquor Control Act; to provide for storage and warehouse facilities for farm wineries; to change fee provisions, licensure requirements, and excise tax provisions; to change provisions relating to distribution of license fees in accordance with the Constitution of Nebraska; to eliminate unconstitutional provisions and a prohibition on adding alcohol to beer; to harmonize provisions; to repeal the original sections; and to outright repeal section 53-174, 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, 40:

Adams	Council	Haar	Langemeier	Pankonin
Ashford	Dierks	Hadley	Lathrop	Price
Avery	Dubas	Hansen	Lautenbaugh	Rogert
Campbell	Fischer	Harms	Louden	Schilz
Coash	Flood	Howard	McCoy	Sullivan
Conrad	Fulton	Janssen	McGill	Utter
Cook	Giese	Karpisek	Mello	Wallman
Cornett	Gloor	Krist	Pahls	Wightman

Voting in the negative, 5:

Carlson	Christensen	Gay	Nelson	Pirsch
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Present and not voting, 3:

Heidemann Stuthman White

Excused and not voting, 1:

Nordquist

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 961.

A BILL FOR AN ACT relating to economic development; to amend sections 81-1203, 81-1205, and 81-1207, Reissue Revised Statutes of Nebraska, and section 81-1201.21, Revised Statutes Supplement, 2009, as amended by section 72, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to change provisions relating to certain training grants; 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, 47:

Adams	Council	Hadley	Louden	Schilz
Ashford	Dierks	Hansen	McCoy	Stuthman
Avery	Dubas	Harms	McGill	Sullivan
Campbell	Fischer	Heidemann	Mello	Utter
Carlson	Flood	Janssen	Nelson	Wallman
Christensen	Fulton	Karpisek	Pahls	White
Coash	Gay	Krist	Pankonin	Wightman
Conrad	Giese	Langemeier	Pirsch	
Cook	Gloor	Lathrop	Price	
Cornett	Haar	Lautenbaugh	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Howard

Excused and not voting, 1:

Nordquist

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 LB1048 with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1048.

A BILL FOR AN ACT relating to power generation; to amend sections 70-1001, 70-1001.01, 70-1013, 70-1014, 70-1014.01, 76-710.04, 77-105, 77-202, and 79-1018.01, Reissue Revised Statutes of Nebraska, and section 13-518, Revised Statutes Supplement, 2009; to define and redefine terms; to state intent regarding renewable energy facilities; to change provisions relating to hearings regarding electric generation facilities; to provide for approval of certified renewable export facilities as prescribed; to change provisions relating to eminent domain; to require registration and marking of certain wind measurement equipment; to exempt certain property from property taxation; to provide for a nameplate capacity tax as prescribed; to harmonize provisions; to provide a duty for the Revisor of Statutes; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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 1048A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1048, One Hundred First Legislature, Second Session, 2010.

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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 712, 780, 861, 961, 1048, and 1048A.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 252.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1006, 28-1007, and 28-1019, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 2009; to prohibit the possession of animal fighting paraphernalia; to provide a penalty; to provide for seizure of property; to provide for applicability; 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, 46:

Adams	Council	Hadley	Louden	Schilz
Ashford	Dierks	Hansen	McCoy	Sullivan
Avery	Dubas	Heidemann	McGill	Utter
Campbell	Fischer	Howard	Mello	Wallman
Carlson	Flood	Janssen	Nelson	White
Christensen	Fulton	Karpisek	Pahls	Wightman
Coash	Gay	Krist	Pankonin	
Conrad	Giese	Langemeier	Pirsch	
Cook	Gloor	Lathrop	Price	
Cornett	Haar	Lautenbaugh	Rogert	

Voting in the negative, 1:

Stuthman

Present and not voting, 1:

Harms

Excused and not voting, 1:

Nordquist

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

LEGISLATIVE BILL 411.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2104, Reissue Revised Statutes of Nebraska; to update the reference to the National Electrical Code; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Council	Hadley	Louden	Schilz
Ashford	Dierks	Hansen	McCoy	Sullivan
Avery	Dubas	Heidemann	McGill	Utter
Campbell	Fischer	Howard	Mello	Wallman
Carlson	Flood	Janssen	Nelson	White
Christensen	Fulton	Karpisek	Pahls	Wightman
Coash	Gay	Krist	Pankonin	
Conrad	Giese	Langemeier	Pirsch	
Cook	Gloor	Lathrop	Price	
Cornett	Haar	Lautenbaugh	Rogert	

Voting in the negative, 0.

Present and not voting, 2:

Harms Stuthman

Excused and not voting, 1:

Nordquist

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

LEGISLATIVE BILL 695. With Emergency Clause.

A BILL FOR AN ACT relating to Small Claims Court; to amend section 25-2802, Reissue Revised Statutes of Nebraska; to change the jurisdictional amount; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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 696.

A BILL FOR AN ACT relating to the Integrated Solid Waste Management Act; to amend section 13-2042, Reissue Revised Statutes of Nebraska, and section 13-2042.01, Revised Statutes Supplement, 2009; to change provisions relating to disposal fees; 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	Cornett	Hadley	Lathrop	Price
Ashford	Council	Hansen	Lautenbaugh	Rogert
Avery	Dierks	Harms	Louden	Schilz
Campbell	Dubas	Heidemann	McCoy	Stuthman
Carlson	Fischer	Howard	McGill	Sullivan
Christensen	Flood	Janssen	Mello	Utter
Coash	Gay	Karpisek	Nelson	Wallman
Conrad	Gloor	Krist	Pahls	White
Cook	Haar	Langemeier	Pankonin	Wightman

Voting in the negative, 3:

Fulton Giese Pirsch

Excused and not voting, 1:

Nordquist

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

LEGISLATIVE BILL 706.

A BILL FOR AN ACT relating to hearing interpreters; to amend section 20-156, Reissue Revised Statutes of Nebraska; to change provisions relating to fees; 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dubas	Harms	McCoy	Stuthman
Avery	Fischer	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Dierks

Excused and not voting, 1:

Nordquist

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

LEGISLATIVE BILL 713.

A BILL FOR AN ACT relating to schools; to amend sections 79-248, 79-249, 79-250, and 79-252, Reissue Revised Statutes of Nebraska; to change provisions relating to health inspections; to authorize the gathering, analysis, and sharing of school health data; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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

LEGISLATIVE BILL 732.

A BILL FOR AN ACT relating to real property; to amend sections 25-1326, 25-1327, 25-2144, 76-1009, and 77-1912, Reissue Revised Statutes of Nebraska; to change provisions relating to certain forced sales; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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

LEGISLATIVE BILL 758.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-2201, 30-2476, and 30-3839, Reissue Revised Statutes of Nebraska; to provide for and change provisions relating to the doctrines of cy pres and deviation; to change provisions relating to the powers of personal representatives; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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

LEGISLATIVE BILL 759.

A BILL FOR AN ACT relating to the Nebraska Professional Corporation Act; to amend section 21-2212, Reissue Revised Statutes of Nebraska; to provide for the dissolution, winding up, and liquidation of certain professional corporations; 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Fischer	Howard	Mello	Utter
Carlson	Flood	Janssen	Nelson	Wallman
Christensen	Fulton	Karpisek	Pahls	White
Coash	Gay	Krist	Pankonin	Wightman
Conrad	Giese	Langemeier	Pirsch	
Cook	Gloor	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Haar

Excused and not voting, 1:

Nordquist

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 LB760 with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 760.

A BILL FOR AN ACT relating to the Uniform Principal and Income Act; to amend section 30-3119.01, Reissue Revised Statutes of Nebraska; to change provisions relating to total return trusts; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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 789.

A BILL FOR AN ACT relating to the Local Civic, Cultural, and Convention Center Financing Act; to amend section 13-2705, Reissue Revised Statutes of Nebraska; to change grant dollar limits; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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 LB792 with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 792.

A BILL FOR AN ACT relating to controlled substances; to amend section 28-405, Revised Statutes Supplement, 2009; to add to and change schedules of controlled substances; 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, 48:

Adams	Council	Hadley	Lautenbaugh	Rogert
Ashford	Dierks	Hansen	Louden	Schilz
Avery	Dubas	Harms	McCoy	Stuthman
Campbell	Fischer	Heidemann	McGill	Sullivan
Carlson	Flood	Howard	Mello	Utter
Christensen	Fulton	Janssen	Nelson	Wallman
Coash	Gay	Karpisek	Pahls	White
Conrad	Giese	Krist	Pankonin	Wightman
Cook	Gloor	Langemeier	Pirsch	
Cornett	Haar	Lathrop	Price	

Voting in the negative, 0.

Excused and not voting, 1:

Nordquist

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 809.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-110, Revised Statutes Supplement, 2009; to change the statute of

limitations for fraud involving certain assistance programs; to provide applicability; 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 813.

A BILL FOR AN ACT relating to dental services; to amend sections 44-3802 and 44-3805, Reissue Revised Statutes of Nebraska; to prevent prepaid dental service plans from limiting fees for certain services; and to repeal the original sections.

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

Voting in the affirmative, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 829. With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-106, Revised Statutes Supplement, 2009; to change certain notice requirements relating to coverage under the act; 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	Council	Hansen	Lautenbaugh	Price
Ashford	Dierks	Harms	Louden	Rogert
Avery	Dubas	Heidemann	McCoy	Schilz
Campbell	Flood	Howard	McGill	Sullivan
Carlson	Gay	Janssen	Mello	Utter
Christensen	Giese	Karpisek	Nelson	Wallman
Conrad	Gloor	Krist	Pahls	White
Cook	Haar	Langemeier	Pankonin	Wightman
Cornett	Hadley	Lathrop	Pirsch	

Voting in the negative, 2:

Fulton Stuthman

Present and not voting, 1:

Coash

Excused and not voting, 2:

Fischer Nordquist

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 844.

A BILL FOR AN ACT relating to the Nebraska Law Enforcement Training Center; to amend section 81-1413, Reissue Revised Statutes of Nebraska; to change provisions relating to tuition, fees, and expenses; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Council	Harms	McCoy	Stuthman
Ashford	Dubas	Heidemann	McGill	Sullivan
Avery	Flood	Howard	Mello	Utter
Campbell	Fulton	Janssen	Nelson	Wallman
Carlson	Gay	Karpisek	Pahls	White
Christensen	Giese	Krist	Pankonin	Wightman
Coash	Gloor	Langemeier	Pirsch	
Conrad	Haar	Lathrop	Price	
Cook	Hadley	Lautenbaugh	Rogert	
Cornett	Hansen	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Dierks

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 852.

A BILL FOR AN ACT relating to elections; to amend section 32-816, Reissue Revised Statutes of Nebraska; to change provisions relating to

write-in space on official ballots for certain offices; to provide an operative date; 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 872.

A BILL FOR AN ACT relating to workers' compensation; to amend section 48-120.04, Revised Statutes Supplement, 2009; to change applicability of a medical fee schedule as prescribed; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	Wightman
Coash	Giese	Krist	Pankonin	
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

White

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 884.

A BILL FOR AN ACT relating to labor; to amend sections 29-431 and 48-1231, Reissue Revised Statutes of Nebraska, and sections 48-1230 and 48-1232, Revised Statutes Cumulative Supplement, 2008; to require employers to provide employees with wage and deduction information as prescribed; to provide a penalty; to harmonize sections; 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, 46:

Adams	Council	Harms	McCoy	Stuthman
Ashford	Dierks	Heidemann	McGill	Sullivan
Avery	Dubas	Howard	Mello	Utter
Campbell	Fulton	Janssen	Nelson	Wallman
Carlson	Gay	Karpisek	Pahls	White
Christensen	Giese	Krist	Pankonin	Wightman
Coash	Gloor	Langemeier	Pirsch	
Conrad	Haar	Lathrop	Price	
Cook	Hadley	Lautenbaugh	Rogert	
Cornett	Hansen	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Flood

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 894.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-511.01, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 2009; to change provisions relating to shoplifting; to prohibit possession of any store security device countermeasure; to define a term; to provide a penalty; 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 907.

A BILL FOR AN ACT relating to homesteads; to amend sections 40-102 and 40-105, Reissue Revised Statutes of Nebraska; to change provisions relating to property exempt from execution; and to repeal the original sections.

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

Voting in the affirmative, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 908.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-108, Reissue Revised Statutes of Nebraska; to change provisions relating to claims for legal services or disbursements; 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 933.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-149, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to manufactured homes and mobile homes; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Council	Hansen	McCoy	Stuthman
Ashford	Dierks	Heidemann	McGill	Sullivan
Avery	Dubas	Howard	Mello	Utter
Campbell	Flood	Janssen	Nelson	Wallman
Carlson	Fulton	Karpisek	Pahls	White
Christensen	Gay	Krist	Pankonin	Wightman
Coash	Giese	Langemeier	Pirsch	
Conrad	Gloor	Lathrop	Price	
Cook	Haar	Lautenbaugh	Rogert	
Cornett	Hadley	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harms

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 934.

A BILL FOR AN ACT relating to labor; to amend section 35-1402, Reissue Revised Statutes of Nebraska; to include volunteer members of the Nebraska Wing of the Civil Air Patrol under the Volunteer Emergency Responders Job Protection Act; 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	Cornett	Haar	Lathrop	Price
Ashford	Council	Hadley	Lautenbaugh	Rogert
Avery	Dierks	Hansen	Louden	Schilz
Campbell	Dubas	Heidemann	McCoy	Stuthman
Carlson	Flood	Howard	McGill	Sullivan
Christensen	Fulton	Janssen	Mello	Utter
Coash	Gay	Karpisek	Nelson	Wallman
Conrad	Giese	Krist	Pahls	White
Cook	Gloor	Langemeier	Pankonin	

Voting in the negative, 0.

Present and not voting, 3:

Harms	Pirsch	Wightman
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Excused and not voting, 2:

Fischer	Nordquist
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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 the Community Development Block Grant Program; to amend sections 81-1201.04 and 81-1201.18, Reissue Revised Statutes of Nebraska; to eliminate the Community Development Block Grant Program Advisory Committee; to transfer the duties of the committee to the Economic Development Commission; to repeal the original sections; and to outright repeal section 81-1201.08, 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	Cornett	Haar	Lautenbaugh	Price
Ashford	Council	Hadley	Louden	Rogert
Avery	Dierks	Hansen	McCoy	Schilz
Campbell	Dubas	Heidemann	McGill	Stuthman
Carlson	Flood	Howard	Mello	Sullivan
Christensen	Fulton	Karpisek	Nelson	Utter
Coash	Gay	Krist	Pahls	Wallman
Conrad	Giese	Langemeier	Pankonin	White
Cook	Gloor	Lathrop	Pirsch	Wightman

Voting in the negative, 0.

Present and not voting, 2:

Harms Janssen

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 978.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend section 81-161, Reissue Revised Statutes of Nebraska; to provide requirements relating to energy star certified appliances in the competitive bidding process; to provide powers for the materiel administrator; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Council	Hansen	McCoy	Stuthman
Ashford	Dierks	Heidemann	McGill	Sullivan
Avery	Dubas	Howard	Mello	Utter
Campbell	Flood	Janssen	Nelson	Wallman
Carlson	Fulton	Karpisek	Pahls	White
Christensen	Gay	Krist	Pankonin	Wightman
Coash	Giese	Langemeier	Pirsch	
Conrad	Gloor	Lathrop	Price	
Cook	Haar	Lautenbaugh	Rogert	
Cornett	Hadley	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harms

Excused and not voting, 2:

Fischer Nordquist

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

LEGISLATIVE BILL 986.

A BILL FOR AN ACT relating to the Agricultural Opportunities and Value-Added Partnerships Act; to amend sections 2-5414, 2-5416, and 2-5419, Reissue Revised Statutes of Nebraska; to state intent; to authorize grants relating to electronic scanners and point-of-sale devices; 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, 46:

Adams	Council	Hansen	McCoy	Stuthman
Ashford	Dierks	Heidemann	McGill	Sullivan
Avery	Dubas	Howard	Mello	Utter
Campbell	Flood	Janssen	Nelson	Wallman
Carlson	Fulton	Karpisek	Pahls	White
Christensen	Gay	Krist	Pankonin	Wightman
Coash	Giese	Langemeier	Pirsch	
Conrad	Gloor	Lathrop	Price	
Cook	Haar	Lautenbaugh	Rogert	
Cornett	Hadley	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harms

Excused and not voting, 2:

Fischer Nordquist

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 water resources; to amend section 61-218, Revised Statutes Cumulative Supplement, 2008, as amended by section 39, Legislative Bill 3, One Hundred First Legislature, First Special Session, 2009; to change provisions relating to the Water Resources Cash 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, 46:

Adams	Council	Hansen	McCoy	Stuthman
Ashford	Dierks	Heidemann	McGill	Sullivan
Avery	Dubas	Howard	Mello	Utter
Campbell	Flood	Janssen	Nelson	Wallman
Carlson	Fulton	Karpisek	Pahls	White
Christensen	Gay	Krist	Pankonin	Wightman
Coash	Giese	Langemeier	Pirsch	
Conrad	Gloor	Lathrop	Price	
Cook	Haar	Lautenbaugh	Rogert	
Cornett	Hadley	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harms

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 997.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 15-1102, 19-903, and 23-114.02, Reissue Revised Statutes of Nebraska; to change provisions relating to comprehensive plans of counties and cities; 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	Cornett	Hadley	Louden	Schilz
Ashford	Council	Hansen	McCoy	Sullivan
Avery	Dierks	Howard	McGill	Wallman
Campbell	Dubas	Janssen	Mello	White
Carlson	Flood	Karpisek	Nelson	Wightman
Christensen	Gay	Krist	Pahls	
Coash	Giese	Langemeier	Pankonin	
Conrad	Gloor	Lathrop	Price	
Cook	Haar	Lautenbaugh	Rogert	

Voting in the negative, 3:

Fulton Pirsch Stuthman

Present and not voting, 3:

Harms Heidemann Utter

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 1047. With Emergency Clause.

A BILL FOR AN ACT relating to wills and trusts; to provide for construction of certain terms relating to federal estate and generation-skipping transfer taxes; 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, 46:

Adams	Council	Hansen	McCoy	Stuthman
Ashford	Dierks	Heidemann	McGill	Sullivan
Avery	Dubas	Howard	Mello	Utter
Campbell	Flood	Janssen	Nelson	Wallman
Carlson	Fulton	Karpisek	Pahls	White
Christensen	Gay	Krist	Pankonin	Wightman
Coash	Giese	Langemeier	Pirsch	
Conrad	Gloor	Lathrop	Price	
Cook	Haar	Lautenbaugh	Rogert	
Cornett	Hadley	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harms

Excused and not voting, 2:

Fischer Nordquist

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 1055.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-628.02 and 48-628.03, Reissue Revised Statutes of Nebraska; to change provisions relating to extended benefits; to eliminate obsolete provisions and restructure provisions; to reorganize defined terms; 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 1065.

A BILL FOR AN ACT relating to vehicles; to amend sections 60-2401, 60-2401.01, 60-2403, 60-2405, 60-2406, 60-2407, 60-2408, 60-2409, and 60-2411, Reissue Revised Statutes of Nebraska, and sections 60-2404 and 60-2410, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to towing; 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, 46:

Adams	Dierks	Harms	McCoy	Stuthman
Ashford	Dubas	Heidemann	McGill	Sullivan
Avery	Flood	Howard	Mello	Utter
Campbell	Fulton	Janssen	Nelson	Wallman
Carlson	Gay	Karpisek	Pahls	White
Christensen	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	
Council	Hansen	Louden	Schilz	

Voting in the negative, 1:

Coash

Excused and not voting, 2:

Fischer Nordquist

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

LEGISLATIVE BILL 1085.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1011, Reissue Revised Statutes of Nebraska; to change provisions relating to garnishment; to eliminate obsolete 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, 47:

Adams	Council	Hansen	Louden	Schilz
Ashford	Dierks	Harms	McCoy	Stuthman
Avery	Dubas	Heidemann	McGill	Sullivan
Campbell	Flood	Howard	Mello	Utter
Carlson	Fulton	Janssen	Nelson	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Krist	Pankonin	Wightman
Conrad	Gloor	Langemeier	Pirsch	
Cook	Haar	Lathrop	Price	
Cornett	Hadley	Lautenbaugh	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Fischer Nordquist

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 252, 411, 695, 696, 706, 713, 732, 758, 759, 760, 789, 792, 809, 813, 829, 844, 852, 872, 884, 894, 907, 908, 933, 934, 947, 978, 986, 993, 997, 1047, 1055, 1065, and 1085.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 999. Placed on Final Reading.

LEGISLATIVE BILL 1020. Placed on Final Reading.

ST9109

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

1. In the E & R amendments, ER8239, on page 32, line 1, "to change provisions relating to experience accounts;" has been inserted after the first semicolon.

LEGISLATIVE BILL 1103. Placed on Final Reading.

(Signed) Jeremy Nordquist, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 559. Introduced by Gay, 14.

WHEREAS, Nicholas Wilson was invited to attend the Junior National Young Leaders Conference in Washington, D.C., from March 6 through March 11, 2010; and

WHEREAS, Nicholas Wilson was among an elite group of sixth and seventh graders from across the country who were selected to learn about world leaders and develop leadership skills in our nation's capital; and

WHEREAS, Nicholas Wilson was nominated by his teachers to represent St. Columbkille School at the Junior National Young Leaders Conference because he has demonstrated maturity, academic excellence, and leadership in the classroom; and

WHEREAS, the Legislature should recognize the achievements of the youth of our state.

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

1. That the Legislature congratulates Nicholas Wilson for being given the distinguished honor to participate in the Junior National Young Leaders Conference.

2. That the Legislature wishes Nicholas Wilson the best in his future leadership endeavors.

3. That a copy of this resolution be sent to Nicholas Wilson.

Laid over.

LEGISLATIVE RESOLUTION 560. Introduced by Gay, 14.

WHEREAS, Keith Jarrett was invited to attend the Junior National Young Leaders Conference in Washington, D.C., from March 6 through March 11, 2010; and

WHEREAS, Keith Jarrett was among an elite group of sixth and seventh graders from across the country who were selected to learn about world leaders and develop leadership skills in our nation's capital; and

WHEREAS, Keith Jarrett was nominated by his teachers to represent St. Columbkille School at the Junior National Young Leaders Conference because he has demonstrated maturity, academic excellence, and leadership in the classroom; and

WHEREAS, the Legislature should recognize the achievements of the youth of our state.

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

1. That the Legislature congratulates Keith Jarrett for being given the distinguished honor to participate in the Junior National Young Leaders Conference.

2. That the Legislature wishes Keith Jarrett the best in his future leadership endeavors.

3. That a copy of this resolution be sent to Keith Jarrett.

Laid over.

LEGISLATIVE RESOLUTION 561. Introduced by Gay, 14.

WHEREAS, Kathryn Gay was invited to attend the Junior National Young Leaders Conference in Washington, D.C., from March 6 through March 11, 2010; and

WHEREAS, Kathryn Gay was among an elite group of sixth and seventh graders from across the country who were selected to learn about world leaders and develop leadership skills in our nation's capital; and

WHEREAS, Kathryn Gay was nominated by her teachers to represent St. Columbkille School at the Junior National Young Leaders Conference because she has demonstrated maturity, academic excellence, and leadership in the classroom; and

WHEREAS, the Legislature should recognize the achievements of the youth of our state.

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

1. That the Legislature congratulates Kathryn Gay for being given the distinguished honor to participate in the Junior National Young Leaders Conference.
2. That the Legislature wishes Kathryn Gay the best in her future leadership endeavors.
3. That a copy of this resolution be sent to Kathryn Gay.

Laid over.

LEGISLATIVE RESOLUTION 562. Introduced by Howard, 9.

WHEREAS, there are one hundred Nebraska children who are currently in foster care and waiting to be adopted; and

WHEREAS, Nebraska was one of six states that, along with Washington, D.C., began celebrating National Adoption Day in November 2000; and

WHEREAS, since that time courts, judges, attorneys, adoption professionals, child welfare agencies, and advocates have worked to secure permanent homes for foster care children; and

WHEREAS, throughout the country more than twenty-five thousand children have been adopted on National Adoption Day; and

WHEREAS, adoption allows children to have better lives and brings joy to adoptive families; and

WHEREAS, every child deserves a loving family.

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

1. That the Legislature recognizes November 20, 2010, as Adoption Day in Nebraska.

2. That on this day communities are encouraged to participate in activities designed to increase public awareness about the benefits of adoption.

Laid over.

LEGISLATIVE RESOLUTION 563. Introduced by Howard, 9.

WHEREAS, an estimated 3.2 million individuals are victims of bullying annually; and

WHEREAS, bullying is the most common form of violence; and

WHEREAS, fifty-six percent of students nationally have witnessed some type of bullying at school; and

WHEREAS, bullying causes deep psychological pain, and children who are bullied often experience low self-esteem, depression, physical problems, more frequent school absences, poor academic achievement, and increased school dropout rates; and

WHEREAS, school-wide commitment to stop bullying can reduce bullying by more than fifty percent; and

WHEREAS, it takes a community to prevent bullying of children; and
WHEREAS, National Bullying Prevention Awareness Week encourages communities nationwide to work together to increase awareness of the prevalence and impact of bullying on all children.

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

1. That the week of October 3 through October 10, 2010, be designated as Nebraska School Bullying Awareness Week, with the intention that the issue of bullying and its prevention be discussed in Nebraska during that time.

2. That a copy of this resolution be sent to the State Department of Education.

Laid over.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 9, 2010, at 10:27 a.m. were the following: LBs 712e, 780, 861, 961, 1048, and 1048A.

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

EXPLANATIONS OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 817, 1109, 801, 842, 849, 862, 877, 950, 1010, 1094, and 510 and "nay" on LB945.

(Signed) Mark Christensen

Had I been present, I would have voted "aye" on final passage of LBs 817, 1109, 1109A, 801, 842, 849, 877, 950, 1010, 510, and 510A.

(Signed) Mike Flood

VISITORS

Visitors to the Chamber were James Nelson from Bassett; Denielle Bennett, Megan McLaughlin, Brittany Walker, Bill Bennett, and Angel Hinkley from Alliance; 59 fourth-grade students, teachers, and sponsors from Gates Elementary, Grand Island; Senator Wallman's son-in-law and granddaughter, Jason and Laynie Madden, from Des Moines, Iowa; 60 fourth-grade students and teachers from Falls City South Schools, Falls City; and 42 fourth-grade students, teachers, and sponsors from Johnson County Central, Cook.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Campbell, the Legislature adjourned until 10:00 a.m., Monday, April 12, 2010.

Patrick J. O'Donnell
Clerk of the Legislature