

NINETEENTH DAY - FEBRUARY 3, 2015

LEGISLATIVE JOURNAL

**ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION**

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 3, 2015

PRAYER

The prayer was offered by Pastor Bob Lawrence, Auburn Church of Christ, Auburn.

ROLL CALL

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

The roll was called and all members were present except Senators Kintner and Schilz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

NOTICE OF COMMITTEE HEARING(S)
Banking, Commerce and Insurance

Room 1507

Tuesday, February 17, 2015 1:30 p.m.

LB48
LB213
LB628

Monday, February 23, 2015 1:30 p.m.

LB375
LB515
LB457

Tuesday, February 24, 2015 1:30 p.m.

LB234
LB451
LB51

Monday, March 2, 2015 1:30 p.m.

LB11
LB79
LB124

Tuesday, March 3, 2015 1:30 p.m.

LB67
LB223
LB336

Monday, March 9, 2015 1:30 p.m.

LB341
LB488

Tuesday, March 10, 2015 1:30 p.m.

LB193
LB348
LB395

(Signed) Jim Scheer, Chairperson

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Johnson has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 167. Placed on General File.

LEGISLATIVE BILL 194. Placed on General File.

LEGISLATIVE BILL 301. Placed on General File.

LEGISLATIVE BILL 314. Placed on General File with amendment.

AM126

1 1. On page 4, lines 6 and 13, strike "Concurrent original

2 jurisdiction with the district court" and insert "Exclusive original

3 jurisdiction".

(Signed) Les Seiler, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 252. Placed on General File.

LEGISLATIVE BILL 286. Placed on General File.

(Signed) Jim Scheer, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 40 and 42 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 40 and 42.

GENERAL FILE

LEGISLATIVE BILL 88. Senator Chambers renewed his motion, MO18, found on page 363, to reconsider the vote taken on FA7.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Senator Kintner asked unanimous consent to withdraw his amendment, AM131, found on page 352 and considered on page 361, and replace it with his substitute amendment, AM185. No objections. So ordered.

AM185

1 1. On page 2, line 13, strike "fifty" and insert "twenty-five".

The Kintner amendment was adopted with 32 ayes, 5 nays, 10 present and not voting, and 2 excused and not voting.

Senator Krist withdrew his amendment, AM155, found on page 368.

Senator Kintner withdrew his amendment, AM158, found on page 368.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:

Baker	Groene	Johnson	Morfeld	Stinner
Bolz	Haar, K.	Kintner	Nordquist	Sullivan
Campbell	Hadley	Kolowski	Pansing Brooks	Watermeier
Cook	Hansen	Krist	Riepe	Williams
Craighead	Hilkemann	Kuehn	Scheer	
Crawford	Howard	Lindstrom	Seiler	
Friesen	Hughes	McCollister	Smith	

Voting in the negative, 7:

Brasch	Ebke	McCoy	Schumacher
Chambers	Kolterman	Schnoor	

Present and not voting, 8:

Bloomfield	Davis	Gloor	Mello
Coash	Garrett	Larson	Murante

Excused and not voting, 2:

Harr, B.	Schilz
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Advanced to Enrollment and Review Initial with 32 ayes, 7 nays, 8 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 190. Senator Chambers renewed his motion, MO19, found on page 372, to indefinitely postpone.

Senator Chambers withdrew his motion to indefinitely postpone.

Senator Chambers offered the following motion:

MO20

Bracket until April 15, 2015.

Senator Chambers moved for a call of the house. The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

Senator Chambers requested a roll call vote on the motion to bracket.

Voting in the affirmative, 3:

Cook	Haar, K.	Pansing Brooks
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Voting in the negative, 39:

Bloomfield	Garrett	Kintner	McCoy	Schumacher
Bolz	Gloor	Kolowski	Mello	Seiler
Brasch	Groene	Kolterman	Morfeld	Smith
Coash	Hadley	Krist	Murante	Stinner
Craighead	Hansen	Kuehn	Nordquist	Sullivan
Crawford	Hilkemann	Larson	Riepe	Watermeier
Davis	Hughes	Lindstrom	Scheer	Williams
Friesen	Johnson	McCollister	Schnoor	

Present and not voting, 5:

Baker	Campbell	Chambers	Harr, B.	Howard
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Excused and not voting, 2:

Ebke	Schilz
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The Chambers motion to bracket failed with 3 ayes, 39 nays, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO21

Reconsider the vote taken to bracket.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 48. Introduced by Kintner, 2.

WHEREAS, the Nebraska Masonic Home was incorporated in 1888 and established on September 1, 1903, in Plattsmouth to provide loving and dignified care and to enhance the quality of life for Nebraskans; and

WHEREAS, the Nebraska Masonic Home recently received a deficiency-free survey from the Department of Health and Human Services for both its nursing care facility and assisted living center; and

WHEREAS, in unannounced onsite inspections, the Nebraska Masonic Home was in full compliance in the areas of operational care, treatment, and physical plant standards; and

WHEREAS, the deficiency-free survey illustrates the commitment that the employees of the Nebraska Masonic Home have to the residents and their families.

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

1. That the Legislature congratulates the Nebraska Masonic Home on receiving a deficiency-free survey from the Department of Health and Human Services.

2. That a copy of this resolution be sent to the Nebraska Masonic Home and its administrator, Mary Vrbka.

Laid over.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources

Room 1525

Wednesday, February 11, 2015 1:30 p.m.

LB536

LB583

Thursday, February 12, 2015 1:30 p.m.

Donald P. Batie - Nebraska Natural Resources Commission

LB310

LB622

Wednesday, February 18, 2015 1:30 p.m.

Owen A. Palm - Nebraska Natural Resources Commission

LB208

LB394

(Signed) Ken Schilz, Chairperson

Judiciary

Room 1113

Wednesday, February 11, 2015 1:30 p.m.

Gerard A. (Fred) Ruiz - Crime Victim's Reparations Committee

Michelle Schindler - Crime Victim's Reparations Committee

LB483

LB172

LB173

Thursday, February 12, 2015 1:30 p.m.

LB290

LB119

Darrell E. Fisher - Nebraska Commission on Law Enforcement and
Criminal Justice
Scott R. Frakes - Department of Correctional Services

(Signed) Les Seiler, Chairperson

GENERAL FILE

LEGISLATIVE BILL 190. Senator Schumacher offered the following amendment:

FA8

After the word "section" in line 4 at page 3 insert ", as shall a person receiving the benefits of a spouse of a member of the United States Armed Forces under the law of the United States."

Senator Chambers moved for a call of the house. The motion prevailed with 31 ayes, 4 nays, and 14 not voting.

The Schumacher amendment was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 37:

Baker	Friesen	Hughes	McCollister	Smith
Bloomfield	Garrett	Johnson	Mello	Stinner
Bolz	Gloor	Kintner	Morfeld	Sullivan
Brasch	Haar, K.	Kolowski	Nordquist	Watermeier
Campbell	Hadley	Kolterman	Riepe	Williams
Craighead	Harr, B.	Krist	Scheer	
Crawford	Hilkemann	Kuehn	Schumacher	
Ebke	Howard	Lindstrom	Seiler	

Voting in the negative, 4:

Chambers	Cook	Groene	Pansing Brooks
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Present and not voting, 5:

Coash	Hansen	McCoy	Murante	Schnoor
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Excused and not voting, 3:

Davis	Larson	Schilz
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Advanced to Enrollment and Review Initial with 37 ayes, 4 nays, 5 present

and not voting, and 3 excused and not voting.

UNANIMOUS CONSENT - Add Cointroducer(s)

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Garrett - LB288
Davis - LB231

VISITORS

Visitors to the Chamber were members of the NSEA Retired from across the state.

The Doctor of the Day was Dr. Roger Meyer from Utica.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Scheer, the Legislature adjourned until 9:00 a.m., Wednesday, February 4, 2015.

Patrick J. O'Donnell
Clerk of the Legislature