

SIXTIETH DAY - APRIL 13, 2006

LEGISLATIVE JOURNAL

**NINETY-NINTH LEGISLATURE
SECOND SESSION**

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 13, 2006

PRAYER

The prayer was offered by Senator Kruse.

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 Senator Smith who was excused; and Senators Dw. Pedersen and Preister who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-ninth day was approved.

MESSAGE FROM THE GOVERNOR

April 13, 2006

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 57e, 79, 1148, 1199, 1199A, 1222e, 1222Ae, 1226e, and 1226A were received in my office on April 12, 2006.

I signed these bills and delivered them to the Secretary of State on April 13, 2006.

Sincerely,
(Signed) Dave Heineman
Governor

REPORTS

The following reports were received by the Legislature:

Investment Council

2005 Annual Report

Investment Finance Authority

Drinking Water State Revolving Fund Revenue Bonds Series 2005 A,
Quarterly Reports

Single Family Housing Revenue Bonds Series 2005 CD and General
Obligation Bonds Series 2005 G.O.-19 Quarterly Report

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 449.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 239.

A BILL FOR AN ACT relating to postsecondary educational institutions; to amend section 85-502, Reissue Revised Statutes of Nebraska; to change provisions relating to determination of residency; 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, 27:

Aguilar	Chambers	Janssen	McDonald	Synowiecki
Beutler	Combs	Jensen	Pahls	Thompson
Bourne	Connealy	Johnson	Pederson, D.	Wehrbein
Brashear	Cornett	Kopplin	Schimek	
Brown	Cudaback	Kruse	Schrock	
Byars	Howard	Landis	Stuthman	

Voting in the negative, 18:

Baker	Erdman	Friend	Langemeier	Redfield
Burling	Fischer	Heidemann	Louden	Stuhr
Cunningham	Flood	Hudkins	Mines	
Engel	Foley	Kremer	Price	

Present and not voting, 1:

Raikes

Excused and not voting, 3:

Pedersen, Dw. Preister Smith

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 385 with 39 ayes, 2 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 385.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2262, 29-4101, 29-4102, 29-4103, 29-4104, 29-4105, 29-4106, 29-4107, 29-4108, 29-4109, 29-4112, 29-4113, 29-4114, and 29-4115, Revised Statutes Cumulative Supplement, 2004; to provide a condition of probation; to rename and change provisions of the DNA Detection of Sexual and Violent Offenders 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, 43:

Aguilar	Cudaback	Howard	Langemeier	Schimek
Baker	Cunningham	Hudkins	Louden	Schrock
Beutler	Engel	Janssen	McDonald	Stuhr
Bourne	Erdman	Jensen	Mines	Stuthman
Burling	Fischer	Johnson	Pahls	Synowiecki
Byars	Flood	Kopplin	Pederson, D.	Thompson
Combs	Foley	Kremer	Price	Wehrbein
Connealy	Friend	Kruse	Raikes	
Cornett	Heidemann	Landis	Redfield	

Voting in the negative, 2:

Brashear Chambers

Present and not voting, 1:

Brown

Excused and not voting, 3:

Pedersen, Dw. Preister Smith

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 385A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 385, Ninety-ninth Legislature, Second Session, 2006.

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, 43:

Aguilar	Cornett	Heidemann	Landis	Redfield
Baker	Cudaback	Howard	Langemeier	Schimek
Beutler	Cunningham	Hudkins	Louden	Schrock
Bourne	Engel	Janssen	McDonald	Stuhr
Brown	Erdman	Jensen	Mines	Stuthman
Burling	Fischer	Johnson	Pahls	Thompson
Byars	Flood	Kopplin	Pederson, D.	Wehrbein
Combs	Foley	Kremer	Price	
Connealy	Friend	Kruse	Raikes	

Voting in the negative, 1:

Chambers

Present and not voting, 2:

Brashear Synowiecki

Excused and not voting, 3:

Pedersen, Dw. Preister Smith

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 489 with 33 ayes, 7 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 489. With Emergency.

A BILL FOR AN ACT relating to business and labor; to amend sections 48-168, 48-418, 48-418.04, and 48-418.09, Reissue Revised Statutes of Nebraska; to adopt the Conveyance Safety Act; to change provisions relating to the Nebraska Workers' Compensation Act and elevator inspections; to harmonize provisions; to provide operative dates; 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, 36:

Aguilar	Cornett	Hudkins	McDonald	Stuhr
Beutler	Cunningham	Janssen	Mines	Synowiecki
Bourne	Engel	Johnson	Pahls	Thompson
Brown	Fischer	Kopplin	Pederson, D.	Wehrbein
Burling	Flood	Kremer	Price	
Byars	Friend	Kruse	Raikes	
Combs	Heidemann	Landis	Redfield	
Connealy	Howard	Langemeier	Schrock	

Voting in the negative, 3:

Erdman	Louden	Stuthman
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Present and not voting, 7:

Baker	Chambers	Foley	Schimek
Brashear	Cudaback	Jensen	

Excused and not voting, 3:

Pedersen, Dw.	Preister	Smith
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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 489A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 489, Ninety-ninth Legislature, Second Session, 2006.

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, 35:

Aguilar	Cunningham	Howard	Landis	Raikes
Brown	Engel	Hudkins	Langemeier	Redfield
Burling	Erdman	Janssen	McDonald	Schrock
Byars	Fischer	Johnson	Mines	Stuhr
Combs	Flood	Kopplin	Pahls	Synowiecki
Connealy	Friend	Kremer	Pederson, D.	Thompson
Cornett	Heidemann	Kruse	Price	Wehrbein

Voting in the negative, 3:

Cudaback	Louden	Stuthman
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Present and not voting, 8:

Baker	Bourne	Chambers	Jensen
Beutler	Brashear	Foley	Schimek

Excused and not voting, 3:

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

LEGISLATIVE BILL 821.

A BILL FOR AN ACT relating to education; to provide for part-time enrollment and for participation by exempt students in public school courses and activities; and to provide duties for school boards.

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, 34:

Aguilar	Cornett	Foley	Kruse	Price
Baker	Cudaback	Friend	Landis	Raikes
Beutler	Cunningham	Heidemann	Langemeier	Redfield
Bourne	Engel	Jensen	Louden	Stuhr
Brown	Erdman	Johnson	Mines	Synowiecki
Burling	Fischer	Kopplin	Pahls	Wehrbein
Byars	Flood	Kremer	Pederson, D.	

Voting in the negative, 9:

Combs	Howard	Janssen	Schimek	Thompson
Connealy	Hudkins	McDonald	Schrock	

Present and not voting, 3:

Brashear	Chambers	Stuthman
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Excused and not voting, 3:

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

LEGISLATIVE BILL 845.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-132, Reissue Revised Statutes of Nebraska; to change provisions relating to issuance of retail licenses; to provide for beverage-server and licensee training and certification; 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, 42:

Aguilar	Cornett	Heidemann	Landis	Schrock
Baker	Cudaback	Howard	Langemeier	Stuhr
Beutler	Cunningham	Hudkins	Mines	Stuthman
Bourne	Engel	Janssen	Pahls	Synowiecki
Brown	Erdman	Jensen	Pederson, D.	Thompson
Burling	Fischer	Johnson	Price	Wehrbein
Byars	Flood	Kopplin	Raikes	
Combs	Foley	Kremer	Redfield	
Connealy	Friend	Kruse	Schimek	

Voting in the negative, 0.

Present and not voting, 4:

Brashear	Chambers	Louden	McDonald
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Excused and not voting, 3:

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

LEGISLATIVE BILL 845A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 845, Ninety-ninth Legislature, Second Session, 2006.

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, 43:

Aguilar	Cornett	Heidemann	Landis	Schimek
Baker	Cudaback	Howard	Langemeier	Schrock
Bourne	Cunningham	Hudkins	McDonald	Stuhr
Brown	Engel	Janssen	Mines	Stuthman
Burling	Erdman	Jensen	Pahls	Synowiecki
Byars	Fischer	Johnson	Pederson, D.	Thompson
Chambers	Flood	Kopplin	Price	Wehrbein
Combs	Foley	Kremer	Raikes	
Connealy	Friend	Kruse	Redfield	

Voting in the negative, 0.

Present and not voting, 3:

Beutler	Brashear	Louden
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Excused and not voting, 3:

Pedersen, Dw. Preister	Smith
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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 874 with 36 ayes, 1 nay, 9 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 874.

A BILL FOR AN ACT relating to agriculture; to amend section 2-2651, Reissue Revised Statutes of Nebraska, and sections 2-15,122, 2-2624, 2-2626, 2-2627, 2-2629, 2-2634, 2-2636, 2-2638, 2-2639, 2-2641, 2-2643.03, 2-2646, and 2-2649, Revised Statutes Cumulative Supplement, 2004; to change provisions of the Pesticide Act; to provide for electronic format for application information; to provide, change, and eliminate provisions relating to distribution of funds under the act; to provide for reciprocal licensure; 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:

Aguilar	Cornett	Heidemann	Landis	Redfield
Baker	Cudaback	Howard	Langemeier	Schimek
Beutler	Cunningham	Hudkins	Louden	Schrock
Bourne	Engel	Janssen	McDonald	Stuhr
Brown	Erdman	Jensen	Mines	Stuthman
Burling	Fischer	Johnson	Pahls	Synowiecki
Byars	Flood	Kopplin	Pederson, D.	Thompson
Combs	Foley	Kremer	Price	Wehrbein
Connealy	Friend	Kruse	Raikes	

Voting in the negative, 0.

Present and not voting, 2:

Brashear Chambers

Excused and not voting, 3:

Pedersen, Dw. Preister Smith

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 924.

A BILL FOR AN ACT relating to real property; to amend sections 76-701 and 76-883, Reissue Revised Statutes of Nebraska; to provide restrictions on the use of eminent domain; to provide certain rights for purchasers of condominiums; 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, 43:

Aguilar	Connealy	Friend	Langemeier	Schimek
Baker	Cornett	Heidemann	Louden	Schrock
Beutler	Cudaback	Howard	McDonald	Stuhr
Bourne	Cunningham	Hudkins	Mines	Stuthman
Brown	Engel	Janssen	Pahls	Synowiecki
Burling	Erdman	Jensen	Pederson, D.	Thompson
Byars	Fischer	Kopplin	Price	Wehrbein
Chambers	Flood	Kremer	Raikes	
Combs	Foley	Kruse	Redfield	

Voting in the negative, 0.

Present and not voting, 3:

Brashear	Johnson	Landis
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Excused and not voting, 3:

Pedersen, Dw.	Preister	Smith
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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 925 with 37 ayes, 2 nays, 7 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 925.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 60-497.01, 60-4,182, 60-601, 60-605, 60-696, 60-698, 60-6,197.01, 60-6,197.06, 60-6,197.08, 60-6,210, and 60-6,211.05, Reissue Revised

Statutes of Nebraska, section 28-306, Revised Statutes Cumulative Supplement, 2004, and sections 60-697 and 60-6,197.03, Revised Statutes Supplement, 2005; to change penalty provisions for motor vehicle homicide and driving under the influence as prescribed; to provide for the use of continuous alcohol monitoring devices; to change provisions relating to motor vehicle accident scenes and admissibility of blood tests; 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, 39:

Aguilar	Connealy	Friend	Kruse	Price
Baker	Cudaback	Heidemann	Landis	Raikes
Beutler	Cunningham	Howard	Langemeier	Redfield
Bourne	Engel	Hudkins	Louden	Schimek
Brown	Erdman	Janssen	McDonald	Stuhr
Burling	Fischer	Jensen	Mines	Thompson
Byars	Flood	Kopplin	Pahls	Wehrbein
Combs	Foley	Kremer	Pederson, D.	

Voting in the negative, 2:

Chambers Stuthman

Present and not voting, 5:

Brashear Cornett Johnson Schrock Synowiecki

Excused and not voting, 3:

Pedersen, Dw. Preister Smith

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 239, 385, 385A, 489e, 489A, 821, 845, 845A, 874, and 924.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 940.

A BILL FOR AN ACT relating to government; to amend sections 32-716, 32-1524, and 49-1434, Reissue Revised Statutes of Nebraska; to change provisions relating to new political parties, prohibited acts at or near designated polling sites, and lobbying; to prohibit certain activities of the Secretary of State related to campaign committees; to create the Office of Homeland Security, the Director of State Homeland Security, and the Homeland Security Policy Group; 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, 43:

Aguilar	Cornett	Howard	Langemeier	Schimek
Baker	Cudaback	Hudkins	Louden	Schrock
Beutler	Cunningham	Janssen	McDonald	Stuhr
Bourne	Engel	Jensen	Mines	Stuthman
Brown	Erdman	Johnson	Pahls	Synowiecki
Burling	Fischer	Kopplin	Pederson, D.	Thompson
Byars	Foley	Kremer	Price	Wehrbein
Combs	Friend	Kruse	Raikes	
Connealy	Heidemann	Landis	Redfield	

Voting in the negative, 1:

Chambers

Present and not voting, 2:

Brashear Flood

Excused and not voting, 3:

Pedersen, Dw. Preister Smith

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

LEGISLATIVE BILL 965.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2005; to adopt the Long-Term Care Savings Plan Act; to provide an income tax credit; to establish the

Long-Term Care Partnership Program; to provide duties; to repeal the Long-Term Care Partnership Program Development Act; to harmonize provisions; to provide operative dates; to repeal the original section; and to outright repeal sections 68-1095, 68-1096, 68-1097, 68-1098, and 68-1099, Revised Statutes Supplement, 2005.

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:

Aguilar	Cornett	Heidemann	Landis	Raikes
Baker	Cudaback	Howard	Langemeier	Redfield
Beutler	Cunningham	Hudkins	Louden	Schimek
Bourne	Engel	Janssen	McDonald	Schrock
Burling	Erdman	Jensen	Mines	Stuhr
Byars	Fischer	Johnson	Pahls	Stuthman
Chambers	Flood	Kopplin	Pederson, D.	Synowiecki
Combs	Foley	Kremer	Preister	Thompson
Connealy	Friend	Kruse	Price	Wehrbein

Voting in the negative, 0.

Present and not voting, 2:

Brashear Brown

Excused and not voting, 2:

Pedersen, Dw. Smith

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

LEGISLATIVE BILL 965A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 965, Ninety-ninth Legislature, Second Session, 2006.

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, 43:

Aguilar	Connealy	Friend	Kruse	Redfield
Baker	Cornett	Heidemann	Landis	Schimek
Beutler	Cudaback	Howard	Langemeier	Stuhr
Bourne	Cunningham	Hudkins	Louden	Stuthman
Brown	Engel	Janssen	McDonald	Synowiecki
Burling	Erdman	Jensen	Mines	Thompson
Byars	Fischer	Johnson	Preister	Wehrbein
Chambers	Flood	Kopplin	Price	
Combs	Foley	Kremer	Raikes	

Voting in the negative, 0.

Present and not voting, 4:

Brashear	Pahls	Pederson, D.	Schrock
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Excused and not voting, 2:

Pedersen, Dw. Smith

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

LEGISLATIVE BILL 1006.

A BILL FOR AN ACT relating to educational lands and funds; to provide for submission to the electors of an amendment to the Constitution of Nebraska by amending Article VII, sections 7, 8, and 9, to permit the use of funds dedicated to the schools for common school and early childhood educational purposes; and to provide for the time and manner of submission and the ballot language for submission.

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, 43:

Aguilar	Connealy	Howard	Langemeier	Schimek
Baker	Cornett	Hudkins	McDonald	Schrock
Beutler	Cudaback	Janssen	Mines	Stuhr
Bourne	Cunningham	Jensen	Pahls	Stuthman
Brashear	Engel	Johnson	Pederson, D.	Synowiecki
Brown	Flood	Kopplin	Preister	Thompson
Byars	Foley	Kremer	Price	Wehrbein
Chambers	Friend	Kruse	Raikes	
Combs	Heidemann	Landis	Redfield	

Voting in the negative, 2:

Erdman Louden

Present and not voting, 2:

Burling Fischer

Excused and not voting, 2:

Pedersen, Dw. Smith

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed for the general election.

LEGISLATIVE BILL 1039.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-801, Reissue Revised Statutes of Nebraska; to define a term; to provide limitations and requirements relating to advertising; 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, 44:

Aguilar	Cornett	Heidemann	Landis	Redfield
Baker	Cudaback	Howard	Langemeier	Schimek
Bourne	Cunningham	Hudkins	McDonald	Schrock
Brashear	Engel	Janssen	Mines	Stuhr
Brown	Erdman	Jensen	Pahls	Stuthman
Byars	Fischer	Johnson	Pederson, D.	Synowiecki
Chambers	Flood	Kopplin	Preister	Thompson
Combs	Foley	Kremer	Price	Wehrbein
Connealy	Friend	Kruse	Raikes	

Voting in the negative, 0.

Present and not voting, 3:

Beutler Burling Louden

Excused and not voting, 2:

Pedersen, Dw. Smith

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 1113 with 32 ayes, 2 nays, 13 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1113.

A BILL FOR AN ACT relating to civil and criminal regulation; to amend sections 2-3290, 2-3296, 2-3297, 18-1755, 28-311.04, 28-813, 42-364, 42-364.13, 42-1103, 43-256, 43-271, 43-408, 43-1412, 43-3001, 43-3342.05, 47-619, 47-620, 83-192, 83-1,114, and 83-1,115, Reissue Revised Statutes of Nebraska, sections 2-3202, 20-504, 23-1824, 28-311.02, 28-311.03, 28-728, 28-729, 28-730, 29-4101, 29-4102, 29-4104, 29-4106, 29-4107, and 86-291, Revised Statutes Cumulative Supplement, 2004, and sections 29-4126, 47-623, 47-624, and 47-625, Revised Statutes Supplement, 2005; to change and provide provisions relating to foreign national minors, recreational use of land, racial profiling, autopsies, stalking, child abuse and neglect, obscene literature or material, the DNA Detection of Sexual and Violent Offenders Act, DNA testing, references to social security numbers in court documents, domestic relations orders, detention of juveniles, the State Disbursement and Child Support Advisory Commission, the Community Corrections Act, release on parole, and court-ordered interception of communications; to state intent; to define and redefine terms; to provide duties for the Department of Health and Human Services, cities, villages, the Supreme Court, and the Board of Parole; to eliminate duties; to provide penalties; 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:

Aguilar	Connealy	Heidemann	Langemeier	Schimek
Baker	Cornett	Howard	Louden	Schrock
Beutler	Cudaback	Hudkins	McDonald	Stuhr
Bourne	Cunningham	Janssen	Mines	Stuthman
Brashear	Engel	Jensen	Pahls	Synowiecki
Brown	Erdman	Johnson	Pederson, D.	Thompson
Burling	Fischer	Kopplin	Preister	Wehrbein
Byars	Flood	Kremer	Price	
Chambers	Foley	Kruse	Raikes	
Combs	Friend	Landis	Redfield	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen, Dw. Smith

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 1113A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative bill 1113, Ninety-ninth Legislature, Second Session, 2006.

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:

Aguilar	Connealy	Heidemann	Landis	Raikes
Baker	Cornett	Howard	Langemeier	Redfield
Bourne	Cudaback	Hudkins	Louden	Schimek
Brashear	Cunningham	Janssen	McDonald	Schrock
Brown	Engel	Jensen	Mines	Stuhr
Burling	Erdman	Johnson	Pahls	Stuthman
Byars	Fischer	Kopplin	Pederson, D.	Synowiecki
Chambers	Flood	Kremer	Preister	Thompson
Combs	Foley	Kruse	Price	Wehrbein

Voting in the negative, 0.

Present and not voting, 2:

Beutler Friend

Excused and not voting, 2:

Pedersen, Dw. Smith

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

LEGISLATIVE BILL 1175. With Emergency.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 15-201.02, 31-741, and 35-1207, Reissue Revised Statutes of Nebraska, and sections 18-2147, 19-4801, and 29-424, Revised Statutes Cumulative Supplement, 2004; to change provisions relating to installment contracts for

purchases, redevelopment projects, issuance of citations for code violations, construction contracts, and mutual finance organizations; 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:

Aguilar	Connealy	Friend	Kruse	Raikes
Baker	Cornett	Heidemann	Landis	Redfield
Beutler	Cudaback	Howard	Langemeier	Schimek
Bourne	Cunningham	Hudkins	Louden	Schrock
Brashear	Engel	Janssen	McDonald	Stuhr
Brown	Erdman	Jensen	Mines	Stuthman
Burling	Fischer	Johnson	Pahls	Synowiecki
Byars	Flood	Kopplin	Preister	Thompson
Combs	Foley	Kremer	Price	Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 1:

Pederson, D.

Excused and not voting, 2:

Pedersen, Dw. Smith

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 1227. With Emergency.

A BILL FOR AN ACT relating to handguns; to amend sections 69-2402, 69-2404, 69-2405, 69-2406, 69-2410, 69-2411, 69-2418, and 69-2419, Reissue Revised Statutes of Nebraska; to change provisions relating to issuance of handgun certificates and criminal history record checks; 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:

Aguilar	Connealy	Heidemann	Langemeier	Schimek
Baker	Cornett	Howard	Louden	Schrock
Beutler	Cudaback	Hudkins	McDonald	Stuhr
Bourne	Cunningham	Janssen	Mines	Stuthman
Brashear	Engel	Jensen	Pahls	Synowiecki
Brown	Erdman	Johnson	Pederson, D.	Thompson
Burling	Fischer	Kopplin	Preister	Wehrbein
Byars	Flood	Kremer	Price	
Chambers	Foley	Kruse	Raikes	
Combs	Friend	Landis	Redfield	

Voting in the negative, 0.

Excused and not voting, 2:

Pedersen, Dw. Smith

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 1248 with 39 ayes, 3 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1248. With Emergency.

A BILL FOR AN ACT relating to health and human services; to amend sections 28-705, 28-706, 43-512.12, 43-2508, 44-3,144, 44-3,149, 44-526, 44-32,180, 44-4221, 44-4222, 44-4228, 44-4726, 44-5305, 68-104, 68-150, 68-716, 68-1018, 68-1019, 68-1019.01, 68-1022, 68-1023, 68-1025.01, 68-1026, 68-1027, 68-1028, 68-1036.03, 68-1038, 68-1039, 68-1040, 68-1042, 68-1043, 68-1070, 68-1509, 71-6017.01, 71-7610, 71-8405, 71-8506, 77-908, 77-912, 77-27,163.01, 79-215, and 81-6,113, Reissue Revised Statutes of Nebraska, sections 25-21,188.02, 30-2487, 68-1036.02, 68-1073, 68-1074, 68-1075, 68-1076, 68-1077, 68-1078, 68-1079, 68-1080, 68-1081, 68-1082, 68-1083, 68-1084, 68-1085, 68-1086, 68-1802, 68-1803, 71-804, 71-806, 71-820, and 71-7607, Revised Statutes Cumulative Supplement, 2004, and sections 44-1540, 44-8002, 68-1020, 68-1021, 68-10,100, 68-10,101, 68-10,102, 68-10,103, 68-10,104, 68-10,105, 68-10,106, 68-10,107, 71-2426, and 77-2704.09, Revised Statutes Supplement, 2005; to adopt the Medical Assistance Act; to change and eliminate provisions relating to the medical assistance program; to eliminate the Managed Care Plan Act, the Medicaid Reform Act, and the Long-Term Care Partnership Program Development Act; to provide for a study relating

to behavioral health insurance parity legislation; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 68-1019.02, 68-1019.03, 68-1019.04, 68-1019.05, 68-1019.06, 68-1019.09, 68-1024, 68-1025, 68-1029, 68-1030, 68-1031, 68-1033, 68-1034, 68-1035, 68-1035.01, 68-1036, 68-1049, 68-1050, 68-1051, 68-1056, 68-1057, 68-1058, 68-1059, 68-1060, 68-1061, 68-1062, 68-1063, 68-1067, 68-1068, 68-1069, 68-1071, 68-1072, and 83-1214, Reissue Revised Statutes of Nebraska, and sections 68-1021.01, 68-1037, 68-1048, 68-1087, 68-1088, 68-1089, 68-1090, 68-1091, 68-1092, 68-1093, 68-1094, 68-1095, 68-1096, 68-1097, 68-1098, and 68-1099, Revised Statutes Supplement, 2005; 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:

Aguilar	Connealy	Friend	Landis	Raikes
Baker	Cornett	Heidemann	Langemeier	Redfield
Beutler	Cudaback	Hudkins	Louden	Schimek
Bourne	Cunningham	Janssen	McDonald	Schrock
Brashear	Engel	Jensen	Mines	Stuhr
Brown	Erdman	Johnson	Pahls	Stuthman
Burling	Fischer	Kopplin	Pederson, D.	Synowiecki
Byars	Flood	Kremer	Preister	Thompson
Combs	Foley	Kruse	Price	Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 1:

Howard

Excused and not voting, 2:

Pedersen, Dw. Smith

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 925, 940, 965, 965A, 1006, 1039, 1113, and 1113A.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1248A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1248, Ninety-ninth Legislature, Second Session, 2006.

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, 43:

Aguilar	Connealy	Friend	Landis	Raikes
Baker	Cornett	Heidemann	Langemeier	Redfield
Beutler	Cudaback	Hudkins	Louden	Schrock
Bourne	Cunningham	Janssen	McDonald	Stuhr
Brashear	Engel	Jensen	Mines	Stuthman
Brown	Erdman	Johnson	Pahls	Thompson
Burling	Fischer	Kopplin	Pederson, D.	Wehrbein
Byars	Flood	Kremer	Preister	
Combs	Foley	Kruse	Price	

Voting in the negative, 1:

Chambers

Present and not voting, 3:

Howard Schimek Synowiecki

Excused and not voting, 2:

Pedersen, Dw. Smith

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

MOTION - Return LB 1249 to Select File

Senator Landis moved to return LB 1249 to Select File for the following specific amendment:

FA695

Strike the enacting clause.

Senator Landis withdrew his motion to return.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1249.

A BILL FOR AN ACT relating to natural gas; to amend sections 57-1301, 57-1302, 57-1303, 57-1304, 57-1305, 57-1306, 57-1307, 66-1801, 66-1804, 66-1852, and 75-109.01, Reissue Revised Statutes of Nebraska, and section 13-2802, Revised Statutes Cumulative Supplement, 2004; to change provisions relating to the State Natural Gas Regulation Act; to provide and change powers and duties; 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:

Aguilar	Connealy	Heidemann	Louden	Schrock
Baker	Cornett	Hudkins	McDonald	Stuhr
Beutler	Cudaback	Janssen	Mines	Stuthman
Bourne	Cunningham	Jensen	Pahls	Synowiecki
Brashear	Engel	Johnson	Pederson, D.	Thompson
Brown	Erdman	Kopplin	Preister	Wehrbein
Burling	Fischer	Kremer	Price	
Byars	Flood	Kruse	Raikes	
Chambers	Foley	Landis	Redfield	
Combs	Friend	Langemeier	Schimek	

Voting in the negative, 0.

Present and not voting, 1:

Howard

Excused and not voting, 2:

Pedersen, Dw. Smith

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 1256 with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1256.

A BILL FOR AN ACT relating to early childhood education; to amend sections 79-1101 and 79-1104, Reissue Revised Statutes of Nebraska, section 84-613, Revised Statutes Cumulative Supplement, 2004, and sections 79-1103 and 84-612, Revised Statutes Supplement, 2005; to create the Nebraska Early Childhood Education Endowment and funds; to provide funding for early childhood education programs; 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, 42:

Aguilar	Connealy	Howard	Langemeier	Schrock
Baker	Cornett	Hudkins	McDonald	Stuhr
Beutler	Cudaback	Janssen	Pahls	Stuthman
Bourne	Cunningham	Jensen	Pederson, D.	Synowiecki
Brashear	Engel	Johnson	Preister	Thompson
Brown	Flood	Kopplin	Price	Wehrbein
Byars	Foley	Kremer	Raikes	
Chambers	Friend	Kruse	Redfield	
Combs	Heidemann	Landis	Schimek	

Voting in the negative, 3:

Burling	Erdman	Louden
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Present and not voting, 2:

Fischer	Mines
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Excused and not voting, 2:

Pedersen, Dw. Smith

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 1256A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1256, Ninety-ninth Legislature, Second Session, 2006.

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, 40:

Aguilar	Connealy	Howard	Landis	Redfield
Baker	Cornett	Hudkins	Langemeier	Schimek
Bourne	Cudaback	Janssen	McDonald	Schrock
Brashear	Cunningham	Jensen	Pahls	Stuhr
Brown	Engel	Johnson	Pederson, D.	Stuthman
Byars	Flood	Kopplin	Preister	Synowiecki
Chambers	Friend	Kremer	Price	Thompson
Combs	Heidemann	Kruse	Raikes	Wehrbein

Voting in the negative, 3:

Burling	Erdman	Louden
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Present and not voting, 4:

Beutler	Fischer	Foley	Mines
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Excused and not voting, 2:

Pedersen, Dw. Smith

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

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 272CA.

THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2006 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 12:

VIII-12 (1) For the purpose of developing, rehabilitating, acquiring, or redeveloping substandard and blighted property in a redevelopment project as determined by law, property, the Legislature may by general law authorize any city or village of the state may, notwithstanding any other provision in the Constitution, and without regard to charter limitations and restrictions, within its corporate boundaries or within the area in which it exercises planning, zoning, and code enforcement authority or any county to

incur indebtedness, whether by bond, loans, notes, advance of money, or otherwise, notwithstanding any other provision in this Constitution and without regard to charter limitations and restrictions. ~~Notwithstanding~~

(2) Except as provided in subsection (3) of this section and notwithstanding any other provision in the this Constitution or a local charter, such cities, or villages, or counties may also pledge for and apply to the payment of the principal, interest, and any premium on such indebtedness all taxes levied by all taxing bodies, which taxes shall be at such rate for a period not to exceed fifteen years, on the assessed valuation of the property in the project area portion of a designated blighted and substandard area that is in excess of the assessed valuation of such property for the year prior to such development, rehabilitation, acquisition, or redevelopment.

(3) Notwithstanding any other provision in this Constitution, the Legislature may provide that the limitation to a period of fifteen years on the collection of all taxes levied on the excess value of property collected for the payment of the indebtedness incurred for the purpose of developing, rehabilitating, acquiring, or redeveloping such property may be extended to a period not to exceed thirty years if more than one-half of the property by area within the project area is owned by the State of Nebraska and if the indebtedness to be incurred for the development, rehabilitation, acquisition, or redevelopment of such property cannot be reasonably financed within fifteen years.

(4) When such indebtedness and the interest thereon have been paid in full, such property thereafter shall be taxed as is other property in the respective taxing jurisdictions and such taxes applied as all other taxes of the respective taxing bodies.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to remove a requirement that property be substandard and blighted for purposes of rehabilitating, acquiring, or redeveloping such property through use of public debt or special property tax treatment, to add development as a purpose for use of the constitutional provision authorizing public debt and special property tax treatment, to permit counties and cities and villages outside their corporate boundaries to use such constitutional provision, and to authorize the Legislature to extend the term of such special tax treatment from fifteen to thirty years.

For

Against.

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

Voting in the affirmative, 44:

Aguilar	Combs	Foley	Kremer	Price
Baker	Connealy	Friend	Kruse	Redfield
Beutler	Cornett	Heidemann	Landis	Schrock
Bourne	Cudaback	Howard	Langemeier	Stuhr
Brashear	Cunningham	Hudkins	McDonald	Stuthman
Brown	Engel	Janssen	Mines	Synowiecki
Burling	Erdman	Jensen	Pahls	Thompson
Byars	Fischer	Johnson	Pederson, D.	Wehrbein
Chambers	Flood	Kopplin	Preister	

Voting in the negative, 0.

Present and not voting, 3:

Louden Raikes Schimek

Excused and not voting, 2:

Pedersen, Dw. Smith

A constitutional three-fifths majority having voted in the affirmative, the resolution was declared passed for the general election.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1175e, 1227e, 1248e, 1248A, 1249, 1256, 1256A, and LR 272CA.

SENATOR CUDABACK PRESIDING

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 13, 2006, at 10:07 a.m. were the following: LBs 239, 385, 385A, 489e, 489A, 821, 845, 845A, 874, and 924.

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

Presented to the Governor on April 13, 2006, at 10:50 a.m. were the following: LBs 925, 940, 965, 965A, 1039, 1113, and 1113A.

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

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on April 13, 2006, at 10:52 a.m. was the following: LB 1006.

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

MOTIONS - Return LB 1024 to Select File

Senator Kopplin moved to return LB 1024 to Select File for the following
Kopplin-Kruse specific amendment:
AM3163

(Amendments to Standing Committee amendments, AM2687)

- 1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:
3 Section 1. The Metropolitan Area School Districts Task
4 Force is created. The task force shall consist of the members
5 appointed pursuant to section 2 of this act. The task force shall
6 report its findings and recommendations pursuant to section 4
7 of this act to the Clerk of the Legislature and the Education
8 Committee of the Legislature on or before November 1, 2006.
9 Sec. 2. (1) Members of the Metropolitan Area School
10 Districts Task Force shall be and shall include:
11 (a) The chairperson of the Education Committee of the
12 Legislature;
13 (b) Three members of the Education Committee of the
14 Legislature, appointed by the Executive Board of the Legislative
15 Council on or before May 1, 2006;
16 (c) A representative of the Governor's Policy Research
17 Office, appointed by the Governor on or before May 1, 2006;
18 (d) The Commissioner of Education or his or her designee;
19 (e) The superintendent of each school district
20 headquartered in Douglas County or his or her designee;
21 (f) The superintendent of each school district
22 headquartered in Sarpy County or his or her designee; and
1 (g) The following members appointed by the Executive
2 Board of the Legislative Council on or before May 1, 2006:
3 (i) A representative of a teachers' organization;
4 (ii) A representative of an association of school boards;
5 (iii) A representative of an association of school
6 administrators;
7 (iv) One taxpayer residing in the city of Omaha;
8 (v) One taxpayer residing in Douglas County outside the
9 city of Omaha; and
10 (vi) One taxpayer residing in Sarpy County.
11 (2) Members of the task force shall be reimbursed for
12 their actual and necessary expenses incurred in carrying out their
13 duties as members of the task force as provided in sections
14 81-1174 to 81-1177. The Education Committee of the Legislature, the
15 Legislative Fiscal Analyst, and the State Department of Education
16 shall provide research and administrative support for the task
17 force. For budgetary purposes only, the task force shall be within

18 the Legislative Council.

19 Sec. 3. The chairperson of the Education Committee of
 20 the Legislature shall be the chairperson of the Metropolitan
 21 Area School Districts Task Force and shall call the initial and
 22 subsequent meetings of the task force. The initial meeting of the
 23 task force shall be held no later than June 1, 2006.

24 Sec. 4. The Metropolitan Area School Districts Task Force
 25 shall study the following topics and make recommendations for
 26 Nebraska policies and potential legislation to the Clerk of the
 27 Legislature and the Education Committee of the Legislature:

- 1 (1) Racial and socioeconomic integration;
- 2 (2) School district boundaries;
- 3 (3) Focus schools and magnet schools;
- 4 (4) Funding and finance;
- 5 (5) Option enrollment;
- 6 (6) Transportation of students;
- 7 (7) School employee compensation and retirement; and
- 8 (8) Other topics as determined by the task force.

9 Sec. 5. The boundaries for all school districts for which
 10 the principal office of the school district is located in either
 11 Douglas County or Sarpy County on the effective date of this act
 12 shall remain as depicted on March 1, 2006, on the map kept by the
 13 county clerk pursuant to section 79-490, until June 1, 2007.

14 Sec. 6. The Education Committee of the Legislature shall
 15 hold at least one public hearing in the second congressional
 16 district of Nebraska on the recommendations of the Metropolitan
 17 Area School Districts Task Force before December 31, 2006.

18 Sec. 7. Since an emergency exists, this act takes effect
 19 when passed and approved according to law.

Senator Kopplin asked unanimous consent to withdraw the Kopplin-Kruse specific amendment, AM3163, found in this day's Journal, and replace it with the Kopplin substitute specific amendment, AM3253. No objections. So ordered.

AM3253

1 1. Strike the original sections and all amendments
 2 thereto and insert the following new sections:

3 Section 1. The Metropolitan Area School Districts Task
 4 Force is created. The task force shall consist of the members
 5 appointed pursuant to section 2 of this act. The task force shall
 6 report its findings and recommendations pursuant to section 4
 7 of this act to the Clerk of the Legislature and the Education
 8 Committee of the Legislature on or before November 1, 2006.

9 Sec. 2. (1) Members of the Metropolitan Area School
 10 Districts Task Force shall be and shall include:

- 11 (a) The chairperson and other members of the Education
 12 Committee of the Legislature;
- 13 (b) A representative of the Governor's Policy Research
 14 Office, appointed by the Governor on or before May 1, 2006;

15 (c) The Commissioner of Education or his or her designee;
16 (d) The superintendent of each school district
17 headquartered in Douglas County or his or her designee;
18 (e) The superintendent of each school district
19 headquartered in Sarpy County or his or her designee; and
20 (f) The following members appointed by the Executive
21 Board of the Legislative Council on or before May 1, 2006:
22 (i) One taxpayer residing in the city of Omaha;
23 (ii) One taxpayer residing in Douglas County outside the
1 city of Omaha; and
2 (iii) One taxpayer residing in Sarpy County.
3 (2) Members of the task force shall be reimbursed for
4 their actual and necessary expenses incurred in carrying out their
5 duties as members of the task force as provided in sections
6 81-1174 to 81-1177. The Education Committee of the Legislature, the
7 Legislative Fiscal Analyst, and the State Department of Education
8 shall provide research and administrative support for the task
9 force. For budgetary purposes only, the task force shall be within
10 the Legislative Council.

11 Sec. 3. The chairperson of the Education Committee of
12 the Legislature shall be the chairperson of the Metropolitan
13 Area School Districts Task Force and shall call the initial and
14 subsequent meetings of the task force. The initial meeting of
15 the task force shall be held no later than June 1, 2006. On
16 behalf of the task force, the Executive Board of the Legislative
17 Council shall, in consultation with the task force, contract for
18 the services of a facilitator.

19 Sec. 4. The Metropolitan Area School Districts Task Force
20 shall study the following topics and make recommendations for
21 Nebraska policies and potential legislation to the Clerk of the
22 Legislature and the Education Committee of the Legislature:

23 (1) Racial and socioeconomic integration;

24 (2) School district boundaries;

25 (3) Focus schools and magnet schools;

26 (4) Funding and finance;

27 (5) Option enrollment;

1 (6) Transportation of students;

2 (7) School employee compensation and retirement; and

3 (8) Other topics as determined by the task force.

4 Sec. 5. The boundaries for all school districts for which
5 the principal office of the school district is located in either
6 Douglas County or Sarpy County on the effective date of this act
7 shall remain as depicted on March 1, 2006, on the map kept by the
8 county clerk pursuant to section 79-490, until July 1, 2008.

9 Sec. 6. The Education Committee of the Legislature shall
10 hold at least one public hearing in the second congressional
11 district of Nebraska on the recommendations of the Metropolitan
12 Area School Districts Task Force before December 31, 2006.

13 Sec. 7. Since an emergency exists, this act takes effect
 14 when passed and approved according to law.

Senator Kopplin withdrew his motion to return.

Senator Howard moved to return LB 1024 to Select File for the following specific amendment:

AM3167

(Amendments to Standing Committee amendments, AM2687)

- 1 1. Insert the following new section:
 2 Sec. 19. (1) Notwithstanding any other provision of law,
 3 on and after July 1, 2007, no school district shall have a student
 4 population greater than sixteen thousand students.
 5 (2) On or before July 1, 2007, the school board of
 6 each school district having a student population greater than
 7 sixteen thousand students shall submit a plan to the State
 8 Committee for the Reorganization of School Districts to divide
 9 such school district into one or more school districts organized
 10 around the attendance areas of existing high school buildings
 11 which are not currently being used exclusively for specialized
 12 programs, which have contiguous attendance areas, and whose student
 13 populations share a community of interest. The effective date for
 14 reorganizations pursuant to this section shall be July 1, 2008.
 15 (3) If the state committee disapproves such plan, the
 16 state committee shall revise the plan and shall hold one or more
 17 hearings pursuant to the Reorganization of School Districts Act on
 18 the revised plan. The state committee may further revise the plan
 19 and hold one or more additional hearings pursuant to the act.
 20 (4) If a school board fails to submit a plan as required
 21 pursuant to subsection (2) of this section on or before July 1,
 22 2007, the state committee shall develop a plan to divide any school
 1 district having a student population greater than sixteen thousand
 2 students into school districts as described in subsection (2) of
 3 this section. The state committee shall hold a hearing pursuant to
 4 subsection (3) of this section and may revise the plan and hold one
 5 or more additional hearings pursuant to such subsection.
 6 2. In the Raikes-Chambers amendment, AM3142, on page 1,
 7 line 11, after the period insert "Each school district created
 8 pursuant to this section shall have a student population of sixteen
 9 thousand or fewer students.".
 10 3. Renumber the remaining sections and correct internal
 11 references accordingly.

Senator Howard asked unanimous consent to withdraw her specific amendment, AM3167, found in this day's Journal, and replace it with her substitute specific amendment, AM3261. No objections. So ordered.

AM3261

(Amendments to Final Reading copy)

1 1. Insert the following new section:

2 Sec. 16. (1) Notwithstanding any other provision of law,
3 on and after July 1, 2007, no school district shall have a student
4 population greater than sixteen thousand students.

5 (2) On or before July 1, 2007, the school board of
6 each school district having a student population greater than
7 sixteen thousand students shall submit a plan to the State
8 Committee for the Reorganization of School Districts to divide
9 such school district into one or more school districts organized
10 around the attendance areas of existing high school buildings
11 which are not currently being used exclusively for specialized
12 programs, which have contiguous attendance areas, and whose student
13 populations share a community of interest. The effective date for
14 reorganizations pursuant to this section shall be July 1, 2008.

15 (3) If the state committee disapproves such plan, the
16 state committee shall revise the plan and shall hold one or more
17 hearings pursuant to the Reorganization of School Districts Act on
18 the revised plan. The state committee may further revise the plan
19 and hold one or more additional hearings pursuant to the act.

20 (4) If a school board fails to submit a plan as required
21 pursuant to subsection (2) of this section on or before July 1,
22 2007, the state committee shall develop a plan to divide any school
1 district having a student population greater than sixteen thousand
2 students into school districts as described in subsection (2) of
3 this section. The state committee shall hold a hearing pursuant to
4 subsection (3) of this section and may revise the plan and hold one
5 or more additional hearings pursuant to such subsection.

6 2. On page 50, line 18, after the period insert "Each
7 school district created pursuant to this section shall have a
8 student population of sixteen thousand or fewer students.".

9 3. Renumber the remaining sections and correct internal
10 references accordingly.

Pending.

RESOLUTION

LEGISLATIVE RESOLUTION 454. Introduced by Engel, 17.

WHEREAS, on April 12, 2006, the Ninety-ninth Legislature, Second Session, of the Nebraska Legislature adopted LR 449, constituting a resolution of articles of impeachment against C. David Hergert, Regent, University of Nebraska; and

WHEREAS, the firm of DominaLaw Group, PC., specifically David A. Domina, has been retained by the Ninety-ninth Legislature, Second Session, to assist in matters related to the consideration and adoption of such articles of impeachment and to represent the Legislature pursuant to Article III, section 17 and Article IV, section 5 of the Constitution of the State of Nebraska, respecting the conduct of C. David Hergert; and

WHEREAS, the firm of DominaLaw Group, PC., specifically David A. Domina, is authorized to enter his appearance on behalf of the Ninety-ninth Legislature, Second Session, in the Supreme Court of the State of Nebraska with respect to the resolution and articles of impeachment of C. David Hergert, Regent, University of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. The firm of DominaLaw Group, PC., specifically David A. Domina, is retained by the Ninety-ninth Legislature, Second Session, of the Nebraska Legislature to appear before the Nebraska Supreme Court and to represent the interests of the Nebraska Legislature with respect to the resolution and articles of impeachment of C. David Hergert, and it is further resolved that the firm of DominaLaw Group, PC., may assist in the trial of said matter.

2. Senators Chambers and Beutler are appointed Managers of said resolution and articles of impeachment and in such capacity shall consult with the firm of DominaLaw Group, PC., with respect to the trial of said resolution and articles of impeachment.

Laid over.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 13, 2006, at 11:17 a.m. were the following: LBs 1175e, 1227e, 1248e, 1248A, 1249, 1256, and 1256A.

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

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on April 13, 2006, at 11:20 a.m. was the following: LR 272CA.

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

UNANIMOUS CONSENT - Add Cointroducers

Senator Price asked unanimous consent to add her name as cointroducer to LBs 965 and 1006. No objections. So ordered.

VISITORS

Visitors to the Chamber were 85 fourth-grade students and teachers from Hamlow Elementary School, Waverly; Tony Makour and Tereza Mondad from Sudan; 4 guests and interpreters from Moldova; and 51 fourth-grade students and teacher from Fillmore Central Elementary School, Geneva.

RECESS

At 11:58 a.m., on a motion by Senator Preister, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senator Smith who was excused; and Senator Dw. Pedersen who was excused until he arrives.

COMMUNICATIONS

NOTICE OF IMPEACHMENT

April 13, 2006

The Honorable John V. Hendry
Chief Justice of the Nebraska Supreme Court
Room 2214 State Capitol
Lincoln, NE 68509

Dear Mr. Chief Justice,

As required by Article III, Section 17, of the Constitution of the State of Nebraska, I am hereby delivering to you a Resolution of Impeachment, Legislative Resolution 449, against C. David Hergert, a member of the Board of Regents of the University of Nebraska.

This Resolution was adopted by a majority of the elected members of the Ninety-Ninth Legislature, Second Session, on April 12, 2006. I have enclosed a copy of the resolution for each member of the Court as well as a copy for the Clerk of the Court.

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

Enclosure

Proof of Service

Nebraska)
Lancaster County)ss.

I, Patrick O'Donnell, certify that I have, today, served a duly executed,

original copy of LR 449, a Legislative Resolution containing Articles of Impeachment against C. David Hergert, a civil officer serving as a member of the University of Nebraska Board of Regents for District 7, upon Hon. John V. Hendry, Chief Justice, Nebraska Supreme Court at the State Capitol on April 13, 2006.

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

Receipt of Resolution

I, John V. Hendry, Chief Justice of the Nebraska Supreme Court, hereby acknowledge that the Clerk of the Legislature served upon me on April 13, 2006, the original, genuine copy of Legislative Resolution 449 adopted by the Nebraska Legislature April 12, 2006.

April 13, 2006

(Signed) John V. Hendry
Chief Justice
Nebraska Supreme Court

MOTION - Return LB 1024 to Select File

Senator Howard renewed her pending motion, found in this day's Journal, to return LB 1024 to Select File for her specific pending amendment, AM3261, found in this day's Journal.

SPEAKER BRASHEAR PRESIDING

Senator Raikes offered the following motion:
To invoke cloture on LB 1024, pursuant to Rule 7, Section 10.

Senator Bourne requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 35:

Aguilar	Combs	Hudkins	Langemeier	Raikes
Baker	Cudaback	Janssen	Louden	Redfield
Beutler	Cunningham	Jensen	McDonald	Schrock
Brown	Engel	Johnson	Pahls	Stuhr
Burling	Erdman	Kremer	Pedersen, Dw.	Stuthman
Byars	Fischer	Kruse	Pederson, D.	Thompson
Chambers	Heidemann	Landis	Price	Wehrbein

Voting in the negative, 10:

Bourne	Cornett	Foley	Howard	Preister
Connealy	Flood	Friend	Mines	Synowiecki

Present and not voting, 3:

Brashear Kopplin Schimek

Excused and not voting, 1:

Smith

The Raikes motion to invoke cloture prevailed with 35 ayes, 10 nays, 3 present and not voting, and 1 excused and not voting.

The Howard motion to return to Select File failed with 9 ayes, 36 nays, 3 present and not voting, and 1 excused and not voting.

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 1024 with 34 ayes, 11 nays, 3 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1024.

A BILL FOR AN ACT relating to schools; to amend sections 32-543, 77-1601.02, 77-1614, 77-1624, 77-1702, 77-1704.01, 77-1708, 77-1772, 77-2201, 77-2202, 79-232, 79-233, 79-237, 79-238, 79-458, 79-458.01, 79-467, 79-468, 79-469, 79-476, 79-527, 79-528, 79-535, 79-536, 79-549, 79-760, 79-979, 79-980, 79-981, 79-983, 79-984, 79-985, 79-986, 79-9,107, 79-9,108, 79-9,109, 79-9,115, 79-1002, 79-1008.02, 79-1024, 79-1030, 79-1033, 79-1074, 79-1075, 79-1083, 79-1084, 79-1086, 79-10,120, and 79-10,126, Reissue Revised Statutes of Nebraska, sections 13-503, 13-508, 13-511, 79-1001, and 79-1008.01, Revised Statutes Cumulative Supplement, 2004, sections 77-3442, 79-102, 79-407, 79-408, 79-409, 79-413, 79-415, 79-416, 79-433, 79-452, 79-473, 79-479, 79-611, 79-850, 79-1007.01, 79-1022, 79-1026, and 79-1028, Revised Statutes Supplement, 2005, and sections 79-1003 and 79-1007.02, Revised Statutes Supplement, 2005, as amended by sections 4 and 5, respectively, Legislative Bill 1208, Ninety-ninth Legislature, Second Session, 2006; to adopt the Learning Community Reorganization Act; to provide for the establishment of focus schools and programs; to change provisions relating to the calculation of state aid; to provide powers and duties; to change provisions relating to school district boundaries; to provide for learning community coordinating councils; to provide powers and duties and taxing authority for the councils; to provide for a high-needs education coordinator; to eliminate certain tax foreclosure proceedings; to provide for severability; to harmonize

provisions; to repeal the original sections; and to outright repeal section 77-1933, 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, 31:

Aguilar	Combs	Janssen	Pahls	Stuhr
Baker	Cudaback	Jensen	Pedersen, Dw.	Stuthman
Beutler	Cunningham	Johnson	Pederson, D.	Wehrbein
Brown	Engel	Kremer	Price	
Burling	Fischer	Kruse	Raikes	
Byars	Heidemann	Louden	Redfield	
Chambers	Hudkins	McDonald	Schrock	

Voting in the negative, 16:

Bourne	Erdman	Howard	Mines
Brashear	Flood	Kopplin	Preister
Connealy	Foley	Landis	Synowiecki
Cornett	Friend	Langemeier	Thompson

Present and not voting, 1:

Schimek

Excused and not voting, 1:

Smith

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 1024A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1024, Ninety-ninth Legislature, Second Session, 2006.

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, 37:

Aguilar	Connealy	Janssen	McDonald	Schrock
Baker	Cudaback	Jensen	Pahls	Stuhr
Brashear	Cunningham	Johnson	Pedersen, Dw.	Stuthman
Brown	Engel	Kopplin	Pederson, D.	Thompson
Burling	Fischer	Kremer	Price	Wehrbein
Byars	Flood	Kruse	Raikes	
Chambers	Heidemann	Langemeier	Redfield	
Combs	Hudkins	Louden	Schimek	

Voting in the negative, 10:

Bourne	Erdman	Friend	Landis	Preister
Cornett	Foley	Howard	Mines	Synowiecki

Present and not voting, 1:

Beutler

Excused and not voting, 1:

Smith

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 1024 and 1024A.

SENATOR CUDABACK PRESIDING

MOTION - Override Line-Item Veto on LB 817

Senator Chambers renewed his pending motion, found on page 1605, that LB 817 becomes law notwithstanding the objections of the Governor.

Senator Chambers moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

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

Voting in the affirmative, 33:

Aguilar	Cornett	Janssen	Langemeier	Schimek
Baker	Cudaback	Jensen	Louden	Stuhr
Bourne	Cunningham	Johnson	McDonald	Synowiecki
Brown	Engel	Kopplin	Pahls	Thompson
Byars	Fischer	Kremer	Pedersen, Dw.	Wehrbein
Chambers	Flood	Kruse	Pederson, D.	
Combs	Hudkins	Landis	Raikes	

Voting in the negative, 9:

Beutler	Connealy	Heidemann	Preister	Stuthman
Brashear	Erdman	Howard	Schrock	

Present and not voting, 5:

Burling	Friend	Mines	Price	Redfield
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Excused and not voting, 2:

Foley	Smith
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Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

MOTION - Override Veto on LB 817A

Senator Chambers offered the following motion:

That LB 817A becomes law notwithstanding the objections of the Governor.

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

Voting in the affirmative, 38:

Aguilar	Cornett	Hudkins	Langemeier	Schimek
Baker	Cudaback	Janssen	Louden	Schrock
Bourne	Cunningham	Jensen	McDonald	Stuhr
Brown	Engel	Johnson	Mines	Synowiecki
Burling	Fischer	Kopplin	Pahls	Thompson
Byars	Flood	Kremer	Pedersen, Dw.	Wehrbein
Chambers	Friend	Kruse	Pederson, D.	
Combs	Heidemann	Landis	Raikes	

Voting in the negative, 6:

Beutler	Erdman	Preister
Connealy	Howard	Stuthman

Present and not voting, 3:

Brashear Price Redfield

Excused and not voting, 2:

Foley Smith

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

The Chair declared the call raised.

MOTION - Override Line-Item Veto on LB 366

Senator Stuhr renewed her pending motion, found on page 1605, that LB 366 becomes law notwithstanding the objections of the Governor.

Senator Stuhr moved for a call of the house. The motion prevailed with 22 ayes, 1 nay, and 26 not voting.

Senator Stuhr requested a roll call vote.

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

Voting in the affirmative, 30:

Aguilar	Combs	Howard	McDonald	Schrock
Beutler	Connealy	Janssen	Pedersen, Dw.	Stuhr
Bourne	Cornett	Johnson	Preister	Stuthman
Brashear	Erdman	Kopplin	Price	Synowiecki
Byars	Foley	Kruse	Redfield	Thompson
Chambers	Friend	Landis	Schimek	Wehrbein

Voting in the negative, 14:

Brown	Engel	Heidemann	Langemeier	Pederson, D.
Burling	Fischer	Hudkins	Louden	Raikes
Cunningham	Flood	Jensen	Mines	

Present and not voting, 4:

Baker Cudaback Kremer Pahls

Excused and not voting, 1:

Smith

Having received a constitutional three-fifths majority voting in the

affirmative, the bill passed notwithstanding the objections of the Governor.

The Chair declared the call raised.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 13, 2006, at 2:42 p.m. were the following: LBs 1024 and 1024A.

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

MESSAGES FROM THE GOVERNOR

April 13, 2006

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 385, 385A, 489e, 489A, 821, 845, 845A, 874, 924, 925, 940, 965, 1039, 1113, 1113A, 1175e, 1227e, 1248e, 1249, 1256, and 1256A were received in my office on April 13, 2006.

I signed these bills and delivered them to the Secretary of State on April 13, 2006.

Sincerely,
(Signed) Dave Heineman
Governor

April 13, 2006

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 965A with certain line-item reductions.

LB 965A appropriates \$3,450 of General Funds to the Department of Revenue in FY2006-07 for mainframe programming due to the addition of a line to the individual income tax form. Several bills passed this session contain provisions requiring the Department of Revenue to update tax forms. In part, the appropriation presented in LB 965A duplicates agency

costs that have been accounted for in LB 968A, which has already been enacted. LB 965A also appropriates \$17,170 of General Funds in FY2006-07 and \$17,680 of General Funds in FY2007-08 to the Department of Revenue for processing and taxpayer assistance. The anticipated workload for the Department of Revenue to implement the income tax deduction can be handled within existing agency resources and does not warrant an additional position. Therefore, I have reduced LB 965A by \$20,620 in FY2006-07 and \$17,680 in FY2007-08.

For these reasons, I urge you to sustain my line-item reductions to LB 965A.

Sincerely,
(Signed) Dave Heineman
Governor

April 13, 2006

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

Dear Mr. President, Mr. Speaker, and Members of the Legislature:

With this letter, I am returning LB 1248A with certain line-item reductions.

I have vetoed \$83,500 General Funds and \$83,500 federal funds in FY2006-07 from LB 1248A, Section 1. The appropriations in Section 1 are duplicated within the appropriations made in Section 2. My veto simply corrects an inadvertent duplication and in no way impacts the ability of the Department of Health and Human Services Finance and Support to carry out the provisions of the substantive bill.

I urge you to sustain my line-item reductions to LB 1248A.

Sincerely,
(Signed) Dave Heineman
Governor

RESOLUTION

LEGISLATIVE RESOLUTION 441. Read. Considered.

LR 441 was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

MOTION - Suspend Rules

Senator Engel offered the following motion:

To suspend Rule 4, Section 6, to permit consideration of LR 454.

The Engel motion to suspend the rules prevailed with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

RESOLUTION

LEGISLATIVE RESOLUTION 454. Read. Considered.

LR 454 was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

EASE

The Legislature was at ease from 3:24 p.m. until 3:27 p.m.

RESOLUTIONS

LEGISLATIVE RESOLUTION 445. Read. Considered.

LEGISLATIVE RESOLUTION 446. Read. Considered.

LEGISLATIVE RESOLUTION 448. Read. Considered.

LEGISLATIVE RESOLUTION 451. Read. Considered.

LEGISLATIVE RESOLUTION 453. Read. Considered.

LRs 445, 446, 448, 451, and 453 were adopted with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

EASE

The Legislature was at ease from 3:33 p.m. until 3:48 p.m.

MESSAGE FROM THE GOVERNOR

April 13, 2006

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 239 without my signature and with my objections.

The bill would qualify students who are in the United States with no legal immigration status to pay "in-state" tuition rates at Nebraska higher education institutions. LB 239 would still require students from other states who attend our public colleges and universities to pay "out-of-state" tuition rates.

In my view, this bill sends the wrong message about respect for the rule of law. More importantly, this legislation would place Nebraska in conflict with governing federal law. Arguments presented by proponents of the bill focused a great deal upon their frustration with the status of existing federal statutes. I believe the remedy to address the underlying goals of the bill is to change federal law - not to circumvent the law by the enactment of LB 239.

For these reasons, I urge you to sustain my veto of the legislation.

Sincerely,
(Signed) Dave Heineman
Governor

MOTION - Override Veto on LB 239

Senator Schimek offered the following motion:

That LB 239 becomes law notwithstanding the objections of the Governor.

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

Senator Schimek requested a roll call vote.

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

Voting in the affirmative, 30:

Aguilar	Chambers	Janssen	Landis	Preister
Beutler	Combs	Jensen	McDonald	Schimek
Bourne	Connealy	Johnson	Mines	Schrock
Brashear	Cornett	Kopplin	Pahls	Synowiecki
Brown	Cudaback	Kremer	Pedersen, Dw.	Thompson
Byars	Howard	Kruse	Pederson, D.	Wehrbein

Voting in the negative, 16:

Baker	Erdman	Friend	Louden
Burling	Fischer	Heidemann	Price
Cunningham	Flood	Hudkins	Redfield
Engel	Foley	Langemeier	Stuhr

Present and not voting, 2:

Raikes Stuthman

Excused and not voting, 1:

Smith

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

The Chair declared the call raised.

MOTION - Notify Governor

Senator Byars moved that a committee of five be appointed to notify the Governor that the Ninety-Ninth Legislature, Second 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 Baker, Bourne, Landis, Stuhr, and Thompson to serve on said committee.

PRESIDENT SHEEHY PRESIDING

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.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 441, 445, 446, 448, 451, 453, and 454.

COMMUNICATION

April 13, 2006

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

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB 366 with a certificate attached thereto signed by the President of the Legislature certifying the passage of LB 366, notwithstanding the objections of the Governor.

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

PJO:jk
Enc.

CERTIFICATE

Legislative Bill 366, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, it has become law this 13th day of April 2006.

(Signed) Rick Sheehy
President of the Legislature

COMMUNICATION

April 13, 2006

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

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB 817 and LB 817A with a certificate attached thereto signed by the President of the Legislature certifying the passage of LB 817 and LB 817A, notwithstanding the objections of the Governor.

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

PJO:jk
Enc.

CERTIFICATE

Legislative Bill 817 and Legislative Bill 817A, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, have become law this 13th day of April 2006.

(Signed) Rick Sheehy
President of the Legislature

COMMUNICATION

April 13, 2006

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

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB 239 with a certificate attached thereto signed by the President of the Legislature certifying the passage of LB 239, notwithstanding the objections of the Governor.

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

PJO:jk
Enc.

CERTIFICATE

Legislative Bill 239, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, has become law this 13th day of April 2006.

(Signed) Rick Sheehy
President of the Legislature

COMMUNICATIONS

April 13, 2006

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

Dear Mr. Secretary:

Consistent with our rules, I am forwarding LB 542Ae 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

April 13, 2006

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

Dear Mr. Secretary:

Consistent with our rules, I am forwarding LB 1086A 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

April 13, 2006

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

Dear Mr. Secretary:

Consistent with our rules, I am forwarding LB 990A 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

April 13, 2006

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

Dear Mr. Secretary:

Consistent with our rules, I am forwarding LB 872A 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

April 13, 2006

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

Dear Mr. Secretary:

Consistent with our rules, I am forwarding LB 746A 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

April 13, 2006

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

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the vetoes by Governor Heineman of LB 965A, 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

April 13, 2006

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

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the vetoes by Governor Heineman of LB 1248A, 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

MESSAGE FROM THE GOVERNOR

April 13, 2006

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1024 and 1024A were received in my office on April 13, 2006.

I signed these bills and delivered them to the Secretary of State on April 13, 2006.

Sincerely,
(Signed) Dave Heineman
Governor

MOTION - Disposition of Bills

Senator Redfield moved that all bills not otherwise disposed of, excluding bills on Final Reading and vetoed or line-item vetoed bills on this date, be indefinitely postponed.

The motion prevailed.

MOTION - Committee Records

Senator Kremer moved that the chairpersons of all standing committees file with the Clerk of the Legislature all standing committee records so that a proper record may be made of the final disposition of all bills.

The motion prevailed.

MOTION - Printing of Journal, Session Laws, and Indexes

Senator Price moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell.

The motion prevailed.

MOTION - Delivery of Journal and Session Laws

Senator Baker moved that the Clerk of the Legislature 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.

MOTION - Sixtieth Day Journal

Senator Stuhr moved that the Journal for the Sixtieth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

VISITORS

Visitors to the Chamber were 65 students and teachers from Ashland-Greenwood.

MOTION - Adjourn Sine Die

Speaker Brashear moved that the Ninety-Ninth Legislature, Second Session of the Nebraska Legislature, having finished all business before it, now at 5:54 p.m., adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell
Clerk of the Legislature

