

FORTY-SEVENTH DAY - MARCH 20, 2009**LEGISLATIVE JOURNAL****ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION****FORTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, March 20, 2009

PRAYER

The prayer was offered by Pastor Laura Miller, Church of the Living God International, Omaha.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Campbell and Flood who were excused; and Senators Cornett, Dierks, Karpisek, and White who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-sixth day was approved.

RESOLUTION

LEGISLATIVE RESOLUTION 61. Introduced by Cornett, 45; Adams, 24; Ashford, 20; Avery, 28; Campbell, 25; Carlson, 38; Christensen, 44; Coash, 27; Cook, 13; Council, 11; Dierks, 40; Dubas, 34; Fischer, 43; Flood, 19; Friend, 10; Fulton, 29; Gay, 14; Giese, 17; Gloor, 35; Haar, 21; Hadley, 37; Hansen, 42; Harms, 48; Heidemann, 1; Howard, 9; Janssen, 15; Karpisek, 32; Langemeier, 23; Lathrop, 12; Lautenbaugh, 18; Loudon, 49; McCoy, 39; McGill, 26; Mello, 5; Nantkes, 46; Nelson, 6; Nordquist, 7; Pahls, 31; Pankonin, 2; Pirsch, 4; Price, 3; Rogert, 16; Schilz, 47; Stuthman, 22; Sullivan, 41; Utter, 33; Wallman, 30; White, 8; Wightman, 36.

WHEREAS, Sally Gordon will celebrate her one hundredth birthday on March 26, 2009; and

WHEREAS, Sally was born in Chicago, Illinois, on March 26, 1909, to Russian immigrant parents; and

WHEREAS, during her more than eighty years in the workforce, Sally has served as an assistant to Governors Ralph Brooks, Frank Morrison, and Norbert Tiemann; worked as the administrative secretary for the University

of Nebraska's Centennial Education Program; given tours of the Governor's Residence; served as a court reporter; and worked in real estate and law offices; and

WHEREAS, Sally is currently in her twenty-fifth year as a sergeant-at-arms for the Nebraska Legislature and is dear to many because of her friendly smile, kindness, interest in people, wonderful sense of humor, and vigorous approach to life; and

WHEREAS, during the 1930s, Sally watched as Nebraska's impressive State Capitol building was constructed and completed. She now lives five blocks from the State Capitol and still walks to work when the weather is nice; and

WHEREAS, Sally was honored as the 2006 Outstanding Older Worker for Nebraska; and

WHEREAS, Sally says retirement has no appeal to her for good reason: "I'm a desperate housewife and I'm allergic to housework."; and

WHEREAS, when Sally was ninety-two, she toured Europe alone because it was something she had always wanted to do; and

WHEREAS, Sally was a loving wife to her late husband, Merle, and continues to be a wonderful mother, grandmother, and great-grandmother; and

WHEREAS, Sally is a good friend, role model, and an inspiration to many.

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

1. That the Legislature recognizes Sally Gordon's lasting contributions to her community, the State of Nebraska, and our nation.

2. That the Legislatures wishes Sally Gordon a very happy one hundredth birthday and extends to her its congratulations on reaching this milestone.

3. That a copy of this resolution be presented to Sally Gordon.

Laid over.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 19, 2009, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Brown, Rebecca
Innocence Project, The
Jaspersen, Rosemary
Nebraska Enterprise Fund
Mehmken, Roy
Second Chance Recovery
Overcash, James A.

Electrical Contractors Association, National
 General Contractors, Associated (NE Building Chapter)

REPORTS

The following reports were received by the Legislature:

- Administrative Services, Department of**
 Employee Relations Report
- College System, Nebraska State**
 Collective Bargaining Report
- Retirement Systems, Public Employees**
 Annual Plan Review
- University of Nebraska**
 Collective Bargaining Report

ANNOUNCEMENT

The Chair announced March 21 is Senator McGill's birthday.

GENERAL FILE

LEGISLATIVE BILL 547. Committee AM365, found on page 484 and considered on page 787, was renewed.

The committee amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 547A. Title read. Considered.

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

LEGISLATIVE BILL 355. Title read. Considered.

Committee AM445, found on page 580, was considered.

Senator Wightman offered the following amendment to the committee amendment:

AM805

(Amendments to Standing Committee amendments, AM445)

- 1 1. Insert the following new amendment:
- 2 4. On page 11, line 9, strike "cigarettes, and other
- 3 tobacco products".
- 4 2. Renumber the remaining amendment accordingly.

Pending.

AMENDMENT - Print in Journal

Senator Coash filed the following amendment to LB63:
AM775

(Amendments to E & R amendments, ER8031)

- 1 1. Insert the following sections:
- 2 Sec. 30. Section 43-2,119, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 43-2,119 (1) The number of judges of the separate
- 5 juvenile court in counties which have established a separate
- 6 juvenile court shall be:
 - 7 (a) Two judges in counties having seventy-five thousand
 - 8 inhabitants but less than two hundred thousand inhabitants;
 - 9 (b) Four judges in counties having at least two
 - 10 hundred thousand inhabitants but less than four hundred thousand
 - 11 inhabitants; and
 - 12 (c) ~~Five Six~~ judges in counties having four hundred
 - 13 thousand inhabitants or more.
 - 14 (2) The senior judge in point of service as a juvenile
 - 15 court judge shall be the presiding judge. The judges shall rotate
 - 16 the office of presiding judge every three years unless the judges
 - 17 agree to another system.
- 18 Sec. 40. Sections 30 and 42 of this act become operative
- 19 on July 1, 2009. The other sections of this act become operative on
- 20 their effective date.
- 21 Sec. 42. Original section 43-2,119, Reissue Revised
- 22 Statutes of Nebraska, is repealed.
- 1 2. Renumber the remaining sections accordingly.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 73A. Introduced by Cornett, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 73, One Hundred First Legislature, First Session, 2009.

LEGISLATIVE BILL 121A. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 121, One Hundred First Legislature, First Session, 2009; and to reduce an appropriation.

COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 327. Placed on Final Reading.

ST9012

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

1. In the Pirsch amendment, AM740, section 1 has been renumbered as section 4.

2. In the E & R amendments, ER8029:

a. On page 13, lines 2 and 3, "12 and 13" has been struck and "13 and 14" inserted; and

b. On page 21, the matter beginning with "6" in line 5 through "20" in line 6 has been struck and "7, 8, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 21" inserted; in line 14 the first "and" has been struck; and in line 15 "and section 8-157.01, Reissue Revised Statutes of Nebraska, as amended by section 1, Legislative Bill 75, One Hundred First Legislature, First Session, 2009," has been inserted after the second comma.

3. On page 1, line 4, "and" has been struck; in line 6 ", and section 8-157.01, Reissue Revised Statutes of Nebraska, as amended by section 1, Legislative Bill 75, One Hundred First Legislature, First Session, 2009" has been inserted after "2008"; and in line 9 "to change provisions relating to automatic teller machine usage and fees;" has been inserted after the semicolon.

(Signed) Jeremy Nordquist, Chairperson

ANNOUNCEMENT

Senator Adams announced the Education Committee will hold an executive session Monday, March 23, 2009, at 1:30 p.m., in Room 1107.

UNANIMOUS CONSENT - Add Cointroducers

Senator Fischer asked unanimous consent to add her name as cointroducer to LB92. No objections. So ordered.

Senator Council asked unanimous consent to add her name as cointroducer to LB458. No objections. So ordered.

Senators Dubas and Janssen asked unanimous consent to add their names as cointroducers to LB547. No objections. So ordered.

VISITORS

Visitors to the Chamber were Shelly and Sarah Watson from Bellevue; members of Leadership Columbus from Columbus; Pat O'Hanlon from Omaha; 5 students and sponsors from Prairie Home School, Chadron; 45 fourth-grade students from Saint Mary's and Saint Matthew's Elementary,

Bellevue; 100 fourth-grade students from Wheeler Elementary, Omaha; Doris, Max, and Sam Dederman from Norfolk and Laurie Stratman from Omaha; and 51 fourth-grade students from Pershing Elementary, Lexington.

The Doctor of the Day was Dr. Kathy Bliese from Grand Island.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator Dubas, the Legislature adjourned until 10:00 a.m., Monday, March 23, 2009.

Patrick J. O'Donnell
Clerk of the Legislature