

TWELFTH DAY - JANUARY 22, 2016
LEGISLATIVE JOURNAL
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 22, 2016

PRAYER

The prayer was offered by Reverend Greg Gahan, Craig Alder Grove Parish, Craig.

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 Senator McCoy who was excused; and Senators Craighead, Kolowski, Mello, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eleventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1039	Health and Human Services
LB1040	Government, Military and Veterans Affairs
LB1041	Banking, Commerce and Insurance
LB1042	Urban Affairs
LB1043	Health and Human Services
LB1044	Business and Labor
LB1045	Business and Labor
LB1046	General Affairs
LB1047	Revenue
LB1048	Revenue
LB1049	Education
LB1050	Banking, Commerce and Insurance
LB1051	Revenue
LB1052	Education

LB1053	Appropriations
LB1054	Judiciary
LB1055	Judiciary
LB1056	Judiciary
LB1057	Government, Military and Veterans Affairs
LB1058	Judiciary
LB1059	Urban Affairs
LB1060	Banking, Commerce and Insurance
LB1061	Health and Human Services
LB1062	Education
LB1063	Education
LB1064	Education
LB1065	Education
LB1066	Education
LB1067	Education
LB1068	Transportation and Telecommunications
LB1069	Nebraska Retirement Systems
LB1070	Natural Resources
LB1071	Natural Resources
LB1072	Judiciary
LB1073	Government, Military and Veterans Affairs
LB1074	Appropriations
LB1075	Judiciary
LB1076	Appropriations
LB1077	Transportation and Telecommunications
LB1078	Government, Military and Veterans Affairs
LB1079	Judiciary
LB1080	Government, Military and Veterans Affairs
LB1081	Health and Human Services
LB1082	Natural Resources
LB1083	Executive Board
LB1084	Government, Military and Veterans Affairs
LB1085	Revenue
LB1086	Education
LB1087	Revenue
LB1088	Revenue
LB1089	Business and Labor
LB1090	Judiciary
LB1091	Appropriations
LB1092	Appropriations
LB1093	Appropriations
LB1094	Judiciary
LB1095	Judiciary
LB1096	Banking, Commerce and Insurance
LB1097	Judiciary
LB1098	Judiciary
LB1099	Government, Military and Veterans Affairs
LB1100	Natural Resources
LB1101	Natural Resources

LB1102 Executive Board
 LB1103 Judiciary
 LB1104 Revenue
 LB1105 General Affairs
 LB1106 Judiciary
 LB1107 Government, Military and Veterans Affairs
 LB1108 Judiciary
 LB1109 Government, Military and Veterans Affairs
 LB1110 Business and Labor
 LR415 Health and Human Services

(Signed) Bob Krist, Chairperson
 Executive Board

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 21, 2016, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Bartling, Kelly
 University of Nebraska
 Connealy, Matt
 Center for Rural Affairs
 Davidson Tribbs, Emma
 Everytown for Gun Safety Action Fund
 Gerloff, Jerianne
 Pfizer, Inc.
 Huddle, Stephanie
 Nebraska Domestic Violence Sexual Assault Coalition
 Husch Blackwell LLP
 Jasper Stone Partners LLC
 Jensen Rogert Associates, Inc.
 Ponca Tribe of Nebraska
 Kleeb, Jane Fleming
 Bold Nebraska
 O'Hara Lindsay & Associates, Inc.
 Nebraskans for Poverty Research
 Olberg, Delette
 Tenaska
 Pappas, James E.
 Independent Cattlemen of Nebraska (ICON)
 Radcliffe, Walter H. of Radcliffe and Associates
 Amgen

REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:

<http://www.nebraskalegislature.gov/agencies/view.php>

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 775. Placed on General File.

The Revenue Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Tony Fulton, Tax Commissioner - Department of Revenue

Aye: 8 Brasch, Davis, Gloor, Harr, B., Scheer, Schumacher, Smith, Sullivan. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Mike Gloor, Chairperson

Natural Resources

LEGISLATIVE BILL 737. Placed on General File.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Dan C. Kreitman - Game and Parks Commission

Aye: 8 Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Timothy L. Else - Nebraska Ethanol Board

Jan Tenbensen - Nebraska Ethanol Board

Aye: 8 Friesen, Hughes, Johnson, Kolowski, Lindstrom, McCollister, Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Ken Schilz, Chairperson

SELECT FILE

LEGISLATIVE BILL 176. The Davis amendment, AM1848, found on page 364 and considered on pages 379 and 385, was renewed.

Senator Davis withdrew his amendment.

Senator Schilz offered his amendment, AM1755, found on page 1902, First Session, 2015.

Senator Schilz offered his amendment, AM1855, found on page 387, to his amendment.

SPEAKER HADLEY PRESIDING

Senator Schilz offered the following motion:

MO164

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Schilz moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

Senator Schilz requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 33:

Baker	Garrett	Kintner	McCollister	Schumacher
Campbell	Gloor	Kolowski	Mello	Smith
Coash	Hadley	Kolterman	Murante	Stinner
Craighead	Harr, B.	Krist	Pansing Brooks	Watermeier
Ebke	Hilkemann	Kuehn	Riepe	Williams
Fox	Hughes	Larson	Scheer	
Friesen	Johnson	Lindstrom	Schilz	

Voting in the negative, 12:

Bloomfield	Chambers	Davis	Morfeld
Bolz	Cook	Groene	Schnoor
Brasch	Crawford	Haar, K.	Sullivan

Present and not voting, 2:

Hansen	Seiler
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Excused and not voting, 2:

Howard	McCoy
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The Schilz motion to invoke cloture prevailed with 33 ayes, 12 nays, 2 present and not voting, and 2 excused and not voting.

The Schilz amendment, AM1855, was adopted with 37 ayes, 5 nays, 5 present and not voting, and 2 excused and not voting.

The Schilz amendment, AM1755, as amended, was adopted with 38 ayes, 5 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment with 32 ayes, 12 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 798. Placed on General File.

(Signed) Jerry Johnson, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 876. Placed on General File.

(Signed) John Murante, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Appropriations

Room 1524

Monday, February 1, 2016 1:30 p.m.

LB956

LB957

LB1092

Agency 19 - Banking, Department of

Agency 22 - Insurance, Department of

Agency 36 - Racing Commission, Nebraska State

Agency 58 - Board of Engineers and Architects

Agency 63 - Public Accountancy, Nebraska Board of

Agency 76 - Indian Commission, Nebraska

Tuesday, February 2, 2016 1:30 p.m.

Agency 50 - Nebraska State College System
Agency 51 - University of Nebraska System
LB713
LB852
LB755
LB858

Room 1003

Wednesday, February 3, 2016 1:30 p.m.

Agency 29 - Natural Resources, Department of
Agency 54 - Historical Society, Nebraska State
Agency 91 - Nebraska Tourism Commission
Agency 33 - Game and Parks Commission
LB810
LB1076

(Signed) Heath Mello, Chairperson

Urban Affairs

Room 1510

Tuesday, February 2, 2016 1:30 p.m.

LB860
LB808
LB1059
LB1012

Tuesday, February 9, 2016 1:30 p.m.

LB719
LB1042
LR399CA
LR394CA

Tuesday, February 16, 2016 1:30 p.m.

LB865
LB857
LB806

(Signed) Sue Crawford, Chairperson

General Affairs

Room 1510

Monday, February 1, 2016 1:30 p.m.

LB748
LB1046
LB1105
LB834
LB969

(Signed) Tyson Larson, Chairperson

Transportation and Telecommunications

Room 1113

Monday, February 1, 2016 1:30 p.m.

LB927
LB938
LB977

Tuesday, February 2, 2016 1:30 p.m.

LB669
LB668
LB989

Monday, February 8, 2016 1:30 p.m.

LB872
LB799
LB973

Tuesday, February 9, 2016 1:30 p.m.

LB795
LB1003
LB994
LB996

Monday, February 22, 2016 1:30 p.m.

LB783
LB844
LB768

Tuesday, February 23, 2016 1:30 p.m.

LB688
LB964
LB1077

(Signed) Jim Smith, Chairperson

AMENDMENT(S) - Print in Journal

Senator Bloomfield filed the following amendment to LB176:
AM1887

(Amendments to E and R amendments, ER143)

1 1. On page 1, lines 8 and 9; and page 2, lines 11, 12, 13, and 14,
2 strike all occurrences of "swine" and insert "livestock".

Senator Chambers filed the following amendment to LB47:

FA82

Amend ER145

1. Page 2, line 31 strike "16" and insert "21"; line 30 strike "ANSWER" and
insert "READ"; in line 31 strike the colon and add, "HOWEVER, IF YOU
REFUSE TO ANSWER, NOTHING WILL HAPPEN."

2. Page 11, line 20 strike "ANSWER" and insert "READ"; strike the colon
and add, "HOWEVER, IF YOU REFUSE TO ANSWER, NOTHING
WILL HAPPEN."

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR418	Executive Board

(Signed) Bob Krist, Chairperson
Executive Board

GENERAL FILE

LEGISLATIVE BILL 289. Title read. Considered.

Senator Chambers offered the following motion:

MO165

Recommit to Judiciary Committee.

Pending.

COMMITTEE REPORT(S)
Nebraska Retirement Systems**LEGISLATIVE BILL 803.** Placed on General File.

(Signed) Mark Kolterman, Chairperson

RESOLUTION(S)**LEGISLATIVE RESOLUTION 419.** Introduced by Larson, 40.

WHEREAS, the Crofton High School girls' cross country team won the 2015 Class D Girls' State Cross Country Championship; and

WHEREAS, the Crofton High School girls' cross country team has won ten consecutive cross country state titles and nineteen championships overall; and

WHEREAS, Haley Arens, a sophomore on the cross country team, placed first overall at the championship meet; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Crofton High School girls' cross country team on winning the 2015 Class D Girls' State Cross Country Championship.
2. That a copy of this resolution be sent to the Crofton High School girls' cross country team and their coach.

Laid over.

LEGISLATIVE RESOLUTION 420. Introduced by Larson, 40.

WHEREAS, the Hartington-Newcastle High School play production team won the 2015 Class C-2 State Play Production Championship with their performance of "I'm Not Ebenezer Scrooge"; and

WHEREAS, this is Hartington-Newcastle High School's fifth play production state championship in a row; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Hartington-Newcastle High School play production team for winning the 2015 Class C-2 State Play Production Championship.
2. That a copy of this resolution be sent to the Hartington-Newcastle High School play production team.

Laid over.

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

Room 1507

Monday, February 1, 2016 1:30 p.m.

Courtney Dentlinger - Department of Economic Development
LB837
LB942
LB1035

Tuesday, February 2, 2016 1:30 p.m.

LB794
LB817
LB1036

Monday, February 8, 2016 1:30 p.m.

Patrick Booth - Nebraska Exchange Stakeholder Commission
Shari Flowers - Nebraska Exchange Stakeholder Commission
Edward (Ed) Rieker - Nebraska Exchange Stakeholder Commission
LB770
LB1020
LB1096

Tuesday, February 9, 2016 1:30 p.m.

LB706
LB801
LB1060

(Signed) Jim Scheer, Chairperson

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB289:

AM1888

1 1. On page 15, line 14, after "prohibiting" insert "by ordinance";
2 in line 17 strike "and"; and in line 18 after "(iv)" insert "Any city or
3 village from regulating or prohibiting by ordinance the carrying of
4 firearms and ammunition in municipal parks and municipal buildings if the
5 city or village conspicuously posts notice of such ordinance at each
6 entrance to such park or building covered by such ordinance. No such
7 ordinance shall prohibit the carrying of a concealed handgun if the
8 concealed handgun is carried in compliance with the Concealed Handgun
9 Permit Act. Any notice of such ordinance shall conspicuously state that
10 the ordinance does not apply to such carrying of a concealed handgun; and
11 (v)".

Senator Kolterman filed the following amendment to LB467:
AM1865 is available in the Bill Room.

NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems

Room 1525

Friday, February 5, 2016 12:00 p.m.

LB805
LB922
LB986

Thursday, February 4, 2016 12:00 p.m.

AM1865 to LB467

(Signed) Mark Kolterman, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Cook, Kolterman, Stinner - LB1030
Schilz - LB276
Chambers - LB738
Gloor - LB1032
Coash - LB1110

VISITOR(S)

The Doctor of the Day was Dr. Carol Lacroix from Omaha.

ADJOURNMENT

At 11:57 a.m., on a motion by Senator K. Haar, the Legislature adjourned until 10:00 a.m., Monday, January 25, 2016.

Patrick J. O'Donnell
Clerk of the Legislature