

THIRTY-FOURTH DAY - FEBRUARY 26, 2015**LEGISLATIVE JOURNAL****ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION****THIRTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, February 26, 2015

PRAYER

The prayer was offered by Pastor Roger Criser, Harrison Street Baptist Church, La Vista.

ROLL CALL

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

The roll was called and all members were present except Senator McCoy who was excused; and Senators Campbell, Craighead, Davis, Hansen, Howard, Krist, and Murante who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-third day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 59, 60, and 61 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 59, 60, and 61.

MOTION(S) - Confirmation Report(s)

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:

Board of Trustees of the Nebraska State Colleges
Michelle Suarez
Jess D. Zeiss

Voting in the affirmative, 30:

Baker	Ebke	Hughes	Mello	Schnoor
Bloomfield	Garrett	Kolowski	Nordquist	Schumacher
Bolz	Gloor	Kolterman	Pansing Brooks	Seiler
Brasch	Groene	Kuehn	Riepe	Stinner
Cook	Hadley	Lindstrom	Scheer	Sullivan
Crawford	Hilkemann	McCollister	Schilz	Williams

Voting in the negative, 0.

Present and not voting, 11:

Chambers	Haar, K.	Kintner	Smith
Coash	Harr, B.	Larson	Watermeier
Friesen	Johnson	Morfeld	

Excused and not voting, 8:

Campbell	Davis	Howard	McCoy
Craighead	Hansen	Krist	Murante

The appointments were confirmed with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:

Technical Advisory Committee for Statewide Assessment
 Linda Poole
 Richard Sawyer

Voting in the affirmative, 32:

Baker	Garrett	Kolowski	Nordquist	Smith
Bloomfield	Gloor	Kolterman	Pansing Brooks	Stinner
Bolz	Groene	Kuehn	Riepe	Sullivan
Brasch	Hadley	Lindstrom	Scheer	Williams
Cook	Hilkemann	McCollister	Schnoor	
Crawford	Hughes	Mello	Schumacher	
Ebke	Kintner	Morfeld	Seiler	

Voting in the negative, 0.

Present and not voting, 9:

Chambers	Friesen	Harr, B.	Larson	Watermeier
Coash	Haar, K.	Johnson	Schilz	

Excused and not voting, 8:

Campbell	Davis	Howard	McCoy
Craighead	Hansen	Krist	Murante

The appointments were confirmed with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:

Board of Educational Lands and Funds
Glenn R. Wilson Jr.

Voting in the affirmative, 33:

Baker	Gloor	Kolowski	Morfeld	Schumacher
Bloomfield	Groene	Kolterman	Nordquist	Smith
Brasch	Haar, K.	Kuehn	Pansing Brooks	Stinner
Cook	Hadley	Larson	Riepe	Sullivan
Crawford	Hilkemann	Lindstrom	Scheer	Williams
Ebke	Hughes	McCollister	Schilz	
Garrett	Kintner	Mello	Schnoor	

Voting in the negative, 0.

Present and not voting, 8:

Bolz	Coash	Harr, B.	Seiler
Chambers	Friesen	Johnson	Watermeier

Excused and not voting, 8:

Campbell	Davis	Howard	McCoy
Craighead	Hansen	Krist	Murante

The appointment was confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator Sullivan moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 625:

Nebraska Educational Telecommunications Commission
Patricia M. Kircher

Voting in the affirmative, 33:

Baker	Groene	Kolterman	Nordquist	Seiler
Bloomfield	Haar, K.	Kuehn	Pansing Brooks	Smith
Brasch	Hadley	Larson	Riepe	Stinner
Cook	Hilkemann	Lindstrom	Scheer	Sullivan
Ebke	Hughes	McCollister	Schilz	Williams
Garrett	Kintner	Mello	Schnoor	
Gloor	Kolowski	Morfeld	Schumacher	

Voting in the negative, 0.

Present and not voting, 8:

Bolz	Coash	Friesen	Johnson
Chambers	Crawford	Harr, B.	Watermeier

Excused and not voting, 8:

Campbell	Davis	Howard	McCoy
Craighead	Hansen	Krist	Murante

The appointment was confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 83. Introduced by Larson, 40.

WHEREAS, Dylan Loberg of Randolph High School won the 2015 Class D State Wrestling Championship in the 195-pound division; and

WHEREAS, Dylan's win helped lead the Randolph Cardinals to a fifth-place team finish; and

WHEREAS, Dylan displayed outstanding determination, perseverance, and skill in winning the state championship; 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, FIRST SESSION:

1. That the Legislature congratulates Dylan Loberg on his state wrestling championship.
2. That a copy of this resolution be sent to Dylan Loberg.

Laid over.

LEGISLATIVE RESOLUTION 84. Introduced by Larson, 40.

WHEREAS, Garret Zimmerer of Creighton Community High School won the 2015 Class D State Wrestling Championship in the 120-pound division; and

WHEREAS, Garret's win helped lead the Creighton Community Bulldogs to a fourth-place team finish; and

WHEREAS, Garret displayed outstanding determination, perseverance, and skill in winning the state championship; 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, FIRST SESSION:

1. That the Legislature congratulates Garret Zimmerer on his state wrestling championship.
2. That a copy of this resolution be sent to Garret Zimmerer.

Laid over.

LEGISLATIVE RESOLUTION 85. Introduced by Larson, 40.

WHEREAS, Ty Sawyer, a member of Troop 245 from O'Neill, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Ty has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Ty repaired and repainted playground teeter-totters for the Lions Club Kiddie Park in O'Neill. Prior to Ty's project, the teeter-totters were in need of new seats that were safe for children to use; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Ty, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Ty Sawyer on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Ty Sawyer.

Laid over.

LEGISLATIVE RESOLUTION 86. Introduced by Larson, 40.

WHEREAS, Cody Watson, a member of Troop 245 from O'Neill, has completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Although many options are available to demonstrate proficiency in these areas, a number of specific skills are required to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle Scout. Throughout his scouting experience, Cody has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn 21 merit badges, 12 of which are in required areas, and complete a community service project approved by the troop and the scout council. For his Eagle Scout community service project, Cody rebuilt and then installed a sign located at the Lions Club Kiddie Park in O'Neill. Prior to Cody's project, the sign had deteriorated and fallen down; and

WHEREAS, only a small percentage of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, Cody, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, such as astronauts, political and industry leaders, artists, scientists, and athletes.

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

1. That the Legislature congratulates Cody Watson on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Cody Watson.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 77. Title read. Considered.

Committee AM109, found on page 449, was offered.

Senator Murante moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Campbell moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

The committee amendment was adopted with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

SENATOR KRIST PRESIDING

Senator Bolz offered the following amendment:

FA16

On page 4, line 14, after the period, insert "no state funds shall be utilized to pay for elective abortion services or to promote elective abortion services."

The Bolz amendment was adopted with 31 ayes, 1 nay, 15 present and not voting, and 2 excused and not voting.

Senator Howard moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

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

Voting in the affirmative, 21:

Baker	Crawford	Hansen	Mello	Sullivan
Campbell	Davis	Harr, B.	Morfeld	
Chambers	Gloor	Howard	Nordquist	
Cook	Haar, K.	Kolowski	Pansing Brooks	
Craighead	Hadley	McCollister	Schumacher	

Voting in the negative, 23:

Bloomfield	Garrett	Kintner	Murante	Stinner
Brasch	Groene	Kolterman	Riepe	Watermeier
Coash	Hilkemann	Krist	Schnoor	Williams
Ebke	Hughes	Kuehn	Seiler	
Friesen	Johnson	Lindstrom	Smith	

Present and not voting, 3:

Bolz	Scheer	Schilz
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Excused and not voting, 2:

Larson	McCoy
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Failed to advance to Enrollment and Review Initial with 21 ayes, 23 nays, 3 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Appropriations

Room 1524

Monday, March 16, 2015 1:30 p.m.

Agency 25 - Health and Human Services

Divisions: Operations, Medicaid and Long Term Care, Public Health, and
Veterans Homes

LB125

LB82

LB98

LB233

LB332

LB397

LB418

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

Agency 25 - Health and Human Services

Divisions: Developmental Disabilities, Children and Family Services,
Behavioral Health

LB381

LB485

LB506

Room 1003

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

Agency 40 - Motor Vehicle Licensing Board, Nebraska

Agency 17 - Aeronautics, Department of

Agency 27 - Roads, Department of

LB633

Thursday, March 19, 2015 1:30 p.m.

Agency 7 - Governor

Agency 8 - Lieutenant Governor

Agency 9 - Secretary of State

Agency 10 - Auditor of Public Accounts

Agency 12 - State Treasurer

Agency 14 - Public Service Commission

Agency 3 - Legislative Council

(Signed) Heath Mello, Chairperson

Natural Resources

Room 1525

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

Robert Allen - Nebraska Game and Parks Commission

(Signed) Ken Schilz, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Watermeier - LB599
Bolz - LB315
Krist - LB599
Coash, Kolterman - LB396
Stinner - LB599
Garrett - LB599

VISITORS

Visitors to the Chamber were 6 members of a home school family from Oxford; 4 fifth-, seventh-, and eighth-grade home school students and teacher from Minden; 25 ninth-grade students from Omaha South High School; and members of Alpha Kappa Alpha Sorority, Inc. from Lincoln and Omaha.

The Doctor of the Day was Dr. LuDane Simmons from Omaha.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Scheer, the Legislature adjourned until 9:00 a.m., Friday, February 27, 2015.

Patrick J. O'Donnell
Clerk of the Legislature

