

**EIGHTY-SECOND DAY - MAY 20, 2009****LEGISLATIVE JOURNAL****ONE HUNDRED FIRST LEGISLATURE  
FIRST SESSION****EIGHTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, May 20, 2009

**PRAYER**

The prayer was offered by Pastor Zachary Anderson, Conestoga Parish, Lincoln.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Flood presiding.

The roll was called and all members were present except Senator McCoy who was excused; and Senators Cornett, Council, and Janssen who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the eighty-first day was approved.

**COMMITTEE REPORT**

Health and Human Services

**LEGISLATIVE BILL 25.** Placed on General File with amendment.  
AM589

- 1 1. Strike original sections 1 to 3.
- 2 2. On page 6, line 24, strike "four" and insert "twenty".
- 3 3. On page 7, line 13, strike "68-908, 68-911, 68-1202,".
- 4 4. Renumber the remaining sections and correct internal
- 5 references accordingly.

(Signed) Tim Gay, Chairperson

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB155 with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 155.**

A BILL FOR AN ACT relating to crimes and punishments; to amend sections 28-101, 28-518, 28-603, 28-604, 28-608, 28-611, 29-110, and 87-302, Reissue Revised Statutes of Nebraska; to adopt the Public Protection Act; to change provisions relating to theft offenses, criminal impersonation, identity theft, identity fraud, forgery, bad checks, and no-account checks; to provide a statute of limitations; to create an additional deceptive trade practice under the Uniform Deceptive Trade Practices Act; to change and provide penalties; 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, 47:

Adams	Dubas	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Council            McCoy

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 LB392 with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 392.** With Emergency Clause.

A BILL FOR AN ACT relating to schools; to amend sections 11-119, 13-503, 13-903, 13-2202, 32-546.01, 32-555.01, 32-606, 79-575, 79-592, 79-1024, 79-1033, 79-1041, 79-1073, 79-1073.01, 79-2104, 79-2113, 79-2117, and 79-2118, Reissue Revised Statutes of Nebraska, and section 77-2704.15, Revised Statutes Cumulative Supplement, 2008; to require execution of a bond by a learning community coordinating council treasurer; to redefine terms; to include learning communities in the Political Subdivisions Tort Claims Act and the Local Government Miscellaneous Expenditure Act; to change election provisions for members of learning community coordinating council members; to exempt purchases by learning communities from sales and use taxes; to change provisions relating to school district warrants; to change state aid and property tax distribution provisions for learning communities; to change provisions relating to elementary learning centers and achievement subcouncils; to harmonize provisions; 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, 47:

Adams	Dubas	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Council	McCoy
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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 bill was read and put upon final passage:

**LEGISLATIVE BILL 358.**

A BILL FOR AN ACT relating to the Comprehensive Health Insurance Pool Act; to amend sections 44-4201, 44-4226, and 44-4227, Reissue Revised Statutes of Nebraska, and sections 44-4221 and 44-4222, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to eligibility under the act, unfair trade practices, major medical expense coverage, and premium and standard risk rates; to provide duties for the board of directors of the pool; 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	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Council            McCoy

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 LB503 with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 503.**

A BILL FOR AN ACT relating to recreational activities; to amend sections 15-258 and 16-226, Reissue Revised Statutes of Nebraska, and section 14-102, Revised Statutes Cumulative Supplement, 2008; to adopt the Nebraska Shooting Range Protection Act; 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	Fischer	Harms	Mello	Stuthman
Ashford	Flood	Heidemann	Nantkes	Sullivan
Avery	Friend	Howard	Nelson	Utter
Campbell	Fulton	Janssen	Nordquist	Wallman
Carlson	Gay	Karpisek	Pahls	White
Christensen	Giese	Langemeier	Pankonin	Wightman
Coash	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	
Dubas	Hansen	McGill	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Cook

Excused and not voting, 2:

Council      McCoy

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 626.**

A BILL FOR AN ACT relating to public officials and public employees; to amend sections 49-1405 and 81-1120.27, Reissue Revised Statutes of Nebraska, and sections 49-1401, 49-14,101.01, and 49-14,101.02, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to use of public resources by public officials and public employees; to redefine a term; 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, 44:

Adams	Dierks	Haar	Lautenbaugh	Price
Ashford	Dubas	Hadley	McGill	Rogert
Avery	Fischer	Hansen	Mello	Schilz
Campbell	Flood	Harms	Nantkes	Stuthman
Carlson	Friend	Heidemann	Nelson	Utter
Christensen	Fulton	Howard	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	

Voting in the negative, 2:

Janssen            Sullivan

Present and not voting, 1:

Louden

Excused and not voting, 2:

Council            McCoy

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 LB630 with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 630.** With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend sections 48-138, 48-139, 48-140, and 48-141, Reissue Revised Statutes of Nebraska, and sections 48-106, 48-120.04, 48-125, 48-136, 48-144.03, and 48-168, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to an employer exclusion from the act, implementation of a certain medical fee schedule, periodic compensation payments and lump-sum settlements, court procedures, informal dispute resolution approval, and mediators; to harmonize provisions; 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	Dierks	Hadley	Louden	Price
Ashford	Dubas	Hansen	McGill	Rogert
Avery	Fischer	Harms	Mello	Schilz
Campbell	Friend	Heidemann	Nantkes	Stuthman
Carlson	Fulton	Howard	Nelson	Sullivan
Christensen	Gay	Karpisek	Nordquist	Utter
Coash	Giese	Langemeier	Pahls	Wallman
Cook	Gloor	Lathrop	Pankonin	White
Cornett	Haar	Lautenbaugh	Pirsch	Wightman

Voting in the negative, 0.

Present and not voting, 2:

Flood	Janssen
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Excused and not voting, 2:

Council	McCoy
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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 27.** With Emergency Clause.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 85-1,138, 85-1,139, 85-1,140, 85-1,141, and 85-1,142, Reissue Revised Statutes of Nebraska, and sections 68-901 and 71-7611, Revised Statutes Cumulative Supplement, 2008; to change and transfer provisions relating to the Autism Treatment Program Act, the Autism Treatment Program Cash Fund, and the administration of the Autism Treatment Program; to provide powers and duties for the Department of Health and Human Services; to harmonize provisions; 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, 47:

Adams	Dubas	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Council            McCoy

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 27A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 27, One Hundred First Legislature, First Session, 2009; 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	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Council            McCoy



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 60.**

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-1901, Revised Statutes Cumulative Supplement, 2008; to redefine abandoned vehicle; 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	Hansen	Mello	Stuthman
Ashford	Fischer	Harms	Nantkes	Sullivan
Avery	Flood	Heidemann	Nelson	Utter
Campbell	Friend	Howard	Nordquist	Wallman
Carlson	Fulton	Janssen	Pahls	White
Christensen	Gay	Karpisek	Pankonin	Wightman
Coash	Giese	Langemeier	Pirsch	
Cook	Gloor	Lathrop	Price	
Cornett	Haar	Louden	Rogert	
Dierks	Hadley	McGill	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Lautenbaugh

Excused and not voting, 2:

Council McCoy

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

### **LEGISLATIVE BILL 84.**

A BILL FOR AN ACT relating to the Women's Health Initiative Advisory Council; to amend section 71-702, Revised Statutes Cumulative Supplement, 2008; to eliminate a reference to a commission that has been eliminated and a termination date; 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	Hansen	Mello	Stuthman
Ashford	Fischer	Heidemann	Nantkes	Sullivan
Avery	Flood	Howard	Nelson	Utter
Campbell	Friend	Janssen	Nordquist	Wallman
Carlson	Fulton	Karpisek	Pahls	White
Christensen	Gay	Langemeier	Pankonin	Wightman
Coash	Giese	Lathrop	Pirsch	
Cook	Gloor	Lautenbaugh	Price	
Cornett	Haar	Louden	Rogert	
Dierks	Hadley	McGill	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Harms

Excused and not voting, 2:

Council          McCoy

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

**LEGISLATIVE BILL 94.** With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3501, 77-3512, and 77-3516, Reissue Revised Statutes of Nebraska, and sections 77-3513 and 77-3514, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to applications for homestead exemptions; to harmonize provisions; 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, 47:

Adams	Dubas	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Council            McCoy

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 113.** With Emergency Clause.

A BILL FOR AN ACT relating to the Securities Act of Nebraska; to amend sections 8-1110, 8-1116, and 8-1123, Reissue Revised Statutes of Nebraska; to change provisions relating to exempt securities; to prohibit tampering with or falsifying evidence; to provide additional equitable powers for courts with respect to violations of the act; to harmonize provisions; 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, 47:

Adams	Dubas	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Excused and not voting, 2:

Council           McCoy

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 122.**

A BILL FOR AN ACT relating to children; to amend sections 28-718 and 28-720, Reissue Revised Statutes of Nebraska; to change terminology in the central register of child protection cases; 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, 44:

Adams	Dubas	Hadley	Louden	Price
Ashford	Fischer	Hansen	McGill	Schilz
Avery	Flood	Heidemann	Mello	Stuthman
Campbell	Friend	Howard	Nantkes	Sullivan
Carlson	Fulton	Janssen	Nelson	Utter
Christensen	Gay	Karpisek	Nordquist	Wallman
Coash	Giese	Langemeier	Pahls	White
Cook	Gloor	Lathrop	Pankonin	Wightman
Dierks	Haar	Lautenbaugh	Pirsch	

Voting in the negative, 0.

Present and not voting, 3:

Cornett           Harms           Rogert

Excused and not voting, 2:

Council           McCoy

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

**LEGISLATIVE BILL 129.**

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-301, Revised Statutes Cumulative Supplement, 2008; to authorize certain actions and procedures by counties and the Director of Motor Vehicles for invalid financial transactions; to harmonize provisions; 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	Fischer	Harms	Mello	Stuthman
Ashford	Flood	Heidemann	Nantkes	Sullivan
Avery	Friend	Howard	Nelson	Utter
Campbell	Fulton	Janssen	Nordquist	Wallman
Carlson	Gay	Karpisek	Pahls	White
Christensen	Giese	Langemeier	Pankonin	Wightman
Coash	Gloor	Lathrop	Pirsch	
Cook	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	
Dubas	Hansen	McGill	Schilz	

Voting in the negative, 0.

Present and not voting, 1:

Cornett

Excused and not voting, 2:

Council      McCoy

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 LB131 with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 131.**

A BILL FOR AN ACT relating to counties; to change boundaries of certain counties; to harmonize provisions; and to outright repeal sections 22-161 and 22-172, Reissue Revised Statutes of Nebraska.

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	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Avery	Flood	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Council

Excused and not voting, 1:

McCoy

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

The following bills were read and put upon final passage:

### **LEGISLATIVE BILL 133.**

A BILL FOR AN ACT relating to elections; to amend section 32-707, Reissue Revised Statutes of Nebraska; to change provisions relating to the location of county postprimary conventions; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 137.**

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-103, Revised Statutes Cumulative Supplement, 2008; to redefine campus as it pertains to the University of Nebraska-Lincoln; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 152.**

A BILL FOR AN ACT relating to insurance; to amend section 44-6413, Reissue Revised Statutes of Nebraska; to change a provision relating to uninsured and underinsured motorist coverages; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 163.**

A BILL FOR AN ACT relating to schools; to amend section 79-544, Reissue Revised Statutes of Nebraska; to change provisions relating to school board membership; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:



McCoy

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

**LEGISLATIVE BILL 175.**

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-395 and 60-3,157, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to lost license plates; 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	Hadley	Lautenbaugh	Pirsch
Avery	Dubas	Hansen	Louden	Rogert
Campbell	Fischer	Harms	McGill	Schilz
Carlson	Flood	Heidemann	Mello	Stuthman
Christensen	Friend	Howard	Nantkes	Sullivan
Coash	Fulton	Janssen	Nelson	Utter
Cook	Gay	Karpisek	Nordquist	Wallman
Cornett	Giese	Langemeier	Pahls	White
Council	Haar	Lathrop	Pankonin	Wightman

Voting in the negative, 0.

Present and not voting, 3:

Ashford	Gloor	Price
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Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 208.**

A BILL FOR AN ACT relating to workers' compensation; to amend section 28-631, Reissue Revised Statutes of Nebraska, and section 44-6604, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to fraudulent insurance acts; 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	Hansen	McGill	Schilz
Ashford	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	
Dierks	Hadley	Louden	Rotger	

Voting in the negative, 0.

Present and not voting, 1:

Avery

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 209.**

A BILL FOR AN ACT relating to irrigation; to amend section 46-238, Reissue Revised Statutes of Nebraska, and section 46-1654, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to time for construction of works and dams; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 238.** With Emergency Clause.

A BILL FOR AN ACT relating to public power suppliers; to amend sections 28-520 and 28-521, Reissue Revised Statutes of Nebraska, and section 70-301, Revised Statutes Cumulative Supplement, 2008; to provide, change, and repeal penalties relating to criminal trespass and interference with electric poles or wires; to adopt the Public Power Infrastructure Protection Act; to harmonize provisions; to repeal the original sections; to outright repeal section 70-310, 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, 47:

Adams	Dierks	Hadley	McGill	Schilz
Ashford	Dubas	Hansen	Mello	Stuthman
Avery	Fischer	Harms	Nantkes	Sullivan
Campbell	Flood	Heidemann	Nelson	Utter
Carlson	Friend	Howard	Nordquist	Wallman
Christensen	Fulton	Janssen	Pahls	White
Coash	Gay	Karpisek	Pankonin	Wightman
Cook	Giese	Lathrop	Pirsch	
Cornett	Gloor	Lautenbaugh	Price	
Council	Haar	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Langemeier

Excused and not voting, 1:

McCoy

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 274.**

A BILL FOR AN ACT relating to incarceration work camps; to amend sections 83-4,142 and 83-4,143, Reissue Revised Statutes of Nebraska; to provide powers for the Director of Correctional Services; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 278.**

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,157, Reissue Revised Statutes of Nebraska; to permit municipalities to allow pedestrians to solicit contributions on roadways as

prescribed; to harmonize provisions; 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	Hansen	Mello	Stuthman
Ashford	Fischer	Harms	Nantkes	Sullivan
Avery	Flood	Heidemann	Nelson	Utter
Campbell	Friend	Howard	Nordquist	Wallman
Carlson	Fulton	Janssen	Pahls	White
Christensen	Gay	Karpisek	Pankonin	Wightman
Coash	Giese	Langemeier	Pirsch	
Cook	Gloor	Lathrop	Price	
Cornett	Haar	Louden	Rogert	
Dierks	Hadley	McGill	Schilz	

Voting in the negative, 0.

Present and not voting, 2:

Council      Lautenbaugh

Excused and not voting, 1:

McCoy

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

#### **LEGISLATIVE BILL 294.**

A BILL FOR AN ACT relating to county government; to amend section 23-120, Reissue Revised Statutes of Nebraska; to change provisions relating to county building levies; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 299.**

A BILL FOR AN ACT relating to the Nebraska Safety Center Advisory Council; to amend section 85-1008, Reissue Revised Statutes of Nebraska; to add a member to the council; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

**LEGISLATIVE BILL 302.** With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3509.01 and 77-3509.02, Reissue Revised Statutes of Nebraska; to change provisions relating to transfer of a homestead exemption; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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 339.**

A BILL FOR AN ACT relating to cities and villages; to amend section 18-2102.01, Reissue Revised Statutes of Nebraska; to change provisions relating to community development authorities as prescribed; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 343.**

A BILL FOR AN ACT relating to courts; to amend section 24-819, Reissue Revised Statutes of Nebraska; to designate the time the full term of a judge ends; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

A constitutional majority having voted in the affirmative, the bill was



declared passed and the title agreed to.

**LEGISLATIVE BILL 347.**

A BILL FOR AN ACT relating to dogs; to amend section 54-601, Reissue Revised Statutes of Nebraska; to eliminate liability with respect to governmental agencies as prescribed; 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	Dierks	Hadley	McGill	Schilz
Ashford	Dubas	Hansen	Mello	Stuthman
Avery	Fischer	Heidemann	Nantkes	Sullivan
Campbell	Flood	Howard	Nelson	Utter
Carlson	Friend	Janssen	Nordquist	Wallman
Christensen	Fulton	Karpisek	Pahls	White
Coash	Gay	Langemeier	Pankonin	Wightman
Cook	Giese	Lathrop	Pirsch	
Cornett	Gloor	Lautenbaugh	Price	
Council	Haar	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Harms

Excused and not voting, 1:

McCoy

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

**EASE**

The Legislature was at ease from 10:37 a.m. until 10:45 a.m.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 348.**

A BILL FOR AN ACT relating to tax statements; to amend section 76-214, Revised Statutes Cumulative Supplement, 2008; to authorize access to

statements at the office of the register of deeds; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 360.**

A BILL FOR AN ACT relating to the Land Reutilization Act; to amend sections 77-3201, 77-3203, 77-3205, and 77-3211, Reissue Revised Statutes of Nebraska, and sections 77-3204 and 77-3207, Revised Statutes Cumulative Supplement, 2008; to authorize the creation of an authority by a city of the metropolitan class; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 372.**

A BILL FOR AN ACT relating to driver's licenses; to amend section 60-484.02, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to the release of driver's license digital images or digital signatures; to change a penalty; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 389.** With Emergency Clause.

A BILL FOR AN ACT relating to agriculture; to amend section 2-4901, Reissue Revised Statutes of Nebraska; to change membership provisions for the Climate Assessment Response Committee; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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 394.**

A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to amend section 38-2001, Reissue Revised Statutes of Nebraska; to define an act of unprofessional conduct; to define terms relating to unprofessional conduct; to harmonize provisions; to provide an operative date; 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	Dierks	Hadley	McGill	Schilz
Ashford	Dubas	Hansen	Mello	Stuthman
Avery	Fischer	Harms	Nantkes	Sullivan
Campbell	Flood	Heidemann	Nelson	Utter
Carlson	Friend	Howard	Nordquist	Wallman
Christensen	Fulton	Janssen	Pahls	White
Coash	Gay	Karpisek	Pankonin	Wightman
Cook	Giese	Lathrop	Pirsch	
Cornett	Gloor	Lautenbaugh	Price	
Council	Haar	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Langemeier

Excused and not voting, 1:

McCoy

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

#### **LEGISLATIVE BILL 412.**

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735, Reissue Revised Statutes of Nebraska; to change procedures relating to the conduct of certain district elections; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 422.**

A BILL FOR AN ACT relating to veterans; to amend section 80-401.01, Reissue Revised Statutes of Nebraska; to define veteran of the Global War on Terror; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 432.**

A BILL FOR AN ACT relating to the Uniform Disposition of Unclaimed Property Act; to amend section 69-1317, Reissue Revised Statutes of Nebraska; to change provisions relating to confidential information and professional finders' fees; 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	Dierks	Hadley	Louden	Schilz
Ashford	Dubas	Hansen	McGill	Stuthman
Avery	Fischer	Harms	Nantkes	Sullivan
Campbell	Flood	Heidemann	Nelson	Utter
Carlson	Friend	Howard	Nordquist	Wallman
Christensen	Fulton	Janssen	Pahls	White
Coash	Gay	Karpisek	Pankonin	Wightman
Cook	Giese	Langemeier	Pirsch	
Cornett	Gloor	Lathrop	Price	
Council	Haar	Lautenbaugh	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Mello

Excused and not voting, 1:

McCoy

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

#### **LEGISLATIVE BILL 434.**

A BILL FOR AN ACT relating to counties; to amend sections 23-202, 23-294, and 23-295, Revised Statutes Cumulative Supplement, 2008; to change ballot questions regarding township organization; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 441.**

A BILL FOR AN ACT relating to transcripts; to amend sections 14-813, 15-1202, 15-1203, 15-1204, and 19-2424, Reissue Revised Statutes of Nebraska; to change provisions relating to the costs of transcripts of certain municipal proceedings; 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	Dierks	Hadley	McGill	Schilz
Ashford	Dubas	Hansen	Mello	Stuthman
Avery	Fischer	Harms	Nantkes	Sullivan
Campbell	Flood	Heidemann	Nelson	Utter
Carlson	Friend	Janssen	Nordquist	Wallman
Christensen	Fulton	Karpisek	Pahls	White
Coash	Gay	Langemeier	Pankonin	Wightman
Cook	Giese	Lathrop	Pirsch	
Cornett	Gloor	Lautenbaugh	Price	
Council	Haar	Louden	Regert	

Voting in the negative, 0.

Present and not voting, 1:

Howard

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 445.**

A BILL FOR AN ACT relating to the Health Insurance Access Act; to amend sections 44-5302, 44-5303, 44-5306, and 44-5307, Reissue Revised Statutes of Nebraska, and section 44-5305, Revised Statutes Cumulative



Supplement, 2008; to change provisions relating to legislative intent, defined terms, and policy or contract eligibility and requirements; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

#### **LEGISLATIVE BILL 446.**

A BILL FOR AN ACT relating to the Engineers and Architects Regulation Act; to amend sections 81-3401 and 81-3432, Reissue Revised Statutes of Nebraska; to provide for a loan repayment program for graduates; to define a term; to eliminate obsolete language; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

#### **LEGISLATIVE BILL 447.**

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend section 77-5209, Revised Statutes Cumulative Supplement, 2008; to change qualification provisions; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

**LEGISLATIVE BILL 450.**

A BILL FOR AN ACT relating to the Nebraska State Capitol Environs District; to amend section 90-303, Reissue Revised Statutes of Nebraska; to change a height restriction within the district; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 488.**

A BILL FOR AN ACT relating to veterans; to amend section 80-316, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for domiciliary and nursing home care and subsistence; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 498.** With Emergency Clause.

A BILL FOR AN ACT relating to cemeteries; to amend section 12-101, Reissue Revised Statutes of Nebraska; to add trustees to the board of Wyuka Cemetery; to delete obsolete provisions; to require statements regarding conflicts of interest; to harmonize provisions; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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 500.**

A BILL FOR AN ACT relating to cemeteries; to amend sections 16-242 and 17-936, Reissue Revised Statutes of Nebraska, and section 12-402, Revised Statutes Cumulative Supplement, 2008; to authorize certain cities and villages to use funds for the general care of cemeteries as prescribed; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 501.**

A BILL FOR AN ACT relating to elections; to amend sections 32-607, 32-960, 77-27,142.01, 77-27,142.02, and 77-27,142.03, Reissue Revised Statutes of Nebraska, and section 13-519, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to the submission of certain questions at an election; to change candidate filing form requirements; to change population requirements for elections conducted by mail; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 524.**

A BILL FOR AN ACT relating to handicapped parking; to amend section 18-1741.02, Reissue Revised Statutes of Nebraska; to increase fines for handicapped parking infractions; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 528.**

A BILL FOR AN ACT relating to the Business Corporation Act; to amend sections 21-2003, 21-2014, 21-2015, 21-2060, and 21-20,186, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to notice, appointment of proxies, and delivery of documents under the act; to authorize electronic transmissions as a means of notice, delivery, and appointment; 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	Dierks	Hansen	McGill	Schilz
Ashford	Dubas	Harms	Mello	Stuthman
Avery	Fischer	Heidemann	Nantkes	Sullivan
Campbell	Friend	Howard	Nelson	Utter
Carlson	Fulton	Janssen	Nordquist	Wallman
Christensen	Gay	Karpisek	Pahls	White
Coash	Giese	Langemeier	Pankonin	Wightman
Cook	Gloor	Lathrop	Pirsch	
Cornett	Haar	Lautenbaugh	Price	
Council	Hadley	Louden	Regert	

Voting in the negative, 0.

Present and not voting, 1:

Flood

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 531.**

A BILL FOR AN ACT relating to the Nebraska Advantage Microenterprise Tax Credit Act; to amend section 77-5903, Revised Statutes Cumulative Supplement, 2008; to redefine a term; to harmonize provisions; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

**LEGISLATIVE BILL 533.** With Emergency Clause.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend section 81-1174, Reissue Revised Statutes of Nebraska; to change provisions relating to expense reimbursement; 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, 48:



Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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 537.**

A BILL FOR AN ACT relating to fire departments; to amend section 35-302, Reissue Revised Statutes of Nebraska; to change provisions relating to hours of duty of firefighters; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

**LEGISLATIVE BILL 540.** With Emergency Clause.

A BILL FOR AN ACT relating to infants; to amend section 43-4001, Reissue Revised Statutes of Nebraska; to change provisions relating to membership on the Children's Behavioral Health Task Force; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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 562.**

A BILL FOR AN ACT relating to metropolitan utilities districts; to amend section 14-2102, Reissue Revised Statutes of Nebraska; to provide for the continuance of service of the outside member of the board of directors in the event of annexation; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **LEGISLATIVE BILL 587.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Revised Statutes Cumulative Supplement, 2008; to exempt animal grooming by veterinarians and veterinary technicians from sales tax; to provide an operative date; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 155, 392, 358, 503, 626, 630, 27, 27A, 60, 84, 94, 113, 122, 129, 131, 133, 137, 152, 163, 175, 208, 209, 238, 274, 278, 294, 299, 302, 339, 343, 347, 348, 360, 372, 389, 394, 412, 422, 432, 434, 441, 445, 446, 447, 450, 488, 498, 500, 501, 524, and 528.

### **EXPLANATION OF VOTES**

Had I been present, I would have voted "aye" on final passage of LB392 and LB358 and "nay" on final passage of LB503.

(Signed) Brenda Council

### **MOTION - Print in Journal**

Senator Cornett filed the following motion to LB218A:  
MO53  
Indefinitely postpone.

### **COMMITTEE REPORT**

Enrollment and Review

**LEGISLATIVE BILL 36.** Placed on Select File with amendment.  
ER8134 is available in the Bill Room.

(Signed) Jeremy Nordquist, Chairperson

### **VISITORS**

Visitors to the Chamber were Grant Anderson from Wahoo and Bryan Brandenburgh from Raymond; 60 fourth-grade students and sponsors from Sunny Slope School, Omaha; 30 sixth-grade students, teachers, and sponsors from Superior; and 110 fourth-grade students, teachers, and sponsors from Prairie Wind Elementary, Omaha.

### **RECESS**

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

### **AFTER RECESS**

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

**ROLL CALL**

The roll was called and all members were present except Senator McCoy who was excused; and Senators Cook and Schilz who were excused until they arrive.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 20, 2009, at 12:05 p.m. were the following: LBs 155, 392e, 358, 503, 626, 630e, 27e, 27Ae, 60, 84, 94e, 113e, 122, 129, 131, 133, 137, 152, 163, 175, 208, 209, 238e, 274, 278, 294, 299, 302e, 339, 343, 347, 348, 360, 372, 389e, 394, 412, 422, 432, 434, 441, 445, 446, 447, 450, 488, 498e, 500, 501, 524, and 528.

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

**SELECT FILE**

**LEGISLATIVE BILL 675.** ER8133, found on page 1507, was adopted.

Senator Nantkes offered the following amendment:

AM1484

(Amendments to E & R amendments, ER8133)

- 1 1. On page 6, line 7, after "images" insert "Ultrasound
- 2 images shall not be displayed so that the woman is able to view
- 3 them if the woman's pregnancy is the result of rape or incest".

Senator White offered the following amendment to the Nantkes amendment:

FA45

Amend AM1484

After the word "incest" strike the period and insert the following ", unless the woman asks to view the ultrasound image".

Senator McGill moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 32 ayes, 2 nays, and 15 not voting.

Senator White moved for a call of the house. The motion prevailed with 43 ayes, 0 nays, and 6 not voting.

Senator White requested a roll call vote on his amendment.

Voting in the affirmative, 26:

Adams	Cornett	Harms	Mello	Wallman
Ashford	Council	Howard	Nantkes	White
Avery	Dubas	Karpisek	Nordquist	
Campbell	Giese	Lathrop	Pankonin	
Carlson	Haar	Louden	Rogert	
Cook	Hansen	McGill	Sullivan	

Voting in the negative, 8:

Coash	Fulton	Lautenbaugh	Stuthman
Friend	Gloor	Schilz	Wightman

Present and not voting, 13:

Christensen	Flood	Heidemann	Pahls	Utter
Dierks	Gay	Janssen	Pirsch	
Fischer	Hadley	Nelson	Price	

Excused and not voting, 2:

Langemeier    McCoy

The White amendment was adopted with 26 ayes, 8 nays, 13 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

### **COMMITTEE REPORT**

#### Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Galen Frenzen - Nebraska Ethanol Board  
Paul Kenney - Nebraska Ethanol Board

Aye: 6 Senators Carlson, Cook, Dubas, Fischer, Langemeier, Schilz. Nay: 0.  
Absent: 2 Senators Haar, McCoy.

(Signed) Chris Langemeier, Chairperson

**RESOLUTION**

**LEGISLATIVE RESOLUTION 242.** Introduced by Stuthman, 22.

WHEREAS, the Scotus Central Catholic High School boys' soccer team is the champion of the 2009 Class B Boys' State Soccer Tournament; and

WHEREAS, the Shamrocks' 1-0 victory over Columbus High School in the championship game capped a 16-6 season and gave the team its third state title; and

WHEREAS, the Shamrocks have exemplified teamwork, sportsmanship, discipline, and determination; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Scotus Central Catholic High School boys' soccer team on winning the 2009 Class B Boys' State Soccer Tournament.

2. That a copy of this resolution be sent to the Shamrocks and their head coach, Jon Brezenski.

Laid over.

**MESSAGE FROM THE GOVERNOR**

May 20, 2009

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 97e and 97A were received in my office on May 18, 2009.

These bills were signed and delivered to the Secretary of State on May 20, 2009.

Sincerely,  
(Signed) Dave Heineman  
Governor

**SELECT FILE**

**LEGISLATIVE BILL 675.** The Nantkes amendment, AM1484, found in this day's Journal, as amended, was renewed.

**SENATOR STUTHMAN PRESIDING**

Senator White moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Nantkes moved for a call of the house. The motion prevailed with 45 ayes, 0 nays, and 4 not voting.

Senator Nantkes requested a roll call vote on her amendment, as amended.

Voting in the affirmative, 22:

Adams	Council	Harms	McGill	Wallman
Ashford	Dubas	Howard	Mello	White
Avery	Giese	Karpisek	Nantkes	
Campbell	Haar	Lathrop	Pankonin	
Cook	Hansen	Louden	Sullivan	

Voting in the negative, 20:

Carlson	Flood	Gloor	Lautenbaugh	Price
Christensen	Friend	Hadley	Nelson	Schilz
Coash	Fulton	Heidemann	Nordquist	Stuthman
Dierks	Gay	Janssen	Pirsch	Utter

Present and not voting, 5:

Cornett	Fischer	Pahls	Rogert	Wightman
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Excused and not voting, 2:

Langemeier	McCoy
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The Nantkes amendment, as amended, lost with 22 ayes, 20 nays, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Haar offered the following amendment:

AM1480

(Amendments to E & R amendments, ER8133)

- 1 1. On page 6, line 7, after "images" insert ". If
- 2 the woman requests in writing, prior to the performance of the
- 3 ultrasound, that the ultrasound images not be displayed so that she
- 4 is able to view them, such ultrasound images shall not be displayed
- 5 so that the woman is able to view them. A copy of the request shall
- 6 be retained in the woman's medical record".



Senator Haar moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Haar requested a roll call vote on his amendment.

Senator Adams requested the roll call vote be taken in reverse order.

Voting in the affirmative, 10:

Avery	Council	Haar	Louden	Nantkes
Cook	Giese	Howard	McGill	Wallman

Voting in the negative, 30:

Adams	Dierks	Gloor	Karpisek	Nordquist
Ashford	Fischer	Hadley	Langemeier	Pirsch
Carlson	Flood	Hansen	Lathrop	Schilz
Christensen	Friend	Harms	Lautenbaugh	Stuthman
Coash	Fulton	Heidemann	Mello	Utter
Cornett	Gay	Janssen	Nelson	Wightman

Present and not voting, 5:

Campbell	Pahls	Price	Rogert	Sullivan
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Excused and not voting, 4:

Dubas	McCoy	Pankonin	White
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The Haar amendment lost with 10 ayes, 30 nays, 5 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Council offered the following amendment:

AM1482

(Amendments to E & R amendments, ER8133)

- 1 1. On page 5, line 13; and page 8, line 15, after the
- 2 period insert "A facility or clinic that is not licensed may only
- 3 be included on the list if there is a contractual relationship
- 4 between the facility or clinic and a licensed health care provider
- 5 providing for the delivery of medical services.".

Senator Council withdrew her amendment.

Senator Council offered the following amendment:

FA46

Amend ER8133 Strike "them." on line 5, page 6, and insert "or not view the ultrasound images."

Senator Council withdrew her amendment.

Senator Nordquist offered the following amendment:  
AM1492

(Amendments to E & R amendments, ER8133)

- 1 1. On page 5, line 12, strike "perform ultrasounds"
- 2 and insert "have ultrasounds performed by a person at least
- 3 as qualified as a registered nurse licensed under the Uniform
- 4 Credentialing Act"; and in line 13 after "perform" insert "such".

The Nordquist amendment was adopted with 36 ayes, 1 nay, 8 present and not voting, and 4 excused and not voting.

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

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

Senator Ashford requested the roll call vote be taken in reverse order.

Voting in the affirmative, 38:

Adams	Flood	Harms	Nelson	Stuthman
Ashford	Friend	Heidemann	Nordquist	Sullivan
Carlson	Fulton	Janssen	Pahls	Utter
Christensen	Gay	Karpisek	Pankonin	Wallman
Coash	Giese	Langemeier	Pirsch	White
Cornett	Gloor	Lathrop	Price	Wightman
Dierks	Hadley	Lautenbaugh	Rogert	
Fischer	Hansen	Mello	Schilz	

Voting in the negative, 6:

Campbell	Haar	McGill
Council	Howard	Nantkes

Present and not voting, 3:

Avery	Cook	Louden
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Excused and not voting, 2:

Dubas	McCoy
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Advanced to Enrollment and Review for Engrossment with 38 ayes, 6 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

**SENATOR LANGEMEIER PRESIDING****MOTION - Return LB35 to Select File**

Senator Ashford moved to return LB35 to Select File for his specific amendment, AM1468, found on page 1600.

Pending.

**EASE**

The Legislature was at ease from 5:34 p.m. until 6:05 p.m.

**COMMITTEE REPORTS**

## Enrollment and Review

**LEGISLATIVE BILL 16.** Placed on Final Reading.

ST9055

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

1. On page 1, the matter beginning with "the" in line 1 through line 4 and all amendments thereto have been struck and "state government; to amend section 84-602, Reissue Revised Statutes of Nebraska; to provide for the establishment of a web site known as the Taxpayer Transparency Act; to provide powers and duties for the State Treasurer; and to repeal the original section." inserted.

**LEGISLATIVE BILL 241.** Placed on Final Reading.**LEGISLATIVE BILL 288.** Placed on Final Reading.

ST9059

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

1. In the Pirsch amendment, AM1428, section 4 has been renumbered as section 11 and incorporated into the Stuthman amendment, AM1278, and the Standing Committee amendment, AM846.

2. In the Stuthman amendment, AM1278:

a. Sections 11, 12, 13, 15, 35, 49, 50, 51, and 52 have been renumbered as sections 12, 13, 14, 16, 36, 50, 51, 52, and 53, respectively;

b. On page 9, line 25, "U.S." has been struck and "United States" inserted; and in line 26 "42 U.S.C. 902(2)" has been struck and "42 U.S.C. 9902(2)" inserted;

c. On page 24, line 15, "of" has been inserted after "amount"; and

d. Section 46 has been struck.

3. In the Standing Committee amendment, AM846:

a. Section 34 and all amendments thereto have been struck and the following new section inserted:

Sec. 47. Sections 18, 19, 20, 21, 22, 23, 33, 39, 43, 47, 48, and 55 of this act become operative on their effective date. Sections 5, 6, 7, 8, 10, 12, 13, 14, and 50 of this act become operative on September 30, 2009. Sections 9 and 51 of this act become operative on October 1, 2009. Sections 16, 36, and 52 of this act become operative on January 1, 2010. Sections 4 and 53 of this act become operative on October 1, 2010. The other sections of this act become operative three calendar months after the adjournment of this legislative session.

b. On page 12, line 6; and page 14, line 1, "11" has been struck and "23" inserted;

c. On page 26, line 20, "20" has been struck and "32" inserted; and

d. On page 44, line 8, "43-512.15," has been inserted after the last comma.

4. In the E & R amendments, ER8118, on page 1, line 2, "42-358.02, 42-364, 42-369, 43-512, 43-512.03, 43-512.07, 43-512.12, 43-512.15, 43-512.16, 43-512.17, 48-2302," has been inserted after the third comma and "77-27,166," has been inserted after "71-531,;" in line 4 "44-3,144," has been inserted after "sections"; in line 7 "to define and redefine terms;" has been inserted after the semicolon; and in line 8 "to change provisions relating to support orders and collection of past-due payments, interest, assignment, setoff, medical support, and health care coverage for dependent children;" has been inserted after the semicolon.

**LEGISLATIVE BILL 288A.** Placed on Final Reading.

ST9058

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

1. On page 1, line 3, "to reduce appropriations;" has been inserted after the semicolon.

**LEGISLATIVE BILL 561.** Placed on Final Reading.

ST9057

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

1. In the E & R amendments, ER8126, on page 4, line 11, ", and sections 70-1903, 70-1904, and 77-2704.57, Revised Statutes Cumulative Supplement, 2008" has been inserted after "Nebraska"; and in line 14 "to change provisions relating to community-based energy development projects;" has been inserted after the semicolon.

(Signed) Jeremy Nordquist, Chairperson

**COMMITTEE REPORT**

Urban Affairs

**LEGISLATIVE BILL 658.** Placed on General File with amendment. AM1487 is available in the Bill Room.

(Signed) Mike Friend, Chairperson

**AMENDMENT - Print in Journal**

Senator Lautenbaugh filed the following amendment to LB285:  
AM1465 is available in the Bill Room.

**MOTION - Return LB35 to Select File**

The Ashford motion, found in this day's Journal, to return LB35 to Select File for his specific amendment, AM1468, found on page 1600, was renewed.

Senator Price moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 5 nays, and 13 not voting.

Senator Lathrop requested a record vote on the Ashford motion to return.

Voting in the affirmative, 26:

Adams	Flood	Heidemann	Mello	Utter
Ashford	Friend	Howard	Nelson	Wightman
Avery	Gay	Janssen	Nordquist	
Coash	Gloor	Langemeier	Pirsch	
Cornett	Hadley	Lautenbaugh	Price	
Fischer	Hansen	Louden	Stuthman	

Voting in the negative, 20:

Campbell	Council	Giese	Lathrop	Schilz
Carlson	Dierks	Haar	McGill	Sullivan
Christensen	Dubas	Harms	Nantkes	Wallman
Cook	Fulton	Karpisek	Rogert	White

Present and not voting, 2:

Pahls                      Pankonin

Excused and not voting, 1:

McCoy

The Ashford motion to return prevailed with 26 ayes, 20 nays, 2 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 35.** Senator Ashford withdrew his specific amendment, AM1468, found on page 1600.

Readvanced to Final Reading.

**MOTION - Return LB35 to Select File**

Senator Ashford moved to return LB35 to Select File for the following specific amendment:

AM1493

(Amendments to AM1468)

- 1 1. Strike amendments 1 through 3 and insert the following
- 2 amendments:
- 3 1. Strike section 34.
- 4 2. On page 6, lines 8 and 9, strike the new matter and
- 5 reinstate the stricken matter; in line 8 before "there" insert "1
- 6 until June 30, 2010."; and in line 9 after "court" insert "and,
- 7 beginning July 1, 2011, there shall be eight judges of the district
- 8 court".
- 9 3. On page 43, line 6, strike "36" and insert "35";
- 10 strike beginning with "Sections" in line 7 through the period in
- 11 line 8; and in line 12 strike "24-517" and insert "24-301.02,
- 12 24-517,".
- 13 4. Renumber the remaining sections accordingly.

**SENATOR FRIEND PRESIDING**

Senator Price moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 32 ayes, 7 nays, and 10 not voting.

The Ashford motion to return prevailed with 33 ayes, 10 nays, 5 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 35.** The Ashford specific amendment, AM1493, found in this day's Journal, was renewed.

Senator Karpisek moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 30 ayes, 3 nays, and 16 not voting.

The Ashford specific amendment was adopted with 35 ayes, 8 nays, 5 present and not voting, and 1 excused and not voting.

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

Senator Pirsch requested the roll call vote be taken in reverse order.

Voting in the affirmative, 43:

Adams	Dierks	Hansen	McGill	Rogert
Ashford	Dubas	Harms	Mello	Schilz
Avery	Flood	Howard	Nantkes	Stuthman
Campbell	Fulton	Janssen	Nelson	Sullivan
Carlson	Gay	Karpisek	Nordquist	Wallman
Christensen	Giese	Langemeier	Pahls	White
Coash	Gloor	Lathrop	Pankonin	Wightman
Cook	Haar	Lautenbaugh	Pirsch	
Cornett	Hadley	Louden	Price	

Voting in the negative, 4:

Council	Fischer	Friend	Heidemann
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Present and not voting, 1:

Utter

Excused and not voting, 1:

McCoy

Advanced to Enrollment and Review for Reengrossment with 43 ayes, 4 nays, 1 present and not voting, and 1 excused and not voting.

### **MOTION - Return LB35A to Select File**

Senator Ashford moved to return LB35A to Select File for his specific amendment, AM1467, found on page 1600.

The Ashford motion to return prevailed with 39 ayes, 1 nay, 8 present and not voting, and 1 excused and not voting.

### **SELECT FILE**

**LEGISLATIVE BILL 35A.** The Ashford specific amendment, AM1467, found on page 1600, was adopted with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

### **BILLS ON FINAL READING**

The following bills were read and put upon final passage:

#### **LEGISLATIVE BILL 598.**

A BILL FOR AN ACT relating to victims of tragedy; to amend sections 81-1801, 81-1802, 81-1803, 81-1805, 81-1813, 81-1818, 81-1820, 81-1822,

81-1823, 81-1825, 81-1833, 81-1834, 81-1835, 81-1839, 81-1840, and 81-1841, Reissue Revised Statutes of Nebraska; to authorize a Community Trust; to redefine terms; to change provisions relating to the Nebraska Crime Victim's Reparations Act; 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

#### **LEGISLATIVE BILL 604.** With Emergency Clause.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend sections 38-2801, 38-2802, 38-2826, 38-2850, 38-2867, 38-2869, and 38-2873, Reissue Revised Statutes of Nebraska; to define terms and eliminate a term; to change and eliminate provisions relating to medical gas distribution; to harmonize provisions; to repeal the original sections; to outright repeal section 38-2827, 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, 46:



Adams	Dierks	Hadley	Mello	Stuthman
Ashford	Dubas	Hansen	Nantkes	Sullivan
Avery	Fischer	Harms	Nelson	Utter
Campbell	Flood	Heidemann	Nordquist	Wallman
Carlson	Friend	Howard	Pahls	White
Christensen	Fulton	Janssen	Pankonin	Wightman
Coash	Gay	Langemeier	Pirsch	
Cook	Giese	Lathrop	Price	
Cornett	Gloor	Lautenbaugh	Rogert	
Council	Haar	Louden	Schilz	

Voting in the negative, 0.

Present and not voting, 2:

Karpisek      McGill

Excused and not voting, 1:

McCoy

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 627.**

A BILL FOR AN ACT relating to the Boiler Inspection Act; to amend section 48-722, Revised Statutes Cumulative Supplement, 2008; to require inspections of domestic potable hot water heaters; 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	Dierks	Hadley	McGill	Schilz
Ashford	Dubas	Hansen	Mello	Stuthman
Avery	Fischer	Harms	Nantkes	Sullivan
Campbell	Flood	Heidemann	Nelson	Utter
Carlson	Friend	Howard	Nordquist	Wallman
Christensen	Fulton	Janssen	Pahls	White
Coash	Gay	Langemeier	Pankonin	Wightman
Cook	Giese	Lathrop	Pirsch	
Cornett	Gloor	Lautenbaugh	Price	
Council	Haar	Louden	Rogert	

Voting in the negative, 0.

Present and not voting, 1:

Karpisek

Excused and not voting, 1:

McCoy

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 LB631 with 43 ayes, 1 nay, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 631.** With Emergency Clause.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-622.01, 48-622.02, 48-622.03, 48-655, 48-665, 48-668, and 48-668.02, Reissue Revised Statutes of Nebraska, and sections 48-612.01, 48-648, 48-648.01, 48-649, 48-652, and 48-654, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to information disclosure, electronic payment and filing, combined tax rate, employer accounts, unemployment compensation, and worker training programs; to harmonize provisions; to eliminate an advisory council; to repeal the original sections; to outright repeal section 48-610, 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, 48:

Adams	Dierks	Hadley	Louden	Rogert
Ashford	Dubas	Hansen	McGill	Schilz
Avery	Fischer	Harms	Mello	Stuthman
Campbell	Flood	Heidemann	Nantkes	Sullivan
Carlson	Friend	Howard	Nelson	Utter
Christensen	Fulton	Janssen	Nordquist	Wallman
Coash	Gay	Karpisek	Pahls	White
Cook	Giese	Langemeier	Pankonin	Wightman
Cornett	Gloor	Lathrop	Pirsch	
Council	Haar	Lautenbaugh	Price	

Voting in the negative, 0.

Excused and not voting, 1:

McCoy

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

### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 531, 533, 537, 540, 562, 587, 598, 604, 627, and 631.

### **VISITOR**

The Doctor of the Day was Dr. Paul Wolfe from Lincoln.

### **ADJOURNMENT**

At 9:04 p.m., on a motion by Senator Rogert, the Legislature adjourned until 9:00 a.m., Thursday, May 21, 2009.

Patrick J. O'Donnell  
Clerk of the Legislature

