

SIXTIETH DAY - APRIL 17, 2008
LEGISLATIVE JOURNAL
ONE HUNDREDTH LEGISLATURE
SECOND SESSION

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 17, 2008

PRAYER

The prayer was offered by Senator Kruse.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Pedersen and White who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-ninth day was approved.

MESSAGE FROM THE GOVERNOR

April 17, 2008

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 245 and LB 245A without my signature and with my objections. LB 245 mandates that cities or villages either must fluoridate their water supply or conduct a ballot initiative to opt out of this requirement. This is an unfunded mandate on communities with a population in excess of 1,000. Costs of complying with the fluoride mandate or of conducting a ballot initiative would be passed on to Nebraska taxpayers. The decision of whether to fluoridate local water supplies should remain a local decision rather than an unfunded state mandate.

The water systems in cities and villages vary as would the cost to implement mandatory fluoridation. The cost would also disproportionately affect smaller communities and their citizens. The capital costs for equipment, which is estimated at \$5,000 per well, and the ongoing costs of fluoridation would be passed on to citizens either in the form of property tax increases or a surcharge in their water bill.

For these reasons, I respectfully urge you to sustain my veto of LB 245 and LB 245A.

Sincerely,
(Signed) Dave Heineman
Governor

COMMITTEE REPORT
Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR238.

(Signed) Amanda McGill, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 238. Introduced by Kruse, 13.

WHEREAS, the opportunity to have access to health care and long-term financial security is a basic need that all Nebraskans share and is the foundation for future generations; and

WHEREAS, we believe all Nebraskans should have peace of mind about their future long-term financial security; and

WHEREAS, all Nebraskans should have access to affordable health care, including prescription drugs, and these costs should not burden future generations; and

WHEREAS, wellness and prevention efforts for Nebraskans, including changes in personal behavior such as diet and exercise, should be top priorities of our state; and

WHEREAS, Nebraskans should have choices when it comes to long-term care allowing them to maintain their independence at home or in their communities with expanded and affordable financing options; and

WHEREAS, workers should be provided with financial incentives to save, should have access to effective retirement plans, and should be able to keep working and contributing to society regardless of age; and

WHEREAS, Nebraskans of all ages should have access to tools to help manage their finances and save for the future and better, easy to understand information to help them increase their financial literacy and wisely manage their money; and

WHEREAS, individuals, businesses, health care providers, nonprofit organizations, and government must work together to find solutions personally, privately, and publicly; and

WHEREAS, the American Association of Retired Persons, the Business Roundtable, the National Federation of Independent Businesses, and the Service Employees International Union have launched "Divided We Fail", an effort that engages millions of Americans to call on their elected leaders to work together across party lines to provide answers, action, and accountability on these issues.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature commends the "Divided We Fail" effort and urges our state and federal elected officials and candidates to consider ways we can be united.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 16, 2008, 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

Keigher/Rasmussen & Associates, LLC
AirBoat Association, Nebraska

McGovern, L. Denise
Grand Island Area Economic Development Corporation

REPORTS

The following reports were received by the Legislature:

Auditor of Public Accounts

Attestation Report of the Nebraska Department of Banking and Finance for the year ended June 30, 2007

Investment Council, Nebraska

Annual Report, Calendar Year 2007

Investment Finance Authority, Nebraska (NIFA)

2006 Series A, B, C, D, E and F Community Development Loan Notes (City of Lincoln Program-2006) Report

Single Family Housing Revenue Bonds Series 2007GH Quarterly Report

Single Family Housing Revenue Bonds Series 2007IJK Quarterly Report

Single Family Housing Revenue Bonds Series 2008AB Quarterly Report

Revenue, Department of

Property Assessment Division 2007 Annual Report

Roads, Department of

Board of Public Roads Classifications and Standards Minutes for
February 2008

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 308. With Emergency.

A BILL FOR AN ACT relating to pharmacy; to amend sections 38-178, 38-2866, 71-448, and 71-7454, Revised Statutes Supplement, 2007; to adopt the Automated Medication Systems Act; to harmonize provisions; to change and eliminate restrictions on drug vending machines; to provide operative dates; to repeal the original sections; to outright repeal section 71-1,147.15, Reissue Revised Statutes of Nebraska, section 38-28,102, Revised Statutes Supplement, 2007, and section 9 of this legislative bill; 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, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Raikes
Aguilar	Engel	Howard	Louden	Rogert
Ashford	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen White

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

LEGISLATIVE BILL 308A.

A BILL FOR AN ACT relating to financing statements; to amend section 9-506, Uniform Commercial Code, Reissue Revised Statutes of Nebraska,

as amended by section 28, Legislative Bill 851, One Hundredth Legislature, Second Session, 2008; to change provisions relating to the effects of errors and omissions; to provide for applicability; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	Wightman
Chambers	Fulton	Kopplin	Pahls	
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 3:

Pedersen Raikes White

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION - Return LB469 to Select File

Senator Chambers moved to return LB469 to Select File for the following specific amendment:

FA278

Strike the enacting clause.

Senator Chambers withdrew his motion to return.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 469.

A BILL FOR AN ACT relating to the Nebraska Health Care Funding Act; to amend section 71-7606, Revised Statutes Supplement, 2007; to change restrictions on use of funds; and to repeal the original section.

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

Voting in the affirmative, 39:

Adams	Cornett	Howard	Lathrop	Preister
Aguilar	Dubas	Hudkins	Louden	Rogert
Ashford	Erdman	Janssen	McDonald	Schimek
Avery	Fischer	Johnson	McGill	Stuthman
Burling	Flood	Karpisek	Nantkes	Synowiecki
Carlson	Friend	Kopplin	Nelson	Wallman
Chambers	Harms	Kruse	Pahls	Wightman
Christensen	Heidemann	Langemeier	Pankonin	

Voting in the negative, 5:

Dierks	Engel	Fulton	Lautenbaugh	Pirsch
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Present and not voting, 2:

Gay	Hansen
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Excused and not voting, 3:

Pedersen	Raikes	White
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 609.

A BILL FOR AN ACT relating to the Building Entrepreneurial Communities Act; to amend section 81-12,126, Revised Statutes Supplement, 2007; to provide additional purposes for the act; and to repeal the original section.

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

Voting in the affirmative, 44:

Adams	Dierks	Hansen	Langemeier	Pirsch
Aguilar	Dubas	Harms	Lathrop	Preister
Ashford	Engel	Heidemann	Lautenbaugh	Rogert
Avery	Erdman	Howard	Louden	Schimek
Burling	Fischer	Hudkins	McDonald	Stuthman
Carlson	Flood	Janssen	Nantkes	Synowiecki
Chambers	Friend	Johnson	Nelson	Wallman
Christensen	Fulton	Karpisek	Pahls	Wightman
Cornett	Gay	Kopplin	Pankonin	

Voting in the negative, 0.

Present and not voting, 2:

Kruse McGill

Excused and not voting, 3:

Pedersen Raikes White

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 609A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to amend section 15, Legislative Bill 959, One Hundredth Legislature, Second Session, 2008; to change an appropriation; 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, 45:

Adams	Dierks	Hansen	Kruse	Pankonin
Aguilar	Dubas	Harms	Langemeier	Pirsch
Ashford	Engel	Heidemann	Lautenbaugh	Preister
Avery	Erdman	Howard	Louden	Rogert
Burling	Fischer	Hudkins	McDonald	Schimek
Carlson	Flood	Janssen	McGill	Stuthman
Chambers	Friend	Johnson	Nantkes	Synowiecki
Christensen	Fulton	Karpisek	Nelson	Wallman
Cornett	Gay	Kopplin	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 1:

Lathrop

Excused and not voting, 3:

Pedersen Raikes White

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

LEGISLATIVE BILL 720.

A BILL FOR AN ACT relating to telecommunications; to amend sections 49-1474.02, 86-242, 86-247, 86-250, and 86-256, Revised Statutes Cumulative Supplement, 2006; to change requirements relating to recorded political messages and messages delivered using automatic dialing-announcing devices; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

Voting in the affirmative, 45:

Adams	Dierks	Harms	Langemeier	Pankonin
Aguilar	Dubas	Heidemann	Lathrop	Pirsch
Ashford	Engel	Howard	Lautenbaugh	Preister
Avery	Erdman	Hudkins	Louden	Rogert
Burling	Flood	Janssen	McDonald	Schimek
Carlson	Friend	Johnson	McGill	Stuthman
Chambers	Fulton	Karpisek	Nantkes	Synowiecki
Christensen	Gay	Kopplin	Nelson	Wallman
Cornett	Hansen	Kruse	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 1:

Fischer

Excused and not voting, 3:

Pedersen Raikes White

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 734.

A BILL FOR AN ACT relating to political subdivisions; to amend section 13-1622, Reissue Revised Statutes of Nebraska; to change provisions relating to employee benefit plans; and to repeal the original section.

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

Voting in the affirmative, 46:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	White
Carlson	Friend	Karpisek	Nelson	Wightman
Chambers	Fulton	Kopplin	Pahls	
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Present and not voting, 1:

Wallman

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 746.

A BILL FOR AN ACT relating to universities and colleges; to amend section 85-505, Reissue Revised Statutes of Nebraska, and section 85-505.01, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to tuition credits; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	White
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 781.

A BILL FOR AN ACT relating to the Uniform Deceptive Trade Practices Act; to amend sections 87-303.01, 87-303.02, 87-303.03, 87-303.04, 87-303.05, 87-303.06, 87-303.07, 87-304, and 87-305, Reissue Revised Statutes of Nebraska, and section 87-302, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to deceptive trade practices; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 46:

Adams	Engel	Howard	Louden	Schimek
Aguilar	Erdman	Hudkins	McDonald	Stuthman
Ashford	Fischer	Janssen	McGill	Synowiecki
Avery	Flood	Johnson	Nantkes	Wallman
Burling	Friend	Karpisek	Nelson	White
Carlson	Fulton	Kopplin	Pahls	Wightman
Chambers	Gay	Kruse	Pankonin	
Christensen	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	
Dubas	Heidemann	Lautenbaugh	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Cornett

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB819 with 35 ayes, 5 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 819. With Emergency.

A BILL FOR AN ACT relating to labor; to amend sections 48-151, 48-668, and 48-668.02, Reissue Revised Statutes of Nebraska, sections 48-648, 48-648.01, and 48-654, Revised Statutes Cumulative Supplement, 2006, and sections 48-1,110, 48-612.01, 48-649, and 48-652, Revised Statutes Supplement, 2007; to change provisions relating to information disclosure, electronic payment, employer accounts, and unemployment compensation of the Employment Security Law and provisions relating to certain mental injuries in the Nebraska Workers' Compensation Act; to harmonize provisions; to provide operative dates; to repeal the original sections; 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, 27:

Aguilar	Dubas	Karpisek	Pahls	Synowiecki
Ashford	Flood	Kopplin	Pankonin	Wallman
Avery	Friend	Kruse	Pirsch	White
Carlson	Harms	Lathrop	Preister	
Cornett	Howard	McGill	Rogert	
Dierks	Johnson	Nantkes	Schimek	

Voting in the negative, 20:

Adams	Engel	Gay	Janssen	McDonald
Burling	Erdman	Hansen	Langemeier	Nelson
Chambers	Fischer	Heidemann	Lautenbaugh	Stuthman
Christensen	Fulton	Hudkins	Louden	Wightman

Excused and not voting, 2:

Pedersen Raikes

Having failed to receive a constitutional two-thirds majority voting in the affirmative, the bill failed to pass with the emergency clause attached. The question is, "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 28:

Aguilar	Dubas	Janssen	McGill	Schimek
Ashford	Engel	Johnson	Nantkes	Synowiecki
Avery	Flood	Karpisek	Pahls	Wallman
Carlson	Friend	Kopplin	Pankonin	White
Cornett	Harms	Kruse	Pirsch	
Dierks	Howard	Lathrop	Rogert	

Voting in the negative, 17:

Adams	Fischer	Heidemann	Louden	Wightman
Burling	Fulton	Hudkins	McDonald	
Christensen	Gay	Langemeier	Nelson	
Erdman	Hansen	Lautenbaugh	Stuthman	

Present and not voting, 2:

Chambers Preister

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 837.

A BILL FOR AN ACT relating to railroads; to amend section 74-1334, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to railroad crossings; and to repeal the original section.

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

Voting in the affirmative, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	White
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB846 with 39 ayes, 3 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 846.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 66-4,103, 66-697, and 66-6,109, Reissue Revised Statutes of Nebraska, sections 39-2215, 66-482, 66-485, 66-488, 66-489.01, 66-495.01, 66-499, 66-4,105, 66-4,114, 66-4,145, 66-4,146, 66-6,107, 66-6,111, and 66-726, Revised Statutes Cumulative Supplement, 2006, and sections 66-489 and 84-612, Revised Statutes Supplement, 2007; to provide and change taxes on motor fuels; to change allocation of tax proceeds; to provide for transfers from the Cash Reserve Fund; to harmonize provisions; to provide operative dates; and to repeal the original sections.

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

Voting in the affirmative, 39:

Adams	Dierks	Hansen	Kruse	Pankonin
Aguilar	Engel	Harms	Langemeier	Pirsch
Ashford	Erdman	Heidemann	Lautenbaugh	Preister
Avery	Fischer	Hudkins	Louden	Rogert
Burling	Flood	Janssen	McDonald	Stuthman
Carlson	Friend	Johnson	Nantkes	Wallman
Christensen	Fulton	Karpisek	Nelson	Wightman
Cornett	Gay	Kopplin	Pahls	

Voting in the negative, 5:

Chambers	Dubas	Howard	Schimek	Synowiecki
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Present and not voting, 3:

Lathrop	McGill	White
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Excused and not voting, 2:

Pedersen	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION - Return LB846A to Select File

Senator Fischer moved to return LB846A to Select File for the following specific amendment:

FA268

Strike the enacting clause.

Senator Fischer withdrew her motion to return.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 846A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 846, One Hundredth Legislature, Second Session, 2008.

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 40:

Adams	Erdman	Heidemann	Langemeier	Pankonin
Aguilar	Fischer	Howard	Lathrop	Pirsch
Avery	Flood	Hudkins	Lautenbaugh	Rogert
Carlson	Friend	Janssen	McDonald	Schimek
Christensen	Fulton	Johnson	McGill	Stuthman
Cornett	Gay	Karpisek	Nantkes	Synowiecki
Dierks	Hansen	Kopplin	Nelson	Wallman
Dubas	Harms	Kruse	Pahls	Wightman

Present and not voting, 6:

Ashford	Engel	Preister
Burling	Louden	White

Excused and not voting, 2:

Pedersen	Raikes
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Having failed to receive a constitutional majority voting in the affirmative, the bill failed to pass.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB911 with 33 ayes, 6 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 911.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-479, 60-4,112, 60-4,113, 60-4,117, 60-4,118.05, 60-4,122, 60-4,126, 60-4,127, 60-4,148, 60-4,149, 60-4,151, and 60-4,181, Reissue Revised Statutes of Nebraska, sections 60-484, 60-4,115, 60-4,144, and 60-4,150, Revised Statutes Cumulative Supplement, 2006, and sections 60-462, 60-463, 60-4,120.01, 60-4,123, and 60-4,124, Revised Statutes Supplement, 2007; to change provisions relating to issuance of motor vehicle operators' licenses and permits, commercial drivers' licenses, and state identification cards; to state intent; to define and redefine terms; to change provisions relating to examinations, issuance, and fees; to provide a surcharge; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 33:

Adams	Dierks	Fulton	Johnson	Pirsch
Aguilar	Dubas	Gay	Kruse	Preister
Avery	Engel	Hansen	Langemeier	Rogert
Burling	Erdman	Harms	Lautenbaugh	Stuthman
Carlson	Fischer	Heidemann	Louden	Wightman
Christensen	Flood	Hudkins	McDonald	
Cornett	Friend	Janssen	Pahls	

Voting in the negative, 9:

Ashford	Karpisek	Nantkes	Pankonin	White
Howard	McGill	Nelson	Schimek	

Present and not voting, 5:

Chambers	Kopplin	Lathrop	Synowiecki	Wallman
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Excused and not voting, 2:

Pedersen	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 911A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 911, One Hundredth Legislature, Second Session, 2008.

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

Voting in the affirmative, 39:

Adams	Cornett	Fulton	Kopplin	Pahls
Aguilar	Dierks	Gay	Kruse	Pirsch
Ashford	Dubas	Hansen	Langemeier	Preister
Avery	Engel	Harms	Lautenbaugh	Rogert
Burling	Erdman	Heidemann	Louden	Schimek
Carlson	Fischer	Hudkins	McDonald	Stuthman
Chambers	Flood	Janssen	McGill	Wightman
Christensen	Friend	Johnson	Nantkes	

Voting in the negative, 3:

Karpisek Nelson Pankonin

Present and not voting, 5:

Howard Lathrop Synowiecki Wallman White

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB928 with 32 ayes, 4 nays, 11 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 928. With Emergency.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 30-2483, 71-5830.01, 81-653, 81-655, and 81-659, Reissue Revised Statutes of Nebraska, sections 68-909, 71-810, 71-818, 81-656, and 81-660, Revised Statutes Cumulative Supplement, 2006, sections 38-101, 38-711, 38-1901, 38-1902, 38-1907, 38-1915, 38-3321, 43-4001, 68-949, 71-1910, 71-2619, 71-2620, 71-2621, 71-3503, 71-3505, 71-3507, 71-3508.03, 71-3517, 71-3519, 71-5306, 81-654, 81-657, and 81-664, Revised Statutes Supplement, 2007, and section 71-7608, Revised Statutes Supplement, 2007, as amended by section 7, Legislative Bill 606, One Hundredth Legislature, Second Session, 2008; to require notice of appointment of a personal representative as prescribed; to provide for the performance of collaborative animal health care tasks under the Uniform Credentialing Act as prescribed; to provide additional functions for certified registered nurse anesthetists; to define and redefine terms; to change provisions relating to medical radiographers, licensing and registration requirements under the Medical Radiography Practice Act and the Radiation Control Act, laboratories, and collection and use of fees; to change membership provisions of the Children's Behavioral Health Task Force; to change reporting requirements under the Medical Assistance Act; to rename, extend, and change membership and duties of the Behavioral Health Oversight Commission of the Legislature; to exempt certain recreational facilities from the Child Care Licensing Act; to provide for fingerprinting and a background check under the Radiation Control Act; to change an exemption from certificate of need requirements; to change provisions relating to the Nebraska Tobacco Settlement Trust Fund; to name an act and

change and eliminate provisions relating to the brain injury registry; to repeal the Hepatitis C Education and Prevention Act; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 71-545, 71-546, 71-547, 71-548, 71-549, 71-550, and 81-661, 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, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	White
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen Raikes

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 928A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 928, One Hundredth Legislature, Second Session, 2008; and to reduce certain appropriations.

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

Voting in the affirmative, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	White
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB986 with 38 ayes, 3 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 986.

A BILL FOR AN ACT relating to recycling; to amend sections 81-1504.01 and 81-15,160, Revised Statutes Supplement, 2007; to adopt the Electronics Recycling Act; to provide fees; to provide for a report regarding and grants from the Waste Reduction and Recycling Incentive Fund; to delete obsolete provisions; to harmonize provisions; to provide severability; and to repeal the original sections.

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

Voting in the affirmative, 42:

Adams	Dubas	Hudkins	McDonald	Schimek
Aguilar	Engel	Janssen	McGill	Stuthman
Ashford	Fischer	Johnson	Nantkes	Synowiecki
Avery	Flood	Karpisek	Nelson	Wallman
Carlson	Fulton	Kopplin	Pahls	White
Chambers	Gay	Kruse	Pankonin	Wightman
Christensen	Harms	Langemeier	Pirsch	
Cornett	Heidemann	Lathrop	Preister	
Dierks	Howard	Lautenbaugh	Rogert	

Voting in the negative, 4:

Burling	Erdman	Hansen	Louden
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Present and not voting, 1:

Friend

Excused and not voting, 2:

Pedersen	Raikes
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 986A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 986, One Hundredth Legislature, Second Session, 2008.

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

Voting in the affirmative, 38:

Adams	Dubas	Hudkins	Lautenbaugh	Schimek
Aguilar	Engel	Janssen	McDonald	Stuthman
Avery	Fischer	Johnson	McGill	Synowiecki
Carlson	Flood	Karpisek	Nantkes	Wallman
Chambers	Fulton	Kopplin	Pankonin	White
Christensen	Gay	Kruse	Pirsch	Wightman
Cornett	Harms	Langemeier	Preister	
Dierks	Howard	Lathrop	Rogert	

Voting in the negative, 3:

Erdman Friend Louden

Present and not voting, 6:

Ashford Hansen Nelson
Burling Heidemann Pahls

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1022 with 32 ayes, 4 nays, 11 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1022.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Veterinary Drug Distribution Licensing Act; to provide a penalty; and to provide an operative date.

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

Voting in the affirmative, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	White
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1027 with 36 ayes, 3 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1027.

A BILL FOR AN ACT relating to agriculture; to amend section 77-5204, Reissue Revised Statutes of Nebraska, and sections 77-202, 77-5201, 77-5203, 77-5208, 77-5209, 77-5211, and 77-5215, Revised Statutes Cumulative Supplement, 2006; to exempt certain agricultural and horticultural machinery and equipment from property taxation; to redefine a term; to provide exemption procedures; to change provisions of the Beginning Farmer Tax Credit Act; to provide for applicability; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	White
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1027A.

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.

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

Voting in the affirmative, 47:

Adams	Dubas	Heidemann	Lautenbaugh	Rogert
Aguilar	Engel	Howard	Louden	Schimek
Ashford	Erdman	Hudkins	McDonald	Stuthman
Avery	Fischer	Janssen	McGill	Synowiecki
Burling	Flood	Johnson	Nantkes	Wallman
Carlson	Friend	Karpisek	Nelson	White
Chambers	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pirsch	
Dierks	Harms	Lathrop	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1055 with 39 ayes, 3 nays, 3 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1055. With Emergency.

A BILL FOR AN ACT relating to animals; to amend sections 54-607, 54-608, 54-610, 54-611, 54-613, 54-614, 54-615, 54-616, 54-617, 54-618, 54-619, 54-620, 54-623, and 54-624, Reissue Revised Statutes of Nebraska, sections 28-1014, 28-1015, and 28-1016, Revised Statutes Cumulative Supplement, 2006, and sections 28-101, 28-1008, and 28-1013, Revised Statutes Supplement, 2007; to prohibit certain association with animals as prescribed; to change and eliminate provisions relating to dogs running at

large and dangerous dogs; to define and redefine terms; to provide and change penalties; to provide powers and duties for certain political subdivisions; to harmonize provisions; to repeal the original sections; to outright repeal section 54-609, Reissue Revised Statutes of Nebraska; 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, 44:

Adams	Dubas	Heidemann	Lathrop	Preister
Aguilar	Engel	Howard	Lautenbaugh	Rogert
Ashford	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Chambers	Friend	Karpisek	Nelson	Wallman
Christensen	Gay	Kopplin	Pahls	White
Cornett	Hansen	Kruse	Pankonin	Wightman
Dierks	Harms	Langemeier	Pirsch	

Voting in the negative, 0.

Present and not voting, 1:

Louden

Excused and not voting, 4:

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1147 with 36 ayes, 5 nays, 4 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1147. With Emergency.

A BILL FOR AN ACT relating to retirement; to amend sections 79-933, 79-947.04, and 81-2027.06, Reissue Revised Statutes of Nebraska, sections 23-2306, 23-2309.01, 23-2310.05, 24-708, 24-710.07, 24-710.10, 81-2027.03, 84-1307, 84-1310.01, and 84-1311.03, Revised Statutes

Cumulative Supplement, 2006, and sections 23-2320, 79-947.01, and 84-1322, Revised Statutes Supplement, 2007; to change contribution allocation provisions and contribution requirements under the County Employees Retirement Act and the State Employees Retirement Act; to provide for early retirement with reduced monthly retirement income under the Judge's Retirement Act; to change benefit adjustment provisions relating to the Judges Retirement Act, the School Employees Retirement Act, and the Nebraska State Patrol Retirement Act; to change provisions relating to service annuities under the School Employees Retirement Act; to provide for a comprehensive review of the Nebraska Investment Council; to provide operative dates; to repeal the original sections; 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, 45:

Adams	Dubas	Heidemann	Lathrop	Pirsch
Aguilar	Engel	Howard	Lautenbaugh	Preister
Ashford	Erdman	Hudkins	Louden	Rogert
Avery	Fischer	Janssen	McDonald	Schimek
Burling	Flood	Johnson	McGill	Stuthman
Chambers	Friend	Karpisek	Nantkes	Synowiecki
Christensen	Gay	Kopplin	Nelson	Wallman
Cornett	Hansen	Kruse	Pahls	White
Dierks	Harms	Langemeier	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Carlson	Fulton	Pedersen	Raikes
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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 bills were read and put upon final passage:

LEGISLATIVE BILL 1147A.

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.

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

Voting in the affirmative, 45:

Adams	Dubas	Heidemann	Lathrop	Pirsch
Aguilar	Engel	Howard	Lautenbaugh	Preister
Ashford	Erdman	Hudkins	Louden	Rogert
Avery	Fischer	Janssen	McDonald	Schimek
Burling	Flood	Johnson	McGill	Stuthman
Chambers	Friend	Karpisek	Nantkes	Synowiecki
Christensen	Gay	Kopplin	Nelson	Wallman
Cornett	Hansen	Kruse	Pahls	White
Dierks	Harms	Langemeier	Pankonin	Wightman

Voting in the negative, 0.

Excused and not voting, 4:

Carlson Fulton Pedersen Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1172.

A BILL FOR AN ACT relating to agriculture; to adopt the Food Supply Animal Veterinary Incentive Program Act.

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

Voting in the affirmative, 48:

Adams	Dubas	Heidemann	Lautenbaugh	Preister
Aguilar	Engel	Howard	Louden	Rogert
Ashford	Erdman	Hudkins	McDonald	Schimek
Avery	Fischer	Janssen	McGill	Stuthman
Burling	Flood	Johnson	Nantkes	Synowiecki
Carlson	Friend	Karpisek	Nelson	Wallman
Chambers	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	Wightman
Cornett	Hansen	Langemeier	Pedersen	
Dierks	Harms	Lathrop	Pirsch	

Voting in the negative, 0.

Excused and not voting, 1:

Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1172A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1172, One Hundredth Legislature, Second Session, 2008.

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

Voting in the affirmative, 47:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Schimek
Ashford	Fischer	Janssen	McGill	Stuthman
Avery	Flood	Johnson	Nantkes	Synowiecki
Burling	Friend	Karpisek	Nelson	Wallman
Carlson	Fulton	Kopplin	Pahls	White
Chambers	Gay	Kruse	Pankonin	Wightman
Christensen	Hansen	Langemeier	Pedersen	
Dierks	Harms	Lathrop	Pirsch	
Dubas	Heidemann	Lautenbaugh	Preister	

Voting in the negative, 0.

Present and not voting, 1:

Cornett

Excused and not voting, 1:

Raikes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 229CA.

THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2008 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article XIII, section 2:

XIII-2 Notwithstanding any other provision in the Constitution, the Legislature may authorize any county or incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property suitable for use by manufacturing or industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. The Legislature may also authorize such county, city, or village to acquire, own, develop, and lease real and personal property suitable for use by enterprises as determined by law if such property is located in blighted areas as determined by law and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing or financing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any real or personal property acquired, owned, developed, or used by any such county, city, or village pursuant to this section shall be subject to taxation to the same extent as private property during the time it is leased to or held by private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, owning, developing, and leasing of such property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenue therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof.

Notwithstanding any other provision in the Constitution, the Legislature may also authorize any incorporated city or village, including cities operating under home rule charters, to appropriate ~~from local sources of revenue~~ such funds as may be deemed necessary for an economic or industrial development project or program subject to approval by a vote of a majority of the registered voters of such city or village voting upon the question. ~~For purposes of this provision, funds from local sources of revenue shall mean funds raised from general taxes levied by the city or village and shall not include any funds received by the city or village which are derived from state or federal sources.~~

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the powers of municipalities relating to fund sources for economic or industrial development.

For

Against.

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

Voting in the affirmative, 46:

Adams	Engel	Howard	Louden	Rogert
Aguilar	Erdman	Hudkins	McDonald	Stuthman
Ashford	Fischer	Janssen	McGill	Synowiecki
Avery	Flood	Johnson	Nantkes	Wallman
Burling	Friend	Karpisek	Nelson	White
Carlson	Fulton	Kopplin	Pahls	Wightman
Christensen	Gay	Kruse	Pankonin	
Cornett	Hansen	Langemeier	Pedersen	
Dierks	Harms	Lathrop	Pirsch	
Dubas	Heidemann	Lautenbaugh	Preister	

Voting in the negative, 0.

Present and not voting, 2:

Chambers Schimek

Excused and not voting, 1:

Raikes

A constitutional three-fifths majority having voted in the affirmative, the resolution was declared passed for the general election.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 308, 308A, 469, 609, 609A, 720, 734, 746, 781, 819, 837, 846, 911, 911A, 928, 928A, 986, 986A, 1022, 1027, 1027A, 1055, 1147, 1147A, 1172, 1172A, and LR229CA.

RESOLUTIONS

LEGISLATIVE RESOLUTION 378. Read. Considered.

LEGISLATIVE RESOLUTION 391. Read. Considered.

LEGISLATIVE RESOLUTION 392. Read. Considered.

LEGISLATIVE RESOLUTION 393. Read. Considered.

LEGISLATIVE RESOLUTION 394. Read. Considered.

LEGISLATIVE RESOLUTION 395. Read. Considered.

LEGISLATIVE RESOLUTION 396. Read. Considered.

LEGISLATIVE RESOLUTION 397. Read. Considered.

LEGISLATIVE RESOLUTION 398. Read. Considered.

LEGISLATIVE RESOLUTION 401. Read. Considered.

LRs 378, 391, 392, 393, 394, 395, 396, 397, 398, and 401 were adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 378, 391, 392, 393, 394, 395, 396, 397, 401, and 238.

REFERENCE COMMITTEE REPORT

2008 Resolutions calling for an Interim Study

- LR402 Interim study to examine various state aid to county programs
Appropriations
- LR403 Interim study to examine retirement plans for law enforcement
personnel of political subdivisions
Nebraska Retirement Systems

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

COMMITTEE REPORT Enrollment and Review

Correctly Enrolled

The following bill was correctly enrolled: LB819.

(Signed) Amanda McGill, Chairperson

MESSAGES FROM THE GOVERNOR

April 17, 2008

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 895e and 853 were received in my office on April 15, 2008.

I signed these bills and delivered them to the Secretary of State on April 17, 2008.

Sincerely,
(Signed) Dave Heineman
Governor

April 17, 2008

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 745, 806, 830, 830A, 907, 953, 956, 995, 1072e, 1153e, and 1165 were received in my office on April 16, 2008.

I signed these bills and delivered them to the Secretary of State on April 17, 2008.

Sincerely,
(Signed) Dave Heineman
Governor

VISITORS

Visitors to the Chamber were 28 fourth-grade students from St. Wenceslaus, Wahoo; Senator Kruse's sister and niece, Lois Whitefoot and Patti Nielsen, from Lincoln; Senator Erdman's parents, Steve and Cathy Erdman, from Bayard; 52 fourth-grade students and teachers from Parkview Heights, La Vista; 84 fourth-grade students from Benson West Elementary, Omaha; and Senator Synowiecki's brother, mother, and niece, Bob and Rose Synowiecki and McKenzie Emsick, from Omaha.

RECESS

At 11:14 a.m., on a motion by Senator Hansen, 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 Senators Ashford and Synowiecki who were excused until they arrive.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 17, 2008, at 11:25 a.m. were the following: LBs 308e, 308A, 469, 609, 609Ae, 720, 734, 746, 781, 819, 837, 846, 911, 911A, 928e, 928A, 986, 986A, 1022, 1027, 1027A, 1055e, 1147e, 1147A, 1172, and 1172A.

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

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on April 17, 2008, at 11:25 a.m. was the following: LR229CA.

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

MOTION - Override Veto on LB245

Senator Johnson offered the following motion to LB245:

MO184

Becomes law notwithstanding the objections of the Governor.

SPEAKER FLOOD PRESIDING

Senator Harms moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 37 ayes, 1 nay, and 11 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 47 ayes, 0 nays, and 2 not voting.

Senator Johnson requested a roll call vote, in reverse order, on his motion to override.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?'"

Voting in the affirmative, 31:

Aguilar	Fulton	Karpisek	Pahls	Synowiecki
Ashford	Gay	Kopplin	Pankonin	Wallman
Avery	Harms	Kruse	Pedersen	Wightman
Carlson	Howard	Lathrop	Pirsch	
Chambers	Hudkins	McGill	Raikes	
Engel	Janssen	Nantkes	Rogert	
Flood	Johnson	Nelson	Schimek	

Voting in the negative, 4:

Christensen Hansen Louden Preister

Present and not voting, 14:

Adams	Dierks	Fischer	Langemeier	Stuthman
Burling	Dubas	Friend	Lautenbaugh	White
Cornett	Erdman	Heidemann	McDonald	

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

The Chair declared the call raised.

MOTION - Override Veto on LB245A

Senator Johnson offered the following motion to LB245A:
MO185

Becomes law notwithstanding the objections of the Governor.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 33:

Aguilar	Fulton	Karpisek	Nelson	Schimek
Ashford	Gay	Kopplin	Pahls	Stuthman
Avery	Harms	Kruse	Pankonin	Synowiecki
Carlson	Howard	Lathrop	Pedersen	Wallman
Chambers	Hudkins	McDonald	Pirsch	Wightman
Engel	Janssen	McGill	Raikes	
Flood	Johnson	Nantkes	Rogert	

Voting in the negative, 2:

Christensen Preister

Present and not voting, 14:

Adams	Dierks	Fischer	Heidemann	Louden
Burling	Dubas	Friend	Langemeier	White
Cornett	Erdman	Hansen	Lautenbaugh	

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

COMMUNICATION

April 17, 2008

The Honorable John Gale
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB245 with a certificate attached thereto signed by the President of the Legislature certifying the passage of LB245, notwithstanding the objections of the Governor.

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

PJO:jk
Enc.

CERTIFICATE

Legislative Bill 245, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, has become law this 17th day of April 2008.

(Signed) Michael Flood
President of the Legislature

COMMUNICATION

April 17, 2008

The Honorable John Gale
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB245A with a certificate attached thereto signed by the President of the Legislature certifying the passage of LB245A, notwithstanding the objections of the Governor.

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

PJO:jk
Enc.

CERTIFICATE

Legislative Bill 245A, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, has become law this 17th day of April 2008.

(Signed) Michael Flood
President of the Legislature

COMMUNICATION

April 17, 2008

The Honorable John Gale
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Secretary:

Consistent with our rules, I am forwarding LB1154A for deposit in your office. Legislative rules require us to deliver the bill to your office following the receipt of a veto message when no motion to override has been offered.

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

PJO:jk

PRESIDENT SHEEHY PRESIDING**RESOLUTION**

LEGISLATIVE RESOLUTION 404. Read. Considered.

LR404 was adopted with 48 ayes, 0 nays, and 1 present and not voting.

MOTION - Notify Governor

Senator Hudkins moved that a committee of five be appointed to notify the Governor that the One Hundredth Legislature, Second Session of the Nebraska Legislature, is about to complete its work, and to return with any message the Governor may have for the Legislature.

The motion prevailed.

The Chair appointed Senators Engel, Erdman, Hudkins, Janssen, and Schimek to serve on said committee.

The committee returned and escorted Governor Dave Heineman to the rostrum where he delivered a message to the members.

The committee escorted Governor Dave Heineman from the Chamber.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 398 and 404.

PRESIDENT SHEEHY PRESIDING

MOTION - Disposition of Bills

Senator Raikes moved that all bills not otherwise disposed of, excluding bills on Final Reading and vetoed or line-item vetoed bills on this date, be indefinitely postponed.

The motion prevailed.

MOTION - Committee Records

Senator Preister moved that the chairpersons of all standing committees file with the Clerk of the Legislature all standing committee records so that a proper record may be made of the final disposition of all bills.

The motion prevailed.

MOTION - Printing of Journal, Session Laws, and Indexes

Senator Janssen moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell.

The motion prevailed.

MOTION - Delivery of Journal and Session Laws

Senator Pedersen moved that the Clerk of the Legislature be directed to send to each member of the Legislature a copy of the loose-leaf session laws and of the permanent Journal and Session Laws.

The motion prevailed.

MOTION - Sixtieth Day Journal

Senator Schimek moved that the Journal for the Sixtieth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

VISITORS

Visitor to the Chamber was Charlie Bolin from Lincoln.

The Doctor of the Day was Dr. Preston Renshaw from O'Neill.

MOTION - Adjourn Sine Die

Senator Engel moved that the One Hundredth Legislature, Second Session of the Nebraska Legislature, having finished all business before it, now at 4:39 p.m., adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell
Clerk of the Legislature

