

FIFTY-SEVENTH DAY - APRIL 7, 2009**LEGISLATIVE JOURNAL****ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION****FIFTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 7, 2009

PRAYER

The prayer was offered by Pastor Bob Lawrence, South Auburn Church of Christ, Auburn.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Flood presiding.

The roll was called and all members were present except Senator White who was excused; and Senator Dierks who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-sixth day was approved.

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR67 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR67.

MOTION - Recommit LB195 to Committee

Senator Gay renewed his motion, MO29, found on page 952, to recommit LB195 to the Health and Human Services Committee pursuant to Rule 7, Section 3.

The Gay motion to recommit to committee prevailed with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 458. Senator Lathrop offered the following motion:
MO30
Bracket.

Senator Lathrop withdrew his motion to bracket.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 206. ER8043, found on page 865, was adopted.

Senator Lautenbaugh offered the following amendment:
AM997

- 1 1. Insert the following new sections:
- 2 Sec. 7. Section 18-1723, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 18-1723 Whenever any firefighter who has served a total
- 5 of five years as a member of a paid fire department of any city
- 6 in this state or any police officer of any city or village,
- 7 including any city having a home rule charter, shall suffer death
- 8 or disability as a result of hypertension or heart or respiratory
- 9 defect or disease, there shall be a rebuttable presumption that
- 10 such death or disability resulted from accident or other cause
- 11 while in the line of duty for all purposes of Chapter 15, article
- 12 10, sections 16-1001 to 16-1042, and any firefighter's or police
- 13 officer's pension plan established pursuant to any home rule
- 14 charter, the Legislature specifically finding the subject of this
- 15 section to be a matter of general statewide concern. The rebuttable
- 16 presumption shall apply to death or disability as a result of
- 17 hypertension or heart or respiratory defect or disease after the
- 18 firefighter or police officer separates from his or her applicable
- 19 employment if the death or disability occurs within three months
- 20 after such separation. Such rebuttable presumption shall apply
- 21 in any action or proceeding arising out of death or disability
- 22 incurred prior to December 25, 1969, and which has not been
- 23 processed to final administrative or judicial conclusion prior to
- 1 such date.
- 2 Sec. 8. Section 35-1001, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 35-1001 (1) For a firefighter or firefighter-paramedic
- 5 who is a member of a paid fire department of a municipality or a
- 6 rural or suburban fire protection district in this state, including
- 7 a municipality having a home rule charter or a municipal authority
- 8 created pursuant to a home rule charter that has its own paid
- 9 fire department, and who suffers death or disability as a result
- 10 of cancer, including, but not limited to, cancer affecting the
- 11 skin or the central nervous, lymphatic, digestive, hematological,
- 12 urinary, skeletal, oral, or prostate systems, evidence which

13 demonstrates that ~~(1)-(a)~~ such firefighter or firefighter-paramedic
14 successfully passed a physical examination upon entry into such
15 service or subsequent to such entry, which examination failed
16 to reveal any evidence of cancer, ~~(2)-(b)~~ such firefighter
17 or firefighter-paramedic was exposed to a known carcinogen, as
18 defined on July 19, 1996, by the International Agency for Research
19 on Cancer, while in the service of the fire department, and
20 ~~(3)-(c)~~ such carcinogen is reported by the agency to be a
21 suspected or known cause of the type of cancer the firefighter
22 or firefighter-paramedic has, shall be prima facie evidence that
23 such death or disability resulted from injuries, accident, or other
24 cause while in the line of duty for the purposes of sections
25 16-1020 to 16-1042, a firefighter's pension plan established
26 pursuant to a home rule charter, and a firefighter's pension or
27 disability plan established by a rural or suburban fire protection
1 district.

2 (2) For a firefighter or firefighter-paramedic who
3 is a member of a paid fire department of a municipality or
4 a rural or suburban fire protection district in this state,
5 including a municipality having a home rule charter or a
6 municipal authority created pursuant to a home rule charter
7 that has its own paid fire department, and who suffers death
8 or disability as a result of a blood-borne infectious disease,
9 tuberculosis, meningococcal meningitis, or methicillin-resistant
10 Staphylococcus aureus, evidence which demonstrates that (a)
11 such firefighter or firefighter-paramedic successfully passed a
12 physical examination upon entry into such service or subsequent
13 to such entry, which examination failed to reveal any evidence of
14 such blood-borne infectious disease, tuberculosis, meningococcal
15 meningitis, or methicillin-resistant Staphylococcus aureus, and
16 (b) such firefighter or firefighter-paramedic has engaged in the
17 service of the fire department within ten years before the onset
18 of the disease, shall be prima facie evidence that such death
19 or disability resulted from injuries, accident, or other cause
20 while in the line of duty for the purposes of sections 16-1020 to
21 16-1042, a firefighter's pension plan established pursuant to a
22 home rule charter, and a firefighter's pension or disability plan
23 established by a rural or suburban fire protection district.

24 (3) The prima facie evidence presumed under this
25 section shall extend to death or disability as a result
26 of cancer as described in this section, a blood-borne
27 infectious disease, tuberculosis, meningococcal meningitis, or
1 methicillin-resistant Staphylococcus aureus after the firefighter
2 or firefighter-paramedic separates from his or her service to the
3 fire department if the death or disability occurs within three
4 months after such separation.

5 (4) For purposes of this section, blood-borne
6 infectious disease means human immunodeficiency virus, acquired
7 immunodeficiency syndrome, and all strains of hepatitis.

- 8 Sec. 9. Original sections 18-1723 and 35-1001, Reissue
 9 Revised Statutes of Nebraska, are repealed.
 10 2. Renumber the remaining section accordingly.

SENATOR LATHROP PRESIDING

SPEAKER FLOOD PRESIDING

Senator Nelson requested a ruling of the Chair on whether the Lautenbaugh amendment is germane to the bill.

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

Senator Lautenbaugh moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Lautenbaugh requested a roll call vote on his amendment.

Voting in the affirmative, 21:

Ashford	Friend	Lathrop	Nordquist	Wallman
Coash	Giese	Lautenbaugh	Pirsch	
Cook	Haar	McGill	Rogert	
Council	Howard	Mello	Schilz	
Dubas	Karpisek	Nantkes	Sullivan	

Voting in the negative, 26:

Adams	Dierks	Hadley	Louden	Utter
Avery	Fischer	Hansen	McCoy	Wightman
Campbell	Flood	Harms	Nelson	
Carlson	Fulton	Heidemann	Pahls	
Christensen	Gay	Janssen	Pankonin	
Cornett	Gloor	Langemeier	Stuthman	

Excused and not voting, 2:

Price	White
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The Lautenbaugh amendment lost with 21 ayes, 26 nays, and 2 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 477. ER8044, found on page 873, was adopted.

Senator Carlson offered the following amendment:

AM991

(Amendments to Standing Committee amendments, ER8044)

- 1 1. Insert the following new section:
- 2 Sec. 9. The determination of certified water uses or
- 3 certified irrigated acres by a natural resources district shall not
- 4 affect the allocations of ground water established under section
- 5 46-740.
- 6 2. On page 10, line 17, strike "and 8" and insert ", 8,
- 7 and 9".
- 8 3. On page 16, lines 3 and 22; page 20, lines 1, 3, and
- 9 23; page 24, line 25; page 25, lines 6 and 21; and page 26, lines
- 10 9 and 11, strike "land" and insert "acres".
- 11 4. On page 16, strike lines 21 and 22 and insert:
- 12 "(c) Require the reporting of water uses and irrigated
- 13 acres by landowners and others with control over the water uses and
- 14 irrigated acres for the purpose of certification by the district;".
- 15 5. On page 25, line 3, strike "licensed" and insert
- 16 "registered"; in line 4 strike "department pursuant to subdivision
- 17 (1)(b) of section 46-290" and insert "district"; and in line 11
- 18 strike "land is" and insert "acres are".
- 19 6. On page 26, line 14, strike "land was" and insert
- 20 "acres were" and after the underscored comma insert "the nature
- 21 of the transfer, and"; strike beginning with the underscored comma
- 22 in line 15 through "transfer" in line 19; and in line 23 strike
- 1 "other".
- 2 7. Renumber the remaining section accordingly.

The Carlson amendment was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 555. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 396. ER8045, found on page 873, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 449. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 340. ER8046, found on page 873, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 463. ER8048, found on page 883, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 517. ER8050, found on page 884, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 430. ER8052, found on page 928, was adopted.

Senator Hansen renewed his amendment, AM958, found on page 930.

SENATOR LATHROP PRESIDING

The Hansen amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Senator Avery offered the following amendment:
AM993

(Amendments to E & R amendments, ER8052)

- 1 1. Insert the following new sections:
- 2 Sec. 6. Section 28-1201, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 28-1201 For purposes of sections 28-1201 to 28-1212,
- 5 unless the context otherwise requires:
- 6 (1) Firearm ~~shall mean means~~ any weapon which is designed
- 7 to or may readily be converted to expel any projectile by the
- 8 action of an explosive or frame or receiver of any such weapon;
- 9 (2) Fugitive from justice ~~shall mean means~~ any person who
- 10 has fled or is fleeing from any peace officer to avoid prosecution
- 11 or incarceration for a felony;
- 12 (3) Juvenile ~~shall mean means~~ any person under the age of
- 13 eighteen years;
- 14 (4) Knife ~~shall mean means~~ any dagger, dirk, knife, or
- 15 stiletto with a blade over three and one-half inches in length
- 16 or any other dangerous instrument capable of inflicting cutting,
- 17 stabbing, or tearing wounds;
- 18 (5) Knuckles and brass or iron knuckles ~~shall mean means~~
- 19 any instrument that consists of finger rings or guards made of
- 20 a hard substance and that is designed, made, or adapted for the
- 21 purpose of inflicting serious bodily injury or death by striking a
- 22 person with a fist enclosed in the knuckles;
- 1 (6) Machine gun ~~shall mean means~~ any firearm, whatever
- 2 its size and usual designation, that shoots automatically more than
- 3 one shot, without manual reloading, by a single function of the
- 4 trigger;
- 5 (7) School means a public, private, denominational, or

6 parochial elementary, vocational, or secondary school, a private
 7 postsecondary career school as defined in section 85-1603, a
 8 community college, a public or private college, a junior college,
 9 or a university;

10 ~~(7)~~(8) Short rifle ~~shall mean means~~ a rifle having a
 11 barrel less than sixteen inches long or an overall length of less
 12 than twenty-six inches; and

13 ~~(8)~~(9) Short shotgun ~~shall mean means~~ a shotgun having
 14 a barrel or barrels less than eighteen inches long or an overall
 15 length of less than twenty-six inches.

16 Sec. 7. Section 28-1204.03, Reissue Revised Statutes of
 17 Nebraska, is amended to read:

18 28-1204.03 The Legislature finds that:

19 (1) Increased violence ~~in~~at schools has become a
 20 national, state, and local problem;

21 (2) Increased violence and the threat of violence has a
 22 grave and detrimental impact on the educational process in Nebraska
 23 schools;

24 (3) Increased violence has caused fear and concern among
 25 not only the schools and students but the public at large;

26 (4) Firearms have contributed greatly to the increase of
 27 fear and concern among our citizens;

1 (5) Schools have a duty to protect their students and
 2 provide an environment which promotes and provides an education in
 3 a nonthreatening manner;

4 (6) An additional danger of firearms ~~in~~at schools is the
 5 risk of accidental discharge and harm to students and staff;

6 (7) Firearms are an immediate and inherently dangerous
 7 threat to the safety and well-being of an educational setting; and

8 (8) The ability to confiscate and remove firearms quickly
 9 from school grounds is a legitimate and necessary tool to protect
 10 students and the educational process.

11 Sec. 8. Section 28-1204.04, Reissue Revised Statutes of
 12 Nebraska, is amended to read:

13 28-1204.04 (1) Any person who possesses a firearm in a
 14 school, on school grounds, in a school-owned vehicle, or at a
 15 school-sponsored activity or athletic event ~~shall be is~~ guilty of
 16 the offense of unlawful possession of a firearm ~~on~~at a school,
 17 ~~grounds.~~ Unlawful possession of a firearm ~~on~~at a school ~~grounds~~
 18 is a Class II misdemeanor. This subsection shall not apply to (a)
 19 the issuance of firearms to or possession by members of the armed
 20 forces of the United States, active or reserve, National Guard of
 21 this state, or Reserve Officers Training Corps or peace officers
 22 or other duly authorized law enforcement officers when on duty
 23 or training, (b) firearms which may lawfully be possessed by the
 24 person receiving instruction, for instruction under the immediate
 25 supervision of an adult instructor, (c) firearms which may lawfully
 26 be possessed by a member of a college or university rifle team,
 27 within the scope of such person's duties as a member of the team,

1 (d) firearms which may lawfully be possessed by a person employed
2 by a college or university in this state as part of an agriculture
3 or a natural resources program of such college or university,
4 within the scope of such person's employment, or ~~(e)~~ (e) firearms
5 contained within a private vehicle operated by a nonstudent adult
6 which are not loaded and (i) are encased or (ii) are in a locked
7 firearm rack that is on a motor vehicle. For purposes of this
8 subsection, encased ~~shall mean~~ means enclosed in a case that is
9 expressly made for the purpose of containing a firearm and that
10 is completely zipped, snapped, buckled, tied, or otherwise fastened
11 with no part of the firearm exposed.

12 (2) Any firearm possessed in violation of subsection (1)
13 of this section ~~in a school, on school grounds, in a school-owned~~
14 ~~vehicle, or at a school-sponsored activity or athletic event~~ shall
15 be confiscated without warrant by a peace officer or may be
16 confiscated without warrant by school administrative or teaching
17 personnel. Any firearm confiscated by school administrative or
18 teaching personnel shall be delivered to a peace officer as soon as
19 practicable.

20 (3) Any firearm confiscated by or given to a peace
21 officer pursuant to subsection (2) of this section shall be
22 declared a common nuisance and shall be held by the peace officer
23 prior to his or her delivery of the firearm to the property
24 division of the law enforcement agency which employs the peace
25 officer. The property division of such law enforcement agency shall
26 hold such firearm for as long as the firearm is needed as evidence.
27 After the firearm is no longer needed as evidence it shall be
1 destroyed in such manner as the court may direct.

2 (4) Whenever a firearm is confiscated and held pursuant
3 to this section or section 28-1204.02, the peace officer who
4 received such firearm shall cause to be filed within ten days after
5 the confiscation a petition for destruction of such firearm. The
6 petition shall be filed in the district court of the county in
7 which the confiscation is made. The petition shall describe the
8 firearm held, state the name of the owner, if known, allege the
9 essential elements of the violation which caused the confiscation,
10 and conclude with a prayer for disposition and destruction in such
11 manner as the court may direct. At any time after the confiscation
12 of the firearm and prior to court disposition, the owner of the
13 firearm seized may petition the district court of the county in
14 which the confiscation was made for possession of the firearm. The
15 court shall release the firearm to such owner only if the claim
16 of ownership can reasonably be shown to be true and either (a)
17 the owner of the firearm can show that the firearm was taken from
18 his or her property or place of business unlawfully or without
19 the knowledge and consent of the owner and that such property or
20 place of business is different from that of the person from whom
21 the firearm was confiscated or (b) the owner of the firearm is
22 acquitted of the charge of unlawful possession of a revolver in

- 23 violation of section 28-1204, unlawful transfer of a firearm to
 24 a juvenile, or unlawful possession of a firearm ~~on~~ at a school,
 25 ~~grounds.~~ No firearm having significant antique value or historical
 26 significance as determined by the Nebraska State Historical Society
 27 shall be destroyed. If a firearm has significant antique value
 1 or historical significance, it shall be sold at auction and the
 2 proceeds ~~deposited in the permanent school fund.~~ shall be remitted
 3 to the State Treasurer for distribution in accordance with Article
 4 VII, section 5, of the Constitution of Nebraska.
 5 2. On page 17, line 11, strike "10" and insert "13".
 6 3. On page 21, strike beginning with "school" in line
 7 1 through the first semicolon in line 2, show as stricken, and
 8 insert "elementary, vocational, or secondary school, a private
 9 postsecondary career school as defined in section 85-1603, a
 10 community college, a public or private college, junior college, or
 11 university.".
 12 4. On page 23, line 11, strike "and" and after the last
 13 comma insert "28-1201, 28-1204.03, 28-1204.04.".
 14 5. Renumber the remaining sections accordingly.

The Avery amendment was adopted with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

Senator Price withdrew his amendment, AM940, found on page 887.

Pending.

COMMITTEE REPORT

Judiciary

LEGISLATIVE BILL 347. Placed on General File with amendment.
 AM985

- 1 1. Strike the original sections and insert the following
 2 new sections:
 3 Section 1. Section 54-601, Reissue Revised Statutes of
 4 Nebraska, is amended to read:
 5 54-601 (1) Dogs are hereby declared to be personal
 6 property for all intents and purposes, and, except as provided in
 7 subsection (2) of this section, the owner or owners of any dog
 8 or dogs shall be liable for any and all damages that may accrue
 9 ~~(1)(a)~~ to any person, other than a trespasser, by reason of
 10 having been bitten by any such dog or dogs and ~~(2)(b)~~ to any
 11 person, firm, or corporation by reason of such dog or dogs killing,
 12 wounding, injuring, worrying, or chasing any person or persons or
 13 any sheep or other domestic animals belonging to such person, firm,
 14 or corporation. Such damage may be recovered in any court having
 15 jurisdiction of the amount claimed.
 16 (2)(a) A governmental agency or its employees using a dog
 17 in military or police work shall not be liable under subsection (1)

18 of this section to a party to, participant in, or person reasonably
 19 suspected to be a party to or participant in the act that prompted
 20 the use of the dog in the military or police work if the officers
 21 of the governmental agency were complying with a written policy on
 22 the necessary and appropriate use of a dog for military or police
 23 work adopted by the governmental agency and if the damage occurred
 1 while the dog was responding to a harassing or provoking act or
 2 the damage was the result of a reasonable use of force while the
 3 dog or dogs were assisting an employee of the agency in any of the
 4 following:

5 (i) The apprehension or holding of a suspect if the
 6 employee has a reasonable suspicion of the suspect's involvement in
 7 criminal activity;

8 (ii) The investigation of a crime or possible crime;

9 (iii) The execution of a warrant; or

10 (iv) The defense of a peace officer or another person
 11 other than the suspect.

12 (b) For purposes of this subsection, harassing or
 13 provoking act means knowingly and intentionally attempting to
 14 interfere with, interfering with, teasing or harassing such dog in
 15 order to distract, or agitating or harming such dog.

16 Sec. 2. Original section 54-601, Reissue Revised Statutes
 17 of Nebraska, is repealed.

(Signed) Brad Ashford, Chairperson

AMENDMENT - Print in Journal

Senator Ashford filed the following amendment to LB35:
 AM987

(Amendments to Standing Committee amendments, AM836)

- 1 1. On page 21, line 23, strike "seven" and insert
- 2 "eight".

UNANIMOUS CONSENT - Add Cointroducer

Senator Howard asked unanimous consent to add her name as cointroducer to LB458. No objections. So ordered.

VISITORS

Visitors to the Chamber were 21 fourth-grade students and teacher from Hayward Elementary, Nebraska City; Senator McCoy's cousin, Matthew Bornstein, from Minneapolis, Minnesota; 84 fourth-grade students and teachers from St. Wenceslaus Elementary, Omaha; participants in the 25th Annual GFWC Nebraska Federation of Women's Club Sophomore Pilgrimage from across the state; alumni of Delta Sigma Theta Sorority from Lincoln and Omaha; and 18 fourth-grade students and teacher from Lyons-Decatur Northeast, Lyons.

RECESS

At 11:50 a.m., on a motion by Senator Dierks, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Sheehy presiding.

ROLL CALL

The roll was called and all members were present except Senator White who was excused; and Senators Nelson, Schilz, and Wightman who were excused until they arrive.

COMMITTEE REPORT

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Richard Christensen - State Emergency Response Commission
Steven Danon - State Emergency Response Commission
Donald Eisenhower - State Emergency Response Commission
Larry Johnson - State Emergency Response Commission

Aye: 8 Senators Avery, Giese, Janssen, Karpisek, Pahls, Pirsch, Price, Sullivan. Nay: 0. Absent: 0.

(Signed) Bill Avery, Chairperson

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 68, 69, 70, 71, 72, 73, 74, 75, 76, and 77 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 68, 69, 70, 71, 72, 73, 74, 75, 76, and 77.

GENERAL FILE

LEGISLATIVE BILL 420. Title read. Considered.

Committee AM710, found on page 757, was considered.

Senator Hadley renewed his amendment, AM960, found on page 930, to the committee amendment.

Senator Karpisek moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 8 nays, and 16 not voting.

The Hadley amendment was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

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

Senator Friend requested a ruling of the Chair on whether there had been a full and fair debate, pursuant to Rule 7, Sec. 4, on the committee amendment.

The Chair ruled there had not been a full and fair debate on the committee amendment.

The committee amendment, as amended, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 159A. Introduced by Gay, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 159, One Hundred First Legislature, First Session, 2009.

RESOLUTION

LEGISLATIVE RESOLUTION 82. Introduced by Gloor, 35.

PURPOSE: The purpose of this interim study is to study the Grand Island Veterans' Home in Grand Island, Nebraska. The issues addressed by this interim study shall include, but not be limited to:

- (1) An examination of the physical strengths and deficiencies of the buildings and the campus of the Grand Island Veterans' Home;
- (2) A review of the expected life of the buildings and campus of the Grand Island Veterans' Home;

(3) An evaluation of the extent to which the age of the facilities affects the quality of care provided to the residents of the Grand Island Veterans' Home;

(4) An examination of physical improvements needed at the Grand Island Veterans' Home to accommodate advances in medical and administrative technology; and

(5) An evaluation of the present and future need for long-term care beds for veterans in Nebraska.

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

1. That the Government, Military and Veterans 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.

AMENDMENT - Print in Journal

Senator Coash filed the following amendment to LB63:
AM995

(Amendments to E & R amendments, ER8031)

- 1 1. Insert the following sections:
- 2 Sec. 30. Section 43-2,119, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 43-2,119 (1) The number of judges of the separate
- 5 juvenile court in counties which have established a separate
- 6 juvenile court shall be:
- 7 (a) Two judges in counties having seventy-five thousand
- 8 inhabitants but less than two hundred thousand inhabitants;
- 9 (b) Four judges in counties having at least two
- 10 hundred thousand inhabitants but less than four hundred thousand
- 11 inhabitants; and
- 12 (c) ~~Five Six~~ judges in counties having four hundred
- 13 thousand inhabitants or more.
- 14 (2) The senior judge in point of service as a juvenile
- 15 court judge shall be the presiding judge. The judges shall rotate
- 16 the office of presiding judge every three years unless the judges
- 17 agree to another system.
- 18 Sec. 40. Sections 30 and 42 of this act become operative
- 19 on July 1, ~~2009~~-2011. The other sections of this act become
- 20 operative on their effective date.
- 21 Sec. 42. Original section 43-2,119, Reissue Revised
- 22 Statutes of Nebraska, is repealed.
- 1 2. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 159. Title read. Considered.

Pending.

VISITORS

Visitors to the Chamber were 63 eighth-grade students and teachers from Mary Our Queen School, Omaha; members of FCCLA and teacher from Doniphan; 18 twelfth-grade students and teacher from Arnold; 35 fourth-grade students and teacher from Bryan Elementary, Lexington; 36 fourth-grade students and teachers from Stanton; and 4 tenth-grade students, teacher, and sponsor from Morrill.

The Doctor of the Day was Dr. Mike Myers from Lincoln.

ADJOURNMENT

At 3:59 p.m., on a motion by Senator Lathrop, the Legislature adjourned until 9:00 a.m., Wednesday, April 8, 2009.

Patrick J. O'Donnell
Clerk of the Legislature