

THIRTY-NINTH DAY - MARCH 2, 2017

LEGISLATIVE JOURNAL

**ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION**

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 2, 2017

PRAYER

The prayer was offered by Senator Kolowski.

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 Blood, Hilgers, Smith, and Wayne who were excused; and Senators Bolz, Groene, and Morfeld who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 274. Placed on General File with amendment.
AM254

1 1. On page 5, line 11, after "other" insert "person"; and in line 12
2 strike beginning with "federal" through "agency" and show the old matter
3 as stricken and after "the" insert "department's".

(Signed) Lydia Brasch, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR47 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR47.

GENERAL FILE

LEGISLATIVE BILL 46A. Senator Chambers renewed his motion, MO43, found on page 566, to indefinitely postpone.

Senator Chambers moved for a call of the house. The motion prevailed with 23 ayes, 2 nays, and 24 not voting.

Senator Chambers requested a roll call vote on the motion to indefinitely postpone.

Voting in the affirmative, 1:

Krist

Voting in the negative, 30:

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

Present and not voting, 13:

Baker	Howard	Morfeld	Schumacher	Wishart
Chambers	Kolowski	Pansing Brooks	Vargas	
Harr	McCollister	Quick	Walz	

Excused and not voting, 5:

Blood	Groene	Hilgers	Smith	Wayne
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The Chambers motion to indefinitely postpone failed with 1 aye, 30 nays, 13 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Tuesday, March 21, 2017 1:30 p.m.

LB540

(Signed) Mike Groene, Chairperson

Transportation and Telecommunications

Room 2102

Thursday, March 9, 2017 1:00 p.m.

Daniel Spray - Nebraska Information Technology Commission
Shane Greckel - Nebraska Information Technology Commission
Stephan Budke - Motor Vehicle Industry Licensing Board

(Signed) Curt Friesen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 54. Introduced by Quick, 35; Friesen, 34; Walz, 15.

WHEREAS, Matthew Novinski, a senior at Grand Island Central Catholic, took first place in the boys 100-yard backstroke and 200-yard freestyle at the 2017 State Swimming and Diving Championship and was named the most valuable swimmer at the boys meet; and

WHEREAS, this is the fourth time Matthew has won the 100 backstroke and the fourth time he broke the 100 backstroke record, making him the first male swimmer to ever win four backstroke titles. Matthew also set a personal best and a school record in the 200 freestyle; and

WHEREAS, Matthew ends his high school swimming career as the most decorated swimmer in Grand Island history. This amazing season and his many victories are a testament to his dedication and to the support of his family and his coach, Brian Jensen; 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 FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Matthew Novinski on taking first place in the boys 100-yard backstroke and 200-yard freestyle at the 2017 State Swimming and Diving Championship and on his illustrious swimming career.

2. That a copy of this resolution be sent to Matthew Novinski and to Coach Brian Jensen.

Laid over.

LEGISLATIVE RESOLUTION 55. Introduced by Hilkemann, 4; Crawford, 45; Krist, 10.

WHEREAS, Colonel Stuart E. MacTaggart was a true officer and gentleman. A highly decorated veteran, he served for over 26 years in the United States Air Force, flying over 150 combat missions in Vietnam; and

WHEREAS, Col. MacTaggart flew medical staff across the state to provide care to patients who were too sick to travel; and

WHEREAS, Col. MacTaggart gave ten years of service to the Nebraska Department of Aeronautics and served for five years as the Director of Aeronautics; and

WHEREAS, he sponsored several youth aviation outreach programs; and

WHEREAS, he was twice awarded with an Admiralship in the Great Navy of the State of Nebraska; and

WHEREAS, Col. MacTaggart was selflessly dedicated to others and will be remembered by his family as a loving and caring husband, father, and papa; and

WHEREAS, multiple sclerosis, a terrible disease, took Col. MacTaggart from his family too soon.

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

1. That the Legislature offers its condolences to the family and friends of Colonel Stuart E. MacTaggart.

2. That the Legislature offers its gratitude to Col. MacTaggart for his lifetime of service.

3. That a copy of this resolution be sent to the family of Col. MacTaggart.

Laid over.

COMMITTEE REPORT(S)

Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

William Ashburn - Motor Vehicle Industry Licensing Board

Dennis Schworer - Motor Vehicle Industry Licensing Board

Aye: 8 Bostelman, Briese, Friesen, Geist, Hilgers, Hughes, Murante, Smith.

Nay: 0. Absent: 0. Present and not voting: 0.

LEGISLATIVE BILL 78. Placed on General File with amendment.

AM315

1 1. On page 2, line 22, after "party" insert ", except that any
 2 rights and conditions asserted by the department as existing at the time
 3 of right-of-way acquisition or stipulated to as a requirement for federal
 4 funding of project development and construction shall not be negotiable";
 5 and in line 28 after the period insert "The memorandum of understanding
 6 shall detail the reservation of rights made by either party, including
 7 any restrictions upon any future use of the fragment, section, or route
 8 to be relinquished, and shall also state the right of the political or
 9 governmental subdivision or public corporation to petition the department

10 to seek renegotiation of the terms and conditions of the relinquishment
 11 at a future date.".

(Signed) Curt Friesen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 46A. Senator Chambers offered the following motion:

MO44

Reconsider the vote taken to indefinitely postpone.

Senator Chambers asked unanimous consent to withdraw his motion, MO44, to reconsider. No objections. So ordered.

Senator Chambers offered the following amendment:

FA29

Page 2, line 5, strike and show as stricken "permanent and".

SENATOR KRIST PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 25 ayes, 5 nays, and 19 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 28:

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

Present and not voting, 15:

Baker	Crawford	Krist	Pansing Brooks	Vargas
Bolz	Howard	McCollister	Quick	Walz
Chambers	Kolowski	Morfeld	Schumacher	Wishart

Excused and not voting, 6:

Blood	Hilgers	Smith
Harr	Murante	Wayne

The Chambers amendment lost with 0 ayes, 28 nays, 15 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO45

Reconsider the vote taken on FA29.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services

Room 1510

Thursday, March 9, 2017 1:30 p.m.

Thomas Deegan - Board of Emergency Medical Services

James Smith - Board of Emergency Medical Services

Linda Jensen - Board of Emergency Medical Services

Joel Cerny - Board of Emergency Medical Services

(Signed) Merv Riepe, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 140. Placed on Select File with amendment.

ER14

1 1. On page 1, line 22, after the last "change" insert "and
2 eliminate".

3 2. On page 2, line 6, after "assessments" insert a comma; and in
4 line 16 after the first semicolon insert "to eliminate obsolete
5 provisions;"

6 3. On page 28, line 12, strike "director" and insert "Director of
7 Banking and Finance".

8 4. On page 29, line 27, strike "to" and show as stricken.

9 5. On page 52, line 14, strike "(a)" and insert "(i)"; in line 19
10 strike "(b)" and insert "(ii)"; and in line 24 strike "(2)(a)" and insert
11 "(2)(b)(i)".

12 6. On page 53, line 5, strike "and" and insert "or".

13 7. On page 71, line 10, strike "(c)" and insert "(3)".

14 8. On page 93, line 31, strike "Department of".

15 9. On page 94, line 1, strike "Banking and Finance," and reinstate
16 the stricken "department".

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 75. Placed on General File.

(Signed) John Murante, Chairperson

ANNOUNCEMENT(S)

The Legislative Performance Audit Committee designates LB210 and LB543 as its priority bills.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator McCollister name added to LB14.

Senator Kolterman name added to LB289.

Senator Lindstrom name added to LB641.

ANNOUNCEMENT

Senator Albrecht announced the Business and Labor Committee will hold an executive session Friday, March 3, 2017, at 8:10 a.m., in Room 2022.

VISITOR(S)

Visitors to the Chamber were Roger Wiese, Director, North Central Public Health Department, O'Neill; Braydon Conell from York and Hayden Richardson from Bennington; 11 students and teacher from Doane University, Crete; and 22 twelfth-grade students and teacher from Southwest High School, Bartley.

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Hansen, the Legislature adjourned until 9:00 a.m., Friday, March 3, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

