

TWENTIETH DAY - FEBRUARY 2, 2006**LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE
SECOND SESSION****TWENTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 2, 2006

PRAYER

The prayer was offered by Senator Kremer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Brashear, Brown, Cornett, Heidemann, Loudon, Mines, and Stuthman who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the nineteenth day was approved.

**NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs
Room 1507**

Wednesday, February 15, 2006
Allen Grell - State Emergency Response Commission

1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

**STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance**

LEGISLATIVE BILL 917. Placed on General File as amended.
Standing Committee amendment to LB 917:
AM2072

- 1 1. Strike original section 5 and insert the following new
- 2 sections:
- 3 Sec. 5. Any waiver of the provisions of the Financial
- 4 Data Protection and Consumer Notification of Data Security Breach
- 5 Act of 2006 is contrary to public policy and is void and

6 unenforceable.

7 Sec. 6. For purposes of the Financial Data Protection
 8 and Consumer Notification of Data Security Breach Act of 2006,
 9 the Attorney General may issue subpoenas, and may seek and recover
 10 direct economic damages for each affected Nebraska resident injured
 11 by a violation of the act.

12 2. On page 2, line 1, strike "6" and insert "7"; after
 13 line 23 insert the following new subdivision:

14 "(3) Encrypted means converted by use of an algorithmic
 15 process to transform data into a form in which the data is rendered
 16 unreadable or unusable without use of a confidential process or
 17 key;"; and in line 24 strike "(3)" and insert "(4)".

18 3. On page 4, line 10, strike "individual" and insert
 19 "individual's"; in line 11 strike "entities" and insert "entity's";
 20 and in line 24 strike "or".

21 4. On page 5, line 3, after "account" insert ";

22 (d) Unique electronic identification number or routing
 23 code, in combination with any required security code, access code,
 1 or password; or

2 (e) Unique biometric data, such as a fingerprint,
 3 voice print, or retina or iris image, or other unique physical
 4 representation"; and strike lines 7 through 11 and insert the
 5 following new subdivision:

6 "(6) Redact means to alter or truncate data such that
 7 no more than the last four digits of a social security number,
 8 motor vehicle operator's license number, state identification card
 9 number, or account number is accessible as part of the personal
 10 information.".

11 5. On page 6, line 12, after "breach" insert ", not
 12 including information proprietary to the individual or commercial
 13 entity".

14 6. On page 7, line 23, strike "a" and insert "the".

15 7. Renumber the remaining section accordingly.

LEGISLATIVE BILL 864. Indefinitely postponed.

LEGISLATIVE BILL 1240. Indefinitely postponed.

(Signed) Mick Mines, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1085. Placed on General File as amended.

Standing Committee amendment to LB 1085:

AM2078

1 1. On page 2, line 21, strike "109-73" and insert

2 "109-59".

(Signed) Tom Baker, Chairperson

ANNOUNCEMENT

The Agriculture Committee designates LB 856 as its priority bill.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 1, 2006, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Boehm, John M.

R & F Hobbies, Inc, d/b/a Prince of the Road

Campbell, Mary M./Campbell & Associates

(Withdrawn 01/30/2006) Friends of the Nebraska Environmental Trust

Carlson, J. Matt

Lincoln Chamber of Commerce

Cavanaugh Law Firm, PC, LLO

Joslyn Art Museum

Cavanaugh, John Sr.

Cavanaugh Law Firm PC, LLO

Chermok, Ruth

Electrical Contractors Association, National

Dennhardt, Dean

Ameriquest Mortgage

Lengel, Patricia

Wineries and Grape Growers Association, Nebraska

Pappas, James E.

Access Elevator, Inc.

REPORTS

The following reports were received by the Legislature:

Administrative Services, Department of

Comprehensive Annual Financial Report FY 2005

Criminal Justice, Commission on Law Enforcement and

Crime Victim's Reparations Program, Nineteenth Report, July 1, 2004 -

June 30, 2005

Motor Vehicles, Department of

Operator's Licenses Suspended Annual Report (License Suspension Act, LB 752 Laws 1997)

Public Service Commission

2005 Annual Report on Telecommunications

Railway Council

Annual Report

GENERAL FILE

LEGISLATIVE BILL 75. Senator Beutler renewed his pending motion, found on page 509, to suspend Rule 7, Section 3(d), to permit consideration of AM2042 to LB 75.

Senator Beutler moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

The Beutler motion to suspend the rules prevailed with 37 ayes, 0 nays, and 12 present and not voting.

The Chair declared the call raised.

The Landis-Beutler pending amendment, AM2042, found on page 500, to the Standing Committee amendment, was renewed.

Senator Beutler moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Chambers requested a roll call vote on the Landis-Beutler amendment.

Voting in the affirmative, 35:

| | | | | |
|----------|------------|---------|---------------|----------|
| Aguilar | Cudaback | Howard | Landis | Redfield |
| Baker | Cunningham | Hudkins | Mines | Schimek |
| Beutler | Engel | Janssen | Pedersen, Dw. | Schrock |
| Brown | Flood | Jensen | Pederson, D. | Smith |
| Burling | Foley | Johnson | Preister | Stuhr |
| Byars | Friend | Kremer | Price | Thompson |
| Connealy | Heidemann | Kruse | Raikes | Wehrbein |

Voting in the negative, 6:

| | | |
|----------|------------|----------|
| Chambers | Langemeier | Pahls |
| Kopplin | Louden | Stuthman |

Present and not voting, 6:

| | | |
|---------|---------|------------|
| Bourne | Erdman | McDonald |
| Cornett | Fischer | Synowiecki |

Excused and not voting, 2:

| | |
|----------|-------|
| Brashear | Combs |
|----------|-------|

The Landis-Beutler amendment was adopted with 35 ayes, 6 nays, 6 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

The Standing Committee amendment, AM0022, found on page 382, First Session, 2005, and considered on page 509, as amended, was renewed.

Senator Chambers offered the following amendment to the Standing Committee amendment:

FA382

Amend AM2042

P. 1, in lines 17, 18 and in line 22 strike "governmental or".

Senator Chambers moved for a call of the house. The motion prevailed with 19 ayes, 2 nays, and 28 not voting.

The Chambers amendment was adopted with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the Standing Committee amendment:

FA383

Amend AM2042

P. 1, line 18 after "manner" insert "required"

The Chambers amendment was adopted with 28 ayes, 0 nays, 11 present and not voting, and 10 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 855. Placed on General File as amended.

Standing Committee amendment to LB 855:

AM2033

- 1 1. On page 3, line 25; and page 6, line 1, after "swine,"
- 2 insert "bison".
- 3 2. On page 6, line 5, after "location" insert ", as

4 defined in rules and regulations of the department".

5 3. On page 10, lines 14 and 21; and page 11, line 1,

6 after "misdemeanor" insert "for the first violation and a Class I

7 misdemeanor for any subsequent violation".

(Signed) Bob Kremer, Chairperson

Judiciary

LEGISLATIVE BILL 1014. Placed on General File.

LEGISLATIVE BILL 173. Placed on General File as amended.
Standing Committee amendment to LB 173:
AM2018

1 1. Strike the original sections and all amendments

2 thereto and insert the following new sections:

3 Section 1. Section 69-1301, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 69-1301. As used in the Uniform Disposition of Unclaimed
6 Property Act unless the context otherwise requires:

7 (a) Banking organization means any bank, trust company,
8 savings bank, industrial bank, land bank, or safe deposit company.

9 (b) Business association means any corporation (other
10 than a public corporation), joint-stock company, business trust,
11 partnership, limited liability company, or association for business
12 purposes of two or more individuals.

13 (c) Financial organization means any savings and
14 loan association, building and loan association, credit union,
15 cooperative bank, or investment company, engaged in business in
16 this state.

17 (d) General use prepaid card means a plastic card or
18 other electronic payment device usable with multiple, unaffiliated
19 sellers of goods or services.

20 ~~(d)~~(e) Holder means any person in possession of property
21 subject to the act belonging to another, or who is trustee in case
22 of a trust, or is indebted to another on an obligation subject to
23 the act.

1 ~~(e)~~(f) Life insurance corporation means any association
2 or corporation transacting within this state the business of
3 insurance on the lives of persons or insurance appertaining
4 thereto, including, but not by way of limitation, endowments
5 and annuities.

6 ~~(f)~~(g) Owner means a depositor in case of a deposit, a
7 beneficiary in case of a trust, a creditor, claimant, or payee in
8 case of other choses in action, or any person having a legal or
9 equitable interest in property subject to the act, or his or her
10 legal representative.

11 ~~(g)~~(h) Person means any individual, business
12 association, governmental or political subdivision, public

13 corporation, public authority, estate, trust, two or more persons
14 having a joint or common interest, or any other legal or commercial
15 entity.

16 ~~(h)~~(i) Utility means any person who owns or operates
17 within this state, for public use, any plant, equipment, property,
18 franchise, or license for the transmission of communications or the
19 production, storage, transmission, sale, delivery, or furnishing of
20 electricity, water, steam, or gas.

21 Sec. 2. Section 69-1305.02, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 69-1305.02. (a) ~~A No gift certificate, gift card, or a~~
24 ~~credit memo that remains unredeemed for more than three years~~
25 ~~after issuance is shall be~~ presumed abandoned unless it remains
26 unredeemed for more than three years after its date of issuance
27 and contains an expiration date or requires any type of post-sale
1 finance charge or fee.

2 (b) In the case of a gift certificate or gift card, the
3 amount presumed abandoned is the face amount of the certificate or
4 card itself, less the total amount of any applicable purchases and
5 fees. In the case of a credit memo, the amount presumed abandoned
6 is the amount credited, as shown on the memo itself.

7 (c) Any gift certificate, gift card, or credit
8 memo subject to a fee shall contain a statement clearly and
9 conspicuously printed on it stating whether there is a fee, the
10 amount of the fee, how often the fee will occur, that the fee
11 is triggered by inactivity of the gift certificate, gift card,
12 or credit memo, and at what point the fee will be charged. The
13 statement may appear on the front or back of the gift certificate,
14 gift card, or credit memo in a location where it is visible to a
15 purchaser prior to the purchase.

16 (d) Any gift certificate, gift card, or credit memo
17 subject to an expiration date shall contain a statement clearly
18 and conspicuously printed on the gift certificate, gift card, or
19 credit memo stating the expiration date. The statement may appear
20 on the front or back of the gift certificate, gift card, or credit
21 memo in a location where it is visible to a purchaser prior to the
22 purchase.

23 (e) Notwithstanding subsection (a) of this section,
24 a gift certificate, gift card, or credit memo containing an
25 expiration date or requiring any type of post-sale charge or fee
26 shall not be presumed abandoned if:

27 (1) The policy and practice of the issuer is to waive all
1 post-sale charges or fees and, at no additional cost to the holder,
2 honor such gift certificate, gift card, or credit memo, whenever
3 presented, at full face value or the value remaining after any
4 applicable purchases, expiration date notwithstanding; and

5 (2) Written notice of such policy and practice is posted
6 conspicuously, in not smaller than ten point type, at each site in
7 all Nebraska locations at which the issuer distributes or redeems a

8 gift certificate, gift card, or credit memo.
 9 This subsection only applies to a gift certificate, gift
 10 card, or credit memo issued prior to the effective date of this
 11 act.

12 (f) This section does not apply to a general use prepaid
 13 card.

14 Sec. 3. Section 69-1308, Reissue Revised Statutes of
 15 Nebraska, is amended to read:

16 69-1308. ~~All~~ (a) Except as provided in subsection (b)
 17 of this section, all intangible personal property, not otherwise
 18 covered by the Uniform Disposition of Unclaimed Property Act,
 19 including any income or increment thereon and deducting any lawful
 20 charges, that is held or owing in this state in the ordinary course
 21 of the holder's business and has remained unclaimed by the owner
 22 for more than five years after it became payable or distributable,
 23 is presumed abandoned.

24 (b) The unredeemed value of a general use prepaid card,
 25 including any income or increment thereon and deducting any lawful
 26 charges, that is held or owing in this state in the ordinary course
 27 of the holder's business and has remained unclaimed by the owner
 1 for more than five years after the last transaction initiated by
 2 the card owner is presumed abandoned.

3 Sec. 4. Original sections 69-1301, 69-1305.02, and
 4 69-1308, Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE BILL 918. Indefinitely postponed.

(Signed) Patrick J. Bourne, Chairperson

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.

Mark Czaplowski - Environmental Quality Council

VOTE: Aye: Senators Hudkins, Kopplin, Kremer, Loudon, McDonald, Schrock, Smith, Stuhr. Nay: None. Absent: None.

(Signed) Ed Schrock, Chairperson

Agriculture

The Agriculture 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.

Jamie Karl - Climate Assessment Response Committee

VOTE: Aye: Senators Burling, Chambers, Cunningham, Erdman, Fischer, Preister, Kremer, Wehrbein. Nay: None. Absent: None.

(Signed) Bob Kremer, Chairperson

AMENDMENTS - Print in Journal

Senator Brown filed the following amendment to LB 99:
AM2095

- 1 1. On page 2, line 12, strike "stairway chair lift".
- 2 2. On page 3, strike beginning with "one" in line 9
- 3 through the semicolon in line 10; and strike beginning with "and"
- 4 in line 11 through "installation" in line 14.
- 5 3. On page 7, strike beginning with the colon in line 2
- 6 through line 4 and insert "elevators".
- 7 4. On page 8, line 28, strike "and".
- 8 5. On page 9, line 2, after "mills" insert "; and
- 9 (19) Stairway chair lifts and platform lifts".

Senators Redfield and Mines filed the following amendment to LB 876:
AM2102

- 1 1. Insert the following new sections:
- 2 Section 1. Sections 1 to 7 of this act shall be known
- 3 and may be cited as the Financial Data Protection and Consumer
- 4 Notification of Data Security Breach Act of 2006.
- 5 Sec. 2. For purposes of the Financial Data Protection and
- 6 Consumer Notification of Data Security Breach Act of 2006:
- 7 (1) Breach of the security of the system means the
- 8 unauthorized acquisition of unencrypted computerized data that
- 9 compromises the security, confidentiality, or integrity of personal
- 10 information maintained by an individual or a commercial entity.
- 11 Good faith acquisition of personal information by an employee or
- 12 agent of an individual or a commercial entity for the purposes of
- 13 the individual or the commercial entity is not a breach of the
- 14 security of the system if the personal information is not used or
- 15 subject to further unauthorized disclosure. Acquisition of personal
- 16 information pursuant to a search warrant, subpoena, or other court
- 17 order or pursuant to a subpoena or order of a state agency is not a
- 18 breach of the security of the system;
- 19 (2) Commercial entity includes a corporation, business
- 20 trust, estate, trust, partnership, limited partnership, limited
- 21 liability partnership, limited liability company, association,
- 22 organization, joint venture, government, governmental subdivision,
- 23 agency, or instrumentality, or any other legal entity, whether for
- 1 profit or not for profit;
- 2 (3) Encrypted means converted by use of an algorithmic
- 3 process to transform data into a form in which the data is rendered
- 4 unreadable or unusable without use of a confidential process or

5 key;

6 (4) Notice means:

7 (a) Written notice;

8 (b) Telephonic notice;

9 (c) Electronic notice, if the notice provided is

10 consistent with the provisions regarding electronic records and
11 signatures set forth in 15 U. S. C. 7001, as such section existed
12 on January 1, 2006;

13 (d) Substitute notice, if the individual or commercial
14 entity required to provide notice demonstrates that the cost of
15 providing notice will exceed seventy-five thousand dollars, that
16 the affected class of Nebraska residents to be notified exceeds one
17 hundred thousand residents, or that the individual or commercial
18 entity does not have sufficient contact information to provide
19 notice. Substitute notice under this subdivision requires all of
20 the following:

21 (i) Electronic mail notice if the individual or
22 commercial entity has electronic mail addresses for the members of
23 the affected class of Nebraska residents;

24 (ii) Conspicuous posting of the notice on the web site of
25 the individual or commercial entity if the individual or commercial
26 entity maintains a web site; and

27 (iii) Notice to major statewide media outlets; or

1 (e) Substitute notice, if the individual or commercial
2 entity required to provide notice has ten employees or fewer and
3 demonstrates that the cost of providing notice will exceed ten
4 thousand dollars. Substitute notice under this subdivision requires
5 all of the following:

6 (i) Electronic mail notice if the individual or
7 commercial entity has electronic mail addresses for the members of
8 the affected class of Nebraska residents;

9 (ii) Notification by a paid advertisement in a local
10 newspaper that is distributed in the geographic area in which the
11 individual or commercial entity is located, which advertisement
12 shall be of sufficient size that it covers at least one-quarter of
13 a page in the newspaper and shall be published in the newspaper at
14 least once a week for three consecutive weeks;

15 (iii) Conspicuous posting of the notice on the web
16 site of the individual or commercial entity if the individual or
17 commercial entity maintains a web site; and

18 (iv) Notification to major media outlets in the
19 geographic area in which the individual or commercial entity is
20 located;

21 (5) Personal information means a Nebraska resident's
22 first name or first initial and last name in combination with any
23 one or more of the following data elements that relate to the
24 resident if either the name or the data elements are not encrypted ,
25 redacted, or otherwise altered by any method or technology in such
26 a manner that the name or data elements are unreadable;

- 27 (a) Social security number;
1 (b) Motor vehicle operator's license number or state
2 identification card number;
3 (c) Account number or credit or debit card number,
4 in combination with any required security code, access code,
5 or password that would permit access to a resident's financial
6 account;
7 (d) Unique electronic identification number or routing
8 code, in combination with any required security code, access code,
9 or password; or
10 (e) Unique biometric data, such as a fingerprint,
11 voice print, or retina or iris image, or other unique physical
12 representation.
13 Personal information does not include publicly available
14 information that is lawfully made available to the general public
15 from federal, state, or local government records; and
16 (6) Redact means to alter or truncate data such that
17 no more than the last four digits of a social security number,
18 motor vehicle operator's license number, state identification card
19 number, or account number is accessible as part of the personal
20 information.
21 Sec. 3. (1) An individual or a commercial entity
22 that conducts business in Nebraska and that owns or licenses
23 computerized data that includes personal information about a
24 resident of Nebraska shall, when it becomes aware of a breach
25 of the security of the system, conduct in good faith a reasonable
26 and prompt investigation to determine the likelihood that personal
27 information has been or will be used for an unauthorized purpose.
1 If the investigation determines that the use of information about
2 a Nebraska resident for an unauthorized purpose has occurred or
3 is reasonably likely to occur, the individual or commercial entity
4 shall give notice to the affected Nebraska resident. Notice shall
5 be made as soon as possible and without unreasonable delay,
6 consistent with the legitimate needs of law enforcement and
7 consistent with any measures necessary to determine the scope
8 of the breach and to restore the reasonable integrity of the
9 computerized data system.
10 (2) An individual or a commercial entity that maintains
11 computerized data that includes personal information that the
12 individual or commercial entity does not own or license shall
13 give notice to and cooperate with the owner or licensee of the
14 information of any breach of the security of the system when
15 it becomes aware of a breach if use of personal information
16 about a Nebraska resident for an unauthorized purpose occurred
17 or is reasonably likely to occur. Cooperation includes, but is
18 not limited to, sharing with the owner or licensee information
19 relevant to the breach, not including information proprietary to
20 the individual or commercial entity.
21 (3) Notice required by this section may be delayed if

22 a law enforcement agency determines that the notice will impede
 23 a criminal investigation. Notice shall be made in good faith,
 24 without unreasonable delay, and as soon as possible after the
 25 law enforcement agency determines that notification will no longer
 26 impede the investigation.

27 Sec. 4. (1) An individual or a commercial entity
 1 that maintains its own notice procedures which are part of
 2 an information security policy for the treatment of personal
 3 information and which are otherwise consistent with the timing
 4 requirements of section 3 of this act, is deemed to be in
 5 compliance with the notice requirements of section 3 of this act if
 6 the individual or the commercial entity notifies affected Nebraska
 7 residents in accordance with its notice procedures in the event of
 8 a breach of the security of the system.

9 (2) An individual or a commercial entity that is
 10 regulated by state or federal law and that maintains procedures for
 11 a breach of the security of the system pursuant to the laws, rules,
 12 regulations, guidances, or guidelines established by its primary or
 13 functional state or federal regulator is deemed to be in compliance
 14 with section 3 of this act if the individual or commercial
 15 entity notifies affected Nebraska residents in accordance with the
 16 maintained procedures in the event of a breach of the security of
 17 the system.

18 Sec. 5. Any waiver of the provisions of the Financial
 19 Data Protection and Consumer Notification of Data Security Breach
 20 Act of 2006 is contrary to public policy and is void and
 21 unenforceable.

22 Sec. 6. For purposes of the Financial Data Protection
 23 and Consumer Notification of Data Security Breach Act of 2006, the
 24 Attorney General may issue subpoenas and seek and recover direct
 25 economic damages for each affected Nebraska resident injured by a
 26 violation of the act.

27 Sec. 7. The Financial Data Protection and Consumer
 1 Notification of Data Security Breach Act of 2006 applies to
 2 the discovery of or notification pertaining to a breach of the
 3 security of the system that occurs on or after the operative date
 4 of this section.

5 2. On page 12, lines 14 and 15, strike "10 and 11" and
 6 insert "17 and 18".

7 3. On page 18, line 15, strike "21" and insert "28".

8 4. On page 37, strike beginning with "1" in line 18
 9 through "25" in line 19 and insert "1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
 10 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,
 11 and 32".

12 5. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 75. The Standing Committee amendment, AM0022, found on page 382, First Session, 2005, and considered on page 509 and in this day's Journal, as amended, was renewed.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 0 nays, 13 present and not voting, and 10 excused and not voting.

Senator Landis withdrew his pending amendment, AM1902, found on page 393.

Senator Chambers offered the following motion:
Indefinitely postpone LB 75.

Senator Chambers withdrew his motion.

Senator Beutler moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Beutler requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 33:

| | | | | |
|----------|------------|-----------|---------------|------------|
| Aguilar | Cornett | Heidemann | Kruse | Raikes |
| Baker | Cudaback | Howard | Landis | Redfield |
| Beutler | Cunningham | Hudkins | Mines | Schimek |
| Brashear | Engel | Janssen | Pedersen, Dw. | Smith |
| Burling | Fischer | Jensen | Pederson, D. | Synowiecki |
| Byars | Flood | Johnson | Preister | |
| Connealy | Foley | Kremer | Price | |

Voting in the negative, 2:

Chambers Kopplin

Present and not voting, 4:

Erdman Louden McDonald Pahls

Excused and not voting, 10:

| | | | | |
|--------|--------|------------|----------|----------|
| Bourne | Combs | Langemeier | Stuhr | Thompson |
| Brown | Friend | Schrock | Stuthman | Wehrbein |

Advanced to E & R for review with 33 ayes, 2 nays, 4 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 248. Title read. Considered.

The Standing Committee amendment, AM0147, found on page 400, First Session, 2005, was adopted with 25 ayes, 0 nays, 12 present and not voting, and 12 excused and not voting.

Senator Baker renewed his pending amendment, AM1859, found on page 311.

Senator Baker offered the following amendment to his pending amendment:

FA381

Amend AM1859

On page 2, line 5, strike "50" and insert "35"; line 6 strike "75" and insert "45"; line 7 strike "100" and insert "60"; line 8 strike "125" and insert "100"; line 9 strike "150" and insert "140".

Senator Baker moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

The Baker amendment was adopted with 26 ayes, 0 nays, 10 present and not voting, and 13 excused and not voting.

The Baker amendment, AM1859, as amended, was adopted with 30 ayes, 0 nays, 7 present and not voting, and 12 excused and not voting.

Senator Baker withdrew his pending amendment, AM1820, found on page 392.

Advanced to E & R for review with 32 ayes, 0 nays, 5 present and not voting, and 12 excused and not voting.

The Chair declared the call raised.

STANDING COMMITTEE REPORT Nebraska Retirement Systems

LEGISLATIVE BILL 1140. Placed on General File.

(Signed) Elaine Stuhr, Chairperson

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendments to LB 249:

FA384

P. 7, line 22 strike "that" and show as stricken, and insert "who".

FA385

P. 2, line 6 strike "designated" and insert "established".

FA386

P. 7 strike beginning with "subject" in line 25 through "appropriate" in line 27, and show as stricken, and insert "removed from office or discharged".

FA387

P. 4 strike lines 20, 21 and show as stricken.

VISITORS

Visitors to the Chamber were 68 high-school students and teachers from Elkhorn; and 53 participants and extension educator from Extension Leadership Plenty Program, UNL.

The Doctor of the Day was Dr. Amber Tyler from Omaha.

ADJOURNMENT

At 12:07 p.m., on a motion by Senator Friend, the Legislature adjourned until 10:00 a.m., Monday, February 6, 2006.

Patrick J. O'Donnell
Clerk of the Legislature

