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February 8, 2005 LB 11

in the original bill regarding registered mail is removed by the amendment. The amendment further provides that a person or state agency is not authorized to use an e-mail address for service of process of legal documents upon a party to a lawsuit. And finally, a postsecondary educational institution of the state is added to the definition of "state agency." With that, Mr. President, I would simply urge adoption of the amendment.

PRESIDENT SHEEHY: Thank you, Senator Schimek. (Visitors introduced.) The floor is now open for discussion on AM0053. No lights are pressed. Senator Schimek, you're recognized to close.

SENATOR SCHIMEK: Good. Oh, I'm sorry, Mr. President. I was speaking with staff and I didn't even realize my mike was on until I heard the word "good" come over it. I would simply say that this is pretty much a clarifying amendment, except that it prohibits legal documents from being used in this manner. So with that, I would just urge adoption.

PRESIDENT SHEEHY: Thank you. The question before the house is, shall AM0053 from the Committee of Government, Military and Veteran Affairs be adopted to LB 11? All in favor vote yea; opposed vote nay. Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of committee amendments.

PRESIDENT SHEEHY: AM0053 is adopted.

CLERK: Senator Landis would move to amend with AM0313. (Legislative Journal page 455.)

PRESIDENT SHEEHY: Senator Landis.

SENATOR LANDIS: Thank you, Mr. Lieutenant Governor. This amendment says that instead of the Secretary of State "shall" issue rules and regs, they "may" issue rules and regs. Now, let me tell you why that would be a valuable change. There has been a legal challenge in the past that where a statute said the Secretary of State "shall" adopt rules and regs, and the