

SIXTY-FOURTH DAY - APRIL 20, 2009**LEGISLATIVE JOURNAL****ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION****SIXTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, April 20, 2009

PRAYER

The prayer was offered by Senator Wallman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Langemeier presiding.

The roll was called and all members were present except Senators Ashford, Carlson, and Rogert who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-third day was approved.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 389. Placed on Select File with amendment.
ER8077

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. Section 2-4901, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:
- 5 2-4901 (1) The Climate Assessment Response Committee is
- 6 hereby created. The office of the Governor shall be the lead
- 7 agency and shall oversee the committee and its activities. The
- 8 committee shall be composed of representatives appointed by the
- 9 Governor with the approval of a majority of the Legislature from
- 10 livestock producers, crop producers, ~~and~~ the Nebraska Emergency
- 11 Management Agency, and the Conservation and Survey Division and
- 12 Cooperative Extension Service of the University of Nebraska,
- 13 ~~Department of Agriculture, Department of Health and Human Services,~~
- 14 ~~Department of Natural Resources, and Governor's Policy Research~~
- 15 ~~Office.~~ The Director of Agriculture or his or her designee, the
- 16 chief executive officer of the Department of Health and Human

17 Services or his or her designee, and the Director of Natural
 18 Resources or his or her designee shall be ex officio members
 19 of the committee. Representatives from the federal Consolidated
 20 Farm Service Agency and Federal Crop Insurance Corporation may
 21 also serve on the committee at the invitation of the Governor.
 22 ~~The Governor may appoint the chairperson of the Committee on~~
 23 ~~Agriculture of the Legislature and the chairperson of the Committee~~
 1 ~~on Natural Resources of the Legislature and shall be nonvoting,~~
 2 ~~ex officio members of the committee. The Governor may appoint a~~
 3 ~~member of the Governor's Policy Research Office and any other state~~
 4 ~~agency representatives or invite any other federal agencies to name~~
 5 ~~representatives as he or she deems necessary. The Governor shall~~
 6 ~~appoint one of the Climate Assessment Response Committee members~~
 7 ~~to serve as the chairperson of the committee. Committee members~~
 8 ~~shall be reimbursed for actual and necessary expenses as provided~~
 9 ~~in sections 81-1174 to 81-1177.~~

10 (2) The committee shall meet at least twice each year and
 11 shall meet more frequently (a) at the call of the chairperson, (b)
 12 upon request of a majority of the committee members, and (c) during
 13 periods of drought or other severe climate situations.

14 (3) The chairperson may establish subcommittees and may
 15 invite representatives of agencies other than those with members on
 16 the committee to serve on such subcommittees.

17 (4) Any funds for the activities of the committee and for
 18 other climate-related expenditures may be appropriated directly to
 19 the office of the Governor for contracting with other agencies or
 20 persons for tasks approved by the committee.

21 Sec. 2. Original section 2-4901, Reissue Revised Statutes
 22 of Nebraska, is repealed.

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

25 2. On page 1, line 3, strike "appointment" and insert
 26 "membership".

LEGISLATIVE BILL 209. Placed on Select File.

LEGISLATIVE BILL 422. Placed on Select File.

LEGISLATIVE BILL 488. Placed on Select File.

LEGISLATIVE BILL 501. Placed on Select File with amendment.
 ER8081

- 1 1. On page 1, line 1, after "sections" insert "32-607,";
- 2 2 and in line 6 after the semicolon insert "to change candidate
- 3 filing form requirements;".

LEGISLATIVE BILL 60. Placed on Select File.

LEGISLATIVE BILL 278. Placed on Select File.

LEGISLATIVE BILL 447. Placed on Select File with amendment.
 ER8082

- 1 1. On page 2, line 6, strike "(1)", show as stricken, and
 2 insert "(a)"; in line 9 strike "(2)", show as stricken, and insert
 3 "(b)"; in line 11 strike "(3)", show as stricken, and insert "(c)";
 4 in line 4 strike "(4)", show as stricken, and insert "(d)"; in
 5 line 17 strike "(5)", show as stricken, and insert "(e)"; in line
 6 18 strike "(6)", show as stricken, and insert "(f)"; in line 19
 7 strike "(7)", show as stricken, and insert "(g)"; in line 22 strike
 8 "(8)", show as stricken, and insert "(h)"; and strike beginning
 9 with "subsection" in line 24 through "section" in line 25 and
 10 insert "subdivision (a) of this subsection".
 11 2. On page 3, line 5, strike "multiply" and insert
 12 "multiplying".

LEGISLATIVE BILL 531. Placed on Select File.

LEGISLATIVE BILL 445. Placed on Select File.

LEGISLATIVE BILL 498. Placed on Select File with amendment.
 ER8080

- 1 1. On page 2, line 11, after the first comma insert "and
 2 to".
 3 2. On page 3, line 4, strike "term" and insert "terms".

LEGISLATIVE BILL 604. Placed on Select File with amendment.
 ER8085

- 1 1. On page 5, line 11, strike "who or which" and insert
 2 "which or who".

LEGISLATIVE BILL 446. Placed on Select File with amendment.
 ER8079

- 1 1. On page 1, line 4, after the last semicolon insert "to
 2 eliminate obsolete language;".

LEGISLATIVE BILL 372. Placed on Select File.

LEGISLATIVE BILL 500. Placed on Select File.

LEGISLATIVE BILL 627. Placed on Select File with amendment.
 ER8078

- 1 1. On page 1, line 3, strike "authorize" and insert
 2 "require".

LEGISLATIVE BILL 587. Placed on Select File.

LEGISLATIVE BILL 122. Placed on Select File with amendment.
 ER8084

- 1 1. On page 1, line 3, strike "for" and insert "in the
 2 central register of".
 3 2. On page 3, line 6, strike the underscored comma.

(Signed) Jeremy Nordquist, Chairperson

RESOLUTIONS**LEGISLATIVE RESOLUTION 89.** Introduced by McCoy, 39.

WHEREAS, Cameron Opfer, of Troop 145, 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, Cameron 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, Cameron built two park benches using a metal press to build the frames and cedar boards to complete the benches. The project also involved planting six trees, with the help of fellow scouts, and these were all placed along the walking path on the north and south sides of the Two Rivers ball complex in Arlington; and

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

WHEREAS, Cameron, through his hard work and perseverance, has joined 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 Cameron Opfer on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Cameron Opfer.

Laid over.

LEGISLATIVE RESOLUTION 90. Introduced by McCoy, 39.

WHEREAS, Thomas D. Rhodes, of Troop 282, 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, Thomas 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, Thomas relaid crushed limestone on the redesigned hiking trails in Schramm Park to create a permanent path that will prevent erosion; and

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

WHEREAS, Thomas, through his hard work and perseverance, has joined 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 Thomas D. Rhodes on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Thomas D. Rhodes.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 545. Title read. Considered.

Committee AM1056, found on page 1037, was considered.

Senator Friend requested a division of the question on the committee amendment.

Pending.

EASE

The Legislature was at ease from 10:32 a.m. until 10:49 a.m.

GENERAL FILE

LEGISLATIVE BILL 545. The Friend request for a division of the question on the committee amendment, found in this day's Journal, was renewed.

The Chair sustained the division of the question.

The first committee amendment is as follows:
AM1118 is available in the Bill Room.

The second committee amendment is as follows:

AM1119

1 1. Insert the following new section:

2 Sec. 9. Section 79-1007.18, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 79-1007.18 (1) For school fiscal ~~year 2008-09 and each~~
5 ~~school fiscal year thereafter, years 2008-09 through 2011-12~~, the
6 department shall calculate an averaging adjustment for districts if
7 the basic funding per formula student is less than the statewide
8 average basic funding per formula student and the general fund
9 levy for the school fiscal year immediately preceding the school
10 fiscal year for which aid is being calculated was at least
11 ninety-six cents per one hundred dollars of taxable valuation
12 for aid calculated for school fiscal year 2008-09 and at least
13 one dollar per one hundred dollars of taxable valuation for
14 aid calculated for school fiscal ~~year 2009-10 and each school~~
15 ~~fiscal year thereafter, years 2009-10, 2010-11, and 2011-12~~. For
16 school districts that are members of a learning community, the
17 general fund levy for purposes of this section includes both the
18 common general fund levy and the school district general fund
19 levy authorized pursuant to subdivisions (2)(b) and (2)(c) of
20 section 77-3442. The averaging adjustment for aid calculated for
21 school fiscal ~~year 2008-09 years 2008-09 and 2009-10~~ shall equal
22 seventy-five percent of the product of the district's formula
1 students multiplied by the percentage specified in this section for
2 such district of the difference between the statewide average basic
3 funding per formula student minus such district's basic funding per
4 formula student. The averaging adjustment for aid calculated for
5 school fiscal ~~year 2009-10 and each school fiscal year thereafter~~
6 ~~years 2009-10 and 2010-11~~ shall equal fifty percent of the product
7 of the district's formula students multiplied by the percentage
8 specified in this section for such district of the difference
9 between the statewide average basic funding per formula student
10 minus such district's basic funding per formula student.

11 (2) ~~The~~ For school fiscal years 2008-09 through 2011-12,
12 the percentage to be used in the calculation of an averaging
13 adjustment shall be based on the general fund levy for the school
14 fiscal year immediately preceding the school fiscal year for which
15 aid is being calculated.

16 (3) The percentages to be used in the calculation of
17 averaging adjustments for school fiscal year 2008-09 shall be as
18 follows:

19 (a) If such levy was at least ninety-six cents per one
20 hundred dollars of taxable valuation but less than ninety-seven
21 cents per one hundred dollars of taxable valuation, the percentage
22 shall be ten percent;

23 (b) If such levy was at least ninety-seven cents per one
24 hundred dollars of taxable valuation but less than ninety-eight
25 cents per one hundred dollars of taxable valuation, the percentage

26 shall be twenty percent;

27 (c) If such levy was at least ninety-eight cents per
1 one hundred dollars of taxable valuation but less than ninety-nine
2 cents per one hundred dollars of taxable valuation, the percentage
3 shall be thirty percent;

4 (d) If such levy was at least ninety-nine cents per one
5 hundred dollars of taxable valuation but less than one dollar per
6 one hundred dollars of taxable valuation, the percentage shall be
7 forty percent;

8 (e) If such levy was at least one dollar per one hundred
9 dollars of taxable valuation but less than one dollar and one cent
10 per one hundred dollars of taxable valuation, the percentage shall
11 be fifty percent;

12 (f) If such levy was at least one dollar and one cent per
13 one hundred dollars of taxable valuation but less than one dollar
14 and two cents per one hundred dollars of taxable valuation, the
15 percentage shall be sixty percent;

16 (g) If such levy was at least one dollar and two
17 cents per one hundred dollars of taxable valuation but less than
18 one dollar and three cents per one hundred dollars of taxable
19 valuation, the percentage shall be seventy percent;

20 (h) If such levy was at least one dollar and three cents
21 per one hundred dollars of taxable valuation but less than one
22 dollar and four cents per one hundred dollars of taxable valuation,
23 the percentage shall be eighty percent; and

24 (i) If such levy was at least one dollar and four cents
25 per one hundred dollars of taxable valuation, the percentage shall
26 be ninety percent.

27 (4) The percentages to be used in the calculation of
1 averaging adjustments for school fiscal year 2009-10 ~~and each~~
2 ~~school fiscal year thereafter~~ shall be as follows:

3 (a) If such levy was at least one dollar per one hundred
4 dollars of taxable valuation but less than one dollar and one cent
5 per one hundred dollars of taxable valuation, the percentage shall
6 be fifty percent;

7 (b) If such levy was at least one dollar and one cent per
8 one hundred dollars of taxable valuation but less than one dollar
9 and two cents per one hundred dollars of taxable valuation, the
10 percentage shall be sixty percent;

11 (c) If such levy was at least one dollar and two
12 cents per one hundred dollars of taxable valuation but less than
13 one dollar and three cents per one hundred dollars of taxable
14 valuation, the percentage shall be seventy percent;

15 (d) If such levy was at least one dollar and three cents
16 per one hundred dollars of taxable valuation but less than one
17 dollar and four cents per one hundred dollars of taxable valuation,
18 the percentage shall be eighty percent; and

19 (e) If such levy was at least one dollar and four cents
20 per one hundred dollars of taxable valuation, the percentage shall

21 be ninety percent.

22 (5) The percentage to be used in the calculation of
 23 averaging adjustments for school fiscal years 2010-11 and 2011-12
 24 shall be fifty percent.

25 (6) For school fiscal year 2012-13 and each school
 26 fiscal year thereafter, the department shall calculate an averaging
 27 adjustment for districts if the basic funding per formula student
 1 is less than ninety percent of the statewide average basic funding
 2 per formula student and the general fund levy for the school fiscal
 3 year immediately preceding the school fiscal year for which aid is
 4 being calculated was at least one dollar per one hundred dollars
 5 of taxable valuation. The averaging adjustment for such school
 6 fiscal years shall equal the product of the district's formula
 7 students multiplied by the difference between ninety percent of
 8 the statewide average basic funding per formula student minus such
 9 district's basic funding per formula student.

10 2. Renumber the remaining sections, correct internal
 11 references, and amend the repealer accordingly.

The first committee amendment, AM1118, found in this day's Journal, was renewed.

Senator Adams renewed his amendment, AM1057, found on page 1034, to the first committee amendment.

Pending.

VISITORS

Visitors to the Chamber were 42 second-grade students and teachers from Wilber-Clatonia School, Wilber.

RECESS

At 12:01 p.m., on a motion by Senator Wightman, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators Cornett, Heidemann, and Nantkes who were excused until they arrive.

AMENDMENTS - Print in Journal

Senator Campbell filed the following amendment to LB288:
AM1093

(Amendments to Standing Committee amendments, AM846)

- 1 1. On page 13, line 25, strike "specific comment" and
- 2 insert "written recommendation".

Senator Dierks filed the following amendment to LB463:
AM1100

(Amendments to Final Reading copy)

- 1 1. Insert the following new section:
- 2 Sec. 14. Section 71-8922, Revised Statutes Cumulative
- 3 Supplement, 2008, is amended to read:
- 4 71-8922 A veterinary drug distributor may distribute
- 5 veterinary legend drugs to:
- 6 (1) A licensed veterinarian or to another veterinary drug
- 7 distributor subject to the requirements of section 71-8921; and
- 8 (2) A layperson responsible for the control of an animal
- 9 if:
- 10 (a) A licensed veterinarian has issued, prior
- 11 to such distribution, a veterinary drug order for the
- 12 veterinary legend drug in the course of an existing, valid
- 13 veterinarian-client-patient relationship and the veterinary drug
- 14 order is in compliance with all federal laws and regulations;
- 15 (b) At the time the veterinary legend drug leaves the
- 16 licensed location of the veterinary drug distributor, those in
- 17 the employ of the veterinary drug distributor possess a copy of
- 18 the veterinary drug order for the veterinary legend drug issued
- 19 according to subdivision (a) of this subdivision and deliver a copy
- 20 to the layperson responsible for the control of the animal at the
- 21 time of the distribution;
- 22 (c) The original veterinary drug order issued according
- 1 to subdivision (a) of this subdivision is retained on the premises
- 2 of the veterinary drug distributor or an authorized central
- 3 location for three years after the date of the last transaction
- 4 affecting the veterinary drug order; ~~and includes the following~~
- 5 ~~information:~~
- 6 (i) ~~Client name;~~
- 7 (ii) ~~Veterinarian name;~~
- 8 (iii) ~~Veterinary legend drug sold or delivered;~~
- 9 (iv) ~~Quantity of the veterinary legend drug;~~
- 10 (v) ~~Date of issue of veterinary drug order; and~~
- 11 (vi) ~~Expiration date of veterinary drug order;~~
- 12 (d) All veterinary legend drugs distributed on the
- 13 veterinary drug order ~~of a licensed veterinarian issued according~~
- 14 to subdivision (a) of this subdivision are sold in the original,
- 15 unbroken manufacturer's containers; and
- 16 (e) The veterinary legend drugs, once distributed, are

17 not returned to the veterinary drug distributor for resale or
18 redistribution.

19 Nothing contained in Nebraska statutes governing the
20 practice of pharmacy shall be construed to prohibit a veterinary
21 drug distributor from selling or otherwise distributing a
22 veterinary legend drug pursuant to a veterinary drug order
23 by a veterinarian licensed in this state and, when a valid
24 veterinarian-client-patient relationship exists, to the layperson
25 responsible for the control of the animal.

26 (3) If all federal labeling requirements are met,
27 labeling provisions of Nebraska laws governing the practice of
1 pharmacy shall not apply to veterinary legend drugs distributed
2 pursuant to the Veterinary Drug Distribution Licensing Act.

3 2. On page 1, line 4, strike "and 71-8910" and insert "
4 71-8910, and 71-8922"; and in line 11 after the first semicolon
5 insert "to change provisions relating to the distribution of
6 veterinary legend drugs;".

7 3. On page 9, line 22, strike "and 71-8910" and insert "
8 71-8910, and 71-8922".

9 4. Renumber original section 14 as section 15.

GENERAL FILE

LEGISLATIVE BILL 545. The Adams amendment, AM1057, found on page 1034 and considered in this day's Journal, to the first committee amendment, was renewed.

The Adams amendment was adopted with 35 ayes, 0 nays, and 14 present and not voting.

The first committee AM1118, found in this day's Journal, as amended, was renewed.

The first committee amendment, as amended, was adopted with 39 ayes, 0 nays, and 10 present and not voting.

Pending.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 158. Placed on Final Reading Second.

LEGISLATIVE BILL 463A. Placed on Final Reading.

(Signed) Jeremy Nordquist, Chairperson

COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 533. Placed on Select File with amendment.
ER8087

- 1 1. On page 1, line 4, strike "and" and after "section"
- 2 insert "; and to declare an emergency".
- 3 2. On page 3, line 20, after the first comma insert
- 4 "state".

LEGISLATIVE BILL 524. Placed on Select File.

LEGISLATIVE BILL 562. Placed on Select File with amendment.
ER8086

- 1 1. On page 1, line 3, after the last "the" insert
- 2 "outside member of the".

LEGISLATIVE BILL 360. Placed on Select File.

LEGISLATIVE BILL 441. Placed on Select File with amendment.
ER8090

- 1 1. In the Standing Committee amendments, AM392, on page
- 2 1, line 6, after "provided" insert an underscored comma.
- 3 2. On page 1, line 1, after "14-813" insert ", 15-1202,
- 4 15-1203, 15-1204,".

LEGISLATIVE BILL 537. Placed on Select File.

LEGISLATIVE BILL 631. Placed on Select File with amendment.
ER8088

- 1 1. On page 1, line 2, after "sections" insert
- 2 "48-622.01,"; in line 7 before the first comma insert "and filing,
- 3 combined tax rate"; and in line 9 strike "and a board".

LEGISLATIVE BILL 598. Placed on Select File with amendment.
ER8093

- 1 1. On page 1, line 1, strike "crime victims" and insert
- 2 "victims of tragedy".

LEGISLATIVE BILL 238. Placed on Select File.

LEGISLATIVE BILL 294. Placed on Select File.

LEGISLATIVE BILL 347. Placed on Select File.

LEGISLATIVE BILL 571. Placed on Select File with amendment.
ER8083

- 1 1. In the Standing Committee amendments, AM983:
- 2 a. On page 2, line 3, strike the last comma; in line 11
- 3 strike the comma; and in line 12 strike "this section" and insert

- 4 "the act";
 5 b. On page 4, line 13, after the period insert an
 6 underscored comma;
 7 c. On page 6, line 5 strike the first "of" and insert
 8 "after"; in line 16 strike the first comma and insert "and" and
 9 strike the second comma;
 10 d. On page 7, line 17, strike "of" and insert "after";
 11 e. On page 8, line 1, strike the comma; and
 12 f. On page 15, lines 14 and 19, strike "act", show as
 13 stricken, and insert "Nebraska Installment Loan Act".
 14 2. On page 1, strike beginning with "adopt" in line 1
 15 through line 2 and insert "amend sections 45-335, 45-336, 45-1002,
 16 45-1024, and 60-1411.02, Revised Statutes Cumulative Supplement,
 17 2008; to adopt the Guaranteed Asset Protection Waiver Act;
 18 to change provisions relating to installment sales, installment
 19 loans, and regulation of the motor vehicle industry; to harmonize
 20 provisions; and to repeal the original sections.".

LEGISLATIVE BILL 27A. Placed on Select File with amendment.
 ER8089

- 1 1. On page 1, line 4, strike "the" and insert "to".

LEGISLATIVE BILL 497A. Placed on Select File.

(Signed) Jeremy Nordquist, Chairperson

GENERAL FILE

LEGISLATIVE BILL 545. The second committee amendment, AM1119, found in this day's Journal, was renewed.

Senator Adams renewed his amendment, AM1078, found on page 1032, to the second committee amendment.

Pending.

AMENDMENT - Print in Journal

Senator Christensen filed the following amendment to LB430:
 AM1105

- 1 1. In the Standing Committee amendments, AM835, on page
 2 22, strike beginning with "A" in line 1 through the period in line
 3 4, show as stricken, and insert
 4 "(3) A permitholder carrying a concealed handgun in a
 5 vehicle or on his or her person while riding in or on a vehicle
 6 into or onto any parking area, which is open to the public, used by
 7 any location listed in subdivision (1)(a) of this section, does not
 8 violate this section if the handgun is not removed from the vehicle
 9 and is locked inside the vehicle while the vehicle is in or on such

10 parking area. This subsection does not apply to any parking area
 11 used by such location when the carrying of a concealed handgun into
 12 or onto such parking area is prohibited by federal law.

13 (4); and in line 7 strike "(3)", show as stricken, and
 14 insert "(5)".

15 2. In the Avery amendment, AM993, on page 4, line 4,
 16 strike "or" and show as stricken; and in line 7 after "vehicle"
 17 insert ", or (f) a handgun carried as a concealed handgun by a
 18 person who is a valid holder of a permit issued under the Concealed
 19 Handgun Permit Act in a vehicle or on his or her person while
 20 riding in or on a vehicle into or onto any parking area, which is
 21 open to the public, used by a school if the handgun is not removed
 22 from the vehicle and is locked inside the vehicle glove box or
 23 trunk while the vehicle is in or on such parking area, except as
 1 prohibited by federal law".

RESOLUTION

LEGISLATIVE RESOLUTION 91. Introduced by Karpisek, 32.

WHEREAS, Jason Mammen 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, Jason 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; and

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

WHEREAS, Jason, through his hard work and perseverance, has joined 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 Jason Mammen on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Jason Mammen.

Laid over.

VISITORS

Visitors to the Chamber were 17 fourth-grade students and teacher from Humphrey; and a delegation from Republic of China-Taiwan.

The Doctor of the Day was Dr. Conor Gough from Omaha.

ADJOURNMENT

At 4:01 p.m., on a motion by Senator McCoy, the Legislature adjourned until 9:00 a.m., Tuesday, April 21, 2009.

Patrick J. O'Donnell
Clerk of the Legislature