

SIXTEENTH DAY - JANUARY 26, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 26, 2017

PRAYER

The prayer was offered by Senator Albrecht.

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 Kintner who was excused; and Senator Wishart who was excused until she arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

MOTION(S) - Print in Journal

Senator McCollister filed the following motion to LB419:
MO23
Withdraw bill.

Senator Stinner filed the following motion to LB403:
MO24
Withdraw bill.

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Friday, February 10, 2017 1:30 p.m.

LB121
LB169
LB453

(Signed) Jim Smith, Chairperson

EXECUTIVE BOARD REPORT

January 25, 2017

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

Dear Patrick,

Today, the Executive Board met to determine appointments to a Special Investigative Committee regarding the Election Qualifications Challenge brought by John Sciara. Pursuant to Rule 10, Section 1, the committee must be comprised of an odd number of at least five members and have a chairperson who is appointed by the Executive Board.

Based on these requirements, the Board voted to appoint:

Senator Bolz
Senator Crawford
Senator Hughes
Senator Kuehn
Senator McCollister
Senator Scheer
Senator Watermeier, Chair

Please let me know if you have any questions.

Respectfully,
(Signed) Senator Dan Watermeier
Chair of the Executive Board

MOTION(S) - Confirmation Report(s)

Senator Hughes moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 322:

Game and Parks Commission
Patrick Berggren
Henry Rick Brandt
James Ernst

Voting in the affirmative, 42:

Albrecht	Craighead	Hilgers	Lowe	Smith
Baker	Crawford	Hilkemann	McCollister	Stinner
Blood	Ebke	Howard	McDonnell	Vargas
Bolz	Erdman	Hughes	Morfeld	Walz
Bostelman	Friesen	Kolowski	Pansing Brooks	Williams
Brasch	Groene	Kolterman	Quick	Wishart
Brewer	Halloran	Larson	Riepe	
Briese	Hansen	Lindstrom	Scheer	
Chambers	Harr	Linehan	Schumacher	

Voting in the negative, 0.

Present and not voting, 5:

Geist	Krist	Kuehn	Watermeier	Wayne
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Excused and not voting, 2:

Kintner	Murante
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The appointments were confirmed with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator Larson moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 335:

Nebraska Arts Council
 Stephen Bader
 Candy Henning
 Melissa Marvin
 Paula L. Pflueger
 Reven Wright

Voting in the affirmative, 36:

Albrecht	Chambers	Hilkemann	Linehan	Vargas
Baker	Crawford	Howard	Lowe	Walz
Blood	Ebke	Hughes	McCollister	Williams
Bolz	Erdman	Kolowski	Morfeld	Wishart
Bostelman	Friesen	Kolterman	Pansing Brooks	
Brasch	Halloran	Krist	Quick	
Brewer	Hansen	Larson	Schumacher	
Briese	Harr	Lindstrom	Stinner	

Voting in the negative, 0.

Present and not voting, 8:

Geist	McDonnell	Scheer	Watermeier
Kuehn	Riepe	Smith	Wayne

Excused and not voting, 5:

Craighead Groene Hilgers Kintner Murante

The appointments were confirmed with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Senator Larson moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 336:

State Racing Commission
Helen Abbott Feller

Voting in the affirmative, 33:

Albrecht	Briese	Halloran	Larson	Schumacher
Baker	Chambers	Hansen	Linehan	Vargas
Blood	Craighead	Harr	Lowe	Walz
Bolz	Crawford	Hilkemann	McCollister	Williams
Bostelman	Erdman	Hughes	Pansing Brooks	Wishart
Brasch	Friesen	Kolowski	Quick	
Brewer	Geist	Kolterman	Scheer	

Voting in the negative, 0.

Present and not voting, 12:

Ebke	Kuehn	Morfeld	Stinner
Howard	Lindstrom	Riepe	Watermeier
Krist	McDonnell	Smith	Wayne

Excused and not voting, 4:

Groene Hilgers Kintner Murante

The appointment was confirmed with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

MOTION(S) - Withdraw LB667

Senator Hilkemann offered his motion, MO22, found on page 343, to withdraw LB667.

The Hilkemann motion to withdraw the bill prevailed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs

Room 1507

Friday, February 3, 2017 1:30 p.m.

LB152

LB624

(Signed) John Murante, Chairperson

Health and Human Services

Room 1510

Thursday, February 2, 2017 1:30 p.m.

LB481

Thursday, February 2, 2017 1:30 p.m.

LB59 (cancel)

(Signed) Merv Riepe, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 18A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 18, One Hundred Fifth Legislature, First Session, 2017.

MOTION - Adopt Permanent Rules

The Hilgers motion to adopt the permanent rules for the One Hundred Fifth Legislature, First Session, and any special sessions held during the 2017 calendar year, found on page 303 and considered on pages 310, 312, 314, 343, and 348, as amended, was renewed.

Senator Bolz offered her motion, found on page 352, to reconsider the adoption of Proposed Rule Change 2, as amended.

Senator Harr moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The Bolz motion to reconsider Proposed Rule Change 2, as amended, prevailed with 37 ayes, 5 nays, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

The Rules Committee's proposed rule change, Proposed Rule Change 2, found on page 243 and considered on pages 314, 343, and 348, to Rule 5, Sec. 7, as amended, was reconsidered.

The Rules Committee's proposed rule change, Proposed Rule Change 2, to Rule 5, Sec. 7, as amended, was adopted with 30 ayes, 7 nays, 10 present and not voting, and 2 excused and not voting.

Senator Harr offered his proposed rule change, found on page 336, to Rule 8, Sec. 5.

Senator Harr withdrew his proposed rule change, to Rule 8, Sec. 5.

Senator Hansen offered his proposed rule change, found on page 337, to Rule 3, Sec. 20(b).

Senator Chambers offered the following amendment to the Hansen proposed rule change to Rule 3, Sec. 20(b):

Amend Hansen Amendment #1

Strike "three-fifths vote" and insert "vote of twenty-six".

SENATOR LINDSTROM PRESIDING

Pending.

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems

Room 1510

Monday, February 27, 2017 4:30 p.m.

LB31

LB415

(Signed) Mark Kolterman, Chairperson

AMENDMENT(S) - Print in Journal

Senator Chambers filed the following amendments to LB46:

FA2

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Knowledge Is Power".

FA3

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Rape Is No Laughing Matter".

FA4

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "No One Is Above The Law".

FA5

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "End Child Abuse".

FA6

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Believe The Children".

FA7

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Stamp Out Bullying".

FA8

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "End Domestic Violence".

FA9

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Abolish Capital Punishment".

FA10

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Believe In Yourself".

FA11

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "Treat Others As You Would Be Treated".

FA12

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "This Too Will Pass".

FA13

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6, 10 and 11 strike "Choose Life" and insert "It Could Be Worse".

FA14

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Freedom Of Choice".

FA15

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Liberty And Justice For All".

FA16

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Freedom, Justice, Equality".

FA17

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Wisdom Over Riches".

FA18

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Quality Education For All Children".

FA19

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "A Sound Mind In A Sound Body".

FA20

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Peace".

FA21

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Honest Officials".

FA22

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 strike "Life" and insert "Love And Happiness".

FA23

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 after "Life" insert ":End Capital Punishment".

FA24

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 after "Life" insert ":Liberty And Brotherhood".

FA25

Page 2, line 5; page 7, line 7; page 11, lines 2, 4, 12, 16, 21, 24; page 12, lines 2, 10, 17, 20, 23, 26; page 13, lines 6 and 11 after "Life" insert ":Abolish The Death Penalty".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hansen name added to LB178.
Senator McDonnell name added to LB178.
Senator Blood name added to LB178.
Senator Kolterman name added to LB188.
Senator Lowe name added to LB666.
Senator Craighead name added to LB58.
Senator McDonnell name added to LB191.
Senator McDonnell name added to LB289.
Senator Morfeld name added to LB404.
Senator Brewer name added to LB602.
Senator Hilgers name added to LB46.

VISITOR(S)

The Doctor of the Day was Dr. Steven Poertner from Omaha.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Howard, the Legislature adjourned until 9:00 a.m., Friday, January 27, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

