

EIGHTEENTH DAY - FEBRUARY 4, 2008**LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE
SECOND SESSION****EIGHTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, February 4, 2008

PRAYER

The prayer was offered by Dr. Dan Flanagan, St. Paul's Church, Papillion.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Pedersen presiding.

The roll was called and all members were present except Senators Johnson and Langemeier who were excused; and Senators Pahls and White who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventeenth day was approved.

ANNOUNCEMENT

Senator Pirsch designates LB624 as his priority bill.

MESSAGE FROM THE GOVERNOR

January 31, 2008

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

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individual is being appointed to the Motor Vehicle Industry Licensing Board:

Roy Neneman, 18 Lillian Lane, Doniphan, NE 68832

The aforementioned appointee is respectfully submitted for your consideration. Copies of the appointment certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

COMMITTEE REPORT

Natural Resources

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

Leigh Hoyt - Environmental Quality Council
John Kinter - Environmental Quality Council

Aye: 7 Senators Carlson, Christensen, Fischer, Hudkins, Kopplin, Loudon, Wallman. Nay: 0. Absent: 0. Present and not voting: 1 Senator Dubas.

(Signed) LeRoy Loudon, Chairperson

MOTIONS - Approve Appointments

Senator McDonald moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 428:

State Electrical Board
John F. Hiller

Voting in the affirmative, 36:

Adams	Engel	Heidemann	McDonald	Schimek
Aguilar	Erdman	Howard	McGill	Stuthman
Avery	Fischer	Hudkins	Nantkes	Wallman
Carlson	Friend	Janssen	Pankonin	Wightman
Christensen	Fulton	Karpisek	Pedersen	
Cornett	Gay	Kopplin	Pirsch	
Dierks	Hansen	Lautenbaugh	Raikes	
Dubas	Harms	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 9:

Ashford	Chambers	Kruse	Nelson	Synowiecki
Burling	Flood	Lathrop	Preister	

Excused and not voting, 4:

Johnson Langemeier Pahls White

The appointment was confirmed with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Senator Louden moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 465:

Nebraska Game and Parks Commission
Lynn Berggren

Voting in the affirmative, 34:

Adams	Dubas	Harms	Lautenbaugh	Raikes
Aguilar	Engel	Heidemann	Louden	Rogert
Avery	Erdman	Howard	McDonald	Schimek
Burling	Fischer	Hudkins	Nantkes	Stuthman
Carlson	Friend	Janssen	Pankonin	Wallman
Christensen	Fulton	Karpisek	Pedersen	Wightman
Dierks	Hansen	Kopplin	Pirsch	

Voting in the negative, 0.

Present and not voting, 11:

Ashford	Flood	Lathrop	Preister
Chambers	Gay	McGill	Synowiecki
Cornett	Kruse	Nelson	

Excused and not voting, 4:

Johnson Langemeier Pahls White

The appointment was confirmed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator Louden moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 491:

Environmental Quality Council
John Baker
John Turnbull

Voting in the affirmative, 36:

Adams	Erdman	Hudkins	Nelson	Synowiecki
Aguilar	Fischer	Janssen	Pahls	Wallman
Burling	Friend	Karpisek	Pankonin	White
Carlson	Gay	Kopplin	Pedersen	Wightman
Christensen	Hansen	Lautenbaugh	Pirsch	
Dierks	Harms	Louden	Preister	
Dubas	Heidemann	McGill	Rogert	
Engel	Howard	Nantkes	Stuthman	

Voting in the negative, 0.

Present and not voting, 11:

Ashford	Cornett	Kruse	Raikes
Avery	Flood	Lathrop	Schimek
Chambers	Fulton	McDonald	

Excused and not voting, 2:

Johnson Langemeier

The appointments were confirmed with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 268. Title read. Considered.

Committee AM1515, found on page 460, was considered.

Senator Hudkins moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 3 nays, and 15 not voting.

The committee amendment was adopted with 39 ayes, 1 nay, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 2 nays, 8 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 782. Title read. Considered.

Committee AM1657, found on page 436, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Pending.

COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 797. Placed on General File.

LEGISLATIVE BILL 806. Placed on General File with amendment.
AM1754

- 1 1. On page 22, line 19 after "may" insert "not"; and
- 2 strike beginning with "reasonable" in line 19 through line 20, show
- 3 as stricken, and insert "deposit".

LEGISLATIVE BILL 513. Indefinitely postponed.

LEGISLATIVE BILL 550. Indefinitely postponed.

(Signed) Tim Gay, Vice Chairperson

Revenue

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

Ruth A. Sorensen - Property Tax Administrator - Property Assessment and Taxation

Aye: 7 Senators Burling, Cornett, Janssen, Langemeier, Preister, Raikes, White. Nay: 0. Absent: 1 Senator Dierks.

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

Rob Hotz - Tax Equalization and Review Commission

Aye: 7 Senators Burling, Cornett, Janssen, Langemeier, Preister, Raikes, White. Nay: 0. Absent: 1 Senator Dierks.

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

Nancy J. Salmon - Tax Equalization and Review Commission

Aye: 8 Senators Burling, Cornett, Dierks, Janssen, Langemeier, Preister, Raikes, White. Nay: 0. Absent: 0.

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

William R. Wickersham - Tax Equalization and Review Commission

Aye: 7 Senators Burling, Cornett, Dierks, Janssen, Preister, Raikes, White.
Nay: 0. Absent: 0. Present and not voting: 1 Senator Langemeier.

(Signed) Ray Janssen, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Neneman, Roy - Motor Vehicle Industry Licensing Board - Transportation
and Telecommunications

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

AMENDMENTS - Print in Journal

Senator Erdman filed the following amendment to LB39:
AM1764

(Amendments to Final Reading copy)

- 1 1. On page 3, line 19; and page 4, line 25, after
- 2 "Nebraska" insert "or a resident of the State of Nebraska who is
- 3 at least sixteen years of age and otherwise qualified to be an
- 4 elector".

Senator Chambers filed the following amendment to LB235:
FA169

Amendments to ER8140

P. 1, lines 12 and 13 strike "which is not child pornography or obscene material", and in line 19 strike the semicolon and insert ", and which is not child pornography or obscene material as defined by the United States Supreme Court;".

Senator Chambers filed the following amendment to LB235:
FA170

Amendment to ER8140

P. 2, lines 20 and 21 strike "a reasonable chance of economic success" and insert "as much chance of economic success as a snowball's chance to survive in the Nether Regions, also known delicately as Hades".

Senator Chambers filed the following amendment to LB235:
FA171

Amendments to ER8140

P. 1, line 18 place a period after the second appearance of "production" and strike remaining language through "success" in line 21.

NOTICE OF COMMITTEE HEARING

Revenue

Room 1524

Wednesday, February 27, 2008 1:30 p.m.

LB777 (cancel)

Wednesday, February 20, 2008 1:30 p.m.

LB777 (reschedule)

(Signed) Ray Janssen, Chairperson

VISITOR

The Doctor of the Day was Dr. Eric Thomsen from Beatrice.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Kruse, the Legislature adjourned until 9:00 a.m., Tuesday, February 5, 2008.

Patrick J. O'Donnell
Clerk of the Legislature

