

**TWENTY-SIXTH DAY - FEBRUARY 9, 2017**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION**

**TWENTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 9, 2017

**PRAYER**

The prayer was offered by Pastor Ed Milligan, Douglas United Methodist Church, Douglas.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Scheer presiding.

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

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-fifth day was approved.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 22.** Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

**COMMITTEE REPORT(S)**  
Health and Human Services

**LEGISLATIVE BILL 425.** Placed on General File with amendment.  
AM92

- 1 1. Insert the following new section:
- 2 Sec. 6. Since an emergency exists, this act takes effect when passed
- 3 and approved according to law.

(Signed) Merv Riepe, Chairperson

**ANNOUNCEMENT**

The Chair announced the birthday of Senator Smith.

**MOTION - Adopt Permanent Rules**

Senator Chambers renewed his motion, found on page 447, to reconsider the vote on the Larson amendment to the Larson proposed rule change.

**SENATOR LINDSTROM PRESIDING****SPEAKER SCHEER PRESIDING**

Senator Larson moved the previous question. The question is, "Shall the debate now close?"

Senator Kolterman moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Larson requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 27:

Albrecht	Craighead	Halloran	Lindstrom	Smith
Bostelman	Ebke	Hilgers	Linehan	Stinner
Brasch	Erdman	Hughes	Lowe	Watermeier
Brewer	Friesen	Kolterman	Murante	
Briese	Geist	Kuehn	Riepe	
Clements	Groene	Larson	Scheer	

Voting in the negative, 21:

Baker	Hansen	McCollister	Schumacher	Wishart
Blood	Hilkemann	McDonnell	Vargas	
Bolz	Howard	Morfeld	Walz	
Chambers	Kolowski	Pansing Brooks	Wayne	
Crawford	Krist	Quick	Williams	

Present and not voting, 1:

Harr

The motion to cease debate prevailed with 27 ayes, 21 nays, and 1 present and not voting.

Senator Chambers requested a record vote on the motion to reconsider.

Voting in the affirmative, 22:

Baker	Hansen	Krist	Quick	Williams
Blood	Harr	McCollister	Schumacher	Wishart
Bolz	Hilkemann	McDonnell	Vargas	
Chambers	Howard	Morfeld	Walz	
Crawford	Kolowski	Pansing Brooks	Wayne	

Voting in the negative, 25:

Albrecht	Clements	Groene	Larson	Riepe
Bostelman	Craighead	Halloran	Lindstrom	Scheer
Brasch	Erdman	Hilgers	Linehan	Smith
Brewer	Friesen	Hughes	Lowe	Sinner
Briese	Geist	Kuehn	Murante	Watermeier

Present and not voting, 2:

Ebke                      Kolterman

The Chambers motion to reconsider failed with 22 ayes, 25 nays, and 2 present and not voting.

The Chair declared the call raised.

Pending.

**COMMITTEE REPORT(S)**  
Urban Affairs

**LEGISLATIVE BILL 455.** Placed on General File.

(Signed) Justin Wayne, Chairperson

Executive Board

**LEGISLATIVE BILL 376.** Placed on General File with amendment.

AM159

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. (1) For purposes of this section, qualified property  
 4 means the 43.55 acres that were deemed to be not needed for state  
 5 purposes pursuant to section 90-202 and were deemed to be excess land by  
 6 the Vacant Building and Excess Land Committee.  
 7 (2) Notwithstanding sections 72-811 to 72-818 or any other provision  
 8 of law, the Director of Administrative Services shall, within thirty days  
 9 after the effective date of this act, submit a request to the Legislature  
 10 and the Governor asking for authorization to convey the qualified  
 11 property to the Northeast Community College Area as a donation so that  
 12 the qualified property may be used for the purpose of development of the  
 13 Northeast Community College Technology Park.

14 (3) Approval of the Governor and the Legislature or, if the  
 15 Legislature is not in session, the Executive Board of the Legislative  
 16 Council shall be required to donate the qualified property to the  
 17 Northeast Community College Area.  
 18 (4) If the Northeast Community College Area sells the qualified  
 19 property within ten years after it is donated pursuant to this section,  
 20 all proceeds of the sale shall be remitted to the State Treasurer for  
 21 credit to the General Fund.  
 22 Sec. 2. Since an emergency exists, this act takes effect when  
 23 passed and approved according to law.

(Signed) Dan Watermeier, Chairperson

Banking, Commerce and Insurance

**LEGISLATIVE BILL 384.** Placed on General File.

**LEGISLATIVE BILL 476.** Placed on General File.

**LEGISLATIVE BILL 549.** Placed on General File.

**LEGISLATIVE BILL 406.** Placed on General File with amendment.  
 AM204

1 1. On page 4, line 10, after the second occurrence of "mail" insert  
 2 "first-class mail".

(Signed) Brett Lindstrom, Chairperson

Business and Labor

**LEGISLATIVE BILL 181.** Placed on General File.

**LEGISLATIVE BILL 203.** Placed on General File.

**LEGISLATIVE BILL 172.** Placed on General File with amendment.  
 AM162

1 1. On page 8, after line 6 insert the following new subdivision:  
 2 "(19) Hearing officer means a person employed by the Department of  
 3 Labor who conducts hearings, contested cases, or other proceedings  
 4 pursuant to the Employment Security Law."; in line 7 strike "(19)" and  
 5 insert "(20)"; in line 23 strike "(20)" and insert "(21)"; in line 24  
 6 strike "(21)" and insert "(22)"; and in line 29 strike "(22)" and insert  
 7 "(23)".  
 8 2. On page 9, line 2, strike "(23)" and insert "(24)"; in line 5  
 9 strike "(24)" and insert "(25)"; in line 19 strike "(25)" and insert  
 10 "(26)"; in line 25 strike "(26)" and insert "(27)"; and in line 29 strike  
 11 "(27)" and insert "(28)".  
 12 3. On page 10, line 1, strike "(28)" and insert "(29)"; in line 6  
 13 strike "(29)" and insert "(30)"; in line 9 strike "(30)" and insert  
 14 "(31)"; in line 11 strike "(31)" and insert "(32)"; in line 16 strike  
 15 "(32)" and insert "(33)"; and in line 28 strike "(33)" and insert "(34)".  
 16 4. On page 11, line 2, strike "(34)" and insert "(35)".

17 5. On page 13, line 16, strike “(35)” and insert “(36)”; in line 18  
 18 strike “(36)” and insert “(37)”; in line 22 strike “(37)” and insert  
 19 “(38)”; and in line 26 strike “(38)” and insert “(39)”.  
 20 6. On page 69, line 1, strike “(34)(g)” and insert “(35)(g)”.

(Signed) Joni Albrecht, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator Krist filed the following amendment to LB22:  
 AM235

(Amendments to Final Reading copy)

- 1 1. Strike sections 17, 18, 19, 20, 21, 22, 23, and 24.
- 2 2. On page 1, lines 3 and 4 strike "11, 12, 13, 14, 15, 16, 17,";  
 3 and in line 12 strike "Laws 2016, LB746A, section 3;"
- 4 3. On page 3, line 3, strike "149" and insert "141".
- 5 4. On page 110, line 16, strike "11, 12, 13, 14, 15, 16, 17,"; and  
 6 in line 24 strike "Laws 2016, LB746A, section 3;"
- 7 5. Renumber the remaining sections and correct internal references  
 8 accordingly.

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 35.** Introduced by Scheer, 19.

WHEREAS, on Saturday, March 4, 2017, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award to three honorees at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Judi gaiashkibos, who has served as the Executive Director of the Nebraska Commission on Indian Affairs since 1995. Under her leadership, the commission has focused on creating partnerships and coalitions with elected representatives, tribal leaders, nonprofit organizations, and educational institutions. Judi is a native of Norfolk and an enrolled member of the Ponca Tribe of Nebraska. She also served as a past president of the Governors' Interstate Indian Council, which was established to improve cooperation between tribal and state governments. She has been the principal liaison to the Legislature in developing policy for native citizens and the four federally recognized tribes of this state. Her work was recognized by Humanities Nebraska when she was awarded the 2012 Sower Award in the Humanities. Judi is, and continues to be, an exemplary engaged Nebraskan; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Robert Ripley, FAIA, whose work as State Capitol Administrator has created a legacy that will serve the state for generations to come. Bob has spent more than 33 years serving as the steward, guardian, and curator of Nebraska's monumental State Capitol Building and oversaw the twelve-year, \$57 million project to repair the building's exterior and restore the iconic Sower. Nebraskans of all ages have benefited from Bob's passion for

public service and architecture and his dedication to preserving our cultural heritage. A Lincoln native, his national reputation and preservation expertise led to his service as a project coordinator for the restoration of the Washington Monument and his receipt of the 2015 Harry F. Cunningham Gold Medal for Architectural Excellence in the State of Nebraska; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Dayle Williamson, who has devoted his life to preserving and protecting Nebraska's abundant natural resources for future generations. Dayle was the first director of the Natural Resources Commission in 1971, serving for 30 years and under six governors in that position. He was instrumental in overseeing implementation of the landmark law that created Nebraska's natural resources districts. In this role, Williamson guided hundreds of state and federal projects that promoted soil and water conservation and flood control across the state, protected the state's soil and water resources, and averted millions of dollars in potential flood damage. Born and raised on a farm near Ohiowa, Williamson rose to the rank of Brigadier General in the Nebraska Army National Guard.

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

1. That the Legislature congratulates the recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.

2. That a copy of this resolution be given to Judi gaiashkibos, to Robert Ripley, and to Dayle Williamson.

Laid over.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Albrecht name added to LB661.

#### **VISITOR(S)**

Visitors to the Chamber were Kearney High Fine Arts students; members of Hall County Leadership Tomorrow; and Anne Berg from Lincoln.

The Doctor of the Day was Dr. Anna Dalrymple from Gothenburg.

#### **ADJOURNMENT**

At 11:50 a.m., on a motion by Senator Craighead, the Legislature adjourned until 9:00 a.m., Friday, February 10, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature