

SIXTY-FIRST DAY - APRIL 6, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

SIXTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 6, 2017

PRAYER

The prayer was offered by Pastor LaVern Smith, Community Bible Church, Omaha.

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 Ebke, Groene, Kuehn, Lindstrom, McCollister, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixtieth day was approved.

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>

MOTION(S) - Confirmation Report(s)

Senator Kolterman moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 770:

Public Employees Retirement Board
James D. Schulz

Voting in the affirmative, 30:

Albrecht	Brewer	Geist	Larson	Riepe
Baker	Clements	Halloran	Lowe	Scheer
Blood	Craighead	Hansen	McDonnell	Schumacher
Bolz	Crawford	Hilkemann	Morfeld	Stinner
Bostelman	Erdman	Hughes	Pansing Brooks	Vargas
Brasch	Friesen	Kolowski	Quick	Williams

Voting in the negative, 0.

Present and not voting, 13:

Briese	Hilgers	Krist	Smith	Wishart
Chambers	Howard	Linehan	Walz	
Harr	Kolterman	Murante	Wayne	

Excused and not voting, 6:

Ebke	Kuehn	McCollister
Groene	Lindstrom	Watermeier

The appointment was confirmed with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Senator Riepe moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 832:

Board of Emergency Medical Services
 Joel Cerny
 Thomas Deegan
 Linda Jensen
 James Smith
 Scott C. Wiebe

Voting in the affirmative, 31:

Albrecht	Craighead	Kolowski	Morfeld	Walz
Baker	Crawford	Kolterman	Pansing Brooks	Williams
Blood	Erdman	Krist	Quick	Wishart
Brasch	Geist	Larson	Riepe	
Brewer	Hansen	Linehan	Smith	
Chambers	Hilkemann	Lowe	Stinner	
Clements	Howard	McDonnell	Vargas	

Voting in the negative, 0.

Present and not voting, 12:

Bolz	Friesen	Hilgers	Scheer
Bostelman	Halloran	Hughes	Schumacher
Briese	Harr	Murante	Wayne

Excused and not voting, 6:

Ebke	Kuehn	McCollister
Groene	Lindstrom	Watermeier

The appointments were confirmed with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 173. Title read. Considered.

Senator Bolz offered the following amendment:

AM958

- 1 1. On page 4, line 27, strike "For prohibiting" and insert "A
- 2 prohibition of".
- 3 2. On page 7, line 1, after "person" insert "or persons".
- 4 3. On page 25, line 8, after "Acquire" insert an underscored comma;
- 5 and in line 9, after "person" insert an underscored comma.

Pending.

NOTICE OF COMMITTEE HEARING(S) Health and Human Services

Room 1510

Thursday, April 20, 2017 1:00 p.m.

Timothy Robinson - Foster Care Review Board

(Signed) Merv Riepe, Chairperson

AMENDMENT(S) - Print in Journal

Senator Brasch filed the following amendment to LB276:

AM952

- 1 1. On page 3, strike lines 1 through 15 and all amendments thereto
- 2 and insert the following new subsections:
- 3 "(2) In addition to the criminal penalty provided under subsection
- 4 (1) of this section, a restraining order or a temporary, permanent, or
- 5 mandatory injunction may be imposed against any person to restrain the
- 6 commission or continuance of any act in violation of any of the
- 7 provisions of sections 81-2.155 and 81-2.156. The district court of the
- 8 county where such act is occurring or about to occur shall have

9 jurisdiction to grant such relief upon good cause shown. Relief may be
 10 granted notwithstanding the existence of any other remedy at law and
 11 shall be granted without bond.
 12 (3) Whenever the Director of Agriculture has a reasonable belief
 13 that the commission or continuance of any act is in violation of sections
 14 81-2,155 and 81-2,156, the director shall report such belief to the
 15 Attorney General or the county attorney of the county in which such act
 16 is occurring or about to occur. Upon satisfactory information provided by
 17 the director, the Attorney General or the appropriate county attorney may
 18 cause appropriate proceedings pursuant to this section to be initiated
 19 without delay."

Senator Krist filed the following amendment to LB300:

AM946

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 25-228, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 25-228 (1) Notwithstanding any other provision of law: 7

6 (a) There shall not be any time limitation for an action against the
 7 individual or individuals directly causing ~~actions for~~ an injury or
 8 injuries suffered by a plaintiff when the plaintiff was a victim of a
 9 violation of section 28-319.01 or 28-320.01 if such violation occurred
 10 (i) on or after the effective date of this act or (ii) prior to the
 11 effective date of this act if such action was not previously time barred;

12 and

13 (b) An action against any person or entity other than the individual
 14 directly causing an injury or injuries suffered by a plaintiff when the
 15 plaintiff was a victim of a violation of section 28-319.01 or 28-320.01
 16 may ~~can~~ only be brought within twelve years after the plaintiff's twenty-
 17 first birthday.

18 (2) Criminal prosecution of a defendant under section 28-319.01 or
 19 28-320.01 is not required to maintain a civil action for violation of
 20 such sections.

21 Sec. 2. Original section 25-228, Reissue Revised Statutes of
 22 Nebraska, is repealed.

GENERAL FILE

LEGISLATIVE BILL 173. The Bolz amendment, AM958, found in this day's Journal, was renewed.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 461. Placed on General File with amendment. AM954 is available in the Bill Room.

(Signed) Jim Smith, Chairperson

VISITOR(S)

Visitors to the Chamber were 50 fourth-grade students from Pierce; Jacob Lambert, UNL intern; 24 fourth-grade students and sponsors from Arapahoe; 5 FFA members from Gothenburg, including Senator Williams' granddaughter, Ainsley; 37 fourth-grade students and sponsors from Fillmore Central Elementary, Geneva; and 50 fourth-grade students and sponsors from Cross County Community School, Stromsburg.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Albrecht, the Legislature adjourned until 9:00 a.m., Monday, April 10, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

