

THIRTY-SEVENTH DAY - FEBRUARY 28, 2017**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION****THIRTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 28, 2017

PRAYER

The prayer was offered by Senator Hilkemann.

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 Senator Vargas who was excused; and Senators Kuehn, McCollister, Morfeld, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 42, 43, 44, and 45 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 42, 43, 44, and 45.

ANNOUNCEMENT

The Chair announced the birthday of Senator Bolz.

GENERAL FILE

LEGISLATIVE BILL 46. Senator Chambers offered his amendment, FA4, found on page 359.

Senator Chambers moved for a call of the house. The motion prevailed with 22 ayes, 4 nays, and 23 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 32:

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

Present and not voting, 13:

Baker	Crawford	Krist	Pansing Brooks Wayne
Blood	Howard	McCollister	Quick
Bolz	Kolowski	Morfeld	Schumacher

Absent and not voting, 1:

Wishart

Excused and not voting, 2:

Harr Vargas

The Chambers amendment lost with 1 aye, 32 nays, 13 present and not voting, 1 absent and not voting, and 2 excused and not voting.

Senator Watermeier offered the following motion:

MO41

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Chambers moved, pursuant to Rule 7, Sec. 5, to raise the call.

The motion to raise the call failed.

Senator Watermeier requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 36:

Albrecht	Crawford	Hilgers	Lowe	Watermeier
Bolz	Ebke	Hilkemann	McDonnell	Wayne
Bostelman	Erdman	Hughes	Murante	Williams
Brasch	Friesen	Kolterman	Quick	Wishart
Brewer	Geist	Kuehn	Riepe	
Briese	Groene	Larson	Scheer	
Clements	Halloran	Lindstrom	Smith	
Craighead	Harr	Linehan	Stinner	

Voting in the negative, 6:

Chambers	Krist	Pansing Brooks
Hansen	Morfeld	Walz

Present and not voting, 6:

Baker	Howard	McCollister
Blood	Kolowski	Schumacher

Excused and not voting, 1:

Vargas

The Watermeier motion to invoke cloture prevailed with 36 ayes, 6 nays, 6 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 7 nays, 4 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

SENATOR LINDSTROM PRESIDING

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 283. Placed on General File.

LEGISLATIVE BILL 91. Placed on General File with amendment.

AM331

- 1 1. On page 2, line 6; and page 4, line 27, after the last comma
- 2 insert "X-linked adrenoleukodystrophy (X-ALD), mucopolysaccharidoses type
- 3 1 (MPS-1), Pompe disease,".

(Signed) Merv Riepe, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 50. Introduced by Krist, 10.

WHEREAS, the State of Nebraska recognizes there are families adversely affected by problem gambling; and

WHEREAS, the State of Nebraska allocates funds to provide education, counseling, and support to families affected by problem gambling; and

WHEREAS, the key to recognizing problem gambling is awareness; and

WHEREAS, educating citizens about the dangers of problem gambling is crucial to preventing problem gambling.

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

1. That the Legislature recognizes March 2017 as Problem Gambling Awareness Month in Nebraska.

2. That a copy of this resolution be sent to the National Council on Problem Gambling, the Nebraska Council on Compulsive Gambling, and the Nebraska Commission on Problem Gambling.

Laid over.

ANNOUNCEMENT(S)

Senator Hilgers designates LB68 as his priority bill.

MOTION - Adjournment

Senator Chambers moved to adjourn until 9:00 a.m., Wednesday, March 1, 2017.

The motion failed.

GENERAL FILE

LEGISLATIVE BILL 46A. Title read. Considered.

Senator Chambers offered the following amendment:

FA28

Page 2, strike lines 5-7.

Senator Chambers moved for a call of the house. The motion prevailed with 23 ayes, 4 nays, and 22 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 33:

Albrecht	Clements	Halloran	Linehan	Stinner
Baker	Craighead	Hilgers	Lowe	Walz
Blood	Ebke	Hilkemann	McCollister	Watermeier
Bostelman	Erdman	Hughes	McDonnell	Williams
Brasch	Friesen	Kolterman	Murante	Wishart
Brewer	Geist	Kuehn	Riepe	
Briese	Groene	Lindstrom	Smith	

Present and not voting, 12:

Bolz	Hansen	Krist	Quick
Chambers	Howard	Morfeld	Schumacher
Crawford	Kolowski	Pansing Brooks	Wayne

Excused and not voting, 4:

Harr	Larson	Scheer	Vargas
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The Chambers amendment lost with 0 ayes, 33 nays, 12 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO42

Reconsider the vote taken on FA28.

SENATOR HUGHES PRESIDING

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

Voting in the affirmative, 2:

Hughes	McCollister
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Voting in the negative, 24:

Albrecht	Clements	Groene	Kuehn	Scheer
Blood	Crawford	Halloran	Lindstrom	Walz
Bostelman	Ebke	Hansen	Linehan	Watermeier
Brasch	Erdman	Hilgers	Lowe	Wishart
Brewer	Geist	Kolterman	Riepe	

Present and not voting, 18:

Baker	Hilkemann	McDonnell	Quick	Wayne
Bolz	Howard	Morfeld	Schumacher	Williams
Briese	Kolowski	Murante	Smith	
Chambers	Krist	Pansing Brooks	Stinner	

Excused and not voting, 5:

Craighead	Friesen	Harr	Larson	Vargas
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The Chambers motion to reconsider failed with 2 ayes, 24 nays, 18 present and not voting, and 5 excused and not voting.

Senator Chambers offered the following motion:

MO43

Indefinitely postpone.

Pending.

COMMITTEE REPORT(S)

Business and Labor

LEGISLATIVE BILL 248. Placed on General File with amendment.
AM301

1 1. On page 3, line 31, before "Beginning" insert "(1)".
 2 2. On page 4, strike beginning with the last comma in line 9 through
 3 the period in line 11 and insert "
 4 (2) No payment shall be made from the Youth Opportunities in
 5 Learning and Occupations Fund for a grant awarded pursuant to this
 6 section until the commissioner has received evidence that the entity
 7 receiving such grant award has either received matching funds from
 8 another source or irrevocably committed funds of the entity to be used
 9 for the purposes of the grant in an amount equal to or greater than the
 10 amount of the grant award. Such matching funds may be from any source,
 11 including private foundations, federal or local government sources, or
 12 quasi-governmental entities, that is not using money appropriated by the
 13 Legislature to provide the matching funds. Money used to meet the
 14 matching funds requirement and money received pursuant to the grant award
 15 may not be used for capital construction.
 16 (3)"; and in line 28 after the comma insert "requirements for
 17 evidence regarding matching funds.".
 18 3. On page 5, strike beginning with "Money" in line 8 through line
 19 15; and in lines 23 and 24, strike "twenty million" and insert "two
 20 million five hundred thousand".

(Signed) Joni Albrecht, Chairperson

ANNOUNCEMENT(S)

Senator Wishart designates LB622 as her priority bill.

Senator Geist designates LB271 as her priority bill.

COMMUNICATION

Acknowledge the receipt of a memorandum from John Sciara in response to the Order to Show Cause in the matter of the Special Committee on the Election Challenge to the Qualifications of Senator Ernie Chambers of District 11.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB121.

Senator Brewer name added to LB289.

ADJOURNMENT

At 12:05 p.m., on a motion by Senator Stinner, the Legislature adjourned until 9:00 a.m., Wednesday, March 1, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

