

**FIFTY-EIGHTH DAY - APRIL 11, 2006****LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE  
SECOND SESSION****FIFTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, April 11, 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 Beutler, Preister, and Price who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-seventh day was approved.

**SELECT COMMITTEE REPORT  
Enrollment and Review**

**LEGISLATIVE BILL 821.** Placed on Select File as amended.  
E & R amendment to LB 821:  
AM7229

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Each school board shall allow the part-time
- 4 enrollment of students who are residents of the school district
- 5 pursuant to subsection (1) of section 79-215 and who are also
- 6 enrolled in a private, denominational, or parochial school or in
- 7 a school which elects pursuant to section 79-1601 not to meet
- 8 accreditation or approval requirements and shall establish policies
- 9 and procedures for such part-time enrollment. Such policies
- 10 and procedures may include provisions permitting the part-time
- 11 enrollment of such students who are not residents of such school
- 12 districts and may require part-time students to follow school
- 13 policies that apply to other students at any time the part-time
- 14 student is present on school grounds or at a school-sponsored
- 15 activity or athletic event. Part-time enrollment shall not entitle

16 a student to transportation or transportation reimbursements  
 17 pursuant to section 79-611. Nothing in this section shall be  
 18 construed to exempt any student from the compulsory attendance  
 19 provisions of sections 79-201 to 79-207.

(Signed) Michael Flood, Chairperson

### EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LBs 85, 85A, 366, 542e, 542Ae, 605e, 605Ae, 690, 690A, 746, 746A, 795e, 817, 817Ae, 872, 872A, 990, 990A, 996, 996A, and 1086.

(Signed) Jeanne Combs

### GENERAL FILE

**LEGISLATIVE BILL 1024.** The Cornett pending motion, found on page 1565 and considered on page 1569, to reconsider the vote taken on AM3142, was renewed.

Senator Kruse moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

Senator Bourne moved for a call of the house. The motion prevailed with 38 ayes, 0 nays, and 11 not voting.

Senator Bourne requested a roll call vote on the Cornett motion to reconsider.

Voting in the affirmative, 9:

Bourne	Cornett	Friend	Kruse	Synowiecki
Connealy	Foley	Howard	Preister	

Voting in the negative, 31:

Aguilar	Chambers	Johnson	Pedersen, Dw.	Stuhr
Baker	Cunningham	Kopplin	Pederson, D.	Stuthman
Beutler	Engel	Kremer	Price	Wehrbein
Brashear	Erdman	Landis	Raikes	
Brown	Hudkins	McDonald	Redfield	
Burling	Janssen	Mines	Schrock	
Byars	Jensen	Pahls	Smith	

Present and not voting, 8:

Combs	Fischer	Heidemann	Louden
Cudaback	Flood	Langemeier	Thompson

Excused and not voting, 1:

Schimek

The Cornett motion to reconsider failed with 9 ayes, 31 nays, 8 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

The Standing Committee amendment, AM2687, printed separately and referred to on page 1332 and considered on pages 1412, 1492, and 1565, as amended, was renewed.

Senator Kruse asked unanimous consent to withdraw his pending amendment, FA674, found on page 1527, and replace it with his substitute amendment, AM3176, to the Standing Committee amendment. No objections. So ordered.

AM3176

(Amendments to AM3142)

- 1 1. Strike amendments 1 to 7 and insert the following new
- 2 amendment:
- 3 1. Insert the following new section:
- 4 Sec. 113. Each November through 2011, each learning
- 5 community coordinating council shall report to the Legislature on
- 6 actions taken, actions planned, and discussions in relation to
- 7 providing quality education which reaches past social and cultural
- 8 barriers.
- 9 2. Renumber the remaining amendment accordingly.

Senator Kruse withdrew his amendment.

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

AM3166

(Amendments to Standing Committee amendments, AM2687)

- 1 1. Strike the Bourne-Connealy amendment, AM3128.
- 2 2. Insert the following new section:
- 3 Sec. 115 If any section in this act or any part of any
- 4 section is declared invalid or unconstitutional, the declaration
- 5 shall not affect the validity or constitutionality of the remaining
- 6 portions.
- 7 3. Renumber the remaining sections accordingly.

## **SPEAKER BRASHEAR PRESIDING**

Senator Raikes offered the following motion:

To invoke cloture on LB 1024, pursuant to Rule 7, Section 10.

Senator Raikes moved for a call of the house. The motion prevailed with 44 ayes, 0 nays, and 5 not voting.

Senator Raikes requested a roll call vote on his motion to invoke cloture.

Voting in the affirmative, 36:

Aguilar	Cunningham	Johnson	Pahls	Stuhr
Baker	Engel	Kremer	Pedersen, Dw.	Stuthman
Beutler	Erdman	Kruse	Pederson, D.	Thompson
Brashear	Fischer	Landis	Price	Wehrbein
Brown	Heidemann	Langemeier	Raikes	
Byars	Hudkins	Louden	Redfield	
Combs	Janssen	McDonald	Schrock	
Cudaback	Jensen	Mines	Smith	

Voting in the negative, 9:

Bourne	Cornett	Foley	Howard	Synowiecki
Chambers	Flood	Friend	Preister	

Present and not voting, 4:

Burling	Connealy	Kopplin	Schimek	
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The Raikes motion to invoke cloture prevailed with 36 ayes, 9 nays, and 4 present and not voting.

Senator Bourne requested a roll call vote on the Raikes amendment.

Voting in the affirmative, 27:

Aguilar	Engel	Johnson	Pedersen, Dw.	Stuhr
Baker	Fischer	Kremer	Pederson, D.	Thompson
Brown	Flood	Kruse	Raikes	Wehrbein
Byars	Heidemann	Landis	Redfield	
Cudaback	Janssen	Louden	Schrock	
Cunningham	Jensen	Pahls	Smith	

Voting in the negative, 17:

Beutler	Combs	Friend	McDonald	Synowiecki
Bourne	Connealy	Howard	Mines	
Brashear	Cornett	Hudkins	Preister	
Chambers	Foley	Kopplin	Schimek	

Present and not voting, 5:

Burling Erdman Langemeier Price Stuthman

The Raikes amendment was adopted with 27 ayes, 17 nays, and 5 present and not voting.

The Standing Committee amendment, as amended, was adopted with 40 ayes, 9 nays, and 0 not voting.

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

Voting in the affirmative, 39:

Aguilar	Combs	Janssen	Louden	Redfield
Baker	Cudaback	Jensen	McDonald	Schimek
Beutler	Cunningham	Johnson	Mines	Schrock
Brashear	Engel	Kopplin	Pahls	Smith
Brown	Erdman	Kremer	Pedersen, Dw.	Stuhr
Burling	Fischer	Kruse	Pederson, D.	Thompson
Byars	Heidemann	Landis	Price	Wehrbein
Chambers	Hudkins	Langemeier	Raikes	

Voting in the negative, 9:

Bourne	Cornett	Foley	Howard	Synowiecki
Connealy	Flood	Friend	Preister	

Present and not voting, 1:

Stuthman

Advanced to E & R for review with 39 ayes, 9 nays, and 1 present and not voting.

The Chair declared the call raised.

## SENATOR CUDABACK PRESIDING

**LEGISLATIVE BILL 1024A.** Title read. Considered.

Senator Cornett offered the following amendment:  
AM3190

- 1 1. Insert the following new section:
- 2 Sec. 4. There is hereby appropriated \$9,000,000 from the
- 3 General Fund for FY2006-07 to the State Department of Education,
- 4 for Program 158, to aid in carrying out the provisions of
- 5 Legislative Bill 1024, Ninety-ninth Legislature, Second Session,
- 6 2006. The funds provided under this section are to replace federal
- 7 funds.

Senator Cornett withdrew her amendment.

Advanced to E & R for review with 29 ayes, 2 nays, 16 present and not voting, and 2 excused and not voting.

**STANDING COMMITTEE REPORTS**  
**Health and Human Services**

The Health and Human Services 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.

Patricia Madsen - Child Abuse Prevention Fund Board

VOTE: Aye: Senator Jensen, Cunningham, Johnson, Stuthman and Howard.  
Nay: None. Absent: Senator Byars and Erdman.

(Signed) Jim Jensen, Chairperson

**Natural Resources**

**LEGISLATIVE BILL 1031.** Placed on General File as amended.  
Standing Committee amendment to LB 1031:  
AM3075

- 1 1. On page 9, line 4, strike "department" and insert
- 2 "Environmental Quality Council".

(Signed) Ed Schrock, Chairperson

**RESOLUTION**

**LEGISLATIVE RESOLUTION 450.** Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Hudkins, 21; Kremer, 34; Louden, 49; McDonald, 41; Smith, 48; Stuhr, 24.

**PURPOSE:** The Nebraska Environmental Trust was created by statute in 1992, and following the authorization of the state lottery by the voters of Nebraska, affirmed by passage of an identical statute in 1993.

Periodically since 2002, the Legislature has appropriated funds from the trust for other purposes. This study shall include, but not be limited to, examination of the following:

- (1) The interests and desires of the public on this issue, including the history of enactment of the State Lottery Act;
- (2) Allocation of state lottery and other revenue for natural resources conservation and reclamation in other states; and
- (3) Any other matters necessary or appropriate for a complete examination of this issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources 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.

### **UNANIMOUS CONSENT - Add Cointroducer**

Senator Redfield asked unanimous consent to add her name as cointroducer to LB 821. No objections. So ordered.

### **VISITORS**

Visitors to the Chamber were 36 fourth-grade students and teachers from St. Wenceslaus School, Wahoo; John Manna from Omaha; 20 students and teachers from Lincoln High School, Lincoln; 31 fourth-grade students and teacher from Seymour Elementary School, Ralston; 35 fourth-grade students and teachers from La Vista West Elementary School, La Vista; 8 third-through sixth-grade students and teacher from Park Avenue Christian School, Norfolk; Bob Pier from Aurora; Senator Cornett's mother, Mary Gallegen Cornett, from Omaha; Ron Schoneberg from Arapahoe and Mark Schoneberg from Hickman; Kent and Gloria Phillips from Columbus, and Chris, Julie, Nicole, and Austin Torney from Kentfield, California; 40 fourth-grade students and teachers from Lincoln Elementary School, Beatrice; and Glen Carmann from Riverdale.

### **RECESS**

At 12:04 p.m., on a motion by Senator Janssen, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

### **ROLL CALL**

The roll was called and all members were present except Senators Bourne, Connealy, Engel, Mines, and Preister who were excused until they arrive.

**SELECT COMMITTEE REPORTS**  
**Enrollment and Review**

**LEGISLATIVE BILL 1024.** Placed on Select File as amended. (E & R amendment, AM7230, is on file and available in the Clerk's Office, Room 2014.)

**LEGISLATIVE BILL 1024A.** Placed on Select File.

(Signed) Michael Flood, Chairperson

**MOTION - Return LB 965A to Select File**

Senator Jensen moved to return LB 965A to Select File for his specific pending amendment, AM3216, found on page 1567.

The Jensen motion to return prevailed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 965A.** The Jensen specific pending amendment, AM3216, found on page 1567, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to E & R for reengrossment.

**WITHDRAW - Amendments to LB 925**

Senator Friend withdrew his pending amendment, AM3121, found on page 1486, to LB 925.

Senator Dw. Pedersen withdrew his pending amendments, AM3212 and AM3211, found on page 1566, to LB 925.

**ANNOUNCEMENT**

The Chair announced today is Senator Bourne's birthday.

**MOTION - Return LB 925 to Select File**

Senator Friend moved to return LB 925 to Select File for the following Friend-Dw. Pedersen specific amendment:  
AM3236

(Amendments to E & R amendments, AM7208)

- 1 1. On page 17, line 11, strike "ten" and insert "two" and
- 2 strike "two" and insert "one"; and in line 12 strike "forty" and
- 3 insert "twenty".
- 4 2. On page 18, line 23, before "fifteen" insert "at least

- 5 two years but not more than".  
 6 3. On page 21, line 1, before "fifteen" insert "at least  
 7 five years but not more than".

The Friend motion to return prevailed with 39 ayes, 0 nays, and 10 present and not voting.

### SELECT FILE

**LEGISLATIVE BILL 925.** The Friend-Dw. Pedersen specific amendment, AM3236, found in this day's Journal, was adopted with 40 ayes, 0 nays, and 9 present and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1175.** Senator Chambers withdrew his pending motion, found on page 1019, to bracket until April 7, 2006.

Senator Chambers withdrew his pending amendment, FA605, found on page 1019.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 874.** E & R amendment, AM7156, found on page 601, was adopted.

Senator Beutler offered the following amendment:  
 AM3239

- 1 1. On page 11, line 16, after "pesticide" insert "to  
 2 implement a strategy to prevent, monitor, evaluate, and mitigate  
 3 (a) any occurrence of the pesticide or pesticide breakdown products  
 4 in ground water and surface water in the state or (b) any other  
 5 unreasonable adverse effect of the pesticide on humans or the  
 6 environment".  
 7 2. On page 13, line 16, after "(43)" insert "Unreasonable  
 8 adverse effect on humans or the environment means any unreasonable  
 9 risk to humans or the environment taking into account the severity  
 10 and longevity of adverse effects of use of the pesticide and also  
 11 taking into account the economic, social, and environmental costs  
 12 and benefits of the use of the pesticide. The costs and benefits  
 13 of a public health pesticide shall also weigh any risks of the  
 14 use of the pesticide against the health risks to be mitigated or  
 15 controlled by the use of the pesticide;  
 16 (44)"; and in line 20, strike "(44)", show as stricken  
 17 and insert "(45)".  
 18 3. On page 14, strike beginning with "for" in line 13  
 19 through the period in line 15, show as stricken, and insert an  
 20 underscored period.  
 21 4. On page 15, line 10, strike "may", show as stricken,

22 and insert "shall".

23 5. On page 16, line 19, strike "and" and show as  
1 stricken.

2 6. On page 17, line 2, after the semicolon insert "and  
3 (f) A pesticide management plan may impose progressively  
4 more rigorous pesticide management practices to address any  
5 unreasonable adverse effect of pesticides on humans or the  
6 environment. When appropriate, a pesticide management plan may  
7 establish action levels for imposition of such progressively more  
8 rigorous management practices based upon measurable indicators of  
9 the adverse effect on humans or the environment;".

The Beutler amendment was adopted with 31 ayes, 0 nays, and 18 present and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1227.** E & R amendment, AM7206, found on page 1351, was adopted.

Senator Mines withdrew his pending amendment, AM3079, found on page 1427.

Senator Mines renewed his pending amendment, AM3150, found on page 1537.

Senator Mines withdrew his amendment.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1039.** E & R amendment, AM7228, found on page 1565, was adopted.

Senator Kremer renewed his pending amendment, AM3195, found on page 1567.

Senator Kremer withdrew his amendment.

Advanced to E & R for engrossment.

**LEGISLATIVE RESOLUTION 272CA.** Considered.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 940.** E & R amendment, AM7209, found on page 1351, was adopted.

Senator Schimek renewed her pending amendment, AM3036, found on page 1397.

The Schimek amendment was adopted with 27 ayes, 0 nays, 21 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 489.** E & R amendment, AM7212, printed separately and referred to on page 1361, was adopted.

Speaker Brashear requested to pass over LB 489.

## **REPORT OF THE EXECUTIVE BOARD**

### 2006 Resolutions calling for an Interim Study

LR 450 Interim study to examine issues relating to the Nebraska Environmental Trust  
Natural Resources

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

## **SELECT FILE**

**LEGISLATIVE BILL 1248.** E & R amendment, AM7216, printed separately and referred to on page 1566, was adopted.

Senator Jensen renewed his pending amendment, AM3007, found on page 1410.

The Jensen amendment was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Senator Jensen withdrew his pending amendment, AM2913, found on page 1551.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1248A.** Senator Jensen offered the following amendment:

AM3191

- 1 1. Insert the following new sections:
- 2 Sec. 2. There is hereby appropriated \$108,500 from the
- 3 General Fund and \$108,500 from federal funds for FY2006-07 to the
- 4 Department of Health and Human Services Finance and Support, for
- 5 Program 341, to aid in carrying out the provisions of Legislative
- 6 Bill 1248, Ninety-ninth Legislature, Second Session, 2006.
- 7 No expenditures for permanent and temporary salaries and
- 8 per diems for state employees shall be made from funds appropriated
- 9 in this section.

10 Sec. 3. There is hereby appropriated \$50,000 from the  
 11 Nebraska Health Care Cash Fund for FY2006-07 to the Legislative  
 12 Council, for Program 122, to aid in carrying out the provisions  
 13 of Legislative Bill 1248, Ninety-ninth Legislature, Second Session,  
 14 2006.

15 There is included in this appropriation \$50,000 Cash  
 16 Funds from the Nebraska Health Care Cash Fund for an independent  
 17 study and actuarial analysis of behavioral health insurance parity.  
 18 No expenditures for permanent and temporary salaries and  
 19 per diems for state employees shall be made from funds appropriated  
 20 in this section.

The Jensen amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1113.** E & R amendment, AM7217, found on page 1415, was adopted.

Senator Aguilar renewed his pending amendment, AM3046, found on page 1394.

The Aguilar amendment was adopted with 29 ayes, 0 nays, 19 present and not voting, and 1 excused and not voting.

Senator Schrock renewed his pending amendment, AM3114, found on page 1503.

Speaker Brashear requested to pass over LB 1113.

**LEGISLATIVE BILL 385.** E & R amendment, AM7220, printed separately and referred to on page 1430, was adopted.

Senator Johnson asked unanimous consent to withdraw the Chambers pending amendment, FA673, found on page 1445, and replace it with the Chambers substitute amendment, FA677. No objections. So ordered.  
 FA677

Amendment to AM7220

Page 6, line 13 after "section 28-507" insert "provided that the real estate is a dwelling place intended for human occupancy".

The Chambers amendment was adopted with 33 ayes, 0 nays, and 16 present and not voting.

Senator Johnson renewed his pending amendment, AM3087, found on page 1490.

The Johnson amendment was adopted with 34 ayes, 0 nays, and 15 present

and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 385A.** Advanced to E & R for engrossment.

**LEGISLATIVE BILL 489.** Senator Wehrbein withdrew the Wehrbein-Cunningham pending amendments, AM2941 and AM2981, printed separately and referred to on pages 1347 and 1395.

Senator Cunningham renewed his pending amendment, AM3091, found on page 1484.

The Cunningham amendment was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

Senator Brown withdrew her pending amendment, AM3105, found on page 1485.

Senator Synowiecki offered the following amendment:

(Amendment, AM3224, is on file and available in the Clerk's Office, Room 2014.)

The Synowiecki amendment was adopted with 26 ayes, 2 nays, 20 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 924.** E & R amendment, AM7219, found on page 1416, was adopted.

Senator Beutler renewed his pending amendment, AM3073, found on page 1435.

The Beutler amendment was adopted with 29 ayes, 0 nays, 19 present and not voting, and 1 excused and not voting.

Senator Beutler withdrew his pending amendment, AM3074, found on page 1435.

Senator Beutler offered the following amendment:

AM3143

(Amendments to E & R amendments, AM7219)

- 1 1. On page 2, line 9, after "make" insert "all or a major
- 2 portion of".

The Beutler amendment was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

Senator Redfield offered the following amendment:

AM3154

(Amendments to E & R amendments, AM7219)

- 1 1. Insert the following new section:
- 2 Sec. 3. Section 76-704.01, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 76-704.01 A petition filed pursuant to section 76-704,
- 5 shall include:
- 6 (1) A statement of the authority for the acquisition;
- 7 (2) The nature of and necessity and purpose for which the
- 8 land will be used;
- 9 (3) The title, right, or interest in the property to be
- 10 acquired;
- 11 (4) The quantity needed to fulfill the public purpose for
- 12 which taken;
- 13 (5) Reasons for selecting the particular location or
- 14 route;
- 15 (6) Evidence of attempts to negotiate in good faith with
- 16 the property owner; and
- 17 (7) If approval of any other agency is required the
- 18 condemnor should set forth the approval in writing of such agency.
- 19 If the petition seeks to condemn property for an economic
- 20 development purpose under subdivision (3)(g) of section 2 of this
- 21 act, the condemnor shall prove by clear and convincing evidence
- 22 that the condemnation is for a public use.
- 1 2. On page 3, line 26, after "76-701" insert ",
- 2 76-704.01,".
- 3 3. Renumber the remaining sections accordingly.

**SPEAKER BRASHEAR PRESIDING**

**SENATOR CUDABACK PRESIDING**

Senator Redfield withdrew her amendment.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 489A.** Advanced to E & R for engrossment.

**LEGISLATIVE BILL 845.** E & R amendment, AM7214, found on page 1362, was adopted.

Senator Cunningham withdrew his pending amendment, AM2327, found on page 796.

Senator Kruse renewed his pending amendment, AM2996, found on page 1381.

The Kruse amendment was adopted with 30 ayes, 1 nay, 17 present and not

voting, and 1 excused and not voting.

Senator Landis renewed the Landis-Cunningham pending amendment, AM3028, found on page 1386.

The Landis-Cunningham amendment was adopted with 28 ayes, 0 nays, and 21 present and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 845A.** Advanced to E & R for engrossment.

## RESOLUTION

**LEGISLATIVE RESOLUTION 451.** Introduced by Flood, 19.

WHEREAS, Jerry Huse was born on January 17, 1927; and

WHEREAS, Jerry Huse married Karla Schnurr on December 30, 1957, and the couple are the parents of Bill Huse and Beth Olsen and are the grandparents of seven grandchildren; and

WHEREAS, Jerry Huse has continued his family's commitment to the citizens of northeast Nebraska by owning and operating one of the state's finest daily newspapers, the Norfolk Daily News; and

WHEREAS, Jerry Huse became the youngest daily newspaper publisher in the state when he was twenty-nine, and now at seventy is the oldest daily newspaper publisher; and

WHEREAS, Jerry Huse founded the Greater Norfolk Corporation, the industrial land corporation of the Chamber of Commerce, in 1952, and still serves as the President; and

WHEREAS, Jerry Huse was instrumental in attracting Nucor's first plant, Vulcraft, to the Norfolk area, and he also served as co-chairman of the drive to locate Northeast Community College in Norfolk; and

WHEREAS, Jerry Huse has been given various awards through his years of service to northeast Nebraska, including the Norfolk Chamber of Commerce "Award of the Decade," the only such award ever bestowed, the Ed Vrzal Award for his outstanding community service to Norfolk, and the Lavitsef Award in recognition of a lifetime of service; and

WHEREAS, Jerry Hust has served as chairman of countless community committees organized to support organizations in northeast Nebraska, including the Elkhorn Valley Museum, the Faith Regional Health Services Carson Radiation Center, and the Norfolk YMCA.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That Jerry Huse be recognized and honored for his commitment and service to northeast Nebraska.

2. That a copy of this resolution be delivered to Mr. Jerry Huse.

Laid over.

**SELECT COMMITTEE REPORTS**  
**Enrollment and Review****Correctly Engrossed**

The following bills and resolution were correctly engrossed: LBs 925, 1039, 1227, and LR 272CA.

ER9102

Enrollment and Review Change to LB 925

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

1. In the E & R amendments, AM7208, on page 31, lines 11 and 12 and 18 "60-498.02, 60-4,118.06," has been struck; in lines 14 and 20 and 21 "sections 28-306 and 83-1,127.02" has been struck and "section 28-306" inserted; and in lines 26 and 27 ", administrative license revocation," has been struck.

(Signed) Michael Flood, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 1249.** E & R amendment, AM7223, found on page 1539, was adopted.

Senator Bourne asked unanimous consent to withdraw his pending amendment, AM2231, found on page 643, and replace it with the Friend substitute pending amendment, AM3162, found on page 1538. No objections. So ordered.

The Friend amendment was adopted with 25 ayes, 0 nays, and 24 present and not voting.

Senator Bourne withdrew his pending amendments, AM2218 and AM2216, found on page 644.

Senator Bourne withdrew his pending amendment, AM2217, printed separately and referred to on page 645.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 239.** E & R amendment, AM7211, found on page 1361, was adopted.

Senator Schimek withdrew her pending amendment, AM1792, found on page 1347.

Senator Erdman withdrew his pending amendment, FA651, found on page

1347.

Senator Erdman withdrew his pending amendment, FA652, found on page 1347.

Senator Erdman offered the following amendment:  
FA690

Amendment to AM7211  
On page 1, line 2, strike "2006" and insert "2008"

Senator Erdman withdrew his amendment.

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

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

Advanced to E & R for engrossment with 26 ayes, 19 nays, 3 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 821.** E & R amendment, AM7229, found on page 1579, was adopted.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1256.** E & R amendment, AM7213, printed separately and referred to on page 1359, was adopted.

Senator Brashear renewed his pending amendment, AM3222, found on page 1575.

The Brashear amendment was adopted with 29 ayes, 0 nays, 19 present and not voting, and 1 excused and not voting.

Senator Beutler offered the following amendment:  
AM3242

(Amendments to E & R amendments, AM7213)

- 1 1. On page 10, line 9, strike "Place" and insert
- 2 "Irrevocably commit, subject to subdivision (4)(a) of this
- 3 section,"; and in line 10 after "endowment" insert "to be used
- 4 solely".

The Beutler amendment was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1256A.** E & R amendment, AM7215, found on page 1399, was adopted.

Advanced to E & R for engrossment.

### MESSAGES FROM THE GOVERNOR

April 11, 2006

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 85, 85A, 542e, 605e, 605Ae, 690, 690A, 746, 795e, 872, 990, 996, 996A, 1086, 1208, and 1208A were received in my office on April 5, 2006.

I signed these bills and delivered them to the Secretary of State on April 11, 2006.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 11, 2006

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

Dear Mr. President and Members of the Legislature:

I have signed LB 1086; however, I am returning LB 1086A with my objections and without my signature.

I signed LB 1086 because I support creating the crimes of solicitation and human trafficking and setting appropriate penalties for those who commit these crimes.

I object to the provisions of the bill that create a new state-financed benefit program for individuals who participate in prostitution-related activities as defined by LB 1086. Creating a program financed with state General Funds to benefit a population that is engaged in illegal activity is objectionable public policy and certainly should not be a spending priority for our state. In

the next legislative session, I will request that legislation be introduced to eliminate this program.

For these reasons, I urge you to sustain my veto of LB 1086A.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 11, 2006

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

Dear Mr. President and Members of the Legislature:

I have signed LB 990; however, I am returning LB 990A without my signature and with my objections.

LB 990A appropriates \$7,315 of General Funds in both FY2006-07 and FY2007-08 to the Department of Agriculture to carry out the provisions of LB 990. The salary limitation for the department is increased by \$4,670 in both fiscal years. A review of the department's budget demonstrates that the agency is able to absorb this cost within its current budget.

For these reasons, I urge you to sustain my veto of this bill.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 11, 2006

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

Dear Mr. President and Members of the Legislature:

I am returning LB 817 and LB 817Ae without my signature and with my objections.

LB 817 would provide salary increases for seven of the State's constitutional officers, effective January 4, 2007. The Governor's salary would be increased by 23.5 percent. While I appreciate your willingness to consider the competitiveness of salary levels of our constitutional officers with those

of other states, these salaries were last increased only three years ago and do not represent a spending priority for our state at this time.

For these reasons, I urge you to sustain my vetoes of these bills.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 11, 2006

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

Dear Mr. President and Members of the Legislature:

I am returning LB 366 without my signature and with my objections.

Priorities for the allocation of our limited financial resources must be established. This responsibility includes the need to review all legislation enacted or being considered by the Legislature that commits to the expenditure of state funds. While LB 366 is meritorious in that it attempts to address the recruitment and retention of state and local government employees, the bill creates costly new benefits and a new commitment of state funds that should not be made at this time given the many other demands we are facing.

For these reasons, I urge you to sustain my veto of LB 366.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 11, 2006

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

Dear Mr. President and Members of the Legislature:

I have signed LB 872; however, I am returning LB 872A with certain line-item reductions.

LB 872A appropriates \$80,187 in General Funds to the Department of Revenue in FY2006-07 to revise state income tax filing forms, as well as an

ongoing \$1,653 in General Funds for processing expenses in FY2007-08. Several bills passed this session contain provisions requiring the Department of Revenue to update tax forms. In part, the appropriation presented in LB 872A duplicates agency costs that have been accounted for in LB 968A, which has already been enacted. The agency's costs for updating the individual income tax form is an example of such duplication; therefore, I have reduced LB 872A by \$41,635 in FY2006-07, and \$1,653 in FY2007-08. This action would still provide \$38,552 in FY2006-07 to account for costs that will be incurred to change the fiduciary and corporate tax forms.

For these reasons, I urge you to sustain my line-item reductions to LB 872A.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 11, 2006

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

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 746A with certain line-item reductions.

I have vetoed \$145,000 of General Funds in FY2006-07 and \$200,000 of General Funds in FY2007-08 which are proposed for the creation and funding of a new Civil Legal Services Fund within the Supreme Court.

After my vetoes, LB 746A will provide total new funding for civil legal services of \$200,000 in FY2006-07 and \$290,000 in FY2007-08.

Currently, a civil legal services grant program exists within the Commission on Public Advocacy. This legal aid program, funded by a \$5 court fee, already has an annual appropriation of \$1,900,000. My reductions are made, therefore, because LB 746A creates a duplicative second state grant program to finance the provision of civil legal services to eligible, low-income individuals. In addition, we have historically financed these services from dedicated court fees. I believe it is unwise to begin the practice of supplementing this financing with state General Funds.

I have left \$55,000 of General Funds in FY2006-07 in the program only because the new \$1 court fee that will fund these services does not begin to phase-in until January 1, 2007.

For these reasons, I urge you to sustain my line-item reductions to LB 746A.

Sincerely,  
 (Signed) Dave Heineman  
 Governor

April 11, 2006

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

Dear Mr. President and Members of the Legislature:

I have signed LB 542e; however, I am returning LB 542Ae with certain line-item reductions.

LB 542Ae appropriates \$250,000 of General Funds to the Legislative Council for FY2006-07 to aid the Tax Policy Reform Commission in carrying out its duties. However, LB 542e prohibits funding for the commission from exceeding \$100,000. Therefore, I am reducing the appropriation contained in LB 542Ae from \$250,000 to \$100,000 to conform to the substantive law.

I urge you to sustain my line-item veto of this bill.

Sincerely,  
 (Signed) Dave Heineman  
 Governor

**SELECT COMMITTEE REPORTS**  
**Enrollment and Review**

**Correctly Reengrossed**

The following bill was correctly reengrossed: LB 965A.

**Correctly Engrossed**

The following bills were correctly engrossed: LBs 874, 940, 1175, 1248, and 1248A.

ER9105

Enrollment and Review Change to LB 1248

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

1. In the Jensen amendment, AM3007, section 87 has been renumbered as section 89.

2. On page 2, line 6, "provide for a study relating to behavioral health insurance parity legislation; to" has been inserted after the first "to".

(Signed) Michael Flood, Chairperson

### SELECT FILE

**LEGISLATIVE BILL 1006.** E & R amendment, AM7207, found on page 1359, was adopted.

Senator Brashear renewed his pending amendment, AM3223, found on page 1575.

The Brashear amendment was adopted with 27 ayes, 0 nays, 21 present and not voting, and 1 excused and not voting.

Senator Beutler offered the following amendment:  
AM3250

(Amendments to AM3223)

- 1 1. On page 3, after line 27 insert the following new
- 2 subdivision:
- 3 "(e) If the annual income from twenty million dollars of
- 4 private funding is not irrevocably committed by July 1, 2011, to
- 5 the use of the early childhood education endowment fund, then the
- 6 forty-million-dollar allocation pursuant to subdivision (3)(b) of
- 7 this section may revert to the use of the common schools as the
- 8 Legislature shall determine."

The Beutler amendment was adopted with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1113.** Senator Schrock withdrew his pending amendment, AM3114, found on page 1503 and considered in this day's Journal.

Senator Schrock withdrew his pending amendments, AM3138, AM3120, AM3117, AM3115, AM3118, AM3135, AM3116, AM3119, and AM3218, found on pages 1503, 1504, 1505, 1506, 1507, and 1574.

Senator Hudkins offered the following amendment:  
AM3217

(Amendments to Standing Committee amendments, AM2785)

- 1 1. Insert the following new sections:
- 2 Sec. 20. Section 28-101, Revised Statutes Cumulative
- 3 Supplement, 2004, is amended to read:
- 4 28-101 Sections 28-101 to 28-1350 and section 21 of this
- 5 act shall be known and may be cited as the Nebraska Criminal Code.

6 Sec. 21. (1) Any person who, in violation of the  
 7 visitation provisions of a valid court order pertaining to child  
 8 custody, detains or conceals a child with the intent to deprive  
 9 another person of his or her rights to visitation shall be guilty  
 10 of unlawful visitation interference.

11 (2) Unlawful visitation interference is a Class V  
 12 misdemeanor for the first offense and a Class IIIA misdemeanor for  
 13 any subsequent conviction.

14 (3) It shall be an affirmative defense to prosecution  
 15 under this section that:

16 (a) The person acted in the reasonable belief that he  
 17 or she was protecting the child from imminent physical harm, and  
 18 the person's actions were a reasonable response to such anticipated  
 19 harm;

20 (b) The person acted with the mutual consent of all  
 21 persons having a right to custody or visitation of the child; or

22 (c) The person acted in a manner otherwise authorized by  
 1 law.

2 (4) Proof of conviction under this section shall be  
 3 admissible as evidence in a civil action.

4 Sec. 55. Sections 20, 21, 55, 56, and 58 of this act  
 5 become operative on their effective date. The other sections of  
 6 this act become operative three calendar months after adjournment  
 7 of this legislative session.

8 Sec. 56. Original section 28-101, Revised Statutes  
 9 Cumulative Supplement, 2004, is repealed.

10 Sec. 58. Since an emergency exists, this act takes effect  
 11 when passed and approved according to law.

12 2. Renumber the remaining sections and correct internal  
 13 references accordingly.

Senator Hudkins withdrew her amendment.

Senators Mines and Schrock offered the following amendment:  
 AM3256

(Amendments to Standing Committee amendments, AM2785)

1 1. Strike section 14 and insert the following new  
 2 section:

3 Sec. 14. (1) A district shall permit public use of  
 4 those portions of a water project located on lands owned by  
 5 the district and on land over which the district has a lease  
 6 or an easement permitting use thereof for public recreational  
 7 purposes. All recreational users of such portions of a water  
 8 project shall abide by the applicable rules and regulations adopted  
 9 and promulgated by the board.

10 (2) The district shall provide public access for  
 11 recreational use at designated access points at any water  
 12 project. Recreational users, whether public or private, shall  
 13 abide by all applicable rules and regulations for use of the

14 water project adopted and promulgated by the district or the  
 15 political subdivision in which the water project is located. Public  
 16 recreational users may only access the water project through such  
 17 designated access points. Nothing in this subsection shall require  
 18 public access when the portion of the project cost paid by the  
 19 natural resources district with public funds does not exceed twenty  
 20 percent of the total cost of the project.

21 (3) For purposes of this section water project means  
 22 a project with cooperators or others, as authorized in section  
 1 2-3235, that results in construction of a reservoir or other body  
 2 of water having a permanent pool suitable for recreational purposes  
 3 greater than one hundred fifty surface acres, the construction of  
 4 which commenced after the effective date of this act. Water project  
 5 shall not mean soil conservation projects, wetlands projects, or  
 6 other district projects with cooperators or others that do not have  
 7 a recreational purpose.

8 2. On page 7, line 11, after "owns" insert "land or has  
 9 a lease or an easement permitting the use of land for public";  
 10 strike from the second comma through "for" in line 12 and show as  
 11 stricken; in line 13 strike the first "and" and show as stricken;  
 12 strike "unless" in line 15 through the period in line 16, show  
 13 as stricken and insert an underscored period; and strike "shall"  
 14 in line 18 through "purposes" in line 20, show as stricken, and  
 15 insert "means land owned by the district or over which a district  
 16 has a lease or an easement permitting the use thereof for public  
 17 recreational purposes which the board authorizes to be used for  
 18 such purposes.".

19 3. On page 9, line 9, strike "guarantee" and insert  
 20 "provide"; in line 10 after "public" insert "recreational"; in line  
 21 11 after "points" insert "and shall be equal to the right of access  
 22 for recreational use held by adjacent landowners".

23 4. On page 15, line 4, strike "any accredited" and insert  
 24 "a"; and in line 5 after "center" insert "which has received or is  
 25 in the process of receiving accreditation".

26 5. On page 51, lines 10 and 11, strike the new matter.

The Mines-Schrock amendment was adopted with 31 ayes, 0 nays, and 18 present and not voting.

Advanced to E & R for engrossment.

**LEGISLATIVE BILL 1113A.** Senator Bourne offered the following amendment:

AM3071

1 1. Insert the following new sections:

2 Sec. 3. There is hereby appropriated \$22,500 from the  
 3 General Fund for FY2006-07 to the Department of Health and Human  
 4 Services, for Program 33, to aid in carrying out the provisions  
 5 of Legislative Bill 1113, Ninety-ninth Legislature, Second Session.

6 2006.  
 7 No expenditures for permanent and temporary salaries and  
 8 per diems for state employees shall be made from funds appropriated  
 9 in this section.  
 10 Sec. 4. There is hereby appropriated (1) \$150,000 from  
 11 the General Fund for FY2006-07 and (2) \$150,000 from the General  
 12 Fund for FY2007-08 to the Attorney General, for Program 507,  
 13 to aid in carrying out the provisions of Legislative Bill 1113,  
 14 Ninety-ninth Legislature, Second Session, 2006.  
 15 No expenditures for permanent and temporary salaries and  
 16 per diems for state employees shall be made from funds appropriated  
 17 in this section.

The Bourne amendment was adopted with 28 ayes, 0 nays, and 21 present and not voting.

Advanced to E & R for engrossment.

### EASE

The Legislature was at ease from 6:37 p.m. until 6:43 p.m.

### SELECT FILE

**LEGISLATIVE BILL 1024.** E & R amendment, AM7230, on file and referred to in this day's Journal, was adopted.

Senator Heidemann offered the following amendment:  
 AM3237

(Amendments to Standing Committee amendments, AM2687)

- 1 1. On page 108, line 14, after "equal" insert "the
- 2 greater of (a)"; and in line 20 after "grouping" insert "or (b) if
- 3 the school district's general fund levy was at or above ninety-nine
- 4 cents per one hundred dollars of valuation for the previous year,
- 5 the school district's prior year formula needs multiplied by one
- 6 hundred percent".

### SENATOR BAKER PRESIDING

### SENATOR CUDABACK PRESIDING

Senator Heidemann withdrew his amendment.

Senators Raikes and Chambers offered the following amendment:  
 (Amendment, AM3258, is on file and available in the Clerk's Office, Room 2014.)

Senator Howard requested a division of the question on the Raikes-Chambers amendment.

The Chair ruled that the question is not divisible, in that the Raikes-Chambers amendment, AM3258, had been designated by the Speaker for consideration, pursuant to Rule 1, Section 17.

Senator Synowiecki challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Brown moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

The Synowiecki motion to overrule the Chair failed with 8 ayes, 29 nays, and 12 present and not voting.

The Chair was sustained.

The Raikes-Chambers pending amendment, AM3258, on file and referred to in this day's Journal, was renewed.

Senator D. Pederson moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

The Raikes-Chambers amendment was adopted with 30 ayes, 12 nays, and 7 present and not voting.

Pending.

### **SELECT COMMITTEE REPORTS Enrollment and Review**

#### **Correctly Engrossed**

The following bills were correctly engrossed: LBs 385, 385A, 845, 845A, and 924.

(Signed) Michael Flood, Chairperson

#### **MOTIONS - Print in Journal**

Senator Chambers filed the following motion to LB 817:  
That LB 817 becomes law notwithstanding the objections of the Governor.

Senator Stuhr filed the following motion to LB 366:  
That LB 366 becomes law notwithstanding the objections of the Governor.

**SELECT FILE**

**LEGISLATIVE BILL 1024.** Senator Raikes offered the following motion: Suspend the rules, Rule 6, Section 5 and Rule 7, Sections 3 and 7, and vote on the advancement of LB 1024 without further amendment, motion, or debate.

Senator Baker moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 40 ayes, 0 nays, and 9 not voting.

Senator Bourne requested a roll call vote on the Raikes motion to suspend the rules.

Voting in the affirmative, 31:

Aguilar	Engel	Johnson	Pahls	Stuhr
Baker	Erdman	Kremer	Pedersen, Dw.	Stuthman
Burling	Fischer	Kruse	Pederson, D.	Wehrbein
Byars	Heidemann	Landis	Raikes	
Chambers	Hudkins	Langemeier	Redfield	
Cudaback	Janssen	Louden	Schrock	
Cunningham	Jensen	McDonald	Smith	

Voting in the negative, 12:

Bourne	Cornett	Friend	Preister
Brashear	Flood	Howard	Synowiecki
Connealy	Foley	Mines	Thompson

Present and not voting, 6:

Beutler	Combs	Price
Brown	Kopplin	Schimek

The Raikes motion to suspend the rules prevailed with 31 ayes, 12 nays, and 6 present and not voting.

Advanced to E & R for engrossment with 32 ayes, 13 nays, and 4 present and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 1024A.** Senator Raikes offered the following amendment:  
AM3178

- 1 1. Strike section 1 and insert the following new section:  
 2 Section 1. There is hereby appropriated (1) \$36,260 from  
 3 the General Fund for FY2006-07 and (2) \$1,650 from the General Fund  
 4 for FY2007-08 to the Secretary of State, for Program 22, to aid in  
 5 carrying out the provisions of Legislative Bill 1024, Ninety-ninth  
 6 Legislature, Second Session, 2006.  
 7 No expenditures for permanent and temporary salaries and  
 8 per diems for state employees shall be made from funds appropriated  
 9 in this section.

The Raikes amendment was adopted with 29 ayes, 6 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

## SELECT COMMITTEE REPORTS Enrollment and Review

### Correctly Engrossed

The following bills were correctly engrossed: LBs 239, 489, 489A, 821, 1006, 1249, 1256, and 1256A.

ER9107

Enrollment and Review Change to LB 489

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

1. Changes have been made as necessary to incorporate all adopted amendments.

ER9108

Enrollment and Review Change to LB 1256

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

1. In the Brashear amendment, AM3222, on page 1, line 20, "~~84-613~~" has been struck and "84-612" inserted.

2. In the E & R amendments, AM7213, on page 2, line 27, the period has been struck and shown as stricken and an underscored semicolon inserted.

(Signed) Michael Flood, Chairperson

### EASE

The Legislature was at ease from 9:51 p.m. until 10:43 p.m.

**SELECT COMMITTEE REPORTS**  
**Enrollment and Review**

**Correctly Engrossed**

The following bills were correctly engrossed: LBs 1024, 1024A, 1113, and 1113A.

ER9110

Enrollment and Review Change to LB 1024

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

1. In the Raikes amendment, AM3258:
  - a. On page 4, line 11, "thereafter" has been inserted after "year";
  - b. On page 14, line 10, "the" has been inserted after the last "of";
  - c. On page 109, line 25, the stricken "79-1007.01" has been reinstated and "75 of this act" has been struck; and
  - d. On page 110, line 11, "needs" has been struck and "need" inserted.
2. In the E & R amendments, AM7230:
  - a. On page 157, lines 19 and 20, "77-1810, 77-1811, 77-1936," has been struck; and
  - b. On page 158, line 1, "and" has been struck; in line 3 "79-1003," and "79-1007.02," have been struck; and in line 4 ", and sections 79-1003 and 79-1007.02, Revised Statutes Supplement, 2005, as amended by sections 4 and 5, respectively, Legislative Bill 1208, Ninety-ninth Legislature, Second Session, 2006" has been inserted after "2005".

ER9109

Enrollment and Review Change to LB 1113

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

1. In the E & R amendments, AM7217, on page 2, line 2, "23-1824," has been inserted after the second comma; and in line 7 "autopsies," has been inserted after the second comma.

(Signed) Michael Flood, Chairperson

**VISITORS**

Visitors to the Chamber were 13 students and teacher from St. Joseph's Elementary School, York; Herb and Ardys Roszhart from Aurora; exchange students from Samara, Russia; 37 fourth-grade students and teachers from Homer; and Don and Xuella Pavelka from Eufaula, Oklahoma and Denise Leonard from Lincoln.

The Doctor of the Day was Dr. Ashley Falk from Omaha.

**ADJOURNMENT**

At 10:44 p.m., on a motion by Senator Baker, the Legislature adjourned until 9:00 a.m., Wednesday, April 12, 2006.

Patrick J. O'Donnell  
Clerk of the Legislature

