

EIGHTY-FOURTH DAY - MAY 23, 2011
LEGISLATIVE JOURNAL
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
EIGHTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, May 23, 2011

PRAYER

The prayer was offered by Senator Cook.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Flood presiding.

The roll was called and all members were present except Senators Janssen, Lautenbaugh, Smith, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighty-third day was approved.

COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 703. Placed on Select File.

(Signed) Tyson Larson, Chairperson

REFERENCE COMMITTEE REPORT

2011 Resolutions calling for an Interim Study

- LR85 Interim study to determine how insurance laws should be amended by the Legislature to respond to the provisions of the federal Patient Protection and Affordable Care Act
Banking, Commerce and Insurance
- LR138 Interim study to find a solution to the exit of insurers from the health insurance marketplace for stand-alone health insurance policies for children
Banking, Commerce and Insurance
- LR174 Interim study to examine what impediments exist in state statute to attracting national agricultural and business conventions and trade

- shows to facilities in Nebraska, including review of the Motor Vehicle Industry Regulation Act
Transportation and Telecommunications
- LR197 Interim study to examine issues relating to the implementation of an all-payer claims database in Nebraska
Health and Human Services and Banking, Commerce and Insurance
- LR198 Interim study to examine the governance and coordination of postsecondary education in Nebraska
Education
- LR200 Interim study to determine whether insurance laws should be amended to provide that insurance providing coverage to an operator of a motor vehicle not owned by the operator shall be primary to any insurance or self-insurance providing coverage to the motor vehicle
Banking, Commerce and Insurance
- LR202 Interim study to examine public assistance programs with income-based eligibility criteria and the program rules that contribute or detract from asset building and economic stability for participating families
Health and Human Services
- LR203 Interim study to examine issues surrounding vacant residential and commercial properties
Urban Affairs
- LR205 Interim study to examine the potential establishment of a statewide electronics recycling program
Natural Resources
- LR206 Interim study to examine funding streams available to adult education programs to better transition adults into postsecondary education through bridge programs
Appropriations and Education
- LR207 Interim study to examine the formation and governance of sanitary and improvement districts
Urban Affairs
- LR208 Interim study to determine the best manner in which to license certified applied behavioral analysts
Health and Human Services
- LR209 Interim study to examine all of the building codes in Nebraska
Urban Affairs
- LR210 Interim study to examine the public employees retirement systems administered by the Public Employees Retirement Board
Nebraska Retirement Systems
- LR211 Interim study to examine the offering of elementary and secondary courses and high school diplomas through electronic means
Education
- LR212 Interim study to review the operations and usefulness of the Nebraska Regulation of Health Professions Act
Health and Human Services

- LR214 Interim study to examine issues surrounding graffiti, vandalism, the sale of spray paint or markers, destruction of property, and graffiti abatement
Judiciary
- LR215 Interim study to examine issues relating to defined benefit plans of political subdivisions
Nebraska Retirement Systems and Business and Labor
- LR216 Interim study to examine public employee contracts entered into pursuant to collective bargaining and benefits for public officials, including wages, pension, retirement, and health insurance benefits
Business and Labor and Nebraska Retirement Systems
- LR217 Interim study to examine issues pertaining to creating a regional transportation commission or authority for purposes of helping to fund political subdivisions' transportation infrastructure projects
Revenue and Transportation and Telecommunications
- LR219 Interim study to examine insurance coverage of services to treat individuals with autism
Banking, Commerce and Insurance
- LR220 Interim study to examine issues pertaining to the imposition of occupation taxes by local governments
Revenue
- LR221 Interim study to examine issues pertaining to Nebraska's property tax homestead exemption program
Revenue
- LR222 Interim study to examine issues pertaining to changing and adjusting individual and corporate income tax rate brackets
Revenue
- LR223 Interim study to examine issues pertaining to Nebraska's special capital gains income tax deduction, the dividend income tax deduction, and issues pertaining to codification of the economic substance doctrine
Revenue
- LR224 Interim study to examine issues surrounding use of energy financing contracts, also known as energy savings performance contracts by state agencies and political subdivisions
Government, Military and Veterans Affairs
- LR225 Interim study to examine issues surrounding the conversion of municipal street lighting systems to light-emitting diode (LED) lighting systems
Urban Affairs
- LR226 Interim study to examine the feasibility of implementing a pilot program to incentivize individuals to move to rural counties which have experienced population loss
Revenue and Education
- LR227 Interim study to examine adopting a comprehensive plumbing code applicable to all jurisdictions that could enforce the comprehensive plumbing code
Urban Affairs

- LR228 Interim study to examine the safety of staff members at the Youth Rehabilitation and Treatment Centers at Geneva and Kearney
Judiciary and Health and Human Services
- LR229 Interim study to examine the feasibility of requiring all law enforcement personnel and law enforcement personnel designated to investigate alleged child abuse and neglect situations, to complete continuing education courses on an annual basis
Judiciary
- LR230 Interim study to examine issues relating to development and implementation of a biobased product program for government procurement
Government, Military and Veterans Affairs
- LR231 Interim study to examine any aspect of the state tax structure and tax policy
Revenue
- LR232 Interim study to examine the fiscal impact of tax increment financing on taxpayers and governments throughout the state
Revenue
- LR233 Interim study to review the scope of the agricultural exemption from the One-Call Notification System Act
Transportation and Telecommunications
- LR234 Interim study to examine policy options and develop a long-term plan to support infrastructure development for the use of natural gas as a transportation fuel
Revenue
- LR235 Interim study to determine whether Nebraska should enact the Revised Uniform Unincorporated Nonprofit Association Act (2008)
Banking, Commerce and Insurance
- LR236 Interim study to examine maintenance payments for foster children by the Dept. of Health and Human Services and their subcontracting agencies
Health and Human Services
- LR237 Interim study to examine issues surrounding the potential consolidation of the Dept. of Labor and the Dept. of Economic Development into a newly created Dept. of Economic and Workforce Development
Business and Labor
- LR238 Interim study to examine whether Nebraska should update its statutory provisions regarding the regulation and business organization of firms and individuals rendering professional services
Banking, Commerce and Insurance
- LR239 Interim study to examine public school finance, particularly the Tax Equity and Educational Opportunities Support Act (TEEOSA)
Education
- LR240 Interim study to examine issues surrounding direct repair programs operated by insurers
Banking, Commerce and Insurance

- LR241 Interim study to examine issues surrounding the Nebraska Redevelopment Act
Urban Affairs
- LR242 Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee
Transportation and Telecommunications
- LR243 Interim study to examine the extent of human trafficking in Nebraska in connection with labor and sex trafficking
Judiciary
- LR244 Interim study to examine issues within the jurisdiction of the Government, Military and Veterans Affairs Committee
Government, Military and Veterans Affairs
- LR245 Interim study to examine how technology may be used in elections to make the process more efficient and user-friendly for voters
Government, Military and Veterans Affairs
- LR246 Interim study to review an interagency agreement between the Dept. of Health and Human Services and the Dept. of Revenue for the purpose of examining possible tax form revisions for identification of children eligible for the medical assistance program and medicaid
Health and Human Services
- LR247 Interim study to examine development of a comprehensive approach to reducing the environmental and health risks posed by the use or disposal of selected consumer products
Natural Resources
- LR248 Interim study to examine the accessibility of health care providers for persons on medicaid
Appropriations and Health and Human Services
- LR249 Interim study to examine the impact of recidivism rates of persons convicted of driving under the influence
Judiciary
- LR250 Interim study to examine human trafficking in Nebraska
Judiciary
- LR251 Interim study to examine immigration-related marriage fraud
Judiciary
- LR252 Interim study to examine the impact of illegal immigration on the state's budget
Appropriations
- LR253 Interim study to investigate the merits and costs of drug testing recipients and applicants of cash assistance benefits offered under the Welfare Reform Act
Health and Human Services
- LR254 Interim study to examine the Adam Walsh Child Protection and Safety Act of 2006 and Nebraska's Sex Offender Registration Act
Judiciary
- LR255 Interim study to examine issues within the jurisdiction of the Judiciary Committee
Judiciary

- LR257 Interim study to examine the flood control needs of Omaha and the greater Omaha metropolitan area
Natural Resources
- LR258 Interim study to examine the availability of technology to provide the electronic request and approval of prior authorization requests for medical and pharmacy interventions
Health and Human Services and Banking, Commerce and Insurance
- LR260 Interim study to examine statutes and regulations on in-situ mining and hydraulic fracturing, also known as fracking
Natural Resources
- LR261 Interim study to examine how Nebraska's public power utilities can partner with private energy efficiency companies to offer "On Bill Pay"
Natural Resources
- LR262 Interim study to examine the effects of imposing an earning cap on the calculation of a final pensionable salary for school employees
Nebraska Retirement Systems
- LR263 Interim study to examine municipal, state, and federal programs available to assist with job creation in the manufacturing sector
Revenue and Urban Affairs
- LR264 Interim study to examine ways to encourage recycling and the use of recycling materials in manufacturing by Nebraska businesses, and possible changes to existing tax incentives and grant programs
Revenue
- LR265 Interim study to examine the feasibility of implementing a Career Readiness Certificate program
Education
- LR266 Interim study to examine the feasibility of creating regional skills alliances, in which employers, government agencies, educational institutions, and labor unions pool resources to train workers for emerging region-wide job opportunities
Business and Labor
- LR267 Interim study to examine issues relating to regulatory flexibility policies
Government, Military and Veterans Affairs
- LR268 Interim study to examine the potential for privatization of the State of Nebraska's property management system
Government, Military and Veterans Affairs
- LR269 Interim study to examine the use of strategic plans and performance benchmarks by state agencies
Appropriations
- LR270 Interim study to examine the current state of health insurance coverage in the State of Nebraska to meet health insurance needs of Nebraskans
Health and Human Services and Banking, Commerce and Insurance
- LR271 Interim study to analyze the Nebraska Advantage Act
Revenue

- LR272 Interim study to examine the fiscal impact that the criminal law has on counties, especially new criminal offenses and procedures
Appropriations and Judiciary
- LR273 Interim study to examine the criteria for developing integrated management plans required under the Nebraska Ground Water Management and Protection Act
Natural Resources
- LR274 Interim study to examine the statutory protections for guide dogs
Agriculture
- LR275 Interim study to examine Nebraska's behavioral health model concerning transport service of persons who have been placed in emergency protective custody
Judiciary and Health and Human Services
- LR276 Interim study to examine the methods and level of effort of the Division of Weights and Measures of the Dept. of Agriculture to monitor and enforce fuel dispenser labeling requirements relating to ethanol-blended fuel products
Agriculture
- LR277 Interim study to review the Dept. of Agriculture's inspection program under the Commercial Dog and Cat Operator Inspection Act
Agriculture
- LR278 Interim study to examine the implications of the emerging livestock disease traceability framework governing movements of animals in interstate commerce described in the Animal Disease Traceability Comprehensive Report
Agriculture
- LR279 Interim study to examine issues relating to the compensation and benefits of the commissioners of the Nebraska Liquor Control Commission
General Affairs
- LR280 Interim study to examine whether insurance laws should be amended to protect homeowners from home improvement or home repair contractor fraud as it relates to insurance claims
Banking, Commerce and Insurance
- LR281 Interim study to conduct research and provide recommendations on how Nebraska is currently providing home and community-based health care services to Nebraska seniors
Health and Human Services
- LR282 Interim study to provide for review, assessment, and recommendations relating to the implementation of the Nebraska Health Care Funding Act
Appropriations and Health and Human Services
- LR283 Interim study to examine Nebraska's judicial system, specifically issues affecting judicial effectiveness and independence
Judiciary
- LR284 Interim study to examine current law with respect to the changing of surnames as a result of marriage
Judiciary

- LR285 Interim study to examine the nursing shortage in Nebraska
Appropriations and Health and Human Services
- LR286 Interim study to examine the Legislature's use of resources from designated cash funds for purposes of funding legislation independent of the budget process
Appropriations
- LR287 Interim study to analyze the in transit system in Nebraska for motor vehicle dealer sales and private transactions
Transportation and Telecommunications
- LR288 Interim study to examine issues relating to standing for foster parents in removal proceedings
Judiciary and Health and Human Services
- LR289 Interim study of new approaches to address the undocumented immigrant population that have been initiated at both the state and local level around the country since the Judiciary Committee completed its report in December 2008
Judiciary
- LR290 Interim study to examine the procedures of the Dept. of Health and Human Services relating to the evaluation of state wards for fetal alcohol spectrum disorders prior to adoption
Judiciary and Health and Human Services
- LR291 Interim study to evaluate methods of reporting and preventing hospital-acquired infections (HAIs)
Health and Human Services
- LR292 Interim study to examine cellular phone related safety issues in construction and school zones
Transportation and Telecommunications
- LR293 Interim study to continue the work of the select committee appointed pursuant to LR467, 2010, to conduct research regarding the federal Patient Protection and Affordable Care Act
Health and Human Services
- LR294 Interim study to examine the formation and mission of outdoor outfitters and guides in the State of Nebraska
Natural Resources
- LR295 Interim study to compile research relating to food safety, animal welfare, resource stewardship, and farm economy welfare, associated with restrictions of livestock husbandry practices promoted by animal welfare advocacy groups
Agriculture
- LR296 Interim study to examine potential structural models for commodity development programs to enhance flexibility, resources, and accountability to producers
Agriculture
- LR297 Interim study to review the report of the Dept. of Agriculture pursuant to LB305, identifying authorities and resources necessary to carry out a cooperative program of state meat and poultry inspection
Agriculture

- LR298 Interim study to examine the usage of models of collaborative management of multiagency services provided to children and families in Nebraska and other states
Judiciary and Health and Human Services
- LR299 Interim study to examine issues regarding gaming revenue that leaves Nebraska
General Affairs
- LR300 Interim study to examine issues relating to horseracing
General Affairs
- LR301 Interim study to examine issues relating to alcohol impact zones
General Affairs
- LR302 Interim study to examine issues under the jurisdiction of the General Affairs Committee
General Affairs
- LR303 Interim study to examine issues relating to whether Nebraska State Patrol inspectors of violations under the Nebraska Liquor Control Act should be under the Nebraska Liquor Control Commission's jurisdiction
General Affairs
- LR304 Interim study to examine legislative intent under the Nebr. Ground Water Management and Protection Act regarding water use on "commingled acres"
Natural Resources
- LR305 Interim study to examine the public benefits and supportive services available to older foster youth transitioning or "aging" out of the foster care system
Health and Human Services
- LR306 Interim study to assess the effectiveness of the ACCESS Nebraska system in building partnerships with community-based organizations and serving clients via the new system
Health and Human Services
- LR307 Interim study to examine the process of decreasing the number of county commissioners
Government, Military and Veterans Affairs
- LR308 Interim study to examine the intent of LB102, 2011, regarding vehicle loads
Transportation and Telecommunications
- LR309 Interim study to examine ways to manage water and provide benefits to landowners and other entities for their ability to store and manage water in recharge areas
Natural Resources
- LR310 Interim study to examine the intent of LB692, 2011, regarding the reimbursement of expenses by the Dept. of Administrative Services
Government, Military and Veterans Affairs
- LR311 Interim study to examine the concept of a philanthropic entity investing in an area of state government instead of investing in the capital market
Appropriations

- LR312 Interim study to examine the intent of LB392, 2011, including duties provided to the Game and Parks Commission for inspection, impoundment, and decontamination relating to aquatic invasive species
Natural Resources
- LR313 Interim study to examine the intent of LR9CA, 2011, regarding agricultural and horticultural land valuation
Revenue
- LR314 Interim study to examine all possible sources of revenue that could be used to establish a dedicated funding source for water management activities in Nebraska
Natural Resources
- LR315 Interim study to examine simulcast horseracing in Nebraska
General Affairs
- LR316 Interim study to examine the timing issues relating to the construction, permitting, and coordination processes of state and federal agencies regarding roads and transportation projects
Transportation and Telecommunications
- LR317 Interim study to examine the funding formulas for the federally qualified health centers (FQHCs)
Appropriations
- LR319 Interim study to examine the tax exemptions that pertain to the horseracing industry in Nebraska
Revenue
- LR320 Interim study to examine the funding of public elementary and secondary education
Education
- LR321 Interim study to examine the experiences of child victims and child witnesses with respect to their interaction with the criminal justice system
Judiciary
- LR322 Interim study to examine issues relating to the operation of the Nebraska Tractor Testing Laboratory
Agriculture
- LR323 Interim study to examine combined sewer overflow projects affecting municipalities
Revenue
- LR324 Interim study to examine ways for the State of Nebraska to help facilitate an increase in the export of Nebraska's agricultural products
Agriculture
- LR332 Interim study to determine the fairness of permanent wildlife conservation easements in today's economic and agricultural climates
Natural Resources

(Signed) John Wightman, Chairperson
Executive Board

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR213 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR213.

GENERAL FILE

LEGISLATIVE BILL 397A. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

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 LB669 with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 669. With Emergency Clause.

A BILL FOR AN ACT relating to courts; to amend sections 20-159, 24-502, 24-507, 24-515, 25-508.01, 25-509.01, 25-510.02, 25-511.02, 25-512.01, 25-513.01, 25-514.01, 25-2221, 25-2406, 25-2705, 25-2805, 29-404, 29-1603, 29-2259, and 42-361, Reissue Revised Statutes of Nebraska, and sections 25-505.01, 25-506.01, 25-507.01, 32-524, and 43-258, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to funding for court-appointed interpreters, service of process, court offices, demand for jury trials, Small Claims Court proceedings, certain filing requirements, clerks of the district court, proceedings for dissolution of marriage, and evaluation and placement of juveniles; to eliminate provisions relating to divisions of the county court; to provide for agreements for sharing staff and providing services between county courts and district courts; to provide for judicial hearing officers for juvenile courts; to provide powers and duties; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 24-512, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Voting in the affirmative, 47:

Adams	Cook	Hansen	Lathrop	Pirsch
Ashford	Cornett	Harms	Lautenbaugh	Price
Avery	Council	Harr, B.	Louden	Schilz
Bloomfield	Dubas	Heidemann	McCoy	Schumacher
Brasch	Fischer	Howard	McGill	Utter
Campbell	Flood	Janssen	Mello	Wallman
Carlson	Fulton	Karpisek	Nelson	Wightman
Christensen	Gloor	Krist	Nordquist	
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Pankonin	

Voting in the negative, 0.

Excused and not voting, 2:

Smith Sullivan

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 642. With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-5601, Revised Statutes Cumulative Supplement, 2010; to authorize the Department of Revenue to enter into certain contracts for products and services; to harmonize provisions; 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, 37:

Adams	Cornett	Harr, B.	Louden	Pirsch
Ashford	Council	Howard	McCoy	Schilz
Brasch	Dubas	Karpisek	McGill	Utter
Campbell	Fischer	Krist	Mello	Wallman
Carlson	Gloor	Langemeier	Nelson	Wightman
Coash	Hadley	Larson	Nordquist	
Conrad	Hansen	Lathrop	Pahls	
Cook	Harms	Lautenbaugh	Pankonin	

Voting in the negative, 4:

Christensen Fulton Heidemann Schumacher

Present and not voting, 6:

Avery Flood Janssen
Bloomfield Haar, K. Price

Excused and not voting, 2:

Smith Sullivan

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 LB590 with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 590.

A BILL FOR AN ACT relating to tobacco; to amend sections 59-1520, 59-1523, 69-502, 69-2702, 69-2703, 69-2705, 69-2706, 69-2707, 69-2708, 69-2709, 69-2710, 69-2711, 71-7606, 77-2601, 77-2602, 77-2602.03, 77-2603, 77-2604, 77-2605, 77-2607, 77-2608, 77-2610, 77-2612, 77-2613, 77-2614, 77-2615, 77-2615.01, 77-2620, and 77-2622, Reissue Revised Statutes of Nebraska; to provide, change, and eliminate provisions relating to licenses, disciplinary actions relating to licenses, the Master Settlement Agreement, manufacturer certifications, powers and duties, bonds, cigarette stamps, stamping agents, escrow deposits, reporting, a directory, and taxation; to define and redefine terms; to provide additional uses for dedicated revenue under the Nebraska Health Care Funding Act; to provide for an agreement with Indian tribes regarding cigarette sales, taxation, and distribution as prescribed; to provide and change penalties; to harmonize provisions; to provide operative dates; and to repeal the original sections.

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

Voting in the affirmative, 48:

Adams	Cook	Hansen	Lathrop	Pirsch
Ashford	Cornett	Harms	Lautenbaugh	Price
Avery	Council	Harr, B.	Louden	Schilz
Bloomfield	Dubas	Heidemann	McCoy	Schumacher
Brasch	Fischer	Howard	McGill	Sullivan
Campbell	Flood	Janssen	Mello	Utter
Carlson	Fulton	Karpisek	Nelson	Wallman
Christensen	Gloor	Krist	Nordquist	Wightman
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Pankonin	

Voting in the negative, 0.

Excused and not voting, 1:

Smith

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 590A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 590, One Hundred Second Legislature, First Session, 2011.

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	Cook	Hansen	Lathrop	Pirsch
Ashford	Cornett	Harms	Lautenbaugh	Price
Avery	Council	Harr, B.	Louden	Schilz
Bloomfield	Dubas	Heidemann	McCoy	Schumacher
Brasch	Fischer	Howard	McGill	Sullivan
Campbell	Flood	Janssen	Mello	Utter
Carlson	Fulton	Karpisek	Nelson	Wallman
Christensen	Gloor	Krist	Nordquist	Wightman
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Pankonin	

Voting in the negative, 0.

Excused and not voting, 1:

Smith

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

LEGISLATIVE BILL 521.

A BILL FOR AN ACT relating to abortion; to amend section 28-335, Reissue Revised Statutes of Nebraska; to require the physical presence of the physician who performs, induces, or attempts to perform an abortion as prescribed; to provide a penalty; to provide severability; 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, 38:

Adams	Fischer	Heidemann	Louden	Price
Bloomfield	Flood	Janssen	McCoy	Schilz
Brasch	Fulton	Karpisek	Mello	Schumacher
Carlson	Gloor	Krist	Nelson	Sullivan
Christensen	Hadley	Langemeier	Nordquist	Utter
Coash	Hansen	Larson	Pahls	Wallman
Cornett	Harms	Lathrop	Pankonin	
Dubas	Harr, B.	Lautenbaugh	Pirsch	

Voting in the negative, 9:

Ashford	Campbell	Cook	Haar, K.	McGill
Avery	Conrad	Council	Howard	

Present and not voting, 1:

Wightman

Excused and not voting, 1:

Smith

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

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 669, 642, 590, 590A, and 521.

SELECT FILE

LEGISLATIVE BILL 704. ER141, found on page 1719, was adopted.

Senator Karpisek renewed his amendment, AM1517, found on page 1703.

SENATOR GLOOR PRESIDING

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

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

SPEAKER FLOOD PRESIDING

Senator Nelson requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 32:

Adams	Coash	Harms	McCoy	Schumacher
Ashford	Cornett	Heidemann	Nelson	Sullivan
Bloomfield	Fischer	Janssen	Pahls	Utter
Brasch	Flood	Krist	Pankonin	Wightman
Campbell	Fulton	Langemeier	Pirsch	
Carlson	Gloor	Larson	Price	
Christensen	Hadley	Lautenbaugh	Schilz	

Voting in the negative, 15:

Avery	Council	Hansen	Lathrop	Mello
Conrad	Dubas	Harr, B.	Louden	Nordquist
Cook	Haar, K.	Howard	McGill	Wallman

Present and not voting, 1:

Karpisek

Excused and not voting, 1:

Smith

The motion to cease debate prevailed with 32 ayes, 15 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Karpisek moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

Senator Karpisek requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 16:

Avery	Council	Howard	Mello
Conrad	Dubas	Lathrop	Nordquist
Cook	Haar, K.	Louden	Schumacher
Cornett	Harr, B.	McGill	Wallman

Voting in the negative, 28:

Adams	Coash	Harms	Lautenbaugh	Price
Ashford	Fischer	Heidemann	McCoy	Schilz
Brasch	Flood	Janssen	Nelson	Utter
Campbell	Gloor	Krist	Pahls	Wightman
Carlson	Hadley	Langemeier	Pankonin	
Christensen	Hansen	Larson	Pirsch	

Present and not voting, 3:

Bloomfield	Karpisek	Sullivan
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Excused and not voting, 2:

Fulton	Smith
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The Karpisek amendment lost with 16 ayes, 28 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

VISITORS

Visitors to the Chamber were 31 fifth-grade students, teachers, and sponsors from Christ the King, Omaha; 23 fourth-grade students, teacher, and sponsors from Blessed Sacrament School, Lincoln; Senator Hadley's wife, sister, and brother-in-law, Marilyn Hadley, from Kearney, and Jane and Tom Gwin, from Denver, Colorado; and former Senator Pat Engel from South Sioux City.

RECESS

At 11:57 a.m., on a motion by Senator Gloor, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Flood presiding.

ROLL CALL

The roll was called and all members were present except Senators Ashford, Cornett, Loudon, Pankonin, Pirsch, Schilz, Smith, and Wightman who were excused until they arrive.

EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 669 and 642.

(Signed) Kate Sullivan

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 23, 2011, at 10:40 a.m. were the following: LBs 669e, 642e, 590, 590A, and 521.

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

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 397A. Placed on Select File.

(Signed) Tyson Larson, Chairperson

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 397. Placed on Final Reading.

ST45

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

1. In the Lathrop amendment, AM1534:
 - a. On page 1, line 19, the first "7" has been struck and "24" inserted and "the first" has been inserted after "with"; and
 - b. On page 2, line 18, "this" has been inserted after "in".
2. In the Lathrop amendment, AM1528:
 - a. On page 5, line 3, "of" has been inserted after "not";
 - b. On page 20, line 15, "this" has been inserted after "in";
 - c. On page 21, line 9, an underscored comma has been inserted after "class";

d. On page 23, line 24, "(2)(c)(iii)(B) of this section" has been inserted after "subdivision";

e. On page 25, line 6, an underscored comma has been inserted after "delivery"; and

f. On page 55, line 10, "half" has been struck and "one-half" inserted.

3. In the E & R amendments, ER128, on page 65, line 18, "48-804," has been inserted after the second comma and "48-815," has been struck; in line 19 "79-824, 79-828," has been struck; and the matter beginning with "collective" in line 24 through line 27 has been struck and "and change collective-bargaining provisions; to provide for applicability of provisions;" inserted.

LEGISLATIVE BILL 400. Placed on Final Reading.

ST46

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

1. On page 1, the matter beginning with "the" in line 1 through line 10 and all amendments thereto have been struck and "property tax; to amend sections 2-3225 and 77-3442, Revised Statutes Cumulative Supplement, 2010; to change tax levy authority for natural resources districts and exceptions from levy limits as prescribed; and to repeal the original sections." inserted.

LEGISLATIVE BILL 700. Placed on Final Reading.

LEGISLATIVE BILL 701. Placed on Final Reading.

LEGISLATIVE BILL 702. Placed on Final Reading.

(Signed) Tyson Larson, Chairperson

AMENDMENT - Print in Journal

Senator Krist filed the following amendment to LB703:

AM1552

- 1 On page 4, strikes lines 2 through 11 and all
- 2 amendments thereto and insert "labeled as maps LEG2-10002 and all
- 3 corresponding maps filed".

SELECT FILE

LEGISLATIVE BILL 704. Senator Karpisek offered the following motion:

MO49

Reconsider the vote taken on AM1517.

SENATOR DUBAS PRESIDING

SPEAKER FLOOD PRESIDING

Pending.

AMENDMENT - Print in Journal

Senator Pahls filed the following amendment to LB40:
AM1545

- 1 1. Insert the following new sections:
- 2 Section 1. Section 77-2701, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 77-2701 Sections 77-2701 to 77-27,135.01 and 77-27,228 to
- 5 77-27,236 and section 4 of this act shall be known and may be cited
- 6 as the Nebraska Revenue Act of 1967.
- 7 Sec. 2. Section 77-2701.04, Reissue Revised Statutes of
- 8 Nebraska, is amended to read:
- 9 77-2701.04 For purposes of sections 77-2701.04 to 77-2713
- 10 and section 4 of this act, unless the context otherwise requires,
- 11 the definitions found in sections 77-2701.05 to 77-2701.53 shall be
- 12 used.
- 13 Sec. 4. Through June 30, 2016, sales and use taxes shall
- 14 not be imposed on the gross receipts from the sale of and the
- 15 storage, use, or other consumption in this state of prepared food
- 16 or meals for human consumption.
- 17 2. Renumber the remaining sections and correct the
- 18 repealer accordingly.

RESOLUTIONS

LEGISLATIVE RESOLUTION 334. Introduced by Dubas, 34.

WHEREAS, Jacob Swanson of Doniphan, 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, Jacob has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

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

WHEREAS, Jacob, 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.

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

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

Laid over.

LEGISLATIVE RESOLUTION 335. Introduced by Dubas, 34.

WHEREAS, Jeremy Swanek of Doniphan, 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, Jeremy has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

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

WHEREAS, Jeremy, 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.

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

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

Laid over.

LEGISLATIVE RESOLUTION 336. Introduced by Dubas, 34.

WHEREAS, Ross Hockensmith of Doniphan, 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, Ross has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council; and

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

WHEREAS, Ross, 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.

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

1. That the Legislature congratulates Ross Hockensmith on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Ross Hockensmith.

Laid over.

LEGISLATIVE RESOLUTION 337. Introduced by Campbell, 25; Avery, 28; Coash, 27; Conrad, 46; Fulton, 29; K. Haar, 21; McGill, 26; Wallman, 30.

WHEREAS, Bill Kloefkorn was named State Poet by proclamation of Governor Charles Thone on September 11, 1982; and

WHEREAS, he was born August 12, 1932, in Kansas, taught English at Nebraska Wesleyan University in Lincoln, retiring from that full-time position in 1997, wrote thirty-one books, among them poetry, including "Uncertain the Final Run to Winter" and "Loup River Psalter", short fiction, including "Shadow Boxer", and memoirs, including "This Death by Drowning", and assisted in starting the Nebraska Poets-in-the-Schools program, enriching the education of Nebraska school children; and

WHEREAS, his poetry has been published in periodicals and newspapers throughout the United States, including on poetry Internet web sites, and shared across the country through the readings he gave and workshops he conducted at colleges and universities; and

WHEREAS, he liked to tell people that he won first place in the 1978 Nebraska Hog-Calling Championship; and

WHEREAS, he was called "a great poet" and "an even better teacher"; and

WHEREAS, he is quoted at the Nebraska Wesleyan Alumni Association web site as having said that, "Poems should not be simplistic, nor should they be sermons. Poetry is for those who want to use their own minds to find answers. It can challenge without being elitist or obscure"; and

WHEREAS, in his poem "Hands," he wrote, "beside you someone whose hand you'd recognize in any degree of darkness holding your hand, wristbone connected to the armbone, and though you don't know how this world began or how it might end, you know the pathway that leads to repose"; and

WHEREAS, Bill Kloefkorn died in Lincoln on May 19, 2011, leaving behind his wife, Eloise, four children, eleven grandchildren, two great-

grandchildren, and many friends, colleagues, admirers, former students, and lovers of poetry.

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

1. That the Legislature expresses its sympathy to Eloise Kloefkorn and the family of Bill Kloefkorn on their loss.

2. That the Legislature recognizes Bill Kloefkorn's contributions to Nebraska and the United States through a lifetime of writing, teaching, mentoring, encouraging, and befriending his fellow human beings.

3. That a copy of this resolution be sent to the family of Bill Kloefkorn.

Laid over.

LEGISLATIVE RESOLUTION 338. Introduced by Urban Affairs Committee: McGill, 26, Chairperson; Coash, 27; Cook, 13; Krist, 10; Schumacher, 22.

PURPOSE: The purpose of this resolution is to examine the boundaries and taxing authority of transit authorities.

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

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

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

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 704. The Karpisek motion, MO49, found in this day's Journal, to reconsider the vote taken on AM1517, was renewed.

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

Senator Karpisek requested a roll call vote on his motion to reconsider.

Voting in the affirmative, 16:

Avery	Council	Karpisek	Mello
Conrad	Haar, K.	Lathrop	Nordquist
Cook	Harr, B.	Louden	Schumacher
Cornett	Howard	McGill	Wallman

Voting in the negative, 31:

Adams	Coash	Hansen	Lautenbaugh	Sullivan
Ashford	Dubas	Harms	McCoy	Utter
Bloomfield	Fischer	Heidemann	Nelson	Wightman
Brasch	Flood	Janssen	Pahls	
Campbell	Fulton	Krist	Pankonin	
Carlson	Gloor	Langemeier	Price	
Christensen	Hadley	Larson	Schilz	

Excused and not voting, 2:

Pirsch	Smith
--------	-------

The Karpisek motion to reconsider failed with 16 ayes, 31 nays, and 2 excused and not voting.

The Chair declared the call raised.

Senator Mello withdrew his amendment, AM1509, found on page 1705.

Senator Mello offered the following amendment:

AM1540

(Amendments to E & R amendments, ER141)

1. On page 3, strike line 23 and insert "CON1-46001 and
- 2 all corresponding maps.".

SENATOR ADAMS PRESIDING

SPEAKER FLOOD PRESIDING

Senator Mello moved for a call of the house. The motion prevailed with 32 ayes, 0 nays, and 17 not voting.

Senator Mello requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 14:

Ashford	Cook	Harr, B.	Lathrop	Nordquist
Avery	Council	Howard	Louden	Wallman
Conrad	Haar, K.	Karpisek	Mello	

Voting in the negative, 30:

Adams	Coash	Hadley	Langemeier	Pankonin
Bloomfield	Dubas	Hansen	Larson	Schilz
Brasch	Fischer	Harms	Lautenbaugh	Schumacher
Campbell	Flood	Heidemann	McCoy	Sullivan
Carlson	Fulton	Janssen	Nelson	Utter
Christensen	Gloor	Krist	Pahls	Wightman

Present and not voting, 3:

Cornett McGill Price

Excused and not voting, 2:

Pirsch Smith

The Mello amendment lost with 14 ayes, 30 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Lautenbaugh offered the following amendment:
AM1549

(Amendments to E & R amendments, ER141)

- 1 1. On page 3, strike line 23 and insert "CON11-18005 and
- 2 all corresponding maps.".

Senator Lautenbaugh asked unanimous consent to withdraw his amendment, AM1549, found in this day's Journal, and replace it with his substitute amendment, AM1564. No objections. So ordered.

AM1564

(Amendments to E & R amendments, ER141)

- 1 1. On page 3, strike line 23 and insert "CON11-18005-1,
- 2 CON11-18005-1A, CON11-18005-2, CON11-18005-3, and CON11-18005-3A.".

Senator Langemeier offered the following motion:
MO53

Invoke cloture pursuant to Rule 7, Section 10.

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

Senator Langemeier requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Adams	Coash	Hansen	Lautenbaugh	Schilz
Ashford	Cornett	Harms	McCoy	Schumacher
Bloomfield	Fischer	Heidemann	Nelson	Smith
Brasch	Flood	Janssen	Pahls	Utter
Campbell	Fulton	Krist	Pankonin	Wightman
Carlson	Gloor	Langemeier	Pirsch	
Christensen	Hadley	Larson	Price	

Voting in the negative, 15:

Avery	Council	Harr, B.	Lathrop	Nordquist
Conrad	Dubas	Howard	McGill	Sullivan
Cook	Haar, K.	Karpisek	Mello	Wallman

Present and not voting, 1:

Louden

The Langemeier motion to invoke cloture prevailed with 33 ayes, 15 nays, and 1 present and not voting.

Senator Mello requested a record vote on the Lautenbaugh amendment.

Voting in the affirmative, 36:

Adams	Cornett	Harms	McCoy	Smith
Ashford	Dubas	Heidemann	Nelson	Sullivan
Bloomfield	Fischer	Janssen	Pahls	Utter
Brasch	Flood	Karpisek	Pankonin	Wightman
Campbell	Fulton	Krist	Pirsch	
Carlson	Gloor	Langemeier	Price	
Christensen	Hadley	Larson	Schilz	
Coash	Hansen	Lautenbaugh	Schumacher	

Voting in the negative, 10:

Conrad	Council	Harr, B.	McGill	Nordquist
Cook	Haar, K.	Howard	Mello	Wallman

Present and not voting, 3:

Avery Lathrop Louden

The Lautenbaugh amendment was adopted with 36 ayes, 10 nays, and 3 present and not voting.

Senator Mello requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 34:

Adams	Coash	Hansen	Lautenbaugh	Schilz
Ashford	Dubas	Harms	McCoy	Schumacher
Bloomfield	Fischer	Heidemann	Nelson	Smith
Brasch	Flood	Janssen	Pahls	Sullivan
Campbell	Fulton	Krist	Pankonin	Utter
Carlson	Gloor	Langemeier	Pirsch	Wightman
Christensen	Hadley	Larson	Price	

Voting in the negative, 14:

Avery	Cornett	Harr, B.	Lathrop	Nordquist
Conrad	Council	Howard	McGill	Wallman
Cook	Haar, K.	Karpisek	Mello	

Present and not voting, 1:

Louden

Advanced to Enrollment and Review for Engrossment with 34 ayes, 14 nays, and 1 present and not voting.

The Chair declared the call raised.

RESOLUTIONS

LEGISLATIVE RESOLUTION 339. Introduced by Hadley, 37.

WHEREAS, Geraldine Stirtz, coordinator of the Office for Service-Learning at the University of Nebraska at Kearney, received the 2011 Excellence in National Service Award; and

WHEREAS, this award from the Nebraska Volunteer Service Commission was presented to Ms. Stirtz by Sally Ganem, Nebraska's first lady, during the First Lady's Outstanding Community Service Awards Luncheon in Lincoln; and

WHEREAS, Ms. Stirtz has been coordinator for the Office for Service-Learning since 1990. As coordinator, she recruits and oversees the AmeriCorps program on campus. AmeriCorps is often described as the "domestic Peace Corps"; and

WHEREAS, Ms. Stirtz has also been an integral part of the Midwest Consortium for Service-Learning in Higher Education, providing leadership and grant-writing skills that produced financial support for the programs; and

WHEREAS, Ms. Stirtz created an online graduate credit course for instructors to learn and apply service-learning in their own classrooms. In addition, she has coordinated and conducted professional development for faculty at the University of Nebraska at Kearney to bring service-learning into their coursework; and

WHEREAS, Ms. Stirtz has also served on the board of the Kearney Concert Association and has been a part of the Axtell Oratorio Society for many years. Both organizations use volunteers to bring music and entertainment to central Nebraska. She has also worked with United Way of the Kearney Area to use Service-Learning Pro, a tracking system for volunteer hours that is also being used on the campus of the University of Nebraska at Kearney to assist instructors in helping students track their volunteer hours; and

WHEREAS, Ms. Stirtz is a tireless advocate for volunteerism and service on the campus of the University of Nebraska at Kearney and in the surrounding community.

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

1. That the Legislature congratulates Geraldine Stirtz on receiving the 2011 Excellence in National Service Award.
2. That a copy of this resolution be sent to Geraldine Stirtz.

Laid over.

LEGISLATIVE RESOLUTION 340. Introduced by Fulton, 29; Heidemann, 1.

WHEREAS, the Auburn Volunteer Fire Department is celebrating its 100th anniversary in 2011; and

WHEREAS, the Auburn Volunteer Fire Department has a storied history of volunteer service to Auburn and its neighboring communities; and

WHEREAS, in June 1911, the community of Auburn founded a volunteer fire department which continues to serve and protect the city today; and

WHEREAS, the 39-member department stands ready to assist the community in whatever situation arises.

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

1. That the Legislature congratulates the Auburn Volunteer Fire Department on its 100th anniversary.
2. That the Legislature expresses its thanks to the members of the Auburn Volunteer Fire Department for their good work over the last century.
3. That a copy of this resolution be sent to the Auburn Volunteer Fire Department.

Laid over.

LEGISLATIVE RESOLUTION 341. Introduced by Fulton, 29; Campbell, 25.

WHEREAS, Erin and Emma Cooney, twin sisters and eighth graders at Lux Middle School in Lincoln, Nebraska, have distinguished themselves in the field of math; and

WHEREAS, Erin and Emma Cooney's outstanding accomplishments in the area of math qualified them for the national MATHCOUNTS competition in Washington, D.C.; and

WHEREAS, the Legislature recognizes the outstanding accomplishments of the youth of our state.

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

1. That the Legislature recognizes Erin and Emma Cooney for their outstanding accomplishments in the field of math.
2. That a copy of this resolution be sent to Erin and Emma Cooney and Bill Bucher, principal of Lux Middle School.

Laid over.

LEGISLATIVE RESOLUTION 342. Introduced by Fulton, 29.

WHEREAS, David Smith, president of Union College in Lincoln, Nebraska, will be leaving the Seventh-day Adventist college after thirteen years of outstanding service; and

WHEREAS, under his leadership, Union College doubled its enrollment to over 1,000 students and paid down years worth of debt; and

WHEREAS, during his tenure, Union College established two new academic programs, including the Master of Physician Assistant Studies and the international rescue and relief bachelor degree program; and

WHEREAS, the Legislature recognizes the outstanding service of the citizens of the State of Nebraska.

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

1. That the Legislature recognizes David Smith for his outstanding service as president of Union College.
2. That a copy of this resolution be sent to David Smith.

Laid over.

LEGISLATIVE RESOLUTION 343. Introduced by Fulton, 29; Brasch, 16; Hansen, 42; Harms, 48; McCoy, 39.

WHEREAS, a parent's duty to direct the upbringing of their children remains fundamental to the maintenance of the fabric of our society and the future of the good life here in the State of Nebraska; and

WHEREAS, parents who elect to educate their children at home invest thousands of hours each year in the intellectual, physical, and spiritual development of their children; and

WHEREAS, studies have demonstrated that students educated at home excel academically, enter college in high numbers, and continue their education beyond college frequently; and

WHEREAS, students educated at home have demonstrated a high propensity for civic involvement by voting at high rates and also by investing in their churches, unions, neighborhood associations, and professional organizations at high rates; and

WHEREAS, over six thousand students receive instruction at home each year here in the State of Nebraska; and

WHEREAS, many home-educated students have distinguished themselves in their communities across the State of Nebraska, including Miss America Teresa Scanlan.

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

1. That the Legislature recognizes the outstanding dedication of parents who home school their children in the State of Nebraska.

2. That a copy of this resolution be sent to the Nebraska Christian Home Educators Association and the Home School Legal Defense Association.

Laid over.

SELECT FILE

LEGISLATIVE BILL 629. ER140, found on page 1700, was adopted.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 390. Title read. Considered.

Committee AM1537, found on page 1724, was considered.

SENATOR GLOOR PRESIDING

Senator Ashford offered the following amendment to the committee amendment:

AM1542

(Amendments to Standing Committee amendments, AM1537)

- 1 1. Insert the following new sections:
- 2 Sec. 29. Section 19, Legislative Bill 374, One Hundred
- 3 Second Legislature, First Session, 2011, is amended to read:
- 4 Sec. 19. AGENCY NO. 5 - SUPREME COURT
- 5 Program No. 52 - Operations
- 6
- 7 GENERAL FUND FY2011-12 FY2012-13
- 8 CASH FUND est. 26,990,554 27,400,012
- 9 FEDERAL FUND est. 2,340,144 2,347,925
- 10 PROGRAM TOTAL 766,455 769,107
- 11 SALARY LIMIT 30,097,153 30,517,044
- 12 19,140,180 19,522,984
- 13 The Department of Administrative Services shall monitor
- 14 the appropriations and expenditures for this program according to
- 15 the following program classifications:
- 16 No. 34 - Court Administration
- 17 No. 40 - State Law Library
- 18 No. 396 - County Court System
- 19 No. 399 - District Court Reporters
- 20 No. 405 - Court of Appeals
- 21 The unexpended General Fund appropriation balance
- existing on June 30, 2011, is hereby reapportioned.

22 The budget division of the Department of Administrative
 1 Services shall administratively transfer General Fund
 2 appropriations among Programs 52, and 67,~~and 435~~ within Agency 5,
 3 upon written certification by the State Court Administrator that
 4 the Supreme Court has determined that such transfer is necessary
 5 for the efficient functioning of statewide court operations and the
 6 proper administration of justice. The Salary Limit for Agency 5,
 7 Programs 52, and 67,~~and 435~~, may be administratively increased
 8 for any transfers made to Programs 52, and 67,~~and 435~~ pursuant
 9 to this section.

10 There is included in the appropriation to this program
 11 for FY2011-12 \$270,000 Cash Funds for dispute resolution state
 12 aid, which shall only be used for such purpose except as
 13 otherwise directed by the Supreme Court. There is included in
 14 the appropriation to this program for FY2012-13 \$270,000 Cash Funds
 15 for dispute resolution state aid, which shall only be used for such
 16 purpose except as otherwise directed by the Supreme Court.

17 There is included in the appropriation to this program
 18 for FY2011-12 \$450,000 Cash Funds for parenting plan mediation for
 19 indigent and lower-income persons involved in Parenting Act cases,
 20 as state aid, which shall only be used for such purpose except
 21 as otherwise directed by the Supreme Court. There is included in
 22 the appropriation to this program for FY2012-13 \$450,000 Cash Funds
 23 for parenting plan mediation for indigent and lower-income persons
 24 involved in Parenting Act cases, as state aid, which shall only be
 25 used for such purpose except as otherwise directed by the Supreme
 26 Court.

27 Cash Fund expenditures for this program shall not be
 1 limited to the amounts shown.

2 Sec. 30. Section 20, Legislative Bill 374, One Hundred
 3 Second Legislature, First Session, 2011, is amended to read:

4 Sec. 20. AGENCY NO. 5 - SUPREME COURT

5 Program No. 67 - Probation Services

	FY2011-12	FY2012-13
6 GENERAL FUND	20,438,228	20,755,789
7 CASH FUND est.	947,332	947,332
8 FEDERAL FUND est.	208,798	208,798
9 PROGRAM TOTAL	21,594,358	21,911,919
10 SALARY LIMIT	14,696,308	14,990,235

11 The Department of Administrative Services shall monitor
 12 the appropriations and expenditures for this program according to
 13 the following program classifications:

14 No. 397 - Statewide Probation

15 No. 398 - Intensive Supervision Probation

16 The unexpended General Fund appropriation balance
 17 existing on June 30, 2011, is hereby reappropriated.

18 The budget division of the Department of Administrative
 19 Services shall administratively transfer General Fund
 20 appropriations among Programs 52, and 67,~~and 435~~ within Agency 5,
 21

22 upon written certification by the State Court Administrator that
 23 the Supreme Court has determined that such transfer is necessary
 24 for the efficient functioning of statewide court operations and the
 25 proper administration of justice. The Salary Limit for Agency 5,
 26 Programs 52; and 67, ~~and 435~~, may be administratively increased
 27 for any transfers made to Programs 52; and 67, ~~and 435~~ pursuant
 1 to this section.

2 Cash Fund expenditures for this program shall not be
 3 limited to the amounts shown.

4 Sec. 31. Section 22, Legislative Bill 374, One Hundred
 5 Second Legislature, First Session, 2011, is amended to read:

6 Sec. 22. AGENCY NO. 5 - SUPREME COURT

7 Program No. 420 - State Specialized Court Operations

	FY2011-12	FY2012-13
8 <u>GENERAL FUND</u>	2,060,526	2,060,521
9 <u>CASH FUND est.</u>	168,965	190,215
10 CASH FUND est.	2,229,491	2,250,736
11 PROGRAM TOTAL	2,229,491	2,250,736
12 SALARY LIMIT	1,027,472	1,048,022

14 The supervision and management of the State Specialized
 15 Courts shall be under the direct jurisdiction of the Supreme
 16 Court and the State Court Administrator. Any contractual funds
 17 received from the Community Corrections program, under the Nebraska
 18 Commission on Law Enforcement and Criminal Justice, to support
 19 the cost of operating the State Specialized Courts shall only be
 20 credited and expended directly from the Probation Program Cash
 21 Fund.

22 Cash Fund expenditures for this program shall not be
 23 limited to the amounts shown.

24 Sec. 32. Section 23, Legislative Bill 374, One Hundred
 25 Second Legislature, First Session, 2011, is amended to read:

26 Sec. 23. AGENCY NO. 5 - SUPREME COURT

27 Program No. 435 - Probation Community Corrections

	FY2011-12	FY2012-13
2 GENERAL FUND	959,073	973,559
3 CASH FUND est.	8,333,836	8,353,812
4 <u>GENERAL FUND</u>	4,071,208	4,085,694
5 <u>CASH FUND est.</u>	5,221,701	5,241,677
6 PROGRAM TOTAL	9,292,909	9,327,371
7 SALARY LIMIT	1,673,312	1,706,778

8 The unexpended General Fund appropriation balance
 9 existing on June 30, 2011, is hereby reappropriated.

10 Cash Fund expenditures for this program shall not be
 11 limited to the amounts shown.

12 Sec. 33. Section 240, Legislative Bill 374, One Hundred
 13 Second Legislature, First Session, 2011, is amended to read:

14 Sec. 240. AGENCY NO. 78 - NEBRASKA COMMISSION ON LAW
 15 ENFORCEMENT AND CRIMINAL JUSTICE

16	Program No. 220 - Community Corrections Council Office		
17		FY2011-12	FY2012-13
18	GENERAL FUND	5,484,959	5,488,959
19	<u>GENERAL FUND</u>	<u>281,298</u>	<u>285,298</u>
20	CASH FUND	405,917	406,951
21	PROGRAM TOTAL	5,890,876	5,895,910
22	<u>PROGRAM TOTAL</u>	<u>687,215</u>	<u>692,249</u>
23	SALARY LIMIT	218,643	223,016

24 The unexpended General Fund appropriation balance
25 existing on June 30, 2011, is hereby reappropriated.

26 Sec. 34. Section 7, Legislative Bill 376, One Hundred
27 Second Legislature, First Session, 2011, is amended to read:

1	Sec. 7. AGENCY NO. 5 - SUPREME COURT		
2	Program No. 5 - Retired Judges' Salaries		
3		FY2011-12	FY2012-13
4	GENERAL FUND	47,436	47,436
5	PROGRAM TOTAL	47,436	47,436
6	SALARY LIMIT	44,832	44,832

7 The unexpended General Fund appropriation balance
8 existing on June 30, 2011, is hereby reappropriated.

9 The unexpended General Fund appropriation balance
10 existing on June 30, 2012, is hereby reappropriated.

11 The budget division of the Department of Administrative
12 Services shall administratively transfer General Fund
13 appropriations among Programs 3, 4, 5, 6, 7, 52, ~~and 67, and~~
14 ~~435~~ within Agency 5, upon written certification by the State
15 Court Administrator that the Nebraska Supreme Court has determined
16 that such transfer is necessary for the efficient functioning
17 of statewide court operations and the proper administration of
18 justice. The Salary Limit for Agency 5, Programs 5, 52, ~~and 67, and~~
19 ~~435~~, may be administratively increased for any transfers made to
20 Programs 5, 52, ~~and 67, and 435~~ pursuant to this section.

21 2. On page 40, line 13, strike "30" and insert "36"; in
22 line 14 strike "effect" and insert "effective"; in line 24 strike
23 the first "and"; and in line 25 before "are" insert "and sections
24 19, 20, 22, 23, and 240, Legislative Bill 374, One Hundred Second
25 Legislature, First Session, 2011; and section 7, Legislative Bill
26 376, One Hundred Second Legislature, First Session, 2011,".

27 3. Renumber the remaining sections accordingly.

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

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

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

AMENDMENTS - Print in Journal

Senator Ashford filed the following amendment to LB390:
AM1541

(Amendments to Standing Committee amendments, AM1537)

- 1 1. Insert the following new section:
- 2 Sec. 28. Section 83-4,131, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 83-4,131 Personnel of the Nebraska Commission on Law
- 5 Enforcement and Criminal Justice shall visit and inspect each
- 6 criminal detention facility and juvenile detention facility in the
- 7 state, except correctional facilities accredited by a nationally
- 8 recognized correctional association pursuant to subsection (2) of
- 9 section 83-4,126, for the purpose of determining the conditions of
- 10 confinement, the treatment of persons confined in the facilities,
- 11 and whether such facilities comply with the minimum standards
- 12 established by the Jail Standards Board. A written report of
- 13 each inspection shall be made within thirty days following such
- 14 inspection to the appropriate governing body responsible for
- 15 the criminal detention facility or juvenile detention facility
- 16 involved. The report shall specify those areas in which the
- 17 facility does not comply with the required minimum standards.
- 18 2. On page 8, line 15, strike "(15)" and insert "(17)".
- 19 3. On page 12, line 18, strike "as provided in section
- 20 79-2262.07" and show as stricken; and in line 23 strike "as
- 21 provided in section 83-1,107.02" and show as stricken.
- 22 4. Amend the operative date and repealer sections so that
- 1 the section added by this amendment becomes operative July 1, 2011.
- 2 5. Renumber the remaining sections and correct internal
- 3 references accordingly.

Senator Karpisek filed the following amendment to LB704:
AM1548

(Amendments to E & R amendments, ER141)

- 1 1. On page 3, strike line 23 and insert "CON1-32005 and
- 2 all corresponding maps".

Senator B. Harr filed the following amendment to LB704:
AM1546

(Amendments to E & R amendments, ER141)

- 1 1. On page 3, strike line 23 and insert "CON11-12003 and
- 2 all corresponding maps".

Senator Karpisek filed the following amendment to LB704:
AM1547

(Amendments to E & R amendments, ER141)

- 1 1. On page 3, strike line 23 and insert "CON1-32004 and
- 2 all corresponding maps".

EASE

The Legislature was at ease from 5:59 p.m. until 6:03 p.m.

GENERAL FILE

LEGISLATIVE BILL 390A. Senator Flood offered the following motion:

MO54

Indefinitely postpone.

The Flood motion to indefinitely postpone prevailed with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 690. ER139, found on page 1700, was adopted.

Senator Conrad offered the following motion:

MO50

Recommit to Committee.

Senator Conrad withdrew her motion to recommit to committee.

Senator Brasch offered the following amendment:

AM1520

(Amendments to E & R amendments, ER139)

- 1 1. On page 3, line 18, strike "minor female" and insert
- 2 "pregnant woman"; and strike lines 20 through 24 and insert the
- 3 following new subdivision:
- 4 "(3) Consent means a declaration acknowledged before a
- 5 notary public and signed by a parent or legal guardian of the
- 6 pregnant woman or an alternate person as described in section 4
- 7 of this act declaring that the principal has been informed that
- 8 the pregnant woman intends to undergo a procedure pursuant to
- 9 subdivision (1) of section 71-6901 and that the principal consents
- 10 to the procedure;".
- 11 2. On page 4, line 12, after "woman" insert "(a)"; in
- 12 line 14 strike "for which" and insert "(b) that"; and strike
- 13 beginning with "an" in line 19 through "age" in line 20 and insert
- 14 "a woman who is not emancipated and".
- 15 3. On page 5, line 26; and page 7, line 18, before the
- 16 comma insert "as defined in section 28-351".
- 17 4. On page 6, strike beginning with "If" in line 15
- 18 through line 20.
- 19 5. On page 9, line 25, strike "interests", show as
- 20 stricken, and insert "interest".
- 21 6. On page 14, line 3, strike "minor" and insert
- 22 "pregnant woman".

Senator Brasch asked unanimous consent to withdraw her amendment, AM1520, found in this day's Journal, and replace it with her substitute amendment, AM1571. No objections. So ordered.

AM1571

(Amendments to E & R amendments, ER139)

- 1 1. On page 3, line 18, strike "minor female" and insert
- 2 "pregnant woman"; and strike lines 20 through 24 and insert the
- 3 following new subdivision:
- 4 "(3) Consent means a declaration acknowledged before a
- 5 notary public and signed by a parent or legal guardian of the
- 6 pregnant woman or an alternate person as described in section 4
- 7 of this act declaring that the principal has been informed that
- 8 the pregnant woman intends to undergo a procedure pursuant to
- 9 subdivision (1) of section 71-6901 and that the principal consents
- 10 to the procedure;".
- 11 2. On page 5, line 26; and page 7, line 18, before the
- 12 comma insert "as defined in section 28-351".
- 13 3. On page 9, line 25, strike "interests", show as
- 14 stricken, and insert "interest".
- 15 4. On page 14, line 3, strike "minor" and insert
- 16 "pregnant woman"; and in line 5 after "indicating" insert "only".

The Brasch amendment was adopted with 31 ayes, 2 nays, 9 present and not voting, and 7 excused and not voting.

Senator Cook offered the following amendment:

AM1529

(Amendments to E & R amendments, ER139)

- 1 1. On page 9, line 26, strike "seven calendar days", show
- 2 as stricken, and insert "forty-eight hours"; and in line 27 after
- 3 "filed" insert ", Saturdays, Sundays, and legal holidays excluded.
- 4 This time requirement may be extended upon the request of the
- 5 pregnant woman".

Pending.

AMENDMENT - Print in Journal

Senator Krist filed the following amendment to LB703:

AM1567

- 1 1. On page 4, strike lines 2 through 11 and all
- 2 amendments thereto and insert "labeled as maps LEG2-10003 and
- 3 all corresponding maps, filed".

RESOLUTIONS

LEGISLATIVE RESOLUTION 344. Introduced by Council, 11; Ashford, 20; Cook, 13; B. Harr, 8; Lathrop, 12; Mello, 5; Pirsch, 4.

WHEREAS, the Omaha North Vikings won the 2011 Class A Girls' State Track Championship; and

WHEREAS, the win gave Omaha North its second straight team championship; and

WHEREAS, Omaha North senior LaQue Moen-Davis became just the eighth female in state history to win four all-class gold medals in the same event; and

WHEREAS, Omaha North senior Breunna McCarty set a record for the fastest time in state history in the 100-meter dash; and

WHEREAS, Omaha North received the Gregg McBride Award for leading the grand championship scoring.

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

1. That the Legislature congratulates the Omaha North Vikings on winning the 2011 Class A Girls' State Track Championship.

2. That a copy of this resolution be sent to the Vikings and their head coach, Eric Johnson.

Laid over.

LEGISLATIVE RESOLUTION 345. Introduced by Council, 11; Ashford, 20; Cook, 13; B. Harr, 8; Lathrop, 12; Mello, 5; Pirsch, 4.

WHEREAS, the Omaha Central Eagles won the 2011 Class A Boys' State Track Championship; and

WHEREAS, the win gave Omaha Central its second straight team championship; and

WHEREAS, Omaha Central won six gold medals and finished with eighty points; and

WHEREAS, Omaha Central received the Gregg McBride Award for leading in the grand championship scoring; and

WHEREAS, Omaha Central's Ted Lampkin became the first boy in nineteen years to win four all-class gold medals; and

WHEREAS, twins Devin and Dennis Barfield each ran on the winning 400-meter and 1,600-meter relays to join Lampkin as multiple gold medalists.

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

1. That the Legislature congratulates the Omaha Central Eagles on winning the 2011 Class A Boys' State Track Championship.

2. That a copy of this resolution be sent to the Eagles and their head coach, Elliott Evans.

Laid over.

SELECT FILE

LEGISLATIVE BILL 690. The Cook amendment, AM1529, found in this day's Journal, was renewed.

Senator Cook moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

The Cook amendment lost with 8 ayes, 30 nays, 6 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator B. Harr offered the following amendment:
AM1507

(Amendments to E & R amendments, ER139)

- 1 1. On page 7, line 21, strike "without the consent of a
- 2 parent or a guardian".

Senator B. Harr withdrew his amendment.

Senator B. Harr offered the following amendment:
AM1573

(Amendments to E & R amendments, ER139)

- 1 1. Insert the following new sections:
- 2 Sec. 14. A declaration under sections 71-6901 to 71-6908
- 3 and sections 4, 5, 11, 13, and 14 of this act shall be confidential
- 4 except as would be required in any court proceedings under such
- 5 sections.
- 6 Sec. 15. Section 64-113, Reissue Revised Statutes of
- 7 Nebraska, is amended to read:
- 8 64-113 (1) Whenever charges of malfeasance in office are
- 9 preferred to the Secretary of State against any notary public in
- 10 this state, or whenever the Secretary of State has reasonable cause
- 11 to believe any notary public in this state is guilty of acts
- 12 of malfeasance in office, the Secretary of State may appoint any
- 13 disinterested person, not related by consanguinity to either the
- 14 notary public or person preferring the charges, and authorized by
- 15 law to take testimony of witnesses by deposition, to notify such
- 16 notary public to appear before him or her on a day and at an hour
- 17 certain, after at least ten days from the day of service of such
- 18 notice. Such appointee may summon witnesses, in the manner provided
- 19 by section 64-108, to appear at the time specified in the notice,
- 20 and he or she may take the testimony of such witnesses in writing,
- 21 in the same manner as is by law provided for taking depositions,
- 22 and certify the same to the Secretary of State. The notary public

1 may appear, at such time and place, and cross-examine witnesses
 2 and produce witnesses in his or her behalf, which cross-examination
 3 and testimony shall be likewise certified to the Secretary of
 4 State. Upon the receipt of such examination, duly certified in the
 5 manner prescribed for taking depositions to be used in suits in
 6 the district courts of this state, the Secretary of State shall
 7 examine the same, and if therefrom he or she is satisfied that the
 8 charges are substantially proved, he or she may remove the person
 9 charged from the office of notary public or temporarily revoke
 10 such person's commission. Within fifteen days after such removal or
 11 revocation and notice thereof, such notary public shall deposit,
 12 with the Secretary of State, the commission as notary public and
 13 notarial seal. The commission shall be canceled or temporarily
 14 revoked by the Secretary of State. A person so removed from office
 15 shall be forever disqualified from holding the office of notary
 16 public. A person whose commission is temporarily revoked shall be
 17 returned his or her commission and seal upon completion of the
 18 revocation period and passing the examination described in section
 19 64-101.01. The fees for taking such testimony shall be paid by the
 20 state at the same rate as fees for taking depositions by notaries
 21 public. The failure of the notary public to deposit his or her
 22 commission and seal with the Secretary of State as required by
 23 this section shall subject him or her to a penalty of one thousand
 24 dollars, to be recovered in the name of the state.

25 (2) For purposes of this section, malfeasance in office
 26 means, while serving as a notary public, (a) failure to follow
 27 the requirements and procedures for notarial acts provided for
 1 in Chapter 64, articles 1 and 2, ~~or (b)~~ (b) violating the
 2 confidentiality provisions of section 14 of this act, or (c) being
 3 convicted of a felony or other crime involving fraud or dishonesty.

4 2. On page 1, line 18; page 2, line 7; page 6, line 9;
 5 page 12, lines 9 and 13 and 14; page 13, line 12; page 14, lines
 6 1 and 7; and page 15, lines 7 and 10, strike "and 13" and insert
 7 "13, and 14".

8 3. Renumber the remaining sections and correct the
 9 repealer section accordingly.

Senator B. Harr moved for a call of the house. The motion prevailed with 28
 ayes, 3 nays, and 18 not voting.

The B. Harr amendment was adopted with 41 ayes, 0 nays, 2 present and not
 voting, and 6 excused and not voting.

Senator Council requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 35 ayes, 4 nays,
 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

VISITORS

Visitors to the Chamber were Greg Plooster from Malcolm and Becca Monroe and Alli Lester from Lincoln; and Janna Buttrick from Lincoln.

ADJOURNMENT

At 9:11 p.m., on a motion by Senator Mello, the Legislature adjourned until 9:00 a.m., Tuesday, May 24, 2011.

Patrick J. O'Donnell
Clerk of the Legislature