

THIRTY-NINTH DAY - MARCH 5, 2009**LEGISLATIVE JOURNAL****ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION****THIRTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 5, 2009

PRAYER

The prayer was offered by Pastor Jimmy Shelbourn, First Presbyterian Church, Beatrice.

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 Cook, Council, and Wightman who were excused; and Senators Ashford, Christensen, Cornett, Dierks, Friend, Schilz, and Sullivan who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

COMMITTEE REPORT

Government, Military and Veterans Affairs

LEGISLATIVE BILL 273. Placed on General File with amendment.
AM550

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. Section 33-117, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 33-117 (1) The several sheriffs shall charge and collect
- 6 fees at the rates specified in this section. The rates shall be
- 7 as follows: (a) Serving a capias with commitment or bail bond and
- 8 return, two dollars; (b) serving a search warrant, two dollars; (c)
- 9 arresting under a search warrant, two dollars for each person so
- 10 arrested; (d) unless otherwise specifically listed in subdivisions
- 11 (f) to (s) of this subsection, serving a summons, subpoena, order
- 12 of attachment, order of replevin, other order of the court, notice
- 13 of motion, other notice, other writ or document, or any combination

14 thereof, including any accompanying or attached documents, ~~ten~~
 15 twelve dollars for each person served, except that when more than
 16 one person is served at the same time and location in the same
 17 case, the service fee shall be ~~ten-twelve~~ dollars for the first
 18 person served at that time and location and ~~two-three~~ dollars ~~and~~
 19 ~~fifty cents~~ for each other person served at that time and location;
 20 (e) making a return of each summons, subpoena, order of attachment,
 21 order of replevin, other order of the court, notice of motion,
 22 other notice, or other writ or document, whether served or not,
 23 ~~five-six~~ dollars; (f) taking and filing a replevin bond or other
 1 indemnification to be furnished and approved by the sheriff, one
 2 dollar; (g) making a copy of any process, bond, or other paper not
 3 otherwise provided for in this section, twenty-five cents per page;
 4 (h) traveling each mile actually and necessarily traveled within
 5 or without their several counties in their official duties, three
 6 cents more per mile than the rate provided in section 81-1176,
 7 except that the minimum fee shall be fifty cents when the service
 8 is made within one mile of the courthouse, and, as far as is
 9 expedient, all papers in the hands of the sheriff at any one time
 10 shall be served in one or more trips by the most direct route
 11 or routes and only one mileage fee shall be charged for a single
 12 trip, the total mileage cost to be computed as a unit for each
 13 trip and the combined mileage cost of each trip to be prorated
 14 among the persons or parties liable for the payment of same;
 15 (i) levying a writ or a court order and return thereof, ~~fifteen~~
 16 eighteen dollars; (j) summoning a grand jury, not including mileage
 17 to be paid by the county, ten dollars; (k) summoning a petit jury,
 18 not including mileage to be paid by the county, twelve dollars;
 19 (l) summoning a special jury, for each person impaneled, fifty
 20 cents; (m) calling a jury for a trial of a case or cause, fifty
 21 cents; (n) executing a writ of restitution or a writ of assistance
 22 and return, ~~fifteen-eighteen~~ dollars; (o) calling an inquest to
 23 appraise lands and tenements levied on by execution, one dollar;
 24 (p) calling an inquest to appraise goods and chattels taken by an
 25 order of attachment or replevin, one dollar; (q) advertising a sale
 26 in a newspaper in addition to the price of printing, one dollar;
 27 (r) advertising in writing for a sale of real or personal property,
 1 five dollars; and (s) making deeds for land sold on execution or
 2 order of sale, five dollars.

3 (2)(a) Except as provided in subdivision (b) of this
 4 subsection, the commission due a sheriff on an execution or order
 5 of sale, an order of attachment decree, or a sale of real or
 6 personal property shall be: For each dollar not exceeding four
 7 hundred dollars, six cents; for every dollar above four hundred
 8 dollars and not exceeding one thousand dollars, four cents; and for
 9 every dollar above one thousand dollars, two cents.

10 (b) In real estate foreclosure, when any party to the
 11 original action purchases the property or when no money is received
 12 or disbursed by the sheriff, the commission shall be computed

13 pursuant to subdivision (a) of this subsection but shall not exceed
14 two hundred dollars.

15 (3) The sheriff shall, on the first Tuesday in January,
16 April, July, and October of each year, make a report to the county
17 board showing (a) the different items of fees, except mileage,
18 collected or earned, from whom, at what time, and for what service,
19 (b) the total amount of the fees collected or earned by the officer
20 since the last report, and (c) the amount collected or earned for
21 the current year. He or she shall pay all fees earned to the county
22 treasurer who shall credit the fees to the general fund of the
23 county.

24 (4) Any future adjustment made to the reimbursement rate
25 provided in subsection (1) of this section shall be deemed to
26 apply to all provisions of law which refer to this section for the
27 computation of mileage.

1 (5) Commencing on and after January 1, 1988, all fees
2 earned pursuant to this section, except fees for mileage, by any
3 constable who is a salaried employee of the State of Nebraska shall
4 be remitted to the clerk of the county court. The clerk of the
5 county court shall pay the same to the General Fund.

6 Sec. 2. Original section 33-117, Reissue Revised Statutes
7 of Nebraska, is repealed.

8 Sec. 3. Since an emergency exists, this act takes effect
9 when passed and approved according to law.

(Signed) Bill Avery, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 44. Introduced by McCoy, 39.

WHEREAS, Tyler Meuret, of Troop 549 in Omaha, Nebraska, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Tyler has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Tyler built four display stands for Omaha's Henry Doorly Zoo to hold aquariums, reptiles, and insects for public viewing. The display stands will also be used during educational classes to display educational material. Tyler taught swimming lessons to children for several weeks in order to earn money for his project; and

WHEREAS, only five percent of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Tyler, through his hard work and perseverance, will join other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Tyler Meuret on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Tyler Meuret.

Laid over.

ANNOUNCEMENT

Senator Wightman designates LB121 as his priority bill.

NOTICE OF COMMITTEE HEARING General Affairs

Room 1510

Monday, March 23, 2009 1:30 p.m.

Stanley Elsasser - State Electrical Board
George Morrissey - State Electrical Board
Jeanne Ross - Nebraska Arts Council
Louise Kent - Nebraska Arts Council
Vicki Bromm - Nebraska Arts Council
Robert Nefsky - Nebraska Arts Council
Julie Jacobson - Nebraska Arts Council

(Signed) Russ Karpisek, Chairperson

AMENDMENT - Print in Journal

Senator Loudon filed the following amendment to LB184:
AM543

- 1 1. On page 2, strike lines 8 through 23 and insert the
- 2 following new subdivisions:
- 3 "(2)(a) The department is authorized to administer any
- 4 riparian water right that has been validated and recognized in a
- 5 court order from a court of lawful jurisdiction in the state.
- 6 (b) The only surface water appropriations that may be
- 7 closed for a riparian water right are appropriations held by
- 8 persons who were parties to the lawsuit validating the riparian
- 9 water right or appropriations with a priority date subsequent to
- 10 the date of the court order."

REPORT

The following report was received by the Legislature:

Revenue, Nebraska Department of

Redevelopment Projects for Cities Using Tax Increment Financing in
2008

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 4, 2009, 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

Abdouch, Michael D.
Vickers, Tom
Peetz, Natalie, Peetz & Company
Coventry Insurance
Ruth Mueller Robak LLC
Complete Nutrition, Inc.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 35 and 36 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 35 and 36.

MOTION - Withdraw LR7

Senator Fulton renewed his motion, MO20, found on page 645, to withdraw LR7.

The Fulton motion to withdraw the resolution prevailed with 30 ayes, 0 nays, 9 present and not voting, and 10 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 483. Title read. Considered.

Committee AM502, found on page 606, was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

COMMITTEE REPORTS

Transportation and Telecommunications

LEGISLATIVE BILL 60. Placed on General File.

LEGISLATIVE BILL 111. Placed on General File.

LEGISLATIVE BILL 278. Placed on General File.

LEGISLATIVE BILL 222. Indefinitely postponed.

LEGISLATIVE BILL 225. Indefinitely postponed.

LEGISLATIVE BILL 323. Indefinitely postponed.

LEGISLATIVE BILL 329. Indefinitely postponed.

LEGISLATIVE BILL 398. Indefinitely postponed.

LEGISLATIVE BILL 560. Indefinitely postponed.

LEGISLATIVE BILL 642. Indefinitely postponed.

(Signed) Deb Fischer, Chairperson

NOTICE OF COMMITTEE HEARING

Judiciary

Room 1113

Thursday, March 12, 2009 1:30 p.m.

LB82

LB284

LB265

(Signed) Brad Ashford, Chairperson

ANNOUNCEMENT

The Transportation and Telecommunications Committee designates LB497 as its priority bill.

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 260. Placed on Select File with amendment.
ER8026

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Sections 1 to 11 of this act shall be known
- 4 and may be cited as the Nebraska Claims for Wrongful Conviction and
- 5 Imprisonment Act.

6 Sec. 2. The Legislature finds that innocent persons who
7 have been wrongfully convicted of crimes and subsequently imprisoned
8 have been uniquely victimized, have distinct problems reentering
9 society, and have difficulty achieving legal redress due to a
10 variety of substantive and technical obstacles in the law. The
11 Legislature also finds that such persons should have an available
12 avenue of redress. In light of the particular and substantial
13 horror of being imprisoned for a crime one did not commit,
14 the Legislature intends by enactment of the Nebraska Claims for
15 Wrongful Conviction and Imprisonment Act that persons who can
16 demonstrate that they were wrongfully convicted shall have a claim
17 against the state as provided in the act.

18 Sec. 3. In order to recover under the Nebraska Claims for
19 Wrongful Conviction and Imprisonment Act, the claimant shall prove
20 each of the following by clear and convincing evidence:

21 (1) That he or she was convicted of one or more felony
22 crimes and subsequently sentenced to a term of imprisonment for
23 such felony crime or crimes and has served all or any part of the
1 sentence;

2 (2) That the Board of Pardons has pardoned the claimant
3 or that a court has vacated the conviction of the claimant based
4 upon a finding that the claimant was innocent of the felony crimes
5 for which he or she was convicted; and

6 (3) That he or she did not commit or suborn perjury,
7 fabricate evidence, or otherwise make a false statement to cause
8 or bring about his or her conviction or the conviction of another.
9 However, neither a guilty plea, nor a confession or admission
10 coerced by law enforcement and later found to be false, constitutes
11 bringing about his or her own conviction.

12 Sec. 4. (1) A claimant under the Nebraska Claims
13 for Wrongful Conviction and Imprisonment Act shall recover the
14 following damages found by a preponderance of the evidence to
15 directly result from the wrongful conviction:

16 (a) For a loss of the claimant's freedom, an amount equal
17 to twenty-five thousand dollars for each year of imprisonment or
18 fifty thousand dollars for each year spent on death row;

19 (b) Physical and emotional pain and suffering experienced
20 by the claimant to date and reasonably certain to be experienced in
21 the future;

22 (c) Lost wages and lost earning capacity;

23 (d) Medical expenses incurred in the treatment of the
24 claimant's injuries to date and reasonably certain to be incurred
25 in the future;

26 (e) The reasonable costs of necessary vocational
27 rehabilitation to restore the claimant's earning capacity to a
1 level equivalent to his or her earning capacity immediately prior
2 to the wrongful conviction; and

3 (f) Costs incurred with his or her criminal defense and
4 expenses related to establishing the claimant's innocence.

5 (2) The following costs shall not offset damages:

6 (a) Costs of imprisonment; and

7 (b) Value of any care or education provided to the
8 claimant while he or she is imprisoned.

9 (3) No damages shall be payable to the claimant for those
10 periods of time during which he or she was imprisoned for any
11 unrelated criminal offense.

12 Sec. 5. Upon successful presentation of a claim under the
13 Nebraska Claims for Wrongful Conviction and Imprisonment Act, the
14 claimant shall receive an award of reasonable attorney's fees to be
15 determined by the court.

16 Sec. 6. If the court finds that any property of the
17 claimant was subjected to a lien pursuant to defense services
18 rendered by the state to defend the client in connection with the
19 criminal case that resulted in his or her wrongful conviction, the
20 court shall extinguish the lien.

21 Sec. 7. The Board of Pardons, upon the issuance of a
22 full pardon on or after the effective date of this act, shall
23 provide a copy of the Nebraska Claims for Wrongful Conviction and
24 Imprisonment Act at the time the pardon is issued to the individual
25 pardoned. The individual shall acknowledge, in writing, his or
26 her receipt of a copy of the act on a form established by the
1 board, which acknowledgement shall be retained on file by the board
2 as part of its official records and shall be admissible in any
3 proceeding filed by a claimant under the act.

4 Sec. 8. (1) Upon obtaining a postconviction exoneration
5 for actual innocence through either a pardon based on innocence
6 from an erroneous felony conviction or a judicial order vacating or
7 reversing an erroneous felony conviction, a person may petition the
8 district court in which the erroneous felony conviction occurred
9 for an order to expunge all records of the erroneous felony
10 conviction. The petition shall be accompanied by a certified
11 copy of the pardon or judicial order vacating or reversing the
12 erroneous felony conviction. The petitioner shall serve a copy of
13 the petition on the county attorney of the county in which the
14 erroneous felony conviction occurred. If the county attorney files
15 no objection to the petition, the court may grant the petition.

16 (2) If the county attorney files an objection to the
17 petitioner's request for expunging the criminal record of the
18 erroneous felony conviction, the court shall conduct a hearing on
19 the matter.

20 (3) If a court determines that the petition is warranted
21 and orders the expunction of all records pertaining to the
22 petitioner's erroneous felony conviction, a law enforcement agency
23 may gain access to such person's expunged records only with a court
24 order upon good cause showing that access to the expunged records
25 is required for the performance of official law enforcement duties.

26 (4) If a court determines that the petition is warranted
and orders the expunction of all records pertaining to the

27 petitioner's erroneous felony conviction, the court shall notify
1 the Nebraska State Patrol and any other law enforcement agency to
2 expunge all records pertaining to the petitioner's erroneous felony
3 conviction.

4 (5) The Nebraska State Patrol, any other law enforcement
5 agency involved, and the court shall provide written notice of the
6 expunction by certified mail to the petitioner.

7 (6) A person who obtains a court order to expunge all
8 records pertaining to such person's erroneous felony conviction may
9 lawfully answer and swear under oath that an arrest, prosecution,
10 or conviction pertaining to the erroneous conviction never
11 occurred.

12 (7) Any party may appeal a final order granting or
13 denying the expunction of records pertaining to the erroneous
14 felony conviction.

15 Sec. 9. Nothing contained in the Nebraska Claims for
16 Wrongful Conviction and Imprisonment Act shall preclude the state
17 from providing services to the claimant upon exoneration, and
18 the reasonable value of services provided shall be treated as an
19 advance against any award or judgment.

20 Sec. 10. Claims brought pursuant to the Nebraska Claims
21 for Wrongful Conviction and Imprisonment Act shall be made under
22 the State Tort Claims Act.

23 Sec. 11. Nothing in the Nebraska Claims for Wrongful
24 Conviction and Imprisonment Act shall limit the claimant from
25 making any other claim available against any other party or based
26 upon any other theory of recovery.

27 Sec. 12. Section 81-8,210, Reissue Revised Statutes of
1 Nebraska, is amended to read:

2 81-8,210 For purposes of the State Tort Claims Act:

3 (1) State agency includes all departments, agencies,
4 boards, bureaus, and commissions of the State of Nebraska and
5 corporations the primary function of which is to act as, and
6 while acting as, instrumentalities or agencies of the State of
7 Nebraska but shall not include corporations that are essentially
8 private corporations or entities created pursuant to the Interlocal
9 Cooperation Act or the Joint Public Agency Act. State agency does
10 not include any contractor with the State of Nebraska;

11 (2) State Claims Board means the board created by section
12 81-8,220;

13 (3) Employee of the state means any one or more officers
14 or employees of the state or any state agency and shall include
15 duly appointed members of boards or commissions when they are
16 acting in their official capacity. State employee does not include
17 any employee of an entity created pursuant to the Interlocal
18 Cooperation Act or the Joint Public Agency Act or any contractor
19 with the State of Nebraska;

20 (4) Tort claim means any claim against the State of
21 Nebraska for money only on account of damage to or loss of property

22 or on account of personal injury or death caused by the negligent
 23 or wrongful act or omission of any employee of the state, while
 24 acting within the scope of his or her office or employment, under
 25 circumstances in which the state, if a private person, would be
 26 liable to the claimant for such damage, loss, injury, or death but
 27 does not include any claim accruing before January 1, 1970, ~~and any~~
 1 claim against an employee of the state for money only on account
 2 of damage to or loss of property or on account of personal injury
 3 or death caused by the negligent or wrongful act or omission of
 4 the employee while acting within the scope of his or her employment
 5 occurring on or after August 25, 1989, and any claim allowed under
 6 the Nebraska Claims for Wrongful Conviction and Imprisonment Act;

7 (5) Award means any amount determined by the Risk Manager
 8 or State Claims Board to be payable to a claimant under section
 9 81-8,211 or the amount of any compromise or settlement under
 10 section 81-8,218; and

11 (6) Risk Manager means the Risk Manager appointed under
 12 section 81-8,239.01.

13 Sec. 13. Section 81-8,227, Reissue Revised Statutes of
 14 Nebraska, is amended to read:

15 81-8,227 (1) Except as provided in subsection (2) of this
 16 section, every ~~Every~~ tort claim permitted under the State Tort
 17 Claims Act shall be forever barred unless within two years after
 18 such claim accrued the claim is made in writing to the Risk Manager
 19 in the manner provided by such act. The time to begin suit under
 20 such act shall be extended for a period of six months from the date
 21 of mailing of notice to the claimant by the Risk Manager or State
 22 Claims Board as to the final disposition of the claim or from the
 23 date of withdrawal of the claim under section 81-8,213 if the time
 24 to begin suit would otherwise expire before the end of such period.

25 (2)(a) The date of a qualifying pardon from the Board of
 26 Pardons or a vacation of a conviction by a court shall be the date
 27 the claimant's claim shall accrue under the Nebraska Claims for
 1 Wrongful Conviction and Imprisonment Act for purposes of complying
 2 with the notice and filing requirements of the State Tort Claims
 3 Act.

4 (b) A claim for compensation brought under the Nebraska
 5 Claims for Wrongful Conviction and Imprisonment Act shall be filed
 6 within two years after either the grant of a pardon or the grant of
 7 judicial relief. Any action by the state challenging or appealing
 8 the grant of such judicial relief shall toll the two-year period.
 9 Persons convicted, incarcerated, and released from custody prior to
 10 the effective date of this act shall file a claim under the act
 11 within three years after the effective date of this act.

12 (c) In the event a claimant granted a full pardon on
 13 or after the effective date of this act shows he or she did not
 14 receive a copy of the information required by this section, he or
 15 she shall receive a one-year extension of the notice and statute of
 16 limitations requirements of the State Tort Claims Act.

17 (d) Notwithstanding any other provision of law, failure
 18 to file any applicable notice of claim shall not bar filing of
 19 a claim under the Nebraska Claims for Wrongful Conviction and
 20 Imprisonment Act.

21 ~~(2)~~(3) If a claim is made or filed under any other law
 22 of this state and a determination is made by a state agency or
 23 court that the State Tort Claims Act provides the exclusive remedy
 24 for the claim, the time to make a claim and begin suit under such
 25 act shall be extended for a period of six months from the date of
 26 the court order making such determination or the date of mailing
 27 of notice to the claimant of such determination by a state agency
 1 if the time to make the claim and to begin suit under such act
 2 would otherwise expire before the end of such period. The time to
 3 begin a suit under such act may be further extended as provided in
 4 subsection (1) of this section.

5 ~~(3)~~(4) If a claim is brought under the Nebraska
 6 Hospital-Medical Liability Act, the filing of a request for review
 7 under section 44-2840 shall extend the time to begin suit under
 8 the State Tort Claims Act an additional ninety days following the
 9 issuance of the opinion by the medical review panel if the time to
 10 begin suit under the State Tort Claims Act would otherwise expire
 11 before the end of such ninety-day period.

12 ~~(4)~~(5) This section and section 25-213 shall constitute
 13 the only statutes of limitations applicable to the State Tort
 14 Claims Act.

15 Sec. 14. Original sections 81-8,210 and 81-8,227, Reissue
 16 Revised Statutes of Nebraska, are repealed.

17 2. On page 1, strike beginning with "civil" in line
 18 1 through line 2 and insert "claims against the state; to
 19 amend sections 81-8,210 and 81-8,227, Reissue Revised Statutes
 20 of Nebraska; to adopt the Nebraska Claims for Wrongful Conviction
 21 and Imprisonment Act; to change provisions relating to tort claims
 22 under the State Tort Claims Act; and to repeal the original
 23 sections."

(Signed) Jeremy Nordquist, Chairperson

GENERAL FILE

LEGISLATIVE BILL 346. Title read. Considered.

Committee AM546, found on page 632, was considered.

SENATOR LANGEMEIER PRESIDING

PRESIDENT SHEEHY PRESIDING

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

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

The motion to cease debate prevailed with 26 ayes, 4 nays, 11 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

The committee amendment was adopted with 38 ayes, 0 nays, 3 present and not voting, and 8 excused and not voting.

Pending.

COMMITTEE REPORTS

General Affairs

LEGISLATIVE BILL 286. Placed on General File.

LEGISLATIVE BILL 415. Indefinitely postponed.

(Signed) Russ Karpisek, Chairperson

Revenue

LEGISLATIVE BILL 447. Placed on General File.

LEGISLATIVE BILL 531. Placed on General File.

(Signed) Abbie Cornett, Chairperson

ANNOUNCEMENTS

Senator Carlson designates LB98 as his priority bill.

Senator Hadley designates LB420 as his priority bill.

BILL ON FIRST READING

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

LEGISLATIVE BILL 547A. Introduced by Adams, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 547, One Hundred First Legislature, First Session, 2009; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 346. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

UNANIMOUS CONSENT - Add Cointroducers

Senator Haar asked unanimous consent to add his name as cointroducer to LB136, LB346, and LB356. No objections. So ordered.

Senator Coash asked unanimous consent to add his name as cointroducer to LB153. No objections. So ordered.

VISITORS

Visitors to the Chamber were Ben Steffen from Humboldt; 4 students and teacher from Joint University of Omaha and Omaha Public Schools School Program; Richard Gowdy from Washington, D.C.; 40 fourth-grade students and teachers from Rockbrook Elementary, Omaha; and Phil Demuth from Lincoln.

The Doctor of the Day was Dr. Harold Pumphrey from Lincoln.

ADJOURNMENT

At 12:04 p.m., on a motion by Senator Carlson, the Legislature adjourned until 10:00 a.m., Monday, March 9, 2009.

Patrick J. O'Donnell
Clerk of the Legislature

