

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
February 25, 2010

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PRESIDENT SHEEHY PRESIDING []

PRESIDENT SHEEHY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-third day of the One Hundred First Legislature, Second Session. Our chaplain for today is Pastor Tim Lawson from the Divine Shepherd Lutheran Church in Omaha, Nebraska, Senator McCoy's district. Would you all please rise?

PASTOR LAWSON: (Prayer offered.)

PRESIDENT SHEEHY: Thank you, Pastor Lawson. I call to order the thirty-third day of the One Hundred First Legislature, Second Session. Senators, please record your presence. Please record, Mr. Clerk.

CLERK: I have a quorum present, Mr. President.

PRESIDENT SHEEHY: Are there corrections for the Journal?

CLERK: I have no corrections, Mr. President.

PRESIDENT SHEEHY: Messages, reports, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review reports LB1006, LB865, LB910, and LB770 to Select File, some of which have Enrollment and Review amendments attached. Your Committee on Banking, Commerce and Insurance reports LB813 to General File. Two appointment letters from the Governor: One, an appointment to the Foster Care Review Board and a second appointment to the Commission for the Deaf and Hard of Hearing. Senator Nordquist offers LR333; that will be laid over. I have received the lobby report for this week, Mr. President, required by statute. That will be inserted in the Journal. (Legislative Journal pages 641-644.)  
[LB1006 LB865 LB910 LB770 LB813 LR333]

PRESIDENT SHEEHY: Speaker Flood, did you have an announcement?

SPEAKER FLOOD: Good morning, members. Please note, and this is a fairly important

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announcement as it relates to today's agenda. I'm going to modify today's agenda. After Final Reading of LB579, it's on the back page of your agenda, we will take up a motion to object to the referencing of LB381 and refer the bill potentially back to Referencing Committee for a re-referencing pursuant to Rule 6, Section 2. The motion has been made by Senators Rogert and Cornett, and it is my understanding it also has the consent of Chairperson McGill. Again, we will be taking up a motion to object to the referencing of LB381 to potentially refer the bill back to Referencing Committee right before LB381 appears on the agenda today, so please make a note of that on your agenda. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Speaker Flood. We will now move to the first item on the agenda under legislative confirmation report. We have two reports from General Affairs Committee, Mr. Clerk.

CLERK: Mr. President, the first report involves the appointment of Steve Homan to the Nebraska Arts Council. (Legislative Journal page 636.)

PRESIDENT SHEEHY: Senator Karpisek, you're recognized to open on the first General Affairs Committee legislative confirmation report.

SENATOR KARPISEK: Thank you, Mr. President, members of the body. Mr. Homan was appointed by the Governor to the Nebraska Arts Council and his confirmation was unanimously advanced out of the General Affairs Committee. Mr. Homan lives in Kearney and works as a financial advisor at Edward Jones. Mr. Homan serves on the Kearney Planning Commission, Good Samaritan Hospital Board, Kearney Catholic High School Foundation Board, the Donald and Lorena Meier Foundation Board, and the Kearney Symphony Board. I ask the body to confirm Mr. Homan to the Nebraska Arts Council. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Karpisek. You've heard the opening of the General Affairs Committee legislative confirmation report. Are there members requesting to speak? Seeing none, Senator Karpisek, you're recognized to close. Senator Karpisek waives closing. The question before the body is on the adoption of the first confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: (Record vote, Legislative Journal page 644.) 42 ayes, 0 nays, Mr. President, on the adoption of the General Affairs confirmation report.

PRESIDENT SHEEHY: The first confirmation report is adopted. We'll now move to the second report, Mr. Clerk.

CLERK: Mr. President, the second report by the General Affairs involves the

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appointment of Michael Hiatt to the State Electrical Board. (Legislative Journal page 636.)

PRESIDENT SHEEHY: Senator Karpisek, you're recognized to open on the second confirmation report from General Affairs Committee.

SENATOR KARPISEK: Thank you, Mr. President and members of the body. Mr. Hiatt was appointed by the Governor to the State Electrical Board and his confirmation was unanimously advanced out of the General Affairs Committee. Mr. Hiatt lives in Rising City and has been employed by the Butler Power District since 1979, currently in the position of operations manager. Mr. Hiatt was honored with the 1998 NREA Jack McEnerney Award; in 1998, NREA Good Neighbor Award. From 1992 to 2006, Mr. Hiatt has served as fire chief for the city of David City and Butler County Rural Fire District 9. I ask the body to confirm Mr. Hiatt to the State Electrical Board. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Karpisek. You have heard the opening on the General Affairs Committee confirmation report number two. Are there members requesting to speak? Seeing none, Senator Karpisek, you're recognized to close. Senator Karpisek waives closing. The question before the body is on the adoption of this second confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: (Record vote, Legislative Journal page 645.) 43 ayes, 0 nays, Mr. President, on the adoption of the confirmation report.

PRESIDENT SHEEHY: The second General Affairs Committee confirmation report is adopted. Mr. Clerk, we will now move to Final Reading. Members should return to their seats in preparation for Final Reading. Mr. Clerk, we will move to the first bill under Final Reading, LB190. [LB190]

CLERK: (Read LB190 on Final Reading.) [LB190]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB190 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB190]

CLERK: (Record vote read, Legislative Journal page 646.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB190]

PRESIDENT SHEEHY: LB190 passes. We will now proceed to LB190A. [LB190 LB190A]

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CLERK: (Read LB190A on Final Reading.) [LB190A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB190A pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB190A]

CLERK: (Record vote read, Legislative Journal pages 646-647.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB190A]

PRESIDENT SHEEHY: LB190A passes. We will now proceed to LB690. [LB190A LB690]

CLERK: (Read LB690 on Final Reading.) [LB690]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB690 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB690]

CLERK: (Record vote read, Legislative Journal page 647.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB690]

PRESIDENT SHEEHY: LB690 passes. We will now proceed to LB691. [LB690 LB691]

CLERK: (Read LB691 on Final Reading.) [LB691]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB691 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB691]

CLERK: (Record vote read, Legislative Journal page 648.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB691]

PRESIDENT SHEEHY: LB691 passes. We will now proceed to LB736. [LB691 LB736]

CLERK: (Read LB736 on Final Reading.) [LB736]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB736 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB736]

CLERK: (Record vote read, Legislative Journal pages 648-649.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB736]

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PRESIDENT SHEEHY: LB736 passes with the emergency clause attached. We will now proceed to LB751. [LB736 LB751]

CLERK: (Read LB751 on Final Reading.) [LB751]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB751 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB751]

CLERK: (Record vote read, Legislative Journal page 649.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB751]

PRESIDENT SHEEHY: LB751 passes with the emergency clause attached. We will now proceed to LB650. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB751 LB650]

CLERK: 45 ayes, 0 nays, Mr. President, to dispense with the at-large reading. [LB650]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB650]

CLERK: (Read title of LB650.) [LB650]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB650 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB650]

CLERK: (Record vote read, Legislative Journal page 650.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB650]

PRESIDENT SHEEHY: LB650 passes. We will now proceed to LB650A. [LB650 LB650A]

CLERK: (Read LB650A on Final Reading.) [LB650A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB650A pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB650A]

CLERK: (Record vote read, Legislative Journal page 651.) 43 ayes, 0 nays, 3 present and not voting, 3 excused and not voting, Mr. President. [LB650A]

PRESIDENT SHEEHY: LB650A passes. We will now proceed to LB698. [LB650A]

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LB698]

CLERK: (Read LB698 on Final Reading.) [LB698]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB698 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB698]

CLERK: (Record vote read, Legislative Journal page 652.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President. [LB698]

PRESIDENT SHEEHY: LB698 passes with the emergency clause attached. (Visitors and doctor of the day introduced.) Proceeding with today's agenda, we will now proceed to LB721. [LB698 LB721]

CLERK: (Read LB721 on Final Reading.) [LB721]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB721 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB721]

CLERK: (Record vote read, Legislative Journal pages 652-653.) 45 ayes, 1 nay, 3 excused and not voting, Mr. President. [LB721]

PRESIDENT SHEEHY: LB721 passes. We will now proceed to LB722. [LB721 LB722]

CLERK: (Read LB722 on Final Reading.) [LB722]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB722 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB722]

CLERK: (Record vote read, Legislative Journal page 653.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President. [LB722]

PRESIDENT SHEEHY: LB722 passes. We will now proceed to LB731. [LB722 LB731]

ASSISTANT CLERK: (Read LB731 on Final Reading.) [LB731]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB731 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB731]

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ASSISTANT CLERK: (Record vote read, Legislative Journal page 654.) Vote is 46 ayes, 0 nays, 3 excused and not voting, Mr. President. [LB731]

PRESIDENT SHEEHY: LB731 passes. We will now proceed to LB738. [LB731 LB738]

ASSISTANT CLERK: (Read LB738 on Final Reading.) [LB738]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB738 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB738]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 654-655.) Vote is 46 ayes, 0 nays, 3 excused and not voting. [LB738]

PRESIDENT SHEEHY: LB738 passes with the emergency clause attached. We will now proceed to LB743. [LB738 LB743]

ASSISTANT CLERK: (Read LB743 on Final Reading.) [LB743]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB743 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB743]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 655.) Vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB743]

PRESIDENT SHEEHY: LB743 passes with the emergency clause attached. We will now proceed to LB749. [LB743 LB749]

ASSISTANT CLERK: (Read LB749 on Final Reading.) [LB749]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB749 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB749]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 656.) Vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB749]

PRESIDENT SHEEHY: LB749 passes. We will now proceed to LB791. [LB749 LB791]

ASSISTANT CLERK: (Read LB791 on Final Reading.) [LB791]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied

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with, the question is, shall LB791 pass? All those in favor vote yea; opposed, nay.  
Please record, Mr. Clerk. [LB791]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 656-657.) Vote is 47  
ayes, 0 nays, 2 excused and not voting. [LB791]

PRESIDENT SHEEHY: LB791 passes. We will now proceed to LB798. [LB791 LB798]

ASSISTANT CLERK: (Read LB798 on Final Reading.) [LB798]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied  
with, the question is, shall LB798 pass? All those in favor vote yea; opposed, nay.  
Please record, Mr. Clerk. [LB798]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 657.) Vote is 46  
ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.  
[LB798]

PRESIDENT SHEEHY: LB798 passes. We will now proceed to LB814. Mr. Clerk, the  
first vote is to dispense with the at-large reading. All those in favor vote yea; opposed,  
nay. Please record, Mr. Clerk. [LB814]

ASSISTANT CLERK: 46 ayes, 0 nays to dispense with the at-large reading, Mr.  
President. [LB798]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Mr. Clerk, please read  
the title. [LB814]

ASSISTANT CLERK: (Read title of LB814.) [LB814]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied  
with, the question is, shall LB814 pass? All those in favor vote yea; opposed, nay.  
Please record, Mr. Clerk. [LB814]

CLERK: (Record vote read, Legislative Journal page 658.) 47 ayes, 0 nays, 2 excused  
and not voting, Mr. President. [LB814]

PRESIDENT SHEEHY: LB814 passes. We will now proceed to LB871. [LB814 LB871]

CLERK: (Read LB871 on Final Reading.) [LB871]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied  
with, the question is, shall LB871 pass? All those in favor vote yea; opposed, nay.

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Please record, Mr. Clerk. [LB871]

CLERK: (Record vote read, Legislative Journal pages 658-659.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB871]

PRESIDENT SHEEHY: LB871 passes. We will now proceed to LB667. [LB871 LB667]

CLERK: (Read LB667 on Final Reading.) [LB667]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB667 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB667]

CLERK: (Record vote read, Legislative Journal pages 659-660.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB667]

PRESIDENT SHEEHY: LB667 passes. We will now proceed to LB705. [LB667 LB705]

CLERK: (Read LB705 on Final Reading.) [LB705]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB705 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB705]

CLERK: (Record vote read, Legislative Journal page 660.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB705]

PRESIDENT SHEEHY: LB705 passes. We will now proceed to LB708. [LB705 LB708]

CLERK: (Read LB708 on Final Reading.) [LB708]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB708 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB708]

CLERK: (Record vote read, Legislative Journal page 661.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB708]

PRESIDENT SHEEHY: LB708 passes. We will now proceed to LB725. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB708 LB725]

CLERK: 41 ayes, 1 nay, Mr. President, to dispense with the at-large reading. [LB725]

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PRESIDENT SHEEHY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB725]

CLERK: (Read title of LB725.) [LB725]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB725 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB725]

CLERK: (Record vote read, Legislative Journal pages 661-662.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB725]

PRESIDENT SHEEHY: LB725 passes. We will now proceed to LB762. [LB725 LB762]

CLERK: (Read LB762 on Final Reading.) [LB762]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB762 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB762]

CLERK: (Record vote read, Legislative Journal pages 662-663.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB762]

PRESIDENT SHEEHY: LB762 passes with the emergency clause attached. We will now proceed to LB788. [LB762 LB788]

CLERK: (Read LB788 on Final Reading.) [LB788]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB788 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB788]

CLERK: (Record vote read, Legislative Journal page 663.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB788]

PRESIDENT SHEEHY: LB788 passes. We will now proceed to LB797. [LB788 LB797]

CLERK: (Read LB797 on Final Reading.) [LB797]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB797 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB797]

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CLERK: (Record vote read, Legislative Journal page 664.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB797]

PRESIDENT SHEEHY: LB797 passes. We will now proceed to LB806. [LB797 LB806]

CLERK: (Read LB806 on Final Reading.) [LB806]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB806 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB806]

CLERK: (Record vote read, Legislative Journal pages 664-665.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB806]

PRESIDENT SHEEHY: LB806 passes. We will now proceed to LB816. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB806 LB816]

CLERK: 41 ayes, 0 nays, Mr. President, to dispense with the at-large reading. [LB816]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB816]

CLERK: (Read title of LB816.) [LB816]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB816 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB816]

CLERK: (Record vote read, Legislative Journal pages 665-666.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB816]

PRESIDENT SHEEHY: LB816 passes with the emergency clause attached. We will now proceed to LB832. [LB816 LB832]

ASSISTANT CLERK: (Read LB832 on Final Reading.) [LB832]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB832 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB832]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 666-667.) The vote

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is 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.  
[LB832]

PRESIDENT SHEEHY: LB832 passes. We will now proceed to LB873. [LB832 LB873]

ASSISTANT CLERK: (Read LB873 on Final Reading.) [LB873]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB873 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB873]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 667.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB873]

PRESIDENT SHEEHY: LB873 passes. We will now proceed to LB911. [LB873 LB911]

ASSISTANT CLERK: (Read LB911 on Final Reading.) [LB911]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB911 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB911]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 668.) The vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB911]

PRESIDENT SHEEHY: LB911 passes with the emergency clause attached. We will now proceed to LB226. [LB911 LB226]

ASSISTANT CLERK: (Read LB226 on Final Reading.) [LB226]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB226 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB226]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 668-669.) The vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB226]

PRESIDENT SHEEHY: LB226 passes with the emergency clause attached. We will now proceed to LB512. [LB226 LB512]

ASSISTANT CLERK: (Read LB512 on Final Reading.) [LB512]

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PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB512 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB512]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 669-670.) The vote is 44 ayes, 1 nay, 2 present and not voting, 2 excused and not voting, Mr. President. [LB512]

PRESIDENT SHEEHY: LB512 passes. We will now proceed to LB643. [LB512 LB643]

ASSISTANT CLERK: (Read LB643 on Final Reading.) [LB643]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB643 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB643]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 670.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB643]

PRESIDENT SHEEHY: LB643 passes. We will now proceed to LB711. [LB643 LB711]

ASSISTANT CLERK: (Read LB711 on Final Reading.) [LB711]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB711 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB711]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 671.) Vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB711]

PRESIDENT SHEEHY: LB711 passes with the emergency clause attached. We will now proceed to LB723. [LB711 LB723]

ASSISTANT CLERK: (Read LB723 on Final Reading.) [LB723]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB723 pass? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB723]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 671-672.) Vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB723]

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PRESIDENT SHEEHY: LB723 passes. We will now proceed to LB746. [LB723 LB746]

ASSISTANT CLERK: (Read LB746 on Final Reading.) [LB746]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB746 pass? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB746]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 672-673.) Vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB746]

PRESIDENT SHEEHY: LB746 passes. We will now proceed to LB787. [LB746 LB787]

ASSISTANT CLERK: (Read LB787 on Final Reading.) [LB787]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB787 pass? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB787]

ASSISTANT CLERK: (Record vote read, Legislative Journal 673.) Vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB787]

PRESIDENT SHEEHY: LB787 passes. We will now proceed to LB848. [LB787 LB848]

ASSISTANT CLERK: (Read LB848 on Final Reading.) [LB848]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB848 pass? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB848]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 674.) Vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB848]

PRESIDENT SHEEHY: LB848 passes. We will now proceed to LB867. [LB848 LB867]

ASSISTANT CLERK: (Read LB867 on Final Reading.) [LB867]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB867 pass? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB867]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 674-675.) The vote

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is 46 ayes, 1 nay, 2 excused and not voting, Mr. President. [LB867]

PRESIDENT SHEEHY: LB867 passes. We will now proceed to LB890. Madam Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB867 LB890]

ASSISTANT CLERK: 43 ayes, 0 nays to dispense with the at-large reading, Mr. President. [LB890]

PRESIDENT SHEEHY: Thank you, Madam Clerk. Senator Conrad. The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB890]

ASSISTANT CLERK: (Read title of LB890.) [LB890]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB890 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB890]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 675-676.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB890]

PRESIDENT SHEEHY: LB890 passes with the emergency clause attached. We will now proceed to LB891. [LB890 LB891]

ASSISTANT CLERK: (Read LB891 on Final Reading.) [LB891]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB891 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB891]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 676-677.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB891]

PRESIDENT SHEEHY: LB891 passes with the emergency clause attached. We will now proceed to LB892. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB891 LB892]

CLERK: 41 ayes, 0 nays, Mr. President, on the adoption of the motion to dispense with the at-large reading. [LB892]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB892]

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CLERK: (Read title of LB892.) [LB892]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB892 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB892]

CLERK: (Record vote read, Legislative Journal pages 677-678.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB892]

PRESIDENT SHEEHY: LB892 passes with the emergency clause attached. We will now proceed to LB914. [LB892 LB914]

CLERK: (Read LB914 on Final Reading.) [LB914]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB914 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB914]

CLERK: (Record vote read, Legislative Journal page 678.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB914]

PRESIDENT SHEEHY: LB914 passes. We will now proceed to LB579. [LB914 LB579]

CLERK: Mr. President, I have a motion on the desk. Senator Cornett would move to return the bill for a specific amendment, AM2024. (Legislative Journal page 637.) [LB579]

PRESIDENT SHEEHY: Senator Cornett, you're recognized to open on AM2024 to LB579. [LB579]

SENATOR CORNETT: Thank you, Lieutenant Governor and members of the body. When we moved this bill from Select File to Final Reading, I advised the body that we might have a technical amendment that we needed to address. Through the course of the last week, all of the parties came together and were able to work out the last technical details on the bill. I would appreciate your support to return the bill to Select File for this amendment. Thank you. [LB579]

PRESIDENT SHEEHY: Thank you, Senator Cornett. You've heard the opening on the motion to return to Select File. Seeing no request to speak, Senator Cornett, you're recognized to close. Senator Cornett waives closing. The motion before the body is to return LB579 to Select File. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB579]

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CLERK: 41 ayes, 0 nays, Mr. President, to return the bill. [LB579]

PRESIDENT SHEEHY: The motion to return is adopted. [LB579]

CLERK: Mr. President, AM2024. [LB579]

PRESIDENT SHEEHY: Senator Cornett, you're recognized to open on AM2024. [LB579]

SENATOR CORNETT: Thank you, Lieutenant Governor. AM2024 is a technical amendment to the PEO bill or the Professional Employers bill. I would hope the body could support the technical amendment and the underlying bill. Thank you. [LB579]

PRESIDENT SHEEHY: Thank you, Senator Cornett. You've heard the opening on the adoption of AM2024 to LB579. Seeing no requests to speak, Senator Cornett, you're recognized to close. Senator Cornett waives closing. The question before the body is on the adoption of AM2024. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB579]

CLERK: 40 ayes, 0 nays, Mr. President, on adoption of the Select File amendment. [LB579]

PRESIDENT SHEEHY: AM2024 is adopted. Anything further, Mr. Clerk? [LB579]

CLERK: Nothing further, Mr. President. [LB579]

PRESIDENT SHEEHY: Senator Nordquist, you're recognized for a motion. [LB579]

SENATOR NORDQUIST: Mr. President, I move LB579 to E&R for engrossing. [LB579]

PRESIDENT SHEEHY: You have heard the motion. All those in favor say aye. Opposed nay. LB579 advances. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB190, LB190A, LB690, LB691, LB736, LB751, LB650, LB650A, LB698, LB721, LB722, LB731, LB738, LB743, LB749, LB791, LB798, LB814, LB871, LB667, LB705, LB708, LB725, LB762, LB788, LB797, LB806, LB816, LB832, LB873, LB911, LB226, LB512, LB643, LB711, LB723, LB746, LB787, LB848, LB867, LB890, LB891, LB892, and LB914. And while the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR319, LR320, and LR321. Mr. Clerk, do you have a motion on your desk? [LB579]  
LB190 LB190A LB690 LB691 LB736 LB751 LB650 LB650A LB698 LB721 LB722  
LB731 LB738 LB743 LB749 LB791 LB798 LB814 LB871 LB667 LB705 LB708 LB725  
LB762 LB788 LB797 LB806 LB816 LB832 LB873 LB911 LB226 LB512 LB643 LB711  
LB723 LB746 LB787 LB848 LB867 LB890 LB891 LB892 LB914 LR319 LR320 LR321]

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CLERK: Mr. President, with respect to LB381 and pursuant to the Speaker's order, Senators Cornett, McGill and Rogert would move to object to the referencing of LB381 pursuant to Rule 6, Section 2, and refer the bill back to Referencing for rereferencing. [LB381]

PRESIDENT SHEEHY: Senator Cornett, you're recognized on your motion to object to the referencing. [LB381]

SENATOR CORNETT: Thank you, Lieutenant Governor and members of the body. Senator Rogert, Senator McGill, and I have all agreed to have this bill rereferenced to the Revenue Committee. We will be holding a hearing on it within the next couple of weeks. I very much appreciate and thank Senator McGill and Senator Rogert for their efforts on this bill and would urge the body to support the referencing motion. [LB381]

PRESIDENT SHEEHY: Thank you, Senator Cornett. You have heard the opening to the motion. Members requesting to speak are Senator Rogert and Senator Stuthman. Senator Rogert, you're recognized. [LB381]

SENATOR ROGERT: Thank you, Mr. President. Good morning, members of the body. After a long Final Reading, we're going to move on to LB381 and this motion. I do support this motion this morning. Mainly because at the end of the day yesterday on the bracket motion we had a basic stalemate with somewhere in the 20s to bracket and somewhere in the 20s not to, which means there wasn't enough to move forward, there wasn't enough to stop it at that point. I did want to clear up a few things that we had questions on while we're moving along here. According to our bill and according to the people I visited with and the questions that were asked yesterday, the bonding authority was not mandatory, it's an option. A city or the county chooses whether or not to approve such bonding authority in the establishment of that district. Also, as far as the property owners, their renters, renters move and they are not invested in the property, so it's an appropriate action to have the vote be by the property owners and not the business owners. Because even though property owners may reside outside the district, or even outside the state, they are the invested parties in the district. We had some questions about the power and light district in Kansas City. It actually is not a CID, but it's an entertainment district. And as far as debts are incurred, the city chose to invest in that and take on that debt along with them. So it's kind of a combination. It's a little different, but it's an example of what can be done. Also, upon ordinance it's not just a yea or nay in black and white. They can approve the district with a specific request and at the same time have some authority to cooperative agreements if they request, but this would not impose indebtedness upon them. I think what we can do is we can go have a hearing on this. And whether it comes back or not, that is irrelevant to the fact that we weren't able to move it on yesterday. But I think we can at least keep the idea alive long enough to discuss some things with Senator Cornett and the Revenue

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Committee and Senator McGill and the Urban Affairs Committee and those interested parties. So I do support this motion. I look forward to the continued discussion about this, this year, and if need be, in the future years to come. Thank you, Mr. President. [LB381]

PRESIDENT SHEEHY: Thank you, Senator Rogert. Senator Stuthman, you're recognized. [LB381]

SENATOR STUTHMAN: Thank you, Lieutenant Governor and members of the body. First of all, I would just like to mention to the members of the body, I think we had fairly good debate yesterday, discussion. But the question and the concern that I have is the fact that...I want to give you a little background on this bill. This bill was referenced to the Government Committee on January 21 of '09, page 220 in the Journal. On January 23 of '09 the Reference Committee rereferenced it to the Urban Committee. So there was attention drawn to this bill, LB381, at that time. It was originally referenced to the Government Committee, then it was rereferenced to the Urban Committee. Why didn't it get referenced to the Revenue Committee at that time, if that's where this bill was supposed to go? Now we're trying to set an example and say, you know, it should have went there. We dealt with it on January 23, the Reference Committee, chaired by Senator Wightman, rereferenced this bill to the Urban Affairs Committee. That bill had a hearing, February 24 of '09. And this year, on February 19, 2010, it was advanced to General File. All of a sudden now we bring up the issue it went to the wrong committee. And the question that I have and the real concern that I have is the process here. The process that the Chair and the Reference Committee approved the fact of rereferencing it to the Urban Affairs Committee. If that wasn't the right place at that time, why wasn't the issue drawn to the attention of the people on the Reference Committee to reference it to the Revenue Committee? They must have in good faith felt that it was going to the right committee. If they moved, if they took a vote, which they did, and rereferenced it to the Urban Affairs Committee and it had a hearing, and all of a sudden when it gets put out on General File then the flags were thrown up. And I would like to ask Senator Wightman a question. [LB381]

PRESIDENT SHEEHY: Senator Wightman, would you yield to Senator Stuthman? [LB381]

SENATOR WIGHTMAN: Yes, I will. [LB381]

SENATOR STUTHMAN: Senator Wightman, I hope you've been listening to my discussion here. Can you tell me, you know, the fact that it was referenced to one committee and then was rereferenced, did the committee take real consideration as to should it be rereferenced to Urban Affairs or what did you do? I know it's been a long time, but I would like to get some information. [LB381]

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SENATOR WIGHTMAN: I have some information here, Senator Stuthman. And I'll...we originally...let me review my notes here for a minute. [LB381]

SENATOR STUTHMAN: Okay. That was a concern that I have. I did push my light again because I think this is an issue that we have to draw attention to. And this is an issue that I'm very concerned with the fact that we have term limits and the fact that we have a lot of new senators coming on board. [LB381]

PRESIDENT SHEEHY: One minute, Senator. [LB381]

SENATOR STUTHMAN: Thank you, Lieutenant Governor. Are you ready, Senator Wightman? [LB381]

SENATOR WIGHTMAN: Yes, yes, I am. Originally, there was a discussion as to whether it should go to Revenue or to Government. And the vote was to reference it to Government. Then there was a request that it be rereferenced to Urban Affairs and it was rereferenced after that to Urban Affairs. But there was considerable discussion on this, Senator Stuthman. [LB381]

SENATOR STUTHMAN: Okay. If there was considerable discussion on it at that time and members of the Referencing Committee decided that the proper place to go with it, with a decision of Government or Revenue at that time, they decided to put it to Government. Then, then it was decided to be rereferenced to Urban Affairs. Can you give me the vote as far as... [LB381]

PRESIDENT SHEEHY: Senator, you're into your next five minutes. [LB381]

SENATOR STUTHMAN: Okay, thank you, Lieutenant Governor. I want to...I would like to continue with the discussion with Senator Wightman, if he would respond. [LB381]

PRESIDENT SHEEHY: Senator Wightman, would you yield to Senator Stuthman? [LB381]

SENATOR WIGHTMAN: Yes. At the time the rereferencing committee was to Urban Affairs, it was a unanimous vote. [LB381]

SENATOR STUTHMAN: It was a unanimous vote. So in other words, in other words, the discussion and the debate on the initial referencing from either/or Government or Revenue, the vote was to go to Government. Then when an individual decided to have it rereferenced to Urban Affairs it was a unanimous vote, it was a unanimous vote of the Referencing Committee, not even considering the fact that Revenue was in consideration of the first determination of where it should go. But when it got requested to be rereferenced to the Urban Affairs Committee, it was unanimous. That is the issue

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that I have a real, real concern with of what is happening here. The direction set by the Executive...well, it wasn't the Executive Board, it was the members of the Referencing Committee that they didn't even consider going back to the Revenue Committee what we're attempting to do here a year and a couple of months later. And it is a real concern of mine. And the fact that we're this late in the session, maybe it should have gone to Revenue Committee. They have a tendency to kill those bills, I have the experience of that happening. I just feel that we are setting a precedence of an issue that somebody says, oh my gosh, I think that should have went someplace else, and it gets considered and it heads there. Is this what this legislative body is about? I think we had fair debate yesterday. And it doesn't bother me a bit if it don't pass. But we had the debate, we gave it an opportunity. I just think that the fact that we are coming up at this time of the session when the hearings, as of today the hearings are officially over. We start full day debate next week. And now we're putting something back just because we have a group that feels it was referenced wrong. But I think we have a respectable group on the Referencing Committee that I think they did the right thing. It's upsetting to me to see what we're doing and what we're dealing with here right now. The fact of someone coming up and saying, you know, that went to the wrong committee, a year and a couple of months later. Why in the world didn't that take place a year ago? So I, you know, I know it really doesn't make a lot of difference to me if it gets rereferenced. I know it's not going to go anywhere. But I appreciate the fact that it did have an opportunity to get debated on the floor. And maybe it should have taken its licks and got either passed or voted down. I'm sure it would have been voted down because there was enough, you know, opposition to it that it wouldn't have passed. But now all of a sudden, let's just rereference it. Let's set another hearing date. [LB381]

PRESIDENT SHEEHY: One minute. [LB381]

SENATOR STUTHMAN: And that is very much a concern of mine. So I'm just...I know the Speaker can allow things to happen at his discretion. But in my opinion, it's a policy that we're setting here and the respect to the Referencing Committee on the judgment that they utilized and what they have decided a year or so ago. So with that, thank you, Lieutenant Governor. [LB381]

PRESIDENT SHEEHY: Thank you, Senator Stuthman. Seeing no additional requests to speak, Senator Cornett, you're recognized to close on your motion. [LB381]

SENATOR CORNETT: Thank you, Lieutenant Governor and members of the body. Again, I want to thank Senator McGill and Senator Rogert for their cooperation on this. And I appreciate the help that we have gotten from the Speaker's Office. With that, I would urge the body to support the referencing motion. Thank you. [LB381]

PRESIDENT SHEEHY: Thank you, Senator Cornett. You have heard the closing. The question before the body is on the motion to object to the referencing of LB381,

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pursuant to Rule 6, Section 2, and to refer the bill back to the Referencing Committee for rereferencing. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB381]

CLERK: 31 ayes, 3 nays, Mr. President, on the motion to refer back to Referencing. [LB381]

PRESIDENT SHEEHY: The motion is adopted. We will now proceed to the next item under General File, 2010 senator priority bills, White division, LB817. [LB381 LB817]

CLERK: LB817, a bill by Senator Rogert. (Read title.) The bill was introduced on January 8 of this year, at that time referred to the Judiciary Committee. The bill was advanced to General File. I do have committee amendments by the Judiciary Committee. (AM1964, Legislative Journal page 574.) [LB817]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Senator Rogert, you're recognized to open on LB817. [LB817]

SENATOR ROBERT: Thank you, Mr. President. Good morning, members of the body. Once again, in an attempt to grab as much publicity as I can this week, here we go, LB817. Today is going to become a fairly well amended bill. With the amendments, LB817 is a measure that combines several initiatives intended to improve Nebraska statutes concerning the possession, purchase, and use of firearms in the state. The essential provisions are as follows, some of these will be amendments, but I just wanted to make you aware of them. The 1,045 holders of Nebraska concealed handgun permits in Nebraska would be excused from the requirement to obtain a Nebraska handgun purchase permit in order to buy a handgun. The handgun purchase permit came into being prior to the initiation of our concealed carry legislation. Under federal legislation of the present National Instant Check System, the NICS, under this system any handgun purchaser, including concealed carry permit holders, both presently and after LB817 is enacted, completes a federal background questionnaire with the firearms dealer, then telephones an office of the FBI where the record check is performed prior to the purchase being authorized. Though the Legislature has previously considered repealing this state purchase permit, subsequent to the enactment of the National Instant Check System, the firearms community in Nebraska actually opposed the repeal as some private sellers use the Nebraska handgun purchase permit as proof of identity and evidence of a previous background check. With concealed permit holders, however, the use of the handgun purchase permit is totally obviated by the extensive background check such permit holders are subject to before being issued the permit. That background check includes a full set of fingerprints being submitted to the FBI for a federal background check, as well as a criminal background check conducted at the state level. Repealing the requirements for these individuals to apply for, pay for, and obtain a permit, which is significantly less rigorous than that required by the concealed

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handgun permit, gives us a rare but welcome opportunity to provide just a little less government and expense for the group of citizens who are the folks who pay to play by the rules and follow the requirements. With the amendment, LB817 will also remove the requirement for the active duty law enforcement personnel to obtain state handgun purchase permit in order to buy a handgun. This came to me prior to the hearing, as the Sheriffs Association supported this measure in an attempt to lessen their workload and save some of the costs. And they in turn said, maybe we ought to have the same provision available, we've gone through probably more training than anybody, so we should be able to buy a handgun without a permit as well. Law enforcement officers have already undergone background checks far more extensive than the handgun permit (inaudible). Again, with the committee amendment, LB817 incorporates provisions of LB905 coming from the committee amendment which extends to first-class cities, prohibitions and penalties provisions designed to prevent drive-by shootings. Last year, when we had a...we moved forward the gun bill from the Judiciary Committee, what we did was we increased the penalty for shooting out of a vehicle in an attempt to deter drive-by shootings in our urban areas. Because we were concerned about hunters, we didn't want to put anybody in prison for life for shooting a coyote out of a vehicle. We excluded everything but a metropolitan and primary class. We were going to put in the first-class cities in this provision. Thanks to Senator Dubas, who has come to us in an attempt to solve issues out in the Grand Island area. In addition, provisions added to LB817 will give us, through the committee amendment, natural resource districts the authority to contract with public law enforcement agencies. Senator Ashford and some others will probably talk about that. Currently, NRDs are prohibited from contracting for security services under law. We have one more amendment coming that will say...it will remove anybody from state law provision, individual who is wholly and legally justified under state statute for the use of deadly force in defense of their own family members, from murder, rape or serious bodily harm for them to be sued civilly, for those legally justified actions. And, I believe, Senator Christensen will talk about those things. Mr. President, I will yield the rest of my time to Senator Fulton, if he would like, since this is his priority this morning. Thank you. [LB817 LB905]

PRESIDENT SHEEHY: Thank you, Senator Rogert. Senator Fulton, you're yielded 5 minutes 40 seconds. [LB817]

SENATOR FULTON: Thank you, Mr. President. Thank you, Senator Rogert. Indeed, on the last couple of days when considering priority bills, I approached Senator Rogert and this was one I had some interest in. The other bill that Senator Christensen had brought forward, I also had some interest in that. So I was able to work with Senator Rogert, Senator Christensen, the Judiciary Committee in order to get these bills put together. The bill, I believe, Senator Dubas had regarding that drive-by shooting in Grand Island only added to this bill and made me appreciate it more. So this really comes down to an issue of making our statutes more clear, more concise, and more understandable with respect to concealed carry which, incidentally, was my priority bill last year. It also adds

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an element of public safety for which I thank Senator Dubas. So thank you, Senator Rogert, for bringing this bill. Thank you to the Judiciary Committee for putting it together. And I would ask my colleagues to support LB817 going forward. Thank you, Mr. President. [LB817]

PRESIDENT SHEEHY: Thank you, Senator Fulton. Thank you, Senator Rogert. Speaker Flood, you're recognized for an announcement. [LB817]

SPEAKER FLOOD: Thank you, Mr. President. Good morning, members. A quick note: On Monday we will have full-day debate. We will start Monday at 10:00 a.m. We will recess at noon, we will come back at 1:30 and we will work until 4:00 p.m. in the afternoon, giving committees like Appropriations some additional time to complete their committee work. Other committees and committee chairs are specifically encouraged to hold Exec Sessions at 4:00 p.m., giving you some extra time to process and consider and debate in committee some of the bills that have been referenced to your committee. Starting on Tuesday, we will begin at 9:00 a.m. and continue that for the rest of next week. On Thursday we will work through the noonhour. On Thursday, we will work through the noonhour and we'll give you a better understanding of when we will adjourn for the week on Thursday as we get to Wednesday of next week. So again, starting at 10:00 a.m. on Monday we begin full-day debate. Thank you, Mr. President. []

PRESIDENT SHEEHY: Thank you, Speaker Flood. You have heard the opening to LB817. As was noted, there is a Judiciary Committee amendment, AM1964. Senator Ashford, you're recognized to open. [LB817]

SENATOR ASHFORD: Thank you, Mr. Lieutenant Governor. The committee amendments are twofold. The first committee amendment or the first part of AM1964 would provide that a peace officer, a police officer would not be required or a peace officer is the statutory term, would not be required to obtain a permit to purchase a firearm. Again, the thinking, obviously I'm sure you can guess, was that police officers are thoroughly trained in the use of firearms and they have background checks which far surpass those that would take place with a permit to purchase. And therefore, we decided to, though no one asked us to do it, we decided to exclude peace officers from that requirement. The second part of AM1964 is a very important piece. And this comes to us from Senator Dubas and it involves drive-by shootings. Omaha is not the only city in the state that is plagued with drive-by shootings. And Senator Dubas has indicated that, and Senator Gloor that there are issues in Grand Island, for example, involving assault weapons and drive-by shootings that are very, very serious in their community. And as a result of that and other conversations, the committee decided to add to the provisions of LB63 of last year the crime or offense of drive-by shootings to apply to first-class cities as well as cities of the metropolitan class. Senator...and we won't get to it today, obviously, but Senator Council has an amendment to this amendment which is also, I believe, appropriate that would require that in order to bring a criminal action in

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this matter, these types of drive-by shooting matters, that it would be required only that...would be required that there be a showing of recklessness. And there is some confusion in the language that you have before you that reckless was stricken from the committee amendment as you have it. Senator Council has discovered that and has an amendment that she will be bringing to us next week. The point there is that if it's a reckless firing of a firearm in a city, in an urban area, into a building or house that reckless endangerment of life is a sufficient standard to bring an action under AM1964. So on Monday when we look at this again, there will be an amendment from Senator Council regarding drive-by shootings and reckless endangerment of individuals by shooting into a house or building. Let me just conclude, since I have two minutes or so to do so, but I could conclude before that, I suppose, is to say that in the early nineties when I was here and we passed the permit to purchase law it was quite something. There was quite a bit of opposition to the idea of a permit to purchase. And what is interesting to me is that over the years the permit to purchase has become a way of life for law-abiding citizens who purchase handguns and has worked, I believe, to protect our state and the citizens of our state and is viewed by law-abiding citizens and gun owners as a form of protection, to make certain that it is, in fact, law-abiding citizens who are able to purchase handguns in our state. The concealed weapon law, obviously, has many, many more requirements to that permit application process than the permit to purchase had. And therefore it seems a matter of legitimate public policy, as Senator Rogert has said and argued and as the committee felt, that the concealed weapon permit is important and that it does indicate a degree of training that the permit to purchase does not require. Therefore, I wholeheartedly support the idea that a concealed weapon permitholder would not be required to receive...to obtain a permit to purchase a permit as well. There's a gap of two years, a permit to purchase is every three years, a concealed weapon is every five years. However, it's my belief that again the requirements for a concealed weapon permit are sufficient to justify this change in the law, and I wholeheartedly support it. Thank you, Mr. Lieutenant Governor. [LB817 LB63]

PRESIDENT SHEEHY: Thank you, Senator Ashford. You have heard the opening of the Judiciary Committee amendment, AM1964, to LB817. Mr. Clerk, you have items for the record? [LB817]

CLERK: Mr. President, Enrollment and Review reports LB888, LB821, LR295CA, LB689, LB764 to Select File, some of which have Enrollment and Review amendments. Education Committee, chaired by Senator Adams, reports LB1014 and LB1087 to General File with amendments. New A bill. (Read LB910A by title for the first time.) New resolutions: LR334, Senator Cornett; LR335, Senator Mello. Communication from the Speaker regarding LR335. Amendment to LB1048 to be printed; and an amendment to LB817 to be printed. Confirmation reports from the Retirement Systems Committee. The General Affairs Committee will meet on Monday, March 1, at 9:00 a.m. Bills presented to the Governor...bills were presented to the Governor at 11:40 a.m. (re LB190,

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LB190A, LB690, LB691, LB736, LB751, LB650, LB650A, LB698, LB721, LB722, LB731, LB738, LB743, LB749, LB791, LB798, LB814, LB871, LB667, LB705, LB708, LB725, LB762, LB788, LB797, LB806, LB816, LB832, LB873, LB911, LB226, LB512, LB643, LB711, LB723, LB746, LB787, LB848, LB867, LB890, LB891, LB892, LB914). And Reference report. Name adds: Senator Gay to LB880, LB926; Senator Haar to LB1010; Senators Cornett, Nordquist, Gay, Mello, Lautenbaugh, to LB1103; Cornett to LB1110; and Senator Haar to LB1110. (Legislative Journal pages 680-689.) [LB888 LB821 LR295CA LB689 LB764 LB1014 LB1048 LB817 LB190 LB190A LB1087 LB910A LR334 LR335 LB690 LB691 LB736 LB751 LB650 LB650A LB698 LB721 LB722 LB731 LB738 LB743 LB749 LB791 LB798 LB814 LB871 LB667 LB705 LB708 LB725 LB762 LB788 LB797 LB806 LB816 LB832 LB873 LB911 LB226 LB512 LB643 LB711 LB723 LB746 LB787 LB848 LB867 LB890 LB891 LB892 LB914 LB880 LB926 LB1010 LB1103 LB1110]

Senator Hadley would move to adjourn until Monday morning, March 1, at 10:00 a.m. []

PRESIDENT SHEEHY: You have heard the motion to adjourn until Monday, March 1, 2010, at 10:00 a.m. All those in favor say aye. Opposed, nay. We are adjourned. []