

**FIFTY-SECOND DAY - APRIL 2, 2008****LEGISLATIVE JOURNAL****ONE HUNDREDTH LEGISLATURE  
SECOND SESSION****FIFTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 2, 2008

**PRAYER**

The prayer was offered by Senator McDonald.

**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 Senators Preister and White who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-first day was approved.

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 1027A.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1027, One Hundredth Legislature, Second Session, 2008.

**MOTION - Return LB988 to Select File**

Senator Ashford moved to return LB988 to Select File for the following specific amendment:

FA263

Strike the enacting clause.

Senator Ashford withdrew his motion to return.

**BILLS ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB988 with 39 ayes, 4 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 988.** With Emergency.

A BILL FOR AN ACT relating to education funding; to amend sections 44-4317, 79-8,137, 79-1022.02, 79-1023, 79-1029, and 79-1229, Reissue Revised Statutes of Nebraska, sections 79-233, 79-1005.01, 79-1008.01, 79-1009, and 79-1024, Revised Statutes Cumulative Supplement, 2006, and sections 77-3442, 79-458, 79-4,108, 79-4,111, 79-1001, 79-1003, 79-1003.01, 79-1007.02, 79-1007.04, 79-1007.06, 79-1007.07, 79-1007.08, 79-1007.09, 79-1007.10, 79-1008.02, 79-1013, 79-1014, 79-1015.01, 79-1016, 79-1018.01, 79-1022, 79-1028, 79-1031.01, 79-1073, 79-1083.03, 79-1336, 79-1337, and 79-2102, Revised Statutes Supplement, 2007; to change provisions relating to tax levies for members of risk management pools, learning communities, and certain school districts, to freeholding, and to unified systems; to define and redefine terms; to change provisions relating to the Tax Equity and Educational Opportunities Support Act, educational service unit financial reporting, and distance education reimbursement; to harmonize provisions; to eliminate provisions relating to calculation of state aid; to repeal the original sections; to outright repeal section 79-1009.01, Reissue Revised Statutes of Nebraska, and section 79-1007.03, Revised Statutes Supplement, 2007; and to declare an emergency.

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

Voting in the affirmative, 33:

Adams	Cornett	Johnson	Pahls	Schimek
Aguilar	Engel	Kruse	Pankonin	Stuthman
Ashford	Flood	Lathrop	Pedersen	Synowiecki
Avery	Friend	McDonald	Pirsch	White
Burling	Harms	McGill	Preister	Wightman
Carlson	Howard	Nantkes	Raikes	
Chambers	Janssen	Nelson	Rogert	

Voting in the negative, 14:

Dierks	Fischer	Hansen	Karpisek	Louden
Dubas	Fulton	Heidemann	Kopplin	Wallman
Erdman	Gay	Hudkins	Lautenbaugh	

Excused and not voting, 2:

Christensen Langemeier

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 988A.** With Emergency.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2007, LB 321, section 49; to change appropriations to aid in carrying out the provisions of Legislative Bill 988, One Hundredth Legislature, Second Session, 2008; to state intent regarding appropriations; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 38:

Adams	Dierks	Hudkins	McGill	Rogert
Aguilar	Engel	Janssen	Nantkes	Schimek
Ashford	Flood	Johnson	Pahls	Stuthman
Avery	Friend	Kopplin	Pankonin	Synowiecki
Burling	Fulton	Kruse	Pedersen	White
Carlson	Harms	Lathrop	Pirsch	Wightman
Chambers	Heidemann	Louden	Preister	
Cornett	Howard	McDonald	Raikes	

Voting in the negative, 8:

Dubas	Fischer	Hansen	Lautenbaugh
Erdman	Gay	Karpisek	Wallman

Present and not voting, 1:

Nelson

Excused and not voting, 2:

Christensen Langemeier

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 988 and 988A.

### **AMENDMENT - Print in Journal**

Senator Erdman filed the following amendment to LB928:  
AM2598

(Amendments to Standing Committee amendments, AM2435)

- 1 1. Insert the following new section:
- 2 Section 1. Section 30-2483, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 30-2483 Unless notice has already been given under this
- 5 article and except when an appointment of a personal representative
- 6 is made pursuant to subdivision (4) of section 30-2408, the clerk
- 7 of the court upon the appointment of a personal representative
- 8 shall publish a notice once a week for three successive weeks
- 9 in a newspaper of general circulation in the county announcing
- 10 the appointment and the address of the personal representative,
- 11 and notifying creditors of the estate to present their claims
- 12 within two months after the date of the first publication of the
- 13 notice or be forever barred. The first publication shall be made
- 14 within thirty days after the appointment. The party instituting or
- 15 maintaining the proceeding or his or her attorney is required to
- 16 mail the published notice and give proof thereof in accordance with
- 17 section 25-520.01. If the decedent was fifty-five years of age or
- 18 older or resided in a medical institution as defined in subsection
- 19 (1) of section 68-919, the notice shall also be mailed to the
- 20 Department of Health and Human Services with the decedent's social
- 21 security number and, if available upon reasonable investigation,
- 22 the name and social security number of the decedent's spouse if
- 1 such spouse is deceased.
- 2 2. Correct the operative date and repealer sections so
- 3 that the section added by this amendment becomes operative three
- 4 calendar months after the adjournment of this legislative session.
- 5 3. Renumber the remaining sections and correct internal
- 6 references accordingly.

### **SELECT FILE**

**LEGISLATIVE BILL 151.** ER8190, found on page 966, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 724.** Advanced to Enrollment and Review for

Engrossment.

**LEGISLATIVE BILL 726.** ER8194, found on page 966, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 726A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 947.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 850.** ER8193, found on page 966, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 805.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1004.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 754.** ER8195, found on page 966, was adopted.

Senator Ashford withdrew his amendment, AM2648, found on page 1269.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 893.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 865.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 728.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 775.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 848.** ER8198, found on page 966, was adopted.

Senator Erdman withdrew his amendment, AM1598, found on page 955.

Senator Erdman renewed his amendment, AM2421, found on page 1158.

The Erdman amendment was adopted with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1011.** ER8192, found on page 967, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 821.** ER8201, found on page 967, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 845.** ER8196, found on page 967, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 904.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 798.** ER8200, found on page 967, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 764.** ER8202, found on page 967, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 789.** ER8197, found on page 967, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 902.** ER8199, found on page 967, was adopted.

Senator Pankonin renewed his amendment, AM2505, found on page 1080.

The Pankonin amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1067.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 838.** ER8206, found on page 968, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1045.** Senator Pankonin renewed his amendment, AM2406, found on page 998.

The Pankonin amendment was adopted with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 593.** Senator Louden offered the following motion:  
MO165

Unanimous consent to bracket until April 17, 2008.

No objections. So ordered.

**LEGISLATIVE BILL 727.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1145.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1162.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 972.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 993.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1103.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 710.** ER8205, found on page 968, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1048.** ER8203, found on page 968, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1048A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1108.** ER8204, found on page 968, was adopted.

Advanced to Enrollment and Review for Engrossment.

**GENERAL FILE**

**LEGISLATIVE BILL 587.** Title read. Considered.

**SENATOR LANGEMEIER PRESIDING**

Senator Chambers offered the following amendment:  
FA265

On page 4, line 8, insert a new sentence "The total annual appropriations approved by the Legislature for the department for county jail reimbursement assistance shall not exceed three million nine hundred thousand dollars."

Pending.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 2, 2008, at 10:30 a.m. were the following: LBs 988e and 988Ae.

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

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 1147A.** Introduced by Synowiecki, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1147, One Hundredth Legislature, Second Session, 2008.

**VISITORS**

Visitors to the Chamber were 32 fourth-grade students, teachers, and sponsors from Starr Elementary, Grand Island; and 38 fourth-grade students from Harrison Elementary, Omaha.

**RECESS**

At 12:00 p.m., on a motion by Senator Pedersen, the Legislature recessed until 1:30 p.m.



**AFTER RECESS**

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

**ROLL CALL**

The roll was called and all members were present except Senator Pedersen who was excused; and Senators Ashford, Dubas, Flood, Hansen, Johnson, Karpisek, Kruse, Loudon, McDonald, Stuthman, Synowiecki, and White who were excused until they arrive.

**COMMITTEE REPORTS**

Enrollment and Review

**LEGISLATIVE BILL 846.** Placed on Final Reading.

**LEGISLATIVE BILL 846A.** Placed on Final Reading.

**LEGISLATIVE BILL 888.** Placed on Final Reading.

(Signed) Amanda McGill, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 587.** The Chambers amendment, FA265, found in this day's Journal, was renewed.

Senator Chambers withdrew his amendment.

Senator Aguilar offered the following amendment:

AM2666

- 1 1. Insert the following new section:
- 2 Sec. 2. The State of Nebraska shall assume responsibility
- 3 for county jails by January 1, 2011. The Judiciary Committee of the
- 4 Legislature shall develop legislation to carry out such assumption
- 5 of responsibility.
- 6 2. Renumber the remaining sections accordingly.

Pending.

**MESSAGES FROM THE GOVERNOR**

April 2, 2008

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 960e, 961e, and 1019e were received in my office on March 28, 2008. Engrossed Legislative Bills 988e and 988Ae were received in my office on April 2, 2008.

I signed these bills and delivered them to the Secretary of State on April 2, 2008.

Sincerely,  
(Signed) Dave Heineman  
Governor

April 2, 2008

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

Dear Mr. President, Mr. Speaker, and Members of the Legislature:

With this letter, I am returning LB 959 with my signature, but with line-item reductions to eliminate the gas tax increase included within the budget of the Department of Roads.

I want to applaud the hard work and leadership of Senator Heidemann, members of the Appropriations Committee, and the Legislature as a whole for delivering a budget bill package that represents a responsible revision to the State's budget for the 2007-2009 biennium. I particularly want to thank you for helping to maintain a strong cash reserve and continuing to exercise restraint in General Fund spending.

While I appreciate the Legislature's willingness to engage in a discussion of our roads funding challenges, now is not the time to increase the gas tax. Gasoline and diesel prices are hitting record highs almost every week, the cost of food is increasing, and healthcare costs are soaring. I have reduced the appropriation from the Department of Roads Highway Cash Fund by \$14,513,930 million in FY 2008-09 to remove the gas tax increase included in the bill by the Legislature. The corresponding FY 2008-09 cash fund appropriation for road construction has been reduced by \$14,513,930.

Again, thank you for delivering a responsible and balanced General Fund budget. I urge you to sustain my line-item veto of the gas tax increase.

Sincerely,  
(Signed) Dave Heineman  
Governor

### GENERAL FILE

**LEGISLATIVE BILL 587.** Senator Cornett offered the following motion:  
MO166  
Bracket until April 17, 2008.

The Cornett motion to bracket prevailed with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1153.** Title read. Considered.

### SENATOR FISCHER PRESIDING

Committee AM2510, found on page 1134, was considered.

Senator Adams renewed his amendment, AM2610, found on page 1217, to the committee amendment.

### SENATOR LANGEMEIER PRESIDING

The Adams amendment was adopted with 27 ayes, 1 nay, 15 present and not voting, and 6 excused and not voting.

Senator Raikes offered the following amendment to the committee amendment:

AM2663

(Amendments to Standing Committee amendments, AM2510)

- 1 1. Insert the following new sections:
- 2 Sec. 2. Section 79-1103, Revised Statutes Supplement,
- 3 2007, is amended to read:
- 4 79-1103 (1)(a) The State Department of Education shall
- 5 establish and administer the Early Childhood Education Grant
- 6 Program. Upon the effective date of an endowment agreement,
- 7 administration of the Early Childhood Education Grant Program
- 8 with respect to programs for children from birth to age three
- 9 shall transfer to the board of trustees. If there is no endowment
- 10 agreement in effect, the department shall request proposals in
- 11 accordance with this section for all early childhood education
- 12 programs from school districts, individually or in cooperation
- 13 with other school districts or educational service units, working
- 14 in cooperation with existing nonpublic programs which meet the

15 requirements of subsection (2) of section 79-1104. If there is  
 16 an endowment agreement in effect, the board of trustees shall  
 17 administer the Early Childhood Education Grant Program with respect  
 18 to programs for children from birth to age three pursuant to  
 19 section 79-1104.02 and the department shall continue to administer  
 20 the Early Childhood Education Grant Program with respect to  
 21 other prekindergarten programs pursuant to sections 79-1101 to  
 22 79-1104.05. All administrative procedures of the board of trustees,  
 1 including, but not limited to, rules, grant applications, and  
 2 funding mechanisms, shall harmonize with those established by the  
 3 department for other prekindergarten programs.

4 (b) The first priority shall be for (i) continuation  
 5 grants for programs that received grants in the prior school  
 6 fiscal year and for which the state aid calculation pursuant to  
 7 the Tax Equity and Educational Opportunities Support Act does not  
 8 include early childhood education students, in an amount equal  
 9 to the amount of such grant, except that if the grant was a  
 10 first-year grant the amount shall be reduced by thirty-three  
 11 percent, (ii) continuation grants for programs for which the  
 12 state aid calculation pursuant to the act includes early childhood  
 13 education students, in an amount equal to the amount of the grant  
 14 for the school fiscal year prior to the first school fiscal year  
 15 for which early childhood education students were included in the  
 16 state aid calculation for the school district's local system minus  
 17 the calculated state aid amount, and (iii) for school fiscal year  
 18 2007-08, continuation grants for programs for which the state aid  
 19 calculation pursuant to the act includes early childhood education  
 20 students, but such state aid calculation does not result in the  
 21 school district receiving any equalization aid, in an amount equal  
 22 to the amount of the grant received in school fiscal year 2006-07.  
 23 The calculated state aid amount shall be calculated by multiplying  
 24 ~~the cost grouping cost per student basic funding per formula~~  
 25 ~~student for the school district's local system cost grouping by~~  
 26 ~~the adjusted district by the~~ formula students attributed to the  
 27 early childhood education programs pursuant to the Tax Equity and  
 1 Educational Opportunities Support Act.

2 (c) The second priority shall be for new grants and  
 3 expansion grants for programs that will serve at-risk children who  
 4 will be eligible to attend kindergarten the following school year.  
 5 New grants may be given for up to three years in an amount up to  
 6 one-half of the total budget of the program per year. Expansion  
 7 grants may be given for one year in an amount up to one-half  
 8 of the budget for expanding the capacity of the program to serve  
 9 additional children.

10 (d) The third priority shall be for new grants, expansion  
 11 grants, and continuation grants for programs serving children  
 12 younger than those who will be eligible to attend kindergarten  
 13 the following school year. New grants may be given for up to  
 14 three years in an amount up to one-half the total budget of the

15 program per year. Expansion grants may be given for one year in  
16 an amount up to one-half the budget for expanding the capacity of  
17 the program to serve additional children. Continuation grants under  
18 this priority may be given annually in an amount up to one-half the  
19 total budget of the program per year minus any continuation grants  
20 received under the first priority.

21 (e) Programs serving children who will be eligible to  
22 attend kindergarten the following school year shall be accounted  
23 for separately for grant purposes from programs serving younger  
24 children, but the two types of programs may be combined within the  
25 same classroom to serve multi-age children. Programs that receive  
26 grants for school fiscal years prior to school fiscal year 2005-06  
27 to serve both children who will be eligible to attend kindergarten  
1 the following school year and younger children shall account for  
2 the two types of programs separately for grant purposes beginning  
3 with school year 2005-06 and shall be deemed to have received  
4 grants prior to school fiscal year 2005-06 for each year that  
5 grants were received for the types of programs representing the age  
6 groups of the children served.

7 (2) Each program proposal which is approved by the  
8 department shall include (a) a planning period, (b) an agreement  
9 to participate in periodic evaluations of the program to be  
10 specified by the department, (c) evidence that the program will  
11 be coordinated or contracted with existing programs, including  
12 those listed in subdivision (d) of this subsection and nonpublic  
13 programs which meet the requirements of subsection (2) of section  
14 79-1104, (d) a plan to coordinate and use a combination of  
15 local, state, and federal funding sources, including, but not  
16 limited to, programs for children with disabilities below five  
17 years of age funded through the Special Education Act, the Early  
18 Intervention Act, funds available through the flexible funding  
19 provisions under the Special Education Act, the federal Head  
20 Start program, 42 U.S.C. 9831 et seq., the federal Even Start  
21 Family Literacy Program, 20 U.S.C. 6361 et seq., Title I of  
22 the federal Improving America's Schools Act of 1994, 20 U.S.C.  
23 6301 et seq., and child care assistance through the Department  
24 of Health and Human Services, (e) a plan to use sliding fee  
25 scales and the funding sources included in subdivision (d) of  
26 this subsection to maximize the participation of economically and  
27 categorically diverse groups and to ensure that participating  
1 children and families have access to comprehensive services, (f)  
2 the establishment of an advisory body which includes families  
3 and community members, (g) the utilization of appropriately  
4 qualified staff, (h) an appropriate child-to-staff ratio, (i)  
5 appropriate group size, (j) compliance with minimum health and  
6 safety standards, (k) appropriate facility size and equipment,  
7 (l) a strong family development and support component recognizing  
8 the central role of parents in their children's development, (m)  
9 developmentally and culturally appropriate curriculum, practices,

10 and assessment, (n) sensitivity to the economic and logistical  
11 needs and circumstances of families in the provision of services,  
12 (o) integration of children of diverse social and economic  
13 characteristics, (p) a sound evaluation component, including at  
14 least one objective measure of child performance and progress, (q)  
15 continuity with programs in kindergarten and elementary grades,  
16 (r) instructional hours that are similar to or less than the  
17 instructional hours for kindergarten, (s) well-defined language  
18 development and early literacy emphasis, including the involvement  
19 of parents in family literacy activities, (t) a plan for ongoing  
20 professional development of staff, and (u) inclusion of children  
21 with disabilities as defined in the Special Education Act, all as  
22 specified by rules and regulations of the department in accordance  
23 with sound early childhood educational practice.

24 (3) The department shall make an effort to fund programs  
25 widely distributed across the state in both rural and urban areas.

26 (4) A report evaluating the programs shall be made to the  
27 State Board of Education and the Legislature by January 1 of each  
1 odd-numbered year. Up to five percent of the total appropriation  
2 for the Early Childhood Education Grant Program may be reserved  
3 by the department for evaluation and technical assistance for the  
4 programs.

5 (5) Programs may be approved for purposes of the Tax  
6 Equity and Educational Opportunities Support Act, expansion grants,  
7 and continuation grants on the submission of a continuation  
8 plan demonstrating that the program will continue to meet the  
9 requirements of subsection (2) of this section and a proposed  
10 operating budget demonstrating that the program will continue to  
11 receive resources from other sources equal to or greater than the  
12 sum of any grant received pursuant to this section for the prior  
13 school year plus any calculated state aid as calculated pursuant to  
14 subsection (1) of this section for the prior school year.

15 (6) The State Board of Education may adopt and promulgate  
16 rules and regulations to implement the Early Childhood Education  
17 Grant Program, except that if there is an endowment agreement  
18 in effect, the board of trustees shall recommend any rules and  
19 regulations relating specifically to the Early Childhood Education  
20 Grant Program with respect to programs for children from birth to  
21 age three. It is the intent of the Legislature that the rules and  
22 regulations for programs for children from birth to age three be  
23 consistent to the greatest extent possible with those established  
24 for other prekindergarten programs.

25 Sec. 3. Original section 79-1103, Revised Statutes  
26 Supplement, 2007, is repealed.

The Raikes amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Senator Rogert offered the following amendment to the committee amendment:

AM2672

(Amendments to Standing Committee amendments, AM2510)

1 1. Insert the following new section:

2 Sec. 2. Any early childhood education program as defined  
3 in section 79-1101 may, until school year 2010-11, enroll students  
4 who meet the age requirements to be enrolled in kindergarten but  
5 who are not then enrolled in kindergarten. Such students shall not  
6 be included in any calculations for state aid pursuant to the Tax  
7 Equity and Educational Opportunities Support Act, as provided in  
8 section 79-1103.

The Rogert amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 956.** Title read. Considered.

Senator Schimek withdrew her amendment, AM1730, found on page 811.

Senator Schimek renewed the Schimek-Synowiecki amendment, AM2641, found on page 1272.

## **PRESIDENT SHEEHY PRESIDING**

The Schimek-Synowiecki amendment was adopted with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1082.** Committee AM2252, found on page 886 and considered on page 1115, was renewed.

Senator Lautenbaugh renewed his amendment, FA239, found on page 1117, to the committee amendment.

Pending.

**BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 708A.** Introduced by Pahls, 31.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 708, One Hundredth Legislature, Second Session, 2008; and to declare an emergency.

**LEGISLATIVE BILL 847A.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to appropriations; to reduce appropriations to aid in carrying out the provisions of Legislative Bill 847, One Hundredth Legislature, Second Session, 2008.

**SELECT FILE**

**LEGISLATIVE BILL 895.** ER8219, found on page 1139, was adopted.

Senator Janssen renewed his amendment, AM2590, found on page 1240.

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

Senator Cornett renewed the Cornett et al. amendment, AM2601, found on page 1240.

The Cornett et al. amendment was adopted with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

Senator McDonald renewed her amendment, AM2617, found on page 1240.

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

Advanced to Enrollment and Review for Engrossment.

**AMENDMENTS - Print in Journal**

Senator Kopplin filed the following amendment to LB1116:  
AM2645

(Amendments to Standing Committee amendments, AM2629)

- 1 1. Strike section 7.
- 2 2. On page 13, lines 23 and 24, strike "sections 2-108
- 3 and 84-612" and insert "section 2-108".
- 4 3. Renumber the remaining section accordingly.



Senator Kopplin filed the following amendment to LB1116:  
AM2647

(Amendments to Standing Committee amendments, AM2629)

- 1 1. On page 12, strike lines 14 through 18, show as
- 2 stricken, and renumber the remaining subsections accordingly.

Senator Kopplin filed the following amendment to LB1116:  
AM2646

(Amendments to Standing Committee amendments, AM2629)

- 1 1. On page 13, line 20, strike "five" and insert "one"
- 2 and strike "Cash Reserve" and insert "Tourist Promotion".

### **VISITORS**

Visitors to the Chamber were 30 third- and fourth-grade students from Dorchester; and Senator Pirsch's mother, Carol Pirsch, from Omaha.

The Doctor of the Day was Dr. Dale Michels from Lincoln.

### **ADJOURNMENT**

At 4:13 p.m., on a motion by Speaker Flood, the Legislature adjourned until 9:00 a.m., Thursday, April 3, 2008.

Patrick J. O'Donnell  
Clerk of the Legislature

