

NINETIETH DAY - MAY 31, 2007

LEGISLATIVE JOURNAL

**ONE HUNDREDTH LEGISLATURE
FIRST SESSION**

NINETIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, May 31, 2007

PRAYER

The prayer was offered by Pastor Robert Hayward, Seventh Day Adventist Church, Alliance.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Fulton, Heidemann, Synowiecki, and White who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighty-ninth day was approved.

**COMMITTEE REPORTS
Enrollment and Review**

LEGISLATIVE BILL 246. Placed on Select File - ER8126.
ER8126

- 1 1. On page 1, line 3, strike the first "and" and
- 2 after "duties" insert "; and to provide for criminal immunity as
- 3 prescribed".

Correctly Enrolled

The following resolutions were correctly enrolled: LRs 10 and 39.

(Signed) Amanda McGill, Chairperson

ENROLLED RESOLUTIONS

LEGISLATIVE RESOLUTION 10. Introduced by Johnson, 37; Gay, 14; Hansen, 42; Howard, 9; Pankonin, 2.

WHEREAS, the Legislature regards the health of our children to be of paramount importance to families in our state; and

WHEREAS, the Legislature regards poor child health as a threat to the educational achievement and social and psychological well-being of the children of our state; and

WHEREAS, the Legislature considers protecting the health of our children to be essential to their well-being and the quality of life in our state; and

WHEREAS, the Legislature considers "Kids Connection", the children's health insurance program of this state which has enrolled 111,919 uninsured children since its inception in 1998, to be an integral part of the arrangements for health benefits for the children of the State of Nebraska; and

WHEREAS, the Legislature recognizes the value of "Kids Connection" in preserving child wellness, preventing and treating childhood disease, improving health outcomes, and reducing overall health costs; and

WHEREAS, the Legislature considers the federal funding available for "Kids Connection" to be indispensable to providing health benefits for children of modest means.

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

1. The Legislature urges the members of Nebraska's congressional delegation to ensure that Congress timely reauthorizes the State Children's Health Insurance Program (SCHIP) to assure appropriate federal funding.

2. The Legislature urges the Governor to use his best efforts to work with the Nebraska congressional delegation to ensure that SCHIP is reauthorized in a timely manner.

LEGISLATIVE RESOLUTION 39. Introduced by Johnson, 37; Hansen, 42; Howard, 9; Pankonin, 2; Synowiecki, 7.

WHEREAS, the Legislature regards access to mental health and substance abuse treatment to be of paramount importance to the citizens of our state; and

WHEREAS, President George W. Bush's proposed budget for the United States Government, Fiscal Year 2008 includes significantly decreased appropriations to a number of programs that are critical in providing services to citizens with mental illness and substance abuse disorders; and

WHEREAS, the Legislature finds that individuals experiencing problems associated with mental health and substance abuse are having difficulty accessing appropriate services in a timely manner. This is evidenced by extensive wait lists for individuals requiring mental health and substance abuse services in the community. Currently, over one thousand people are on wait lists for such services in Nebraska; and

WHEREAS, the Legislature finds that delays in accessing mental health and substance abuse services can exacerbate conditions for those consumers needing such professional intervention. Wait lists and access delays demonstrate an inadequate capacity for behavioral treatment services in Nebraska to sufficiently and timely meet consumer need in both rural and urban settings; and

WHEREAS, the Legislature finds that insurance companies are increasingly limiting their liability for claims for mental health and substance abuse services. The diminishing availability for mental health and substance abuse treatment resources for the insured population has impacted public resources. An increasing number of consumers are forced to access the public behavioral health system to meet mental health and substance abuse needs; and

WHEREAS, the Legislature considers federal funding for mental health and substance abuse treatment to be critical in providing an appropriate level of access to proper treatment for citizens; and

WHEREAS, the Legislature finds that a decrease in federal funding for mental health and substance abuse treatment will provide substantive harm to a vulnerable population and will negatively impact the quality of life for our citizens.

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

1. That the Legislature urges the members of Nebraska's congressional delegation to ensure that Congress fully fund mental health and substance abuse treatment.

2. That the Legislature urges the Governor to use his best efforts to work with the Nebraska congressional delegation to ensure that this funding is restored.

3. That the Governor and each member of Nebraska's congressional delegation receive a copy of this resolution.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR's 10 and 39.

REPORT

The following report was received by the Legislature:

Investment Finance Authority

Clean Water State Revolving Fund Revenue Bonds

Drinking Water State Revolving Fund Revenue Bonds

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 LB 265 with 37 ayes, 5 nays, 3 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 265. With Emergency.

A BILL FOR AN ACT relating to labor; to amend sections 13-1102, 20-113, 48-606, 48-612, 48-663.01, 48-1001, 48-1002, 48-1003, 48-1004, 48-1005, 48-1007, 48-1008, 48-1009, 48-1010, 48-1203, 48-1203.01, and 48-1809, Reissue Revised Statutes of Nebraska, and sections 48-418, 48-601, 48-602, 48-624, 48-649, 48-652, 48-664, 48-2501, 48-2503, 48-2506, 48-2507, 48-2508, and 48-2512, Revised Statutes Cumulative Supplement, 2006; to change and eliminate provisions of the Act Prohibiting Unjust Discrimination in Employment Because of Age, the Employment Security Law, the Nebraska Amusement Ride Act, and the Conveyance Safety Act; to change provisions relating to minimum wage rates; to create and eliminate funds; to transfer and eliminate provisions relating to elevator inspections; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 48-418.01, 48-418.02, 48-418.03, 48-418.05, 48-418.06, 48-418.07, 48-418.08, 48-418.10, 48-418.11, 48-418.12, 48-418.14, 48-1006, and 48-1810, Reissue Revised Statutes of Nebraska, and sections 48-418.04, 48-418.09, 48-649.01, and 48-2505, Revised Statutes Cumulative Supplement, 2006; 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	Howard	McDonald	Raikes
Aguilar	Engel	Hudkins	McGill	Rogert
Ashford	Erdman	Janssen	Mines	Schimek
Avery	Fischer	Johnson	Nantkes	Stuthman
Burling	Flood	Karpisek	Nelson	Wallman
Carlson	Friend	Kopplin	Pahls	White
Chambers	Fulton	Kruse	Pankonin	Wightman
Christensen	Gay	Langemeier	Pedersen	
Cornett	Hansen	Lathrop	Pirsch	
Dierks	Harms	Louden	Preister	

Voting in the negative, 0.

Excused and not voting, 2:

Heidemann Synowiecki

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 351 with 40 ayes, 3 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 351.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend sections 43-504, 43-512, 68-1709, 68-1710, 68-1718, 68-1722, 68-1723, and 68-1724, Reissue Revised Statutes of Nebraska, and sections 68-915, 68-1713, and 68-1721, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to time limits, eligibility, and transition payments 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Heidemann Synowiecki

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 351A.

A BILL FOR AN ACT relating to appropriations; to reduce appropriations to aid in carrying out the provisions of Legislative Bill 351, One Hundredth Legislature, First Session, 2007.

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

Voting in the negative, 0.

Excused and not voting, 2:

Heidemann Synowiecki

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

LEGISLATIVE BILL 530.

A BILL FOR AN ACT relating to water; to amend section 46-2,139, Revised Statutes Cumulative Supplement, 2006; to change Storm Water Management Plan Program 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	Dubas	Howard	McDonald	Raikes
Aguilar	Engel	Hudkins	McGill	Rogert
Ashford	Erdman	Janssen	Mines	Schimek
Avery	Fischer	Johnson	Nantkes	Stuthman
Burling	Flood	Karpisek	Nelson	Synowiecki
Carlson	Friend	Kopplin	Pahls	Wallman
Chambers	Fulton	Kruse	Pankonin	White
Christensen	Gay	Langemeier	Pedersen	Wightman
Cornett	Hansen	Lathrop	Pirsch	
Dierks	Harms	Louden	Preister	

Voting in the negative, 0.

Excused and not voting, 1:

Heidemann

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 LB 570 with 35 ayes, 6 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 570.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-393 and 60-396, Revised Statutes Cumulative Supplement, 2006; sections 60-395 and 60-3,104, Revised Statutes Cumulative Supplement, 2006, as amended by sections 35 and 37, Legislative Bill 286, One Hundredth Legislature, First Session, 2007; and section 60-301, Revised Statutes Cumulative Supplement, 2006, as amended by section 20, Legislative Bill 286, One Hundredth Legislature, First Session, 2007, and section 1, Legislative Bill 349, One Hundredth Legislature, First Session, 2007; to provide for Gold Star Family license plates; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

Voting in the affirmative, 47:

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

Voting in the negative, 1:

Chambers

Excused and not voting, 1:

Heidemann

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 LB 646 with 37 ayes, 5 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 646.

A BILL FOR AN ACT relating to elections; to amend sections 32-230, 32-232, 32-235, 32-612, 32-906, 32-1001, 32-1004, 32-1010, and 32-1049, Reissue Revised Statutes of Nebraska, and sections 32-808, 32-904, 32-909, 32-1002, 32-1027, and 32-1041, Revised Statutes Cumulative Supplement, 2006; to change provisions relating to changing political parties and issuing ballots for early voting; to change and eliminate provisions relating to the use and counting of ballots; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-224, 32-234, 32-1011, 32-1019, 32-1020, 32-1021, 32-1022, 32-1023, 32-1024, and 32-1025, Reissue Revised Statutes of Nebraska, and section 32-1026, Reissue Revised Statutes of Nebraska, as amended by section 3, Legislative Bill 44, One Hundredth Legislature, First Session, 2007.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Heidemann

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 653.

A BILL FOR AN ACT relating to the Quality Education Accountability Act; to amend sections 79-757, 79-760.01, and 79-760.02, Reissue Revised Statutes of Nebraska, and section 79-760, Revised Statutes Cumulative Supplement, 2006; to require the implementation of a statewide assessment and reporting system, grade level standards and assessments, and the tracking of individual student achievement; to define terms; to provide duties for the State Department of Education, the State Board of Education, a coordinator, learning communities, educational service units, and school districts; 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, 30:

Adams	Chambers	Harms	Lathrop	Preister
Aguilar	Cornett	Howard	McDonald	Raikes
Ashford	Engel	Johnson	McGill	Rogert
Avery	Flood	Kopplin	Mines	Schimek
Burling	Friend	Kruse	Nantkes	Synowiecki
Carlson	Hansen	Langemeier	Pahls	Wightman

Voting in the negative, 13:

Christensen	Fischer	Karpisek	Pankonin	Wallman
Dierks	Fulton	Louden	Pirsch	
Erdman	Hudkins	Nelson	Stuthman	

Present and not voting, 5:

Dubas	Gay	Janssen	Pedersen	White
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Excused and not voting, 1:

Heidemann

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

LEGISLATIVE BILL 653A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 653, One Hundredth Legislature, First Session, 2007.

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, 31:

Adams	Cornett	Kopplin	Nantkes	Synowiecki
Aguilar	Flood	Kruse	Pahls	White
Ashford	Friend	Langemeier	Pedersen	Wightman
Avery	Hansen	Lathrop	Preister	
Burling	Harms	McDonald	Raikes	
Carlson	Howard	McGill	Rogert	
Chambers	Johnson	Mines	Schimek	

Voting in the negative, 8:

Christensen	Karpisek	Pankonin	Stuthman
Erdman	Louden	Pirsch	Wallman

Present and not voting, 9:

Dierks	Engel	Fulton	Hudkins	Nelson
Dubas	Fischer	Gay	Janssen	

Excused and not voting, 1:

Heidemann

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

declared passed and the title agreed to.

MESSAGES FROM THE GOVERNOR

May 31, 2007

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 97, 142, 247e, 247A, 358, 456, 551e, 551A, 554, 554A, and 573 were received in my office on May 30, 2007.

I signed and delivered these Legislative Bills to the Secretary of State on May 31, 2007.

Sincerely,
(Signed) Dave Heineman
Governor

May 31, 2007

Mr. President, Mr. Speaker, and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 658 without my signature and with my objections.

My decision to veto LB 658 was difficult because I recognize that the bill is the Legislature's response to the will of Nebraska voters on Referendum 422. The result of that election clearly established that a majority of Nebraskans want an opportunity for our small rural schools to exist. I cannot, however, ignore the fact that small district advocates view the provisions of this bill as having so many obstacles to any new school creation that they are willing to sacrifice the property protections placed in the bill in order to have another opportunity to work in good faith on an alternative legislative proposal that could be considered next year.

LB 658 clearly mandates numerous and difficult requirements that the patrons of small, rural school districts would have to complete in order to recreate their former schools. While I share many legislators' concerns with an approach to this issue that would call simply for the creation of every former Class I district exactly as it existed prior to its dissolution, I do not

believe that the process set forth in LB 658 to form and govern Class I districts is fair.

I have been assured by small school representatives that they would not file any new lawsuits on this issue, would not continue to demand automatic restoration of all former Class I districts as they existed prior to the dissolutions, and that they would work with legislative policymakers throughout this summer and fall to reach a more reasonable resolution to this issue. This opportunity presents us with a new beginning.

For these reasons, I respectfully urge you to sustain my veto of LB 658.

Sincerely,
(Signed) Dave Heineman
Governor

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 265, 351, 351A, 530, 570, 646, 653, and 653A.

RESOLUTIONS

LEGISLATIVE RESOLUTION 216. Read. Considered.

LR 216 was adopted with 26 ayes, 0 nays, 22 present and not voting, and 1 excused and not voting.

LEGISLATIVE RESOLUTION 217. Read. Considered.

LR 217 was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

LEGISLATIVE RESOLUTION 218. Read. Considered.

LR 218 was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 216, 217, and 218.

VISITOR

Visitor to the Chamber was Senator Nelson's wife, Judy, from Omaha.

RECESS

At 11:53 a.m., on a motion by Senator Dierks, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators Ashford, Christensen, Flood, and Heidemann who were excused until they arrive.

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 31, 2007, at 11:52 a.m. were the following: LBs 265e, 351, 351A, 530, 570, 646, 653, and 653A.

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

MOTION - Override Veto on LB 658

Senator Raikes offered the following motion:
That LB 658e becomes law notwithstanding the objections of the Governor.

Senator Raikes moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

Senator Raikes requested a roll call vote on his motion to override the Governor's veto.

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

Voting in the affirmative, 24:

Adams	Carlson	Howard	Lathrop	Preister
Aguilar	Chambers	Janssen	McGill	Raikes
Ashford	Cornett	Johnson	Mines	Rogert
Avery	Engel	Kopplin	Pankonin	Schimek
Burling	Friend	Kruse	Pedersen	

Voting in the negative, 22:

Christensen	Flood	Hudkins	Nelson	Wallman
Dierks	Fulton	Karpisek	Pahls	White
Dubas	Gay	Langemeier	Pirsch	
Erdman	Hansen	Louden	Stuthman	
Fischer	Heidemann	McDonald	Synowiecki	

Present and not voting, 3:

Harms	Nantkes	Wightman
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Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

The Chair declared the call raised.

PRESIDENT SHEEHY PRESIDING

MESSAGE FROM THE GOVERNOR

May 31, 2007

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 265e, 351, 351A, 530, 570, 646, 653, and 653A were received in my office on May 31, 2007.

I signed and delivered these Legislative Bills to the Secretary of State on May 31, 2007.

Sincerely,
 (Signed) Dave Heineman
 Governor

COMMITTEE REPORTS **Health and Human Services**

LEGISLATIVE BILL 52. Indefinitely postponed.
LEGISLATIVE BILL 54. Indefinitely postponed.
LEGISLATIVE BILL 86. Indefinitely postponed.
LEGISLATIVE BILL 178. Indefinitely postponed.
LEGISLATIVE BILL 250. Indefinitely postponed.
LEGISLATIVE BILL 267. Indefinitely postponed.
LEGISLATIVE BILL 326. Indefinitely postponed.
LEGISLATIVE BILL 411. Indefinitely postponed.

LEGISLATIVE BILL 451. Indefinitely postponed.
LEGISLATIVE BILL 518. Indefinitely postponed.
LEGISLATIVE BILL 538. Indefinitely postponed.
LEGISLATIVE BILL 555. Indefinitely postponed.
LEGISLATIVE BILL 577. Indefinitely postponed.
LEGISLATIVE BILL 616. Indefinitely postponed.
LEGISLATIVE BILL 617. Indefinitely postponed.
LEGISLATIVE BILL 631. Indefinitely postponed.
LEGISLATIVE BILL 666. Indefinitely postponed.
LEGISLATIVE BILL 670. Indefinitely postponed.
LEGISLATIVE BILL 675. Indefinitely postponed.
LEGISLATIVE BILL 699. Indefinitely postponed.

(Signed) Joel Johnson, Chairperson

General Affairs

LEGISLATIVE RESOLUTION 11CA. Indefinitely postponed.

(Signed) Vickie McDonald, Chairperson

MOTIONS - Approve Appointments

Senator Johnson moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1831:

Commission for the Deaf and Hard of Hearing
 Clifford Carlson

Voting in the affirmative, 28:

Adams	Engel	Harms	Kruse	Pirsch
Aguilar	Flood	Howard	Louden	Raikes
Avery	Friend	Hudkins	McDonald	Rogert
Burling	Fulton	Janssen	Nantkes	Wallman
Carlson	Gay	Johnson	Nelson	
Dierks	Hansen	Kopplin	Pedersen	

Voting in the negative, 0.

Present and not voting, 20:

Ashford	Erdman	Langemeier	Pahls	Stuthman
Chambers	Fischer	Lathrop	Pankonin	Synowiecki
Christensen	Heidemann	McGill	Preister	White
Dubas	Karpisek	Mines	Schimek	Wightman

Excused and not voting, 1:

Cornett

The appointment was confirmed with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

Senator McDonald moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1847:

Nebraska Racing Commission
Dennis P. Lee

Voting in the affirmative, 30:

Adams	Dierks	Gay	Kopplin	Pahls
Aguilar	Dubas	Hansen	Kruse	Pankonin
Avery	Erdman	Harms	Langemeier	Pedersen
Burling	Flood	Janssen	Louden	Pirsch
Carlson	Friend	Johnson	McDonald	Schimek
Christensen	Fulton	Karpisek	Nelson	Wallman

Voting in the negative, 0.

Present and not voting, 18:

Ashford	Heidemann	McGill	Raikes	White
Chambers	Howard	Mines	Rogert	Wightman
Engel	Hudkins	Nantkes	Stuthman	
Fischer	Lathrop	Preister	Synowiecki	

Excused and not voting, 1:

Cornett

The appointment was confirmed with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Senator Aguilar moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 1869:

State Personnel Board
Amber A. Brown

Voting in the affirmative, 33:

Adams	Dubas	Harms	Louden	Pirsch
Aguilar	Engel	Howard	McDonald	Schimek
Ashford	Erdman	Janssen	Nantkes	Stuthman
Burling	Friend	Karpisek	Nelson	Wallman
Carlson	Fulton	Kopplin	Pahls	White
Christensen	Gay	Kruse	Pankonin	
Dierks	Hansen	Langemeier	Pedersen	

Voting in the negative, 0.

Present and not voting, 15:

Avery	Flood	Johnson	Mines	Rogert
Chambers	Heidemann	Lathrop	Preister	Synowiecki
Fischer	Hudkins	McGill	Raikes	Wightman

Excused and not voting, 1:

Cornett

The appointment was confirmed with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

MOTION - Notify Governor

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

The motion prevailed.

The Chair appointed Senators Dubas, Fischer, Heidemann, Janssen, and Raikes to serve on said committee.

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

The committee escorted Governor Dave Heineman from the Chamber.

COMMUNICATIONS

May 31, 2007

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

Dear Mr. Secretary:

Consistent with our rules, I am forwarding LB 198 for deposit in your office. Legislative rules require us to deliver the bills to your office following the receipt of a veto message when no motion to override has been offered.

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

PJO:jk

May 31, 2007

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

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the veto by Governor Heineman of LB 658e, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

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

PJO:jk
Enc.

MOTION - Suspend Rules

Senator Flood renewed his motion, found on page 1867, to suspend Rule 6, Section 3, and Rule 7, Sections 3 and 7, and to indefinitely postpone the following bills whose provisions have been included in other enacted legislation or whose companion bill has been indefinitely postponed: LBs 31, 31A, 33, 46, 103, 114, 119, 120, 121, 122, 125, 126, 127, 128, 129, 130, 134, 149, 156, 189, 190, 260, 301, 303, 303A, 314, 346, 369, 370, 370A, 385, 398, 399, 417, 417A, 426, 426A, 427, 458, 475A, 478, 479, 484, 491,

496, 505, 519, 627, 637, 659, 665, and 682.

The motion prevailed with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

MOTION - Journal, Session Laws, and Indexes

Senator Schimek moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell, and that he be directed to send to each member of the Legislature a copy of the loose-leaf session laws and of the permanent Journal and Session Laws.

The motion prevailed.

VISITORS

Visitors to the Chamber were Senator Karpisek's wife and children, Jill, Tyler, and Stephanie Karpisek and the Cervenys, the Moldenhauers, Brandon Kovar, and Foster Zlab from Wilber.

The Doctor of the Day was Dr. Jessica Farnsworth from Omaha.

MOTION - Adjourn Sine Die

Senator Flood moved that the Journal for the Ninetieth Day, as prepared by the Clerk of the Legislature, be approved and that the One Hundredth Legislature, First Session of the Nebraska Legislature, having finished all business before it, now at 3:28 p.m., adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell
Clerk of the Legislature

