

FIRST DAY - NOVEMBER 1, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, November 1, 2011

PRAYER

The prayer was offered by Senator Heidemann.

ROLL CALL

Pursuant to a proclamation by the Honorable Governor of the State of Nebraska, Dave Heineman, the One Hundred Second Legislature, First Special Session of the Legislature of Nebraska, assembled in the George W. Norris Legislative Chamber of the State Capitol, at the hour of 2:00 p.m., Tuesday, November 1, 2011, and was called to order by Speaker Flood.

The roll was called and the following members were present:

Adams, Greg L.	Haar, Ken	Mello, Heath
Ashford, Brad	Hadley, Galen	Nelson, John E.
Avery, Bill	Hansen, Thomas F.	Nordquist, Jeremy
Bloomfield, Dave	Harms, John N.	Pahls, Rich
Brasch, Lydia	Heidemann, Lavon L.	Pirsch, Pete
Campbell, Kathy	Howard, Gwen	Price, Scott
Carlson, Tom	Janssen, Charlie	Schilz, Ken
Christensen, Mark	Karpisek, Russ	Schumacher, Paul
Coash, Colby	Krist, Bob	Smith, Jim
Conrad, Danielle	Lambert, R. Paul	Sullivan, Kate
Cook, Tanya	Langemeier, Chris	Utter, Dennis
Dubas, Annette M.	Larson, Tyson	Wallman, Norman
Fischer, Deb	Lathrop, Steve	Wightman, John
Flood, Mike	Lautenbaugh, Scott	
Fulton, Tony	McCoy, Beau	
Gloor, Mike	McGill, Amanda M.	

The following members were excused:

Cornett, Abbie	Harr, Burke J.	Louden, LeRoy J.
Council, Brenda J.		

DECLARATION

Pursuant to a proclamation issued by the Honorable Dave Heineman, Governor of Nebraska, we are here and now assembled in the One Hundred Second Legislature, First Special Session of the Nebraska Legislature. I, as President of the Legislature, declare that we are now open for the transaction of business.

(Signed) Speaker Flood
President of the Legislature

PROCLAMATION

BY VIRTUE OF THE AUTHORITY VESTED in the Governor by Article IV, Section 8 of the Nebraska Constitution, I, Dave Heineman, as Governor of the State of Nebraska, believing that an extraordinary occasion has arisen, DO HEREBY CALL the Legislature of Nebraska to convene in extraordinary session at the State Capitol on November 1, 2011, at 2:00 p.m. for the purpose of considering and enacting legislation on only the following subjects:

1. Enacting legislation relating to oil pipelines; and
2. To appropriate funds to the Legislative Council for the necessary expenses of the extraordinary session herein called.

I direct that members of the Legislature of the State of Nebraska be notified of the convening of this extraordinary session by presenting to each of them a copy of this Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the Great Seal of the State of Nebraska to be affixed this 25th day of October, in the year of our Lord Two Thousand Eleven.

(Signed) Dave Heineman
Governor

Attest:

(Signed) John A. Gale
Secretary of State

(SEAL)

RESIGNATION

August 31, 2011

The Honorable Dave Heineman
Governor of Nebraska
PO Box 94848
Lincoln, NE 68509-4848

Dear Governor Heineman:

It is with sincere regret that I announce my resignation from the office of state senator. As we agreed the effective date will be Friday, October 7, 2011. It has been an honor and privilege to represent the citizens of District 2 and to serve the state of Nebraska.

My five years as a state senator have been the highlight of my 19 years of elected public service. I have enjoyed the opportunity to contribute to an institution that I will always respect and treasure. Thank you for your understanding of my situation and the difficult decision I must make.

Sincerely,
(Signed) Dave Pankonin
District 2

MESSAGE FROM THE GOVERNOR

October 7, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

I hereby appoint R. Paul Lambert to fill the vacancy in the 2nd Legislative District created by the resignation of Senator Dave Pankonin. This appointment takes effect on October 7, 2011.

Sincerely,
(Signed) Dave Heineman
Governor

GUBERNATORIAL APPOINTMENT

Greetings To All Who Shall See These Presents Know Ye, that I Dave Heineman, on behalf of the State of Nebraska and as Governor, do hereby appoint R. Paul Lambert as a member of the Nebraska Legislature - District Two.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law.

This appointment shall take effect on October 7, 2011 and continue until January 8, 2013 provided you shall satisfactorily perform all the duties

DISTRICT/NAME	ELECTED
1 Lavon L. Heidemann	November 4, 2008
2 Paul Lambert	Appointed October 7, 2011
3 Scott Price	November 4, 2008
4 Pete Pirsch	November 2, 2010
5 Heath Mello	November 4, 2008
6 John E. Nelson	November 2, 2010
7 Jeremiah Nordquist	November 4, 2008
8 Burke J. Harr	November 2, 2010
9 Gwen Howard	November 4, 2008
10 Bob Krist	November 2, 2010
11 Brenda J. Council	November 4, 2008
12 Steve Lathrop	November 2, 2010
13 Tanya Cook	November 4, 2008
14 Jim Smith	November 2, 2010
15 Charlie Janssen	November 4, 2008
16 Lydia Brasch	November 2, 2010
17 Dave Bloomfield	Appointed December 2, 2010
18 Scott Lautenbaugh	November 2, 2010
19 Mike Flood	November 4, 2008
20 Brad Ashford	November 2, 2010
21 Ken Haar	November 4, 2008
22 Paul Schumacher	November 2, 2010
23 Chris Langemeier	November 4, 2008
24 Greg L. Adams	November 2, 2010
25 Kathy Campbell	November 4, 2008
26 Amanda M. McGill	November 2, 2010
27 Colby Coash	November 4, 2008
28 Bill Avery	November 2, 2010
29 Tony Fulton	November 4, 2008
30 Norman Wallman	November 2, 2010
31 Rich Pahls	November 4, 2008
32 Russ Karpisek	November 2, 2010
33 Dennis Utter	November 4, 2008
34 Annette M. Dubas	November 2, 2010
35 Mike Gloor	November 4, 2008
36 John Wightman	November 2, 2010
37 Galen Hadley	November 4, 2008
38 Tom Carlson	November 2, 2010
39 Beau McCoy	November 4, 2008
40 Tyson Larson	November 2, 2010
41 Kate Sullivan	November 4, 2008
42 Thomas F. Hansen	November 2, 2010
43 Deb Fischer	November 4, 2008
44 Mark Christensen	November 2, 2010
45 Abbie Cornett	November 4, 2008
46 Danielle Conrad	November 2, 2010
47 Ken Schilz	November 4, 2008
48 John N. Harms	November 2, 2010
49 LeRoy J. Loudon	November 4, 2008

MESSAGES FROM THE GOVERNOR

June 9, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Liquor Control Commission:

William Austin, 2511 South 77th Place, Lincoln, NE 68506

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

June 13, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individual is being appointed to the State Highway Commission:

James Kindig, 201 E. Pine St., Box 336, Kenesaw, NE 68956

Contingent upon your approval, the following individuals are being reappointed to the State Highway Commission:

Doug Leafgreen, 1625 Aspen, Gering, NE 69341
Greg Wolford, 702 Airport Rd., McCook, NE 69001
Rodney Vandeberg, 2202 Chase Street, Falls City, NE 68355
David Copple, 3405 Rolling Hills Dr., Norfolk, NE 68701

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are

included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

June 21, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being appointed to the Tax Equalization and Review Commission:

Robert Hotz, 8117 Imperial Circle, Lincoln, NE 68506
Thomas Freimuth, 1512 North 105th St., Omaha, NE 68114
Nancy Salmon, 1206 Giltner Spur, Phillips, NE 68865

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

July 1, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Crime Victim's Reparations Committee:

Brian Wachman, 206 South 13th St., Suite 100, Lincoln, NE 68508

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

July 13, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Motor Vehicle Industry Licensing Board:

Donald Hansen, 2528 N. 161st Terrace, Omaha, NE 68116

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 3, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Nebraska Oil and Gas Conservation Commission:

James Gohl, 37475 Road 716, Culbertson, NE 69024

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman

Governor

Enclosures

August 5, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individuals are being
reappointed to the Nebraska Ethanol Board:

Steven Hanson, 34450 Hwy 23, Elsie, NE 69134
Timothy Else, 6176 Road U, Belvidere, NE 68315

The aforementioned appointees are respectfully submitted for your
consideration. Copies of the certificates and background information are
included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 10, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being
reappointed to the State Personnel Board:

Lucinda Glen, 1324 Regency Drive, Hastings, NE 68901

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 10, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being
reappointed to the Nebraska Child Abuse Prevention Fund Board:

Joni Kuzma, 2510 Brahma St., Grand Island, NE 68801

The aforementioned appointee is respectfully submitted for your
consideration. Copies of the certificate and background information are
included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 11, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being
appointed to the Environmental Quality Council:

Vern Powers, 5911 Quail Ridge, Hastings, NE 68902
Earl McNutt, 1104 West 4th, McCook, NE 69001
Dr. Ronald Sheppard, P.O. Box 129, Callaway, NE 68825

The aforementioned appointees are respectfully submitted for your
consideration. Copies of the certificates and background information are
included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 11, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individual is being appointed to the State Emergency Response Commission:

Mark Maday, 2115 Christine Street, Papillion, NE 68133

Contingent upon your approval, the following individuals are being reappointed to the State Emergency Response Commission:

Keith Deiml, 905 Crest Road, Papillion, NE 68046
Gary Gandara, 9935 West "O" Street, Lincoln, NE 68528
Kimberly Plouzek, 1417 County Road D, Dorchester, NE 68343

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 11, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being reappointed to the Technical Advisory Committee for Statewide Assessment:

Dr. Brian Gong, P.O. Box 351, Dover, NH 03821
Dr. Richard Sawyer, P.O. Box 168, Iowa City, IA 52243
Linda Poole, 5054 South 171st Avenue, Omaha, NE 68135

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are

included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 23, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Board of Educational Lands and Funds:

Glenn Wilson, Jr., 3103 Brentwood Circle, Grand Island, NE 68801

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

August 26, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being reappointed to the Beginning Farmer Board:

Donald Anthony, 43970 Road 758, Lexington, NE 68850
Mark Graff, 103 S. Cherokee Road, McCook, NE 69001
Todd Reed, 8730 Colby St., Lincoln, NE 68462
Melvin Valasek, 11221 N. 156th, Bennington, NE 68007

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are

included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

September 19, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Beginning Farmer Board:

Bradley Lubben, 20508 Maple Circle, Eagle, NE 68347

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

September 19, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being reappointed to the Board of Educational Lands and Funds:

Martin Demuth, 1107 Lochview Dr., Grand Island, NE 68901

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,

(Signed) Dave Heineman
Governor

Enclosures

October 14, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Child Abuse Prevention Fund Board:

Denise Pecha, 5803 Rees Street, Omaha, NE 68106

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

October 14, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Educational Telecommunications Commission:

Frederik Ohles, 5000 St. Paul Avenue, Lincoln, NE 68504

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

October 14, 2011

Mr. President, Speaker Flood
and Members of the Legislature
State Capitol Building
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Senators:

Contingent upon your approval, the following individuals are being reappointed to the Nebraska Arts Council:

Steve Homan, 32 Red Fox Lane, Kearney, NE 68845
Louise Kent, 2102 Third Avenue, Scottsbluff, NE 69361
Robert Nefsky, 2140 Sheridan Blvd., Lincoln, NE 68502

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificates and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

October 24, 2011

Mr. President, Speaker Flood and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Flood and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Nebraska Child Abuse Prevention Fund Board:

Mary Fran Flood, 4312 Waterbury Lane, Lincoln, NE 68516

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Dave Heineman
Governor

Enclosures

REPORTS

The following reports were received by the Legislature:

Agriculture, Department of

Commercial Dog and Cat Operation Inspection Program Annual Report
Fiscal Year July 1, 2010 - June 30, 2011

Arts Council, Nebraska

Nebraska Arts and Humanities Cash Fund Report

Auditor of Public Accounts

Nebraska Public Employees Retirement Systems - State and County
Employees Retirement Plans, Pension Trust Funds of the State of
Nebraska - January 1, 2010 through December 31, 2010

Chief Information Officer, Office of the

Report on the Status of Enterprise Projects

Economic Development, Department of

Proposed 2010 Annual Performance Report for Nebraska's Housing and
Community Development Programs' Consolidated Plan

Education, Department of

Truancy Task Force Report

Fiscal Office, Legislative

Monthly Consensus Estimates of General Fund Receipts

Game and Parks Commission

Game Law Investigation Cash Fund Eleventh Annual Report

Health and Human Services, Department of

ACCESSNebraska (LB374) Report

Child Death Review, Nebraska, 2007 and 2008 Report

Division of Behavioral Health, Gamblers Assistance Program Annual
Report, Fiscal Year 2010-2011

Division of Children and Family Services 2009 Caseload Report

Division of Developmental Disabilities, Beatrice State Developmental
Center Baseline Quarterly Reports

Division of Developmental Disabilities, Developmental Disabilities
Court-Ordered Custody Act Report

SNAP Outreach Plan Annual Report

Investment Finance Authority, Nebraska (NIFA)

2009 Series A, B, C, D, E and F Community Development Loan Notes
(City of Lincoln Program-2009) Reports

2011 Series 1 Housing Revenue Bonds

Agricultural Loans Report, Fiscal Year Ending 6-30-11

Clean Water State Revolving Fund Revenue Bonds Notices

Drinking Water State Revolving Fund Revenue Bonds Series 2010 A,
Quarterly Reports

Natural Resources, Department of

2011 Annual Report and Plan of Work for the State Water Planning and
Review Process

Water Resources Cash Fund Uses for the previous Fiscal Year 2010-2011

Public Service Commission, Nebraska

2011 Annual Report on Telecommunications

Retirement Systems, Public Employees

2010 Plan Investment Review

Investment Alternatives Report

Retirement Plan Review - Review Period January 1, 2010 to December 31, 2010

Revenue, Nebraska Department of

2010 Nebraska Tax Incentives Annual Report

Monthly Consensus Estimates of General Fund Receipts

Report of Examination of State of Nebraska Auditor of Public Accounts for the Fiscal Year ended June 30, 2010

Roads, Nebraska Department of

State Highway Commission Quarterly Reports

Traffic Crash Facts 2010 Annual Report

State Fair Board

Expenditure of Funds - Fiscal Year Ending June 30, 2011

State Treasurer

Nebraska Educational Savings Plan Trust Audits

COMMUNICATION

Received a copy of a concurrent resolution from the state of Utah relating to balancing the federal budget and restricting tax increases.

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Cornett has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to pipelines; to amend sections 57-1101, 75-109.01, 75-110.01, 75-112, 75-118, 75-128, 75-129, 75-130.01, 75-502, and 84-914, Reissue Revised Statutes of Nebraska; to change provisions relating to eminent domain for pipelines; to adopt the Major Oil Pipeline Siting Act; to change and provide powers and duties for the Public Service Commission; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 2. Introduced by Wightman, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the expenses incurred during the One Hundred Second Legislature, First Special Session, 2011; and to declare an emergency.

RESOLUTIONS

LEGISLATIVE RESOLUTION 1. Introduced by Langemeier, 23.

WHEREAS, the Wahoo Warriors won the 2011 Class C State Softball Championship; and

WHEREAS, the Warriors defeated Ashland-Greenwood 10-3 in the championship game; and

WHEREAS, the victory gave the Warriors their second straight 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates the Wahoo Warriors on winning the 2011 Class C State Softball Championship.

2. That a copy of this resolution be sent to the Wahoo Warriors and their coach, Katrina Christen.

Laid over.

LEGISLATIVE RESOLUTION 2. Introduced by Krist, 10.

WHEREAS, for more than 200 years, individuals from all walks of life have taken up arms and sworn an oath to support and defend the principles upon which our country was founded; and

WHEREAS, throughout our history, courageous men and women have donned the uniform of our Armed Forces and built a noble tradition of faithful and dedicated service to our Nation; and

WHEREAS, Veterans Day has been set aside as both a national and state holiday to honor the American patriots who answered the call of duty, preserving our freedoms and often making the ultimate sacrifice; and

WHEREAS, we can never fully repay our debt of gratitude to those heroic men and women who served, were wounded, or even died in battle; and

WHEREAS, the unwavering commitment of our soldiers, sailors, airmen, Marines, and Coast Guardsmen has preserved our freedoms and saved millions around the world from tyranny; and

WHEREAS, we continue to draw inspiration from the heroism and dedication of those who currently serve and sacrifice for the cause of liberty and justice; and

WHEREAS, it is fitting that Nebraska honor America's military veterans, through whose service and sacrifice we today enjoy freedom and liberty.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST

SPECIAL SESSION:

1. That the Legislature hereby recognizes November 11, 2011, as Veterans Day.

2. That the Legislature wishes a happy birthday to the United States Marine Corps on the occasion of its 236th birthday on November 10, 2011.

Laid over.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Anthony, Donald - Beginning Farmer Board - Agriculture

Austin, William - Nebraska Liquor Control Commission - General Affairs

Copple, David - State Highway Commission - Transportation and Telecommunications

Deiml, Keith - State Emergency Response Commission - Government, Military and Veterans Affairs

Demuth, Martin - Board of Educational Lands and Funds - Education

Else, Timothy - Nebraska Ethanol Board - Natural Resources

Flood, Mary Fran - Nebraska Child Abuse Prevention Fund Board - Health and Human Services

Freimuth, Thomas - Tax Equalization and Review Commission - Revenue

Gandara, Gary - State Emergency Response Commission - Government, Military and Veterans Affairs

Glen, Lucinda - State Personnel Board - Government, Military and Veterans Affairs

Gohl, James - Nebraska Oil and Gas Conservation Commission - Natural Resources

Gong, Brian - Technical Advisory Committee for Statewide Assessment - Education

Graff, Mark - Beginning Farmer Board - Agriculture

Hansen, Donald - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications

Hanson, Steven - Nebraska Ethanol Board - Natural Resources

Homan, Steve - Nebraska Arts Council - General Affairs

Hotz, Robert - Tax Equalization and Review Commission - Revenue

Kent, Louise - Nebraska Arts Council - General Affairs

Kindig, James - State Highway Commission - Transportation and Telecommunications

Kuzma, Joni - Nebraska Child Abuse Prevention Fund Board - Health and Human Services

Leafgreen, Doug - State Highway Commission - Transportation and Telecommunications

Lubben, Bradley - Beginning Farmer Board - Agriculture

Maday, Mark - State Emergency Response Commission - Government, Military and Veterans Affairs

McNutt, Earl - Environmental Quality Council - Natural Resources

Nefsky, Robert - Nebraska Arts Council - General Affairs

Ohles, Frederik - Nebraska Educational Telecommunications Commission - Education
Pecha, Denise - Nebraska Child Abuse Prevention Fund Board - Health and Human Services
Plouzek, Kimberly - State Emergency Response Commission - Government, Military and Veterans Affairs
Poole, Linda - Technical Advisory Committee for Statewide Assessment - Education
Powers, Vern - Environmental Quality Council - Natural Resources
Reed, Todd - Beginning Farmer Board - Agriculture
Salmon, Nancy - Tax Equalization and Review Commission - Revenue
Sawyer, Richard - Technical Advisory Committee for Statewide Assessment - Education
Sheppard, Ronald - Environmental Quality Council - Natural Resources
Valasek, Melvin - Beginning Farmer Board - Agriculture
Vandenberg, Rodney - State Highway Commission - Transportation and Telecommunications
Wachman, Brian - Crime Victim's Reparations Committee - Judiciary
Wilson, Glenn, Jr. - Board of Educational Lands and Funds - Education
Wolford, Greg - State Highway Commission - Transportation and Telecommunications

(Signed) John Wightman, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARINGS

Agriculture

Room 1524

Thursday, November 3, 2011 2:15 p.m.

Bradley Lubben - Beginning Farmer Board
Donald Anthony - Beginning Farmer Board
Mark Graff - Beginning Farmer Board
Melvin Valasek - Beginning Farmer Board
Todd Reed - Beginning Farmer Board

(Signed) Tom Carlson, Chairperson

Education

Room 1525

Thursday, November 3, 2011 9:00 a.m.

Frederik Ohles - Nebraska Educational Telecommunications Commission
Martin Demuth - Board of Educational Lands and Funds
Glenn Wilson Jr. - Board of Educational Lands and Funds

Linda Poole - Technical Advisory Committee for Statewide Assessment
Brian Gong - Technical Advisory Committee for Statewide Assessment
Richard Sawyer - Technical Advisory Committee for Statewide Assessment

(Signed) Greg Adams, Chairperson

General Affairs

Room 1510

Thursday, November 3, 2011 1:30 p.m.

Steve Homan - Nebraska Arts Council
Louise Kent - Nebraska Arts Council
Robert Nefsky - Nebraska Arts Council
William Austin - Nebraska Liquor Control Commission

(Signed) Russ Karpisek, Chairperson

Government, Military and Veterans Affairs

Room 1507

Friday, November 4, 2011 9:00 a.m.

Lucinda Glen - State Personnel Board
Keith Deiml - State Emergency Response Commission
Mark Maday - State Emergency Response Commission
Kimberly Plouzek - State Emergency Response Commission
Gary Gandara - State Emergency Response Commission

(Signed) Bill Avery, Chairperson

Health and Human Services

Room 1524

Friday, November 4, 2011 1:00 p.m.

Denise Pecha - Nebraska Child Abuse Prevention Fund Board
Joni Kuzma - Nebraska Child Abuse Prevention Fund Board
Mary Fran Flood - Nebraska Child Abuse Prevention Fund Board

(Signed) Kathy Campbell, Chairperson

Natural Resources

Room 1525

Friday, November 4, 2011 9:00 a.m.

Timothy Else - Nebraska Ethanol Board
James Gohl - Nebraska Oil and Gas Conservation Commission
Steven Hanson - Nebraska Ethanol Board
Earl McNutt - Environmental Quality Council
Vern Powers - Environmental Quality Council
Ronald Sheppard - Environmental Quality Council

(Signed) Chris Langemeier, Chairperson

Transportation and Telecommunications

Room 1113

Thursday, November 3, 2011 1:30 p.m.

Donald Hansen - Nebraska Motor Vehicle Industry Licensing Board
James Kindig - State Highway Commission
Doug Leafgreen - State Highway Commission
Greg Wolford - State Highway Commission
Rodney Vandeberg - State Highway Commission
David Copple - State Highway Commission

(Signed) Deb Fischer, Chairperson

ADJOURNMENT

At 2:17 p.m., on a motion by Senator Carlson, the Legislature adjourned until 11:00 a.m., Wednesday, November 2, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

SECOND DAY - NOVEMBER 2, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****SECOND DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, November 2, 2011

PRAYER

The prayer was offered by Senator Hadley.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., Speaker Flood presiding.

The roll was called and all members were present except Senators Cornett, Council, B. Harr, Lautenbaugh, and Price who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1	Natural Resources
LB2	General File

(Signed) John Wightman, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING

Judiciary

Room 1113

Friday, November 4, 2011 10:00 a.m.

Brian Wachman - Crime Victim's Reparations Committee

(Signed) Brad Ashford, Chairperson

ANNOUNCEMENT

Senator Hansen announced the Committee on Committees will meet Thursday, November 3, 2011, at 10:00 a.m. in Room 1510.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 3. Introduced by Avery, 28.

A BILL FOR AN ACT relating to pipelines; to amend sections 57-1101 and 57-1103, Reissue Revised Statutes of Nebraska; to change provisions relating to eminent domain and easements for pipelines; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 4. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to oil pipelines; to amend section 57-1101, Reissue Revised Statutes of Nebraska; to adopt the Oil Pipeline Route Certification Act; to change provisions relating to eminent domain for pipelines; to provide powers and duties for the Governor; to provide severability; to repeal the original section; and to declare an emergency.

NOTICE OF COMMITTEE HEARINGS

Natural Resources

Room 1525

Monday, November 7, 2011 10:00 a.m.

LB1

(Signed) Chris Langemeier, Chairperson

Revenue

Room 1524

Thursday, November 10, 2011 1:30 p.m.

Nancy Salmon - Tax Equalization and Review Commission
 Robert Hotz - Tax Equalization and Review Commission
 Thomas Freimuth - Tax Equalization and Review Commission

(Signed) Dennis Utter, Vice Chairperson

RESOLUTIONS**LEGISLATIVE RESOLUTION 3.** Introduced by Heidemann, 1.

WHEREAS, Zechariah Bragg, the son of Kevin and Kathy Gutshall of Falls City, Nebraska, and a member of Troop 396, 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 honor 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, Zechariah 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; and

WHEREAS, Zechariah's Eagle Scout project consisted of the revitalization of Nemaha Falls Cemetery, including cleaning up garbage, mowing, trimming trees, and constructing a new entrance and fence for the cemetery; and

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

WHEREAS, Zechariah, 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates Zechariah Bragg on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Zechariah Bragg.

Laid over.

LEGISLATIVE RESOLUTION 4. Introduced by Heidemann, 1.

WHEREAS, Justin Elwonger, son of Martin and Jerri Elwonger of Falls City, Nebraska, and a member of Troop 396, 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 honor 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, Justin 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; and

WHEREAS, Justin's Eagle Scout project consisted of a "face lift" to the Jug Brown Stadium press box, including scraping off the old paint and painting a fresh coat; and

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

WHEREAS, Justin, 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates Justin Elwonger on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Justin Elwonger.

Laid over.

LEGISLATIVE RESOLUTION 5. Introduced by Heidemann, 1.

WHEREAS, Chris Yoesel, the son of Steve and Vicky Yoesel of Falls City, Nebraska, and a member of Troop 396, 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 honor 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, Chris 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; and

WHEREAS, Chris' Eagle Scout project consisted of building a new utility shed for the Itha T. Krumme Memorial Arboretum; and

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

WHEREAS, Chris, 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates Chris Yoesel on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Chris Yoesel.

Laid over.

LEGISLATIVE RESOLUTION 6. Introduced by Janssen, 15.

WHEREAS, Donald "Skip" Edwards was a distinguished public servant in his beloved community of Fremont, Nebraska, for decades; and

WHEREAS, Skip Edwards was a successful small business owner in Fremont; and

WHEREAS, Skip Edwards was a dedicated member of the Church of the Nazarene in Fremont; and

WHEREAS, Skip Edwards served as mayor of Fremont for twenty-two years until retirement; and

WHEREAS, Skip Edwards preceded his service as mayor by serving on the Fremont City Council for eleven years; and

WHEREAS, Skip Edwards served on the Nebraska Jobs Training Committee for the State of Nebraska; and

WHEREAS, Skip Edwards represented Fremont on the Northeast Nebraska Economic Development District Board; and

WHEREAS, Skip Edwards was a tireless and enthusiastic promoter of Fremont; and

WHEREAS, Skip Edwards was a devoted and loving husband, father, grandfather, and great-grandfather; and

WHEREAS, Skip Edwards passed away on August 30, 2011, at the age of seventy-two.

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

1. That the Legislature honors the memory of Skip Edwards for his service to his community.

2. That the Legislature expresses and extends its sympathy and condolences to the family of Skip Edwards.

3. That a copy of this resolution to sent to the family of Skip Edwards.

Laid over.

LEGISLATIVE RESOLUTION 7. Introduced by Janssen, 15.

WHEREAS, the Logan View Raiders were named the champions of Class C at the 2011 Nebraska State Bandmasters Association State Marching Contest; and

WHEREAS, the Raiders were named champions at their first appearance at the event; and

WHEREAS, Director Andrew Norris encouraged the team members to challenge themselves and each other to the best of their abilities with hard work, determination, and long hours of practice; and

WHEREAS, the Raiders also won awards for best music, best marching, and best percussion; 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates the Logan View Raiders on winning the Class C Championship at the 2011 Nebraska State Bandmasters Association State Marching Contest.

2. That a copy of this resolution be sent to the Logan View Raiders and Director Andrew Norris.

Laid over.

ADJOURNMENT

At 11:21 a.m., on a motion by Senator Louden, the Legislature adjourned until 11:00 a.m., Thursday, November 3, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

THIRD DAY - NOVEMBER 3, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****THIRD DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, November 3, 2011

PRAYER

The prayer was offered by Senator Hansen.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Cornett, Council, B. Harr, Lautenbaugh, and Pahls who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the second day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB3	Judiciary
LB4	Natural Resources

(Signed) John Wightman, Chairperson
Executive Board

ANNOUNCEMENT

The First Caucus of the Nebraska Legislature met on Wednesday November 2nd to accept nominations and elect a new member for the vacated seat on Committee on Committees. The Caucus unanimously voted to elect Senator Kathy Campbell to that vacated seat.

COMMITTEE ON COMMITTEES REPORT

Committee on Committees reported the following committee assignments made as a result of the resignation of Senator Pankonin:

Senator Schumacher has been appointed to the Banking, Commerce and Insurance Committee and the Revenue Committee.

Senator Wallman has been appointed to the Government, Military and Veterans Affairs Committee.

Senator Lambert has been appointed to the General Affairs Committee, the Health and Human Services Committee, the Nebraska Retirement Systems Committee, and the Urban Affairs Committee.

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Ashford has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

COMMITTEE REPORTS

Education

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

Frederik Ohles - Nebraska Educational Telecommunications Commission

Aye: 5 Adams, Avery, Howard, Schilz, Sullivan. Nay: 0. Absent: 3 Cornett, Council, K. Haar. Present and not voting: 0.

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

Martin Demuth - Board of Educational Lands and Funds
Glenn Wilson Jr. - Board of Educational Lands and Funds

Aye: 5 Adams, Avery, Howard, Schilz, Sullivan. Nay: 0. Absent: 3 Cornett, Council, K. Haar. Present and not voting: 0.

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

Brian Gong - Technical Advisory Committee for Statewide Assessment

Linda Poole - Technical Advisory Committee for Statewide Assessment

Richard Sawyer - Technical Advisory Committee for Statewide Assessment

Aye: 5 Adams, Avery, Howard, Schilz, Sullivan. Nay: 0. Absent: 3 Cornett, Council, K. Haar. Present and not voting: 0.

(Signed) Greg Adams, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 5. Introduced by K. Haar, 21.

A BILL FOR AN ACT relating to pipelines; to adopt the Oil Pipeline Certificate of Authorization Act; and to declare an emergency.

LEGISLATIVE BILL 6. Introduced by Avery, 28.

A BILL FOR AN ACT relating to oil pipelines; to adopt the Oil Pipeline Indemnity Bond Act.

RESOLUTION

LEGISLATIVE RESOLUTION 8. Introduced by Loudon, 49; Conrad, 46; Hadley, 37; Hansen, 42; Harms, 48; Lambert, 2; Wallman, 30.

WHEREAS, the Legislature should be concerned about the closing of rural post offices throughout Nebraska; and

WHEREAS, the loss of rural post offices in Nebraska is detrimental to the rural communities of Nebraska; and

WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of our society depend, in great measure, upon the access to communication and delivery services, including deliveries of medical and veterinarian supplies and critical household necessities, that post offices provide.

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

1. That the Legislature urges the United States Postal Service to reconsider its plan to close rural post offices in Nebraska.

2. That a copy of this resolution be sent to the Postmaster General of the United States Postal Service.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR8 was referred to the Reference Committee.

RESOLUTIONS**LEGISLATIVE RESOLUTION 9.** Introduced by Lambert, 2.

WHEREAS, Dustin J. Dunlap, son of Tim Dunlap and Janet Miller and a freshman at the University of Nebraska-Lincoln, has completed the requirements to attain the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest advancement 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, Dustin Dunlap has learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, Dustin Dunlap served as assistant patrol leader, patrol leader, assistant senior patrol leader, senior patrol leader, and scribe. To achieve the rank of Eagle Scout, Dustin earned twenty-nine merit badges, eight more than the required twenty-one merit badges, and completed a community service project approved by the troop and the scout council; and

WHEREAS, for his Eagle Scout community service project, Dustin Dunlap and six volunteers, under his direction, painted the parking lines, handicapped zones, and pedestrian walkways in the parking lot of VFW Post 2543 in Plattsmouth. The project was a gesture of gratitude to the VFW for the support it gives to scouting activities; and

WHEREAS, Dustin Dunlap chose his community service project to honor his grandfather Kenneth Dunlap, who earned a Purple Heart in World War II and was a member of VFW Post 2543. Dustin's focus on safety at VFW Post 2543 was prompted by concerns for others from his grandfather's era, with failing health and eyesight, who attend meetings at the VFW building.

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

1. That the Legislature congratulates Dustin Dunlap for the exemplary achievement of fulfilling the requirements for obtaining the rank of Eagle Scout.

2. That a copy of this resolution be sent to Dustin Dunlap.

Laid over.

LEGISLATIVE RESOLUTION 10. Introduced by Nordquist, 7; Avery, 28; Conrad, 46; Cook, 13; Dubas, 34; Harms, 48; Howard, 9; Karpisek, 32; Lathrop, 12; McGill, 26; Mello, 5; Wallman, 30.

WHEREAS, the retirement security of Nebraskans is of paramount importance to members of the Legislature; and

WHEREAS, the budget recommendations of the Joint Select Committee on Deficit Reduction of the United States Congress may have a tremendous impact on the retirement security of Nebraska senior citizens; and

WHEREAS, Nebraska senior citizens depend upon Medicare and Social Security, safety net systems they have paid into throughout their working lives, to provide them a guarantee of basic health care and a modest income in retirement; and

WHEREAS, recommendations by the Joint Select Committee on Deficit Reduction to balance the federal budget with harmful cuts to Medicare and Social Security would weaken the retirement security of all Nebraskans, including participants in Nebraska's public retirement systems, such as state employees, judges, state patrol officers, and teachers.

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

1. That the Legislature opposes efforts to reduce the federal deficit by weakening the retirement security of Nebraskans.

2. That the Legislature urges the members of the Joint Select Committee on Deficit Reduction of the United States Congress to reject harmful cuts to Medicare and Social Security.

3. That a copy of this resolution be sent to all the members of the Joint Select Committee on Deficit Reduction of the United States Congress and all members of the Nebraska Congressional delegation.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR10 was referred to the Reference Committee.

RESOLUTION

LEGISLATIVE RESOLUTION 11. Introduced by Bloomfield, 17; Brasch, 16; Coash, 27; Dubas, 34; Fischer, 43; Fulton, 29; Hadley, 37; Harms, 48; Heidemann, 1; Howard, 9; Krist, 10; Lambert, 2; Lathrop, 12; Mello, 5; Nelson, 6; Price, 3; Schumacher, 22; Sullivan, 41; Wallman, 30.

WHEREAS, "Freedom is Not Free," and our members of the armed forces of the United States of America lead the way in bringing peace, democracy, and the joy of freedom around the world; and

WHEREAS, our young men and women of the armed forces swear to defend the United States of America against all evil; and

WHEREAS, our young men and women of the armed forces leave home, family, and employment behind and embark upon a journey for which they do not know if they will be reunited; and

WHEREAS, the bravery and dedication of our American military is above all measures a display of loyalty, perseverance, and commitment; and

WHEREAS, there are those who leave us way too early and return adorned with the flag of the United States of America - "Old Glory"; and

WHEREAS, such a young soldier has returned home to his loved ones having given the ultimate sacrifice - life - for our freedoms; and

WHEREAS, Master at Arms Class I John Douangdara gave his life on August 6, 2011; and

WHEREAS, John was deployed on his third mission to Afghanistan in June 2011, with two deployments to Iraq earlier, as a lead dog handler for his unit, the Elite Team 6 of the Navy SEALs; and

WHEREAS, in response to a call for assistance, a Chinook helicopter (CH-47) carrying five aircrew, seventeen Navy SEALs, five naval special operations support personnel, three Air Force special tactics airmen, one military working dog, seven Afghan soldiers, and one interpreter was shot down by an insurgent rocket-propelled grenade in eastern Afghanistan, namely, Wardak Province, as the helicopter approached its combat landing zone. This was an immediate response force answering the call to duty; and

WHEREAS, this incident was the deadliest in the decade-long war in Afghanistan; and

WHEREAS, Master at Arms Class I John Douangdara served his nation with honor, and this resolution honors his service and sacrifice; and

WHEREAS, John left behind his parents, Phouthasith and Sengchanh Douangdara, and five siblings.

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

1. That the Legislature recognizes and honors the service and sacrifice made by Master at Arms Class I John Douangdara and his family for our freedom. There is no price that will ever repay this soldier and his family for what John did out of love for God, country, family, and freedom for one and all.

2. That the Legislature extends its sympathy and gratitude to the loved ones of Master at Arms Class I John Douangdara. Indeed, "Freedom is Not Free." May his soul rest in peace and may God bless America.

Laid over.

ADJOURNMENT

At 11:24 a.m., on a motion by Senator Christensen, the Legislature adjourned until 11:00 a.m., Friday, November 4, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTH DAY - NOVEMBER 4, 2011

LEGISLATIVE JOURNAL

**ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION**

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, November 4, 2011

PRAYER

The prayer was offered by Senator Wallman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., Speaker Flood presiding.

The roll was called and all members were present except Senators Carlson, Cook, Cornett, Council, Lautenbaugh, and McCoy who were excused.

CORRECTIONS FOR THE JOURNAL

Page 32, lines 24 and 31, strike "B." and insert "K.".

Page 33, line 9, strike "B." and insert "K.".

The Journal for the third day was approved as corrected.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB5	Natural Resources
LB6	Natural Resources
LR8	Government, Military and Veterans Affairs
LR10	Nebraska Retirement Systems

(Signed) John Wightman, Chairperson
Executive Board

COMMITTEE REPORTS

Natural Resources

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

Earl McNutt - Environmental Quality Council
 Vern Powers - Environmental Quality Council
 Ronald Sheppard - Environmental Quality Council

Aye: 5 Christensen, Dubas, Langemeier, Schilz, Smith. Nay: 0. Absent: 3
 Carlson, K. Haar, McCoy. Present and not voting: 0.

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

Timothy Else - Nebraska Ethanol Board
 Steven Hanson - Nebraska Ethanol Board

Aye: 5 Christensen, Dubas, Langemeier, Schilz, Smith. Nay: 0. Absent: 3
 Carlson, K. Haar, McCoy. Present and not voting: 0.

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

James Gohl - Nebraska Oil and Gas Conservation Commission

Aye: 5 Christensen, Dubas, Langemeier, Schilz, Smith. Nay: 0. Absent: 3
 Carlson, K. Haar, McCoy. Present and not voting: 0.

(Signed) Chris Langemeier, Chairperson

Judiciary

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

Brian Wachman - Crime Victim's Reparations Committee

Aye: 5 Ashford, Coash, B. Harr, Larson, Lathrop. Nay: 0. Absent: 3
 Council, Lautenbaugh, McGill. Present and not voting: 0.

(Signed) Brad Ashford, Chairperson

NOTICE OF COMMITTEE HEARINGS

Judiciary

Room 1113

Tuesday, November 8, 2011 10:00 a.m.

(Signed) Brad Ashford, Chairperson

Natural Resources

Room 1525

Tuesday, November 8, 2011 1:00 p.m.

LB4

Room 1525

Wednesday, November 9, 2011 10:00 a.m.

LB5

LB6

(Signed) Chris Langemeier, Chairperson

REPORTS

The following reports were received by the Legislature:

Auditor of Public Accounts

Audit Report of the Nebraska Lottery for the fiscal year ended June 30, 2011

Public Service Commission, Nebraska

2011 Annual Report on Telecommunications

Revenue, Department of

2011 Nebraska Lottery Annual Report and Resource Guide

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of November 3, 2011, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Amack, Angela K.

Kissel / E & S Associates, LLC

Bisio, John B.

Wal-Mart Stores, Inc. (Withdrawn 08/16/2011)

- Bresel, David
Civic Reform, Nebraskans for
- Carey, Daniel
National Rifle Association Institute for Legislative Action
- Coleman, Steven D.
Papillion - La Vista Public Schools (Withdrawn 07/05/2011)
- Fernandez, David
Altria Client Services Inc. and its Affiliates (Withdrawn 07/12/2011)
- Fritz, Teresa Stitcher
Alzheimer's Association of the Great Plains (Withdrawn 06/17/2011)
- Harding, William A.
Builders & Contractors, Inc., Associated
- Irsik, Ryan
Wal-Mart Stores, Inc.
- Jensen, Ronald L./Jensen Associates, Inc.
Johnson, DeMaris/The Johnson Group (Withdrawn 10/24/2011)
- Jones, Robert
TransCanada Corporation
- Katt, Peter W.
Mortgage Association, Nebraska
- Kerekes, John P.
American Petroleum Institute
- Kissel / E & S Associates, LLC
Genetic Counselors, Nebraska Association of
- Koops, Berend J.
Merck Sharp & Dohme Corp. and its Affiliates
- Kruse, Dacia D.
Omaha Chamber, Greater (Withdrawn 07/21/2011)
- Loontjer, Pat
Gambling with the Good Life (Withdrawn 06/17/2011)
- Moore, Scott S.
Omaha Chamber, Greater (Withdrawn 07/21/2011)
- Mueller Robak LLC
Nelnet, Inc.
State Troopers Association of Nebraska, Inc.
- O'Hara, Lindsay and Associates, Inc.
Chiropractic Strategies Group (Withdrawn 10/21/2011)
- Pappas, James E.
Bellevue Public Schools (Withdrawn 10/11/2011)
- Popken, Kent T.
Century Link (formerly Qwest Communications) (Withdrawn 10/25/2011)
- Quasius, Robert T., Sr.
Somos Republicans (Withdrawn 07/18/2011)
- Radcliffe, Walter H.- Radcliffe & Associates
Kissel / E & S Associates, LLC
State Troopers Association of Nebraska, Inc. (Withdrawn 07/28/2011)
- Reale, C. Anthony
Altria Client Services Inc. and its Affiliates (Withdrawn 07/12/2011)

Reynolds, Simera
 Mothers Against Drunk Driving, Nebraska (Withdrawn 07/29/2011)
 Whatley, Michael
 Consumer Energy Alliance
 Wintner, Jeffrey M.
 Altria Client Services Inc. and its Affiliates (Withdrawn 07/12/2011)
 Wolf, Jesse
 Education Association, Nebraska State (Withdrawn 08/10/2011)
 Young, Joseph
 Omaha Chamber, Greater

MOTIONS - Approve Appointments

Senator Adams moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 32:

Nebraska Educational Telecommunications Commission
 Frederik Ohles

Voting in the affirmative, 40:

Adams	Flood	Heidemann	Lathrop	Price
Bloomfield	Fulton	Howard	Louden	Schilz
Campbell	Gloor	Janssen	McGill	Schumacher
Christensen	Haar, K.	Karpisek	Mello	Smith
Coash	Hadley	Krist	Nelson	Sullivan
Conrad	Hansen	Lambert	Nordquist	Utter
Dubas	Harms	Langemeier	Pahls	Wallman
Fischer	Harr, B.	Larson	Pirsch	Wightman

Voting in the negative, 0.

Present and not voting, 3:

Ashford	Avery	Brasch
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Excused and not voting, 6:

Carlson	Cornett	Lautenbaugh
Cook	Council	McCoy

The appointment was confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

Senator Adams moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 32:

Board of Educational Lands and Funds
 Martin Demuth
 Glenn Wilson Jr.

Voting in the affirmative, 40:

Adams	Flood	Heidemann	Lathrop	Price
Bloomfield	Fulton	Howard	Louden	Schilz
Brasch	Gloor	Janssen	McGill	Schumacher
Campbell	Haar, K.	Karpisek	Mello	Smith
Christensen	Hadley	Krist	Nelson	Sullivan
Coash	Hansen	Lambert	Nordquist	Utter
Conrad	Harms	Langemeier	Pahls	Wallman
Fischer	Harr, B.	Larson	Pirsch	Wightman

Voting in the negative, 0.

Present and not voting, 3:

Ashford	Avery	Dubas
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Excused and not voting, 6:

Carlson	Cornett	Lautenbaugh
Cook	Council	McCoy

The appointments were confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

Senator Adams moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 33:

Technical Advisory Committee for Statewide Assessment

Brian Gong

Linda Poole

Richard Sawyer

Voting in the affirmative, 40:

Adams	Fischer	Harr, B.	Lathrop	Price
Avery	Flood	Heidemann	Louden	Schilz
Bloomfield	Fulton	Howard	McGill	Schumacher
Brasch	Gloor	Karpisek	Mello	Smith
Christensen	Haar, K.	Krist	Nelson	Sullivan
Coash	Hadley	Lambert	Nordquist	Utter
Conrad	Hansen	Langemeier	Pahls	Wallman
Dubas	Harms	Larson	Pirsch	Wightman

Voting in the negative, 0.

Present and not voting, 3:

Ashford	Campbell	Janssen
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Excused and not voting, 6:

Carlson	Cornett	Lautenbaugh
Cook	Council	McCoy

The appointments were confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

NOTICE OF COMMITTEE HEARING
Nebraska Retirement Systems

Room 1524

Wednesday, November 9, 2011 1:30 p.m.

LR10

(Signed) Jeremy Nordquist, Chairperson

COMMITTEE REPORTS
General Affairs

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

William Austin - Nebraska Liquor Control Commission

Aye: 8 Bloomfield, Brasch, Coash, Karpisek, Krist, Lambert, Larson, McGill. Nay: 0. Absent: 0. Present and not voting: 0.

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

Steve Homan - Nebraska Arts Council
Louise Kent - Nebraska Arts Council
Robert Nefsky - Nebraska Arts Council

Aye: 8 Bloomfield, Brasch, Coash, Karpisek, Krist, Lambert, Larson, McGill. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Russ Karpisek, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 12. Introduced by Brasch, 16; Bloomfield, 17; K. Haar, 21; Hansen, 42; Heidemann, 1; Lambert, 2.

WHEREAS, in 2011, flooding along the Missouri River caused widespread and extensive damage to states bordering the river, including Nebraska; and

WHEREAS, the flood damaged and destroyed many businesses, causing huge economic losses and destroying many people's livelihoods; and

WHEREAS, a large part of the economic losses in Nebraska was felt by the agricultural sector of the state, as many acres along the river were touched by the flood waters, resulting in huge crop losses for many of Nebraska's farmers. One study estimated that the economic impact of the flood on the state's agricultural sector was close to \$189 million in lost economic output; and

WHEREAS, the flood also forced many Nebraskans to abandon their homes and property. The resulting displacement and loss had a profound impact, both economically and emotionally, on far too many Nebraskans; and

WHEREAS, in the face of this tragedy, countless individuals, including volunteers, emergency responders, and local, state, and federal officials, stepped forward to help their fellow Nebraskans and the state deal with the flood's effects. The outstanding effort of these individuals was, and continues to be, crucial to helping the state address its problems and move forward.

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

1. That the Legislature recognizes the extensive damage to both people and property caused by the 2011 flooding of the Missouri River and extends its sympathy to those who were affected.

2. That the Legislature extends its gratitude to the many volunteers, emergency responders, and other government officials who have helped to deal with the flood's effects.

3. That the Legislature encourages the Governor of Nebraska, Dave Heineman, the governors of the other states affected by the Missouri River flooding, the United States Army Corps of Engineers, the United States Congress, and the Federal Emergency Management Agency to continue their efforts to develop preemptive measures and other policies and practices that will help to avoid such a disaster from ever happening again.

4. That a copy of this resolution be sent to Governor Heineman, the governors of the other states affected by the Missouri River flooding, the United States Army Corps of Engineers, the Federal Emergency Management Agency, and each member of the Nebraska Congressional delegation.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR12 was referred to the Reference Committee.

RESOLUTION

LEGISLATIVE RESOLUTION 13. Introduced by Bloomfield, 17; Brasch, 16; Campbell, 25; Christensen, 44; Coash, 27; Fischer, 43; Hadley, 37; Hansen, 42; Howard, 9; Janssen, 15; Karpisek, 32; Krist, 10; Lathrop, 12; Loudon, 49; Pirsch, 4.

WHEREAS, "Freedom is Not Free," and our members of the armed forces of the United States of America lead the way in bringing peace, democracy, and the joy of freedom around the world; and

WHEREAS, our young men and women of the armed forces swear to defend the United States of America against all evil; and

WHEREAS, our young men and women of the armed forces leave home, family, and employment behind and embark upon a journey for which they do not know if they will be reunited; and

WHEREAS, the bravery and dedication of our American military is above all measures a display of loyalty, perseverance, and commitment; and

WHEREAS, there are those who leave us way too early and return adorned with the flag of the United States of America - "Old Glory"; and

WHEREAS, such a young soldier has returned home to his loved ones having given the ultimate sacrifice - life - for our freedoms; and

WHEREAS, even as our men and women of the armed forces are serving around the world in the hope of a lasting peace and freedom for all, we suffer losses not on the battlefield, but still losses that deserve honor. Such is the case for Sergeant Joshua Jacob Mann, United States Army 1st Battalion, 504th Parachute Infantry Regiment, 82nd Airborne Division, Fort Bragg, North Carolina. Sergeant Mann succumbed to heat-related circumstances on active duty on Saturday, July 30, 2011, and his passing is no less painful to his family, friends, and community; and

WHEREAS, Sergeant Mann received a number of commendations, including the Army Commendation Medal with one oak leaf cluster, the Meritorious Unit Commendation, the National Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the Global War on Terrorism Service Medal, the Iraq Campaign Medal with one Campaign Star, the Non-Commissioned Officer Professional Development Ribbon, the Army Good Conduct Medal, the Expert Infantryman Badge, and the Parachutist Badge; and

WHEREAS, Sergeant Mann served his nation with honor, and this resolution honors his service and sacrifice; and

WHEREAS, Sergeant Mann leaves behind his wife, Rachel, parents David and Melanie, brother Ben Mann and Ben's wife, Melissa, brother Jacob Mann, grandparents Victor and Reba Mann, Dick and Judy Danielson, and in-laws Brad Wolff and Donna Wolff.

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

1. That the Legislature recognizes and honors the service and sacrifice made by Sergeant Joshua Jacob Mann and his family for our freedom. There is no price that will ever repay this soldier and his family for what Joshua did out of love of God, country, family, and freedom for one and all.

2. That the Legislature extends its sympathy and gratitude to the loved ones of Sergeant Joshua Jacob Mann. Indeed, "Freedom is Not Free." May his soul rest in peace and may God bless America.

Laid over.

UNANIMOUS CONSENT - Add Cointroducers

Senators Ashford, Bloomfield, Hadley, Hansen, and Howard asked unanimous consent to add their names as cointroducers to LR2. No objections. So ordered.

ADJOURNMENT

At 11:22 a.m., on a motion by Senator Nordquist, the Legislature adjourned until 9:00 a.m., Monday, November 7, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTH DAY - NOVEMBER 7, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, November 7, 2011

PRAAYER

The prayer was offered by Senator Nelson.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Council, Lautenbaugh, and McGill who were excused; and Senator Conrad who was excused until she arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

COMMITTEE REPORT

Health and Human Services

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

Mary Fran Flood - Nebraska Child Abuse Prevention Fund Board
Joni Kuzma - Nebraska Child Abuse Prevention Fund Board
Denise Pecha - Nebraska Child Abuse Prevention Fund Board

Aye: 6 Bloomfield, Campbell, Gloor, Howard, Krist, Lambert. Nay: 0.
Absent: 1 Cook. Present and not voting: 0.

(Signed) Kathy Campbell, Chairperson

MOTIONS - Approve Appointments

Senator Langemeier moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s)

found on page 38:

Environmental Quality Council
 Earl McNutt
 Vern Powers
 Ronald Sheppard

Voting in the affirmative, 38:

Ashford	Cook	Hansen	Langemeier	Pirsch
Avery	Dubas	Harms	Larson	Price
Bloomfield	Fischer	Heidemann	Lathrop	Schumacher
Brasch	Flood	Howard	Louden	Utter
Campbell	Fulton	Janssen	Mello	Wallman
Carlson	Gloor	Karpisek	Nelson	Wightman
Christensen	Haar, K.	Krist	Nordquist	
Coash	Hadley	Lambert	Pahls	

Voting in the negative, 0.

Present and not voting, 6:

Cornett	McCoy	Smith
Harr, B.	Schilz	Sullivan

Excused and not voting, 5:

Adams	Conrad	Council	Lautenbaugh	McGill
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The appointments were confirmed with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Senator Langemeier moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 38:

Nebraska Ethanol Board
 Timothy Else
 Steven Hanson

Voting in the affirmative, 37:

Ashford	Fischer	Heidemann	Lathrop	Price
Avery	Flood	Howard	Louden	Schumacher
Bloomfield	Fulton	Janssen	McCoy	Utter
Brasch	Gloor	Karpisek	Mello	Wallman
Carlson	Haar, K.	Krist	Nelson	Wightman
Christensen	Hansen	Lambert	Nordquist	
Coash	Harms	Langemeier	Pahls	
Cook	Harr, B.	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 7:

Campbell	Dubas	Schilz	Sullivan
Cornett	Hadley	Smith	

Excused and not voting, 5:

Adams	Conrad	Council	Lautenbaugh	McGill
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The appointments were confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Langemeier moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 38:

Nebraska Oil and Gas Conservation Commission
James Gohl

Voting in the affirmative, 36:

Ashford	Dubas	Harr, B.	Lathrop	Schumacher
Avery	Fischer	Heidemann	Louden	Utter
Bloomfield	Flood	Howard	McCoy	Wallman
Brasch	Fulton	Janssen	Nelson	Wightman
Carlson	Gloor	Krist	Nordquist	
Christensen	Haar, K.	Lambert	Pahls	
Coash	Hansen	Langemeier	Pirsch	
Cook	Harms	Larson	Price	

Voting in the negative, 0.

Present and not voting, 7:

Campbell	Hadley	Schilz	Sullivan
Cornett	Karpisek	Smith	

Excused and not voting, 6:

Adams	Council	McGill
Conrad	Lautenbaugh	Mello

The appointments were confirmed with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Senator Ashford moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 38:

Crime Victim's Reparations Committee

Brian Wachman

Voting in the affirmative, 39:

Ashford	Cook	Harms	Langemeier	Pirsch
Bloomfield	Dubas	Harr, B.	Larson	Price
Brasch	Fischer	Heidemann	Lathrop	Schumacher
Campbell	Flood	Howard	Louden	Smith
Carlson	Fulton	Janssen	McCoy	Utter
Christensen	Gloor	Karpisek	Nelson	Wallman
Coash	Haar, K.	Krist	Nordquist	Wightman
Conrad	Hansen	Lambert	Pahls	

Voting in the negative, 0.

Present and not voting, 5:

Avery	Cornett	Hadley	Schilz	Sullivan
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Excused and not voting, 5:

Adams	Council	Lautenbaugh	McGill	Mello
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The appointment was confirmed with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Senator Karpisek moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 43:

Nebraska Arts Council
 Steve Homan
 Louise Kent
 Robert Nefsky

Voting in the affirmative, 40:

Ashford	Cook	Hansen	Lambert	Pahls
Bloomfield	Dubas	Harms	Langemeier	Pirsch
Brasch	Fischer	Harr, B.	Larson	Price
Campbell	Flood	Heidemann	Lathrop	Schumacher
Carlson	Fulton	Howard	Louden	Smith
Christensen	Gloor	Janssen	McCoy	Utter
Coash	Haar, K.	Karpisek	Nelson	Wallman
Conrad	Hadley	Krist	Nordquist	Wightman

Voting in the negative, 0.

Present and not voting, 4:

Avery Cornett Schilz Sullivan

Excused and not voting, 5:

Adams Council Lautenbaugh McGill Mello

The appointments were confirmed with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Senator Karpisek moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 43:

Nebraska Liquor Control Commission
William Austin

Voting in the affirmative, 39:

Bloomfield	Dubas	Harms	Langemeier	Pirsch
Brasch	Fischer	Harr, B.	Larson	Price
Campbell	Flood	Heidemann	Lathrop	Schumacher
Carlson	Fulton	Howard	Louden	Smith
Christensen	Gloor	Janssen	McCoy	Utter
Coash	Haar, K.	Karpisek	Nelson	Wallman
Conrad	Hadley	Krist	Nordquist	Wightman
Cook	Hansen	Lambert	Pahls	

Voting in the negative, 0.

Present and not voting, 5:

Ashford Avery Cornett Schilz Sullivan

Excused and not voting, 5:

Adams Council Lautenbaugh McGill Mello

The appointment was confirmed with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR **Committee**
LR12 Government, Military and Veterans Affairs

(Signed) John Wightman, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

Room 1507

Wednesday, November 9, 2011 1:30 p.m.

LR8
LR12

(Signed) Bill Avery, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 14. Introduced by Hadley, 37.

WHEREAS, David Steinkruger, the son of Roger and Nancy Steinkruger and a member of Troop 139, 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 honor 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, David 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; and

WHEREAS, David's Eagle Scout project consisted of pouring two concrete pads extending from a circular fountain and adding two benches at Heritage Plaza in Cambridge, Nebraska; and

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

WHEREAS, David, 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

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

Laid over.

LEGISLATIVE RESOLUTION 15. Introduced by Hadley, 37.

WHEREAS, James Lowe, the son of Tim and Mary Beth Lowe and a member of Troop 139, 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 honor 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, James 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; and

WHEREAS, James' Eagle Scout project consisted of pouring a concrete pad near playground equipment at Harmon Park and adding three benches in memory of his grandfather, Shot Lowe; and

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

WHEREAS, James, 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates James Lowe on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to James Lowe.

Laid over.

WITHDRAW - Cointroducer

Senator Harms withdrew his name as cointroducer to LR10.

ADJOURNMENT

At 9:20 a.m., on a motion by Senator Conrad, the Legislature adjourned until 9:00 a.m., Tuesday, November 8, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

SIXTH DAY - NOVEMBER 8, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, November 8, 2011

PRAYER

The prayer was offered by Senator Carlson.

ROLL CALL

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

The roll was called and all members were present except Senators Cook and Lautenbaugh who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

COMMITTEE REPORTS

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Keith Deiml - State Emergency Response Commission
Gary Gandara - State Emergency Response Commission
Mark Maday - State Emergency Response Commission
Kimberly Plouzek - State Emergency Response Commission

Aye: 8 Avery, Brasch, Janssen, Karpisek, Pahls, Price, Sullivan, Wallman.
Nay: 0. Absent: 0. Present and not voting: 0.

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Lucinda Glen - State Personnel Board

Aye: 8 Avery, Brasch, Janssen, Karpisek, Pahls, Price, Sullivan, Wallman.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bill Avery, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 16. Introduced by Schumacher, 22.

WHEREAS, Nathan German, the son of Dan and Cheryl German and a freshman at Millard West High School in Omaha, Nebraska, 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 honor 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, Nathan 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; and

WHEREAS, Nathan earned 25 merit badges and served his troop in a variety of leadership roles, including troop guide, den chief, assistant senior patrol leader, and senior patrol leader. Nathan's community service project, a bicycle rodeo, took place at Herman Rohwer Elementary School. Nathan raised more than \$750 to purchase and give away 50 bicycle helmets and supplies and volunteered over 200 hours to make the bicycle rodeo a success; and

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

WHEREAS, Nathan, 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

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

Laid over.

LEGISLATIVE RESOLUTION 17. Introduced by Campbell, 25.

WHEREAS, lung cancer is the leading cause of cancer death for both men and women, within every ethnic population, in Nebraska, the United States, and the world, this year, killing more Americans than breast, prostate, colon, liver, and kidney cancers combined; and

WHEREAS, in the United States in 2010, an estimated 220,520 people were diagnosed with lung cancer, and an estimated 157,300 people died from lung cancer, accounting for about twenty-eight percent of all cancer deaths; and

WHEREAS, in Nebraska in 2010, approximately 1,200 people were diagnosed with lung cancer, and it is estimated that 900 people passed away from the disease; and

WHEREAS, for people diagnosed with any stage of lung cancer, the five-year survival rate is only fifteen percent, and for the fifty-six percent of people who are diagnosed with advanced disease, the five-year survival rate is less than five percent; and

WHEREAS, lung cancer causes include smoking, secondhand smoke, exposure to toxins and known carcinogens, and genetic abnormalities; and

WHEREAS, the federal Centers for Disease Control and Prevention estimate that eighty percent of lung cancer cases are diagnosed in people who have quit smoking or who have never smoked; and

WHEREAS, lung cancer is a complex disease and treatment options differ, thus a multidisciplinary team approach and knowing as much as possible about the kind, stage, and molecular drivers of lung cancer will help determine the treatment necessary; and

WHEREAS, increased awareness and coordination among all stakeholders, including federal and state governments, providers, patient groups, medical researchers, community leaders and organizations, the public, and businesses, is critical to promote access to the prevention, diagnosis, and treatment of lung cancer.

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

1. That the Legislature recognizes November 2011 as Lung Cancer Awareness Month in the State of Nebraska.

Laid over.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 1 and 2 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 1 and 2.

MOTION - Approve Appointments

Senator Campbell moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 47:

Nebraska Child Abuse Prevention Fund Board
 Mary Fran Flood
 Joni Kuzma
 Denise Pecha

Voting in the affirmative, 42:

Adams	Council	Harms	Louden	Schumacher
Avery	Dubas	Harr, B.	McCoy	Smith
Bloomfield	Fischer	Heidemann	McGill	Sullivan
Brasch	Flood	Howard	Mello	Utter
Campbell	Fulton	Krist	Nelson	Wallman
Carlson	Gloor	Lambert	Pahls	Wightman
Christensen	Haar, K.	Langemeier	Pirsch	
Coash	Hadley	Larson	Price	
Conrad	Hansen	Lathrop	Schilz	

Voting in the negative, 0.

Present and not voting, 5:

Ashford	Cornett	Janssen	Karpisek	Nordquist
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Excused and not voting, 2:

Cook	Lautenbaugh
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The appointments were confirmed with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

RESOLUTION

LEGISLATIVE RESOLUTION 18. Introduced by Hadley, 37.

WHEREAS, the Nebraska Hospital Association presented its 2011 Meritorious Service Award to Bob Lanik, former chief executive officer and president of Saint Elizabeth Regional Medical Center in Lincoln and, currently, chief executive officer of Catholic Health Initiatives in Nebraska; and

WHEREAS, the Meritorious Service Award was initiated in 2008 in order for the Nebraska Hospital Association to recognize the long-term contributions of members to the association and their individual hospitals. The award recognizes longevity and breadth of service of an individual to hospitals and health care in the state; and

WHEREAS, Mr. Lanik recently celebrated his 37th year at Saint Elizabeth Regional Medical Center. He has been a stalwart in the health care community and has spread his influence to the state and federal level as his career unfolded; and

WHEREAS, Mr. Lanik has been a visible and involved figure in the Lincoln community and has held influential positions with the Nebraska Hospital Association and the American Hospital Association. He also has served as a board member of many local, state, and federal organizations and continues to build upon his long history of civic support in the community and his legacy as a leader.

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

1. That the Legislature congratulates Bob Lanik on receiving the Nebraska Hospital Association's 2011 Meritorious Service Award.
2. That a copy of this resolution be sent to Bob Lanik.

Laid over.

UNANIMOUS CONSENT - Add Cointroducers

Senators Council and B. Harr asked unanimous consent to add their names as cointroducers to LR10. No objections. So ordered.

ADJOURNMENT

At 9:18 a.m., on a motion by Senator Ashford, the Legislature adjourned until 9:00 a.m., Wednesday, November 9, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTH DAY - NOVEMBER 9, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, November 9, 2011

PRAYER

The prayer was offered by Senator Nelson.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Campbell, Cook, Cornett, and Pahls who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

COMMITTEE REPORT**Agriculture**

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

Donald Anthony - Beginning Farmer Board
Mark Graff - Beginning Farmer Board
Bradley Lubben - Beginning Farmer Board
Todd Reed - Beginning Farmer Board
Melvin Valasek - Beginning Farmer Board

Aye: 8 Bloomfield, Brasch, Carlson, B. Harr, Karpisek, Larson, Lathrop, Wallman. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tom Carlson, Chairperson

MOTIONS - Approve Appointments

Senator Avery moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 55:

State Emergency Response Commission
 Keith Deiml
 Gary Gandara
 Mark Maday
 Kimberly Plouzek

Voting in the affirmative, 39:

Adams	Dubas	Heidemann	Lathrop	Price
Avery	Fischer	Howard	Lautenbaugh	Schilz
Bloomfield	Fulton	Janssen	Louden	Schumacher
Brasch	Gloor	Karpisek	McGill	Sullivan
Carlson	Haar, K.	Krist	Mello	Utter
Christensen	Hadley	Lambert	Nelson	Wallman
Conrad	Hansen	Langemeier	Nordquist	Wightman
Council	Harms	Larson	Pirsch	

Voting in the negative, 0.

Present and not voting, 6:

Ashford	Flood	McCoy
Coash	Harr, B.	Smith

Excused and not voting, 4:

Campbell	Cook	Cornett	Pahls
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The appointments were confirmed with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

Senator Avery moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 55:

State Personnel Board
 Lucinda Glen

Voting in the affirmative, 41:

Adams	Dubas	Heidemann	Louden	Smith
Avery	Fischer	Howard	McCoy	Sullivan
Bloomfield	Fulton	Janssen	McGill	Utter
Brasch	Gloor	Karpisek	Mello	Wallman
Carlson	Haar, K.	Krist	Nelson	Wightman
Christensen	Hadley	Lambert	Pirsch	
Coash	Hansen	Langemeier	Price	
Conrad	Harms	Larson	Schilz	
Council	Harr, B.	Lautenbaugh	Schumacher	

Voting in the negative, 0.

Present and not voting, 4:

Ashford	Flood	Lathrop	Nordquist
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Excused and not voting, 4:

Campbell	Cook	Cornett	Pahls
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The appointment was confirmed with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

ADJOURNMENT

At 9:24 a.m., on a motion by Senator Utter, the Legislature adjourned until 9:00 a.m., Thursday, November 10, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

EIGHTH DAY - NOVEMBER 10, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, November 10, 2011

PRAYER

The prayer was offered by Senator Krist.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Heidemann, Lathrop, and Nordquist who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

COMMITTEE REPORT**Transportation and Telecommunications**

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

David Copple - State Highway Commission
Donald Hansen - Nebraska Motor Vehicle Industry Licensing Board
James Kindig - State Highway Commission
Doug Leafgreen - State Highway Commission
Rodney Vandenberg - State Highway Commission
Greg Wolford - State Highway Commission

Aye: 7 Campbell, Dubas, Fischer, Hadley, Janssen, Loudon, Price. Nay: 0.
Absent: 1 Lautenbaugh. Present and not voting: 0.

(Signed) Deb Fischer, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 19. Introduced by Sullivan, 41; Dubas, 34.

WHEREAS, Fredrich "Wayne" Frost of Lincoln, formerly of St. Paul, Nebraska, was a graduate of the University of Nebraska with a bachelor of science degree in agriculture; and

WHEREAS, Wayne Frost was a proud member of AGR Fraternity; and

WHEREAS, Wayne Frost was a tireless and enthusiastic volunteer and citizen advocate on behalf of Nebraska agriculture; and

WHEREAS, Wayne Frost spent his entire career in agriculture in positions ranging from feed salesman to livestock specialist to farmer and rancher; and

WHEREAS, Wayne Frost was a teacher, coach, mentor, and leader for generations of Nebraska farmers and ranchers; and

WHEREAS, Wayne Frost's love for Nebraska and his interest in protecting Nebraska's precious soil and water resources led him to become actively involved in public policy development at the state and local level; and

WHEREAS, Wayne Frost's public policy accomplishments resulted in his being named as Nebraska Farmers Union Farmer of the Year in 2008; and

WHEREAS, Wayne Frost was a devoted and loving father, grandfather, and friend whose wisdom, patience, and humor will be greatly missed; and

WHEREAS, Wayne Frost passed away on November 2, 2011, at the age of eighty.

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

1. That the Legislature honors the memory of Wayne Frost for his service to Nebraska agriculture.

2. That the Legislature expresses and extends its sympathy and condolences to the family of Wayne Frost.

3. That a copy of this resolution be sent to the family of Wayne Frost.

Laid over.

LEGISLATIVE RESOLUTION 20. Introduced by K. Haar, 21.

WHEREAS, Raymond Central High School's Power Drive team has put in a tremendous amount of work this year through its participation in the Power Drive Program; and

WHEREAS, the Power Drive Program gives high school students hands-on experience building a safe, energy-efficient electric vehicle. The students then compete with other schools in tests of vehicle endurance, maneuverability, and braking; and

WHEREAS, through participation in this program, the Raymond Central High School Power Drive team has learned to apply scientific principles to real-world situations. The team has also gained invaluable experience by

working in a context that promotes energy efficiency and that uses emerging technologies; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes the tremendous work of the Raymond Central High School Power Drive team.

2. That a copy of this resolution be sent to the Raymond Central High School Power Drive team.

Laid over.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of November 9, 2011, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Alberts, Dan

Windlab Development USA (Withdrawn 11/07/2011)

Duckworth, Linda

League of Women Voters of Nebraska

Evnen, Robert B.

Lincoln Chamber of Commerce (Withdrawn 11/08/2011)

Kruse, Bonnie

League of Women Voters of Nebraska (Withdrawn 11/04/2011)

Plucker, Julia

Kissel / E & S Associates, LLC

Rogert, Kent

Bold Nebraska

ANNOUNCEMENT

The Chair announced today is Senator Ashford's birthday.

MOTION - Approve Appointments

Senator Carlson moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 61:

Beginning Farmer Board

Donald Anthony

Mark Graff

Bradley Lubben

Todd Reed

Melvin Valasek

Voting in the affirmative, 40:

Adams	Cook	Haar, K.	Larson	Pirsch
Bloomfield	Cornett	Hansen	Lautenbaugh	Price
Brasch	Council	Harms	Louden	Schilz
Campbell	Dubas	Harr, B.	McCoy	Schumacher
Carlson	Fischer	Howard	McGill	Sullivan
Christensen	Flood	Janssen	Mello	Utter
Coash	Fulton	Karpisek	Nelson	Wallman
Conrad	Gloor	Lambert	Pahls	Wightman

Voting in the negative, 0.

Present and not voting, 6:

Ashford	Hadley	Langemeier
Avery	Krist	Smith

Excused and not voting, 3:

Heidemann	Lathrop	Nordquist
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The appointments were confirmed with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

EASE

The Legislature was at ease from 9:17 a.m. until 9:27 a.m.

COMMITTEE REPORT

Natural Resources

LEGISLATIVE BILL 4. Placed on General File with amendment.
AM13 is available in the Bill Room.

(Signed) Chris Langemeier, Chairperson

AMENDMENTS - Print in Journal

Senator Langemeier filed the following amendment to LB4:

FA1

On page 7, line 19 insert after "Commission"; "the director or another representative of the Nebraska Oil and Gas Conservation Commission;"

Senator Dubas filed the following amendment to LB4:

AM14

(Amendments to Standing Committee amendments, AM13)

- 1 1. Insert the following new section:
- 2 Sec. 4. Nothing in the Oil Pipeline Route Certification
- 3 Act shall be construed to regulate any safety issue with respect to
- 4 any aspect of any interstate oil pipeline. The Oil Pipeline Route
- 5 Certification Act is intended to deal solely with the issue of
- 6 siting or choosing the location of the route aside and apart from
- 7 safety considerations. The Legislature acknowledges and respects
- 8 the exclusive federal authority over safety issues established by
- 9 the federal law, the Pipeline Safety Act of 1994, 49 U.S.C. 60101
- 10 et seq., and the express preemption provision stated in that act.
- 11 The Oil Pipeline Route Certification Act is intended to exercise
- 12 only the remaining sovereign powers and purposes of Nebraska which
- 13 are not included in the category of safety regulation.
- 14 2. Renumber the remaining sections and correct internal
- 15 references accordingly.

Senators Fulton filed the following amendment to LB4:

FA2

Amend Committee amendment AM13

On page 6, line 23, after Quality, insert "a scientist on staff with the University of Nebraska Department of Agriculture."

ADJOURNMENT

At 9:28 a.m., on a motion by Senator Coash, the Legislature adjourned until 1:30 p.m., Monday, November 14, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

NINTH DAY - NOVEMBER 14, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****NINTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, November 14, 2011

PRAYER

The prayer was offered by Senator Hansen.

ROLL CALL

Pursuant to adjournment, the Legislature met at 1:30 p.m., Senator Gloor presiding.

The roll was called and all members were present except Senator Nordquist who was excused; and Senator B. Harr who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighth day was approved.

COMMITTEE REPORTS

Government, Military and Veterans Affairs

LEGISLATIVE RESOLUTION 8. Reported to the Legislature for further consideration.

LEGISLATIVE RESOLUTION 12. Reported to the Legislature for further consideration.

(Signed) Bill Avery, Chairperson

MOTION - Approve Appointments

Senator Fischer moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 65:

State Highway Commission

David Copple

James Kindig

Doug Leafgreen

Rodney Vandenberg

Greg Wolford
Nebraska Motor Vehicle Industry Licensing Board
Donald Hansen

Voting in the affirmative, 43:

Adams	Cook	Harms	Lautenbaugh	Schilz
Ashford	Dubas	Heidemann	Louden	Schumacher
Bloomfield	Fischer	Howard	McCoy	Smith
Brasch	Flood	Janssen	McGill	Sullivan
Campbell	Fulton	Krist	Mello	Utter
Carlson	Gloor	Lambert	Nelson	Wallman
Christensen	Haar, K.	Langemeier	Pahls	Wightman
Coash	Hadley	Larson	Pirsch	
Conrad	Hansen	Lathrop	Price	

Voting in the negative, 0.

Present and not voting, 4:

Avery	Cornett	Council	Karpisek
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Excused and not voting, 2:

Harr, B.	Nordquist
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The appointments were confirmed with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

COMMITTEE REPORTS

Revenue

The Revenue 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.

Robert Hotz - Tax Equalization and Review Commission

Aye: 6 Cornett, Fischer, Hadley, Pirsch, Schumacher, Utter. Nay: 1 Louden. Absent: 1 Adams. Present and not voting: 0.

The Revenue 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.

Nancy Salmon - Tax Equalization and Review Commission

Aye: 7 Cornett, Fischer, Hadley, Louden, Pirsch, Schumacher, Utter. Nay: 0. Absent: 1 Adams. Present and not voting: 0.

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

Thomas Freimuth - Tax Equalization and Review Commission

Aye: 7 Cornett, Fischer, Hadley, Louden, Pirsch, Schumacher, Utter. Nay: 0. Absent: 1 Adams. Present and not voting: 0.

(Signed) Abbie Cornett, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 4A. Introduced by Langemeier, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 4, One Hundred Second Legislature, First Special Session, 2011; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 4. Title read. Considered.

Committee AM13, found on page 68, was considered.

Senator Dubas renewed her amendment, AM14, found on page 69, to the committee amendment.

SENATOR COASH PRESIDING

Pending.

AMENDMENT - Print in Journal

Senators Flood and Langemeier filed the following amendment to LB4: AM37

(Amendments to Standing Committee amendments, AM13)

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 Section 1. The Legislature finds that:
- 4 (1) The State of Nebraska is responsible for protecting
- 5 its natural resources, agricultural resources, aesthetics, economy,
- 6 and communities through reasonable regulation for the common good
- 7 and welfare. As such, the state is responsible for ensuring
- 8 that an oil pipeline proposed to be located within, through,
- 9 or across Nebraska is in compliance with all state laws, rules,
- 10 and regulations relating to water, air, and wildlife under the

11 Constitution of Nebraska and state law;

12 (2) Public policy should reflect this responsibility
13 while simultaneously recognizing the necessity for energy use and
14 the economic benefits to Nebraska of transporting oil within,
15 through, or across the state, the need for economic development
16 in Nebraska, and the opportunities for jobs and revenue that new
17 development brings to the state;

18 (3) The United States has the important ability to work
19 with foreign suppliers of crude oil to meet our overall energy
20 needs and to further our national security interests; and

21 (4) The economic benefits of oil pipeline construction
22 projects are important to the state, including the creation of
1 jobs. Nevertheless, the benefits of any proposed oil pipeline
2 project must be weighed against any concerns brought by the
3 residents of Nebraska.

4 Sec. 2. For purposes of sections 1 to 3 of this act:

5 (1) Department means the Department of Environmental
6 Quality;

7 (2) Oil pipeline means a pipeline which is larger than
8 eight inches in inside diameter and which is constructed or
9 operated in Nebraska for the transportation of petroleum, or
10 petroleum components, products, or wastes, including crude oil or
11 any fraction of crude oil, within, through, or across Nebraska, but
12 does not include in-field and gathering lines; and

13 (3) Pipeline carrier means an individual, a company, a
14 corporation, an association, or any other legal entity that engages
15 in owning, operating, or managing an oil pipeline.

16 Sec. 3. (1) The department may collaborate with a federal
17 agency or agencies in a review under the National Environmental
18 Policy Act involving a supplemental environmental impact statement
19 for oil pipeline projects within, through, or across the state.
20 Prior to entering into such shared jurisdiction and authority with
21 a federal agency or agencies, the department shall enter into a
22 memorandum of understanding with such federal agency or agencies
23 that sets forth the responsibilities and schedules that will lead
24 to an effective and timely review under the National Environmental
25 Policy Act involving a supplemental environmental impact statement.

26 (2) Since the objectives of the process are to ensure
27 adequate information gathering, full and careful agency and public
1 review, objective preparation of a supplemental environmental
2 impact statement, adherence to a defined schedule, and an
3 appropriate role for a pipeline carrier which avoids the appearance
4 of conflicts of interest, it is the intent of the Legislature that
5 the state fully fund the process of preparation of a supplemental
6 environmental impact statement and that no fees will be required of
7 an applicant. The department may contract with outside vendors in
8 the process of preparation of a supplemental environmental impact
9 statement. The department shall make every reasonable effort to
10 ensure that each vendor has no conflict of interest or relationship

11 to any pipeline carrier that applies for an oil pipeline permit.

12 (3) In order for the process to be efficient and
13 expeditious, the department's contracts with vendors pursuant to
14 this section for a supplemental environmental impact statement
15 shall not be subject to sections 73-301 to 73-306 or 73-501 to
16 73-509.

17 (4) After the supplemental environmental impact statement
18 is prepared, the department shall submit it to the Governor. Within
19 thirty days after receipt of the supplemental environmental impact
20 statement from the department, the Governor shall indicate, in
21 writing, to the federal agency or agencies involved in the review
22 as to whether he or she approves any of the routes reviewed in the
23 supplemental environmental impact statement.

24 Sec. 4. Section 73-307, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 73-307 Sections 73-301 to 73-306 shall not apply to the
27 Nebraska Consultants' Competitive Negotiation Act or section 3 of
1 this act.

2 Sections 73-301 to 73-306 shall not be construed to
3 apply to renewals of contracts already approved pursuant to or
4 not subject to such sections, to amendments to such contracts,
5 or to renewals of such amendments unless the amendments would
6 directly cause or result in the replacement by the private entity
7 of additional permanent state employees or positions greater than
8 the replacement caused by the original contract.

9 Sec. 5. Section 73-507, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 73-507 (1) Subject to review by the Director of
12 Administrative Services, the materiel division shall provide
13 procedures to grant limited exceptions from the provisions of
14 sections 73-504, 73-508, and 73-509 for:

15 (a) Sole source and emergency contracts; and

16 (b) Other circumstances or specific contracts when any
17 of the requirements of sections 73-504, 73-508, and 73-509 are not
18 appropriate for or are not compatible with the circumstances or
19 contract. The materiel division shall provide a written rationale
20 which shall be kept on file when granting an exception under this
21 subdivision.

22 (2) The following types of contracts for services are not
23 subject to sections 73-504, 73-508, and 73-509:

24 (a) Contracts for services subject to the Nebraska
25 Consultants' Competitive Negotiation Act;

26 (b) Contracts for services subject to federal law,
27 regulation, or policy or state statute, under which a state
1 agency is required to use a different selection process or to
2 contract with an identified contractor or type of contractor;

3 (c) Contracts for professional legal services and
4 services of expert witnesses, hearing officers, or administrative
5 law judges retained by state agencies for administrative or court

- 6 proceedings;
- 7 (d) Contracts involving state or federal financial
- 8 assistance passed through by a state agency to a political
- 9 subdivision;
- 10 (e) Contracts with direct providers of medical,
- 11 behavioral, or developmental health services, child care, or child
- 12 welfare services to an individual;
- 13 (f) Agreements for services to be performed for a state
- 14 agency by another state or local government agency or contracts
- 15 made by a state agency with a local government agency for the
- 16 direct provision of services to the public;
- 17 (g) Agreements for services between a state agency and
- 18 the University of Nebraska, the Nebraska state colleges, the
- 19 courts, the Legislature, or other officers or agencies established
- 20 by the Constitution of Nebraska;
- 21 (h) Department of Insurance contracts for financial
- 22 or actuarial examination, for rehabilitation, conservation,
- 23 reorganization, or liquidation of licensees, and for professional
- 24 services related to residual pools or excess funds under the
- 25 agency's control;
- 26 (i) Department of Roads contracts for all road and bridge
- 27 projects; ~~and~~
- 1 (j) Nebraska Investment Council contracts; ~~and~~
- 2 (k) Contracts under section 3 of this act.
- 3 Sec. 6. Original sections 73-307 and 73-507, Reissue
- 4 Revised Statutes of Nebraska, are repealed.
- 5 Sec. 7. Since an emergency exists, this act takes effect
- 6 when passed and approved according to law.

NOTICE OF COMMITTEE HEARING

Natural Resources

Room 1525

Tuesday, November 15, 2011 1:30 p.m.

AM37 to LB4

(Signed) Chris Langemeier, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 21. Introduced by Cook, 13; Council, 11.

WHEREAS, faith, education, compassion, and family were the cornerstones of the rich life of the Reverend Doctor L. C. Menyweather-Woods. Menyweather-Woods' abilities as a mesmerizing speaker served him well from the pulpit of the Mount Moriah Missionary Baptist Church,

as an associate professor at the University of Nebraska at Omaha in the Black Studies Department, and as a community leader; and

WHEREAS, Menyweather-Woods ministered to the flock at Mount Moriah Missionary Baptist Church from 1989 until 2002 and taught at the University of Nebraska at Omaha from 1994 until 2009; and

WHEREAS, Menyweather-Woods was a longtime member of and often a spokesman for the Interdenominational Ministerial Alliance in the 1990s. He maintained that the church was the strongest institution within the African-American community. Menyweather-Woods not only encouraged others to better their community, he also led by example. He worked tirelessly to help people who were unable to help themselves have better lives; and

WHEREAS, Menyweather-Woods, 59, died Wednesday, November 2, 2011, in Winston-Salem, North Carolina.

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

1. That the Legislature expresses and extends its sympathy and condolences to the family of Reverend Doctor L. C. Menyweather-Woods.

2. That a copy of this resolution be sent to the family of Reverend Doctor L. C. Menyweather-Woods and Mount Moriah Missionary Baptist Church in Omaha, Nebraska.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 4. The Dubas amendment, AM14, found on page 69 and considered in this day's Journal, to the committee amendment, was renewed.

SPEAKER FLOOD PRESIDING

Pending.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 3, 4, 5, 6, 7, 9, 11, 13, 14, and 15 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 3, 4, 5, 6, 7, 9, 11, 13, 14, and 15.

GENERAL FILE

LEGISLATIVE BILL 4. The Dubas amendment, AM14, found on page 69 and considered in this day's Journal, to the committee amendment, was

renewed.

Pending.

AMENDMENTS - Print in Journal

Senator Lautenbaugh filed the following amendments to LB4:

AM16

(Amendments to Standing Committee amendments, AM13)

- 1 1. Strike section 16.

AM17

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 6, line 10, strike "or locations".

AM18

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 6, line 17, strike "five" and insert "one".

AM19

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 7, line 2, strike "and"; and in line 3 after
- 2 "Governor" insert "; and an expert in oil pipeline construction
- 3 appointed by the Governor".

AM20

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 7, line 13, strike "sixty" and insert
- 2 "fifteen".

AM21

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 7, line 24; and page 8, lines 6 and 9, strike
- 2 "significant" and insert "detrimental".

AM22

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 8, strike lines 11 through 14; in line 15
- 2 strike "(g)" and insert "(f)"; and in line 17 strike "(h)" and
- 3 insert "(g)".

AM23

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 4, strike beginning with the last comma in
- 2 line 16 through "lines" in line 17.

AM24

(Amendments to Standing Committee amendments, AM13)

- 1 1. Strike section 11.
- 2 2. On page 5, strike beginning with "a" in line 6 through
- 3 "act" in line 8 and insert "an application fee of five hundred
- 4 dollars which shall be remitted to the State Treasurer for credit
- 5 to the Oil Pipeline Route Certification Fund".
- 6 3. Renumber the remaining sections and correct internal
- 7 references accordingly.

AM25

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 5, line 8, strike "The" and insert "Except as
- 2 otherwise provided in this subsection, the".
- 3 2. On page 6, line 1, after the period insert "If
- 4 any of the requirements of subdivisions (2)(a) through (g) of
- 5 this section are included in material submitted for a federal
- 6 permitting process, the applicant does not have to resubmit
- 7 separate material.".

AM26

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 6, line 2, after "application" insert
- 2 "or within seven days if a presidential permit to cross an
- 3 international border has been applied for and has been pending
- 4 longer than twenty-four months"; and in line 15 strike "ten" and
- 5 insert "five".

AM27

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 4, line 27, after "certificate" insert "except
- 2 that if a presidential permit is needed to cross an international
- 3 border, then no route certificate is required under this section".

AM28

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 9, line 2, strike "thirty" and insert "five".

AM29

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 9, line 5, after the period insert "In order
- 2 for the Governor to deny an application for an interstate pipeline
- 3 project, the Governor must find and declare that the State of
- 4 Nebraska's interest in protecting its welfare is affected and
- 5 therefor denying the application will withstand strict scrutiny.".

AM30

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 12, line 24, strike "an oil" and insert "a";
- 2 and in line 25 strike "in section 4 of this act".

AM31

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 12, line 25, strike "(1)"; and strike
- 2 beginning with "and" in line 26 through line 27.
- 3 2. On page 13, line 1, strike the new matter.

AM32

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 13, line 10, after "portions" insert "unless
- 2 it is found that this act dealt with safety in anyway, then the
- 3 whole act shall be declared unconstitutional".

Senator Mello filed the following amendment to LB4:

AM15

(Amendments to Standing Committee amendments, AM13)

- 1 1. On page 4, line 22, strike "and"; after line 22 insert
- 2 the following new subdivision:
- 3 "(5) Project labor agreement means a prehire collective
- 4 bargaining agreement that establishes terms and conditions of
- 5 employment for a specific construction project and is an agreement
- 6 described in 29 U.S.C. 158(f); and"; and in line 23 strike "(5)"
- 7 and insert "(6)".
- 8 2. On page 5, after line 17 insert the following new
- 9 subdivision:
- 10 "(f) The details of a project labor agreement or any
- 11 other agreement related to the application which provide local
- 12 hiring preferences for workers for the pipeline project;"; in line
- 13 18 strike "(f)" and insert "(g)"; and in line 24 strike "(g)" and
- 14 insert "(h)".
- 15 3. On page 8, line 16, strike "and"; after line 16 insert
- 16 the following new subdivision:
- 17 "(h) Whether the applicant has made assurances to hire
- 18 local workers through a project labor agreement or any other
- 19 agreement related to the application;"; and in line 17 strike "(h)"
- 20 and insert "(i)".

COMMITTEE REPORT

Natural Resources

LEGISLATIVE BILL 1. Placed on General File with amendment.

AM36

- 1 1. On page 4, after line 3 insert the following new
- 2 subsection:
- 3 "(3) The Major Oil Pipeline Siting Act shall not apply
- 4 to any major oil pipeline that has submitted an application to the
- 5 United States Secretary of State pursuant to Executive Order 13337
- 6 prior to the effective date of this act.".

(Signed) Chris Langemeier, Chairperson

VISITORS

Visitors to the Chamber were Joe Jablonski from Loup City; and Kenneth Zoeller from Concordia.

ADJOURNMENT

At 4:42 p.m., on a motion by Senator McCoy, the Legislature adjourned until 9:00 a.m., Tuesday, November 15, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

TENTH DAY - NOVEMBER 15, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****TENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, November 15, 2011

PRAYER

The prayer was offered by Father Dan Andrews, Sacred Heart Church, Norfolk.

ROLL CALL

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

The roll was called and all members were present except Senator Cook who was excused; and Senators Campbell and Cornett who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the ninth day was approved.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 16, 17, and 18 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 16, 17, and 18.

GENERAL FILE

LEGISLATIVE BILL 2. Title read. Considered.

SENATOR GLOOR PRESIDING

Advanced to Enrollment and Review Initial with 44 ayes, 1 nay, 1 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1. Title read. Considered.

Committee AM36, found on page 80, was adopted with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

EASE

The Legislature was at ease from 10:33 a.m. until 10:43 a.m.

RESOLUTIONS

LEGISLATIVE RESOLUTION 22. Introduced by Nordquist, 7; Adams, 24; Ashford, 20; Council, 11; B. Harr, 8; Howard, 9; Mello, 5.

WHEREAS, Luisa Palomo was selected by a panel of Nebraska educators as the 2012 Nebraska Teacher of the Year; and

WHEREAS, in her eight years as a kindergarten teacher at Liberty Elementary in Omaha Public Schools, Luisa has demonstrated an exceptional ability to inspire her students; and

WHEREAS, Luisa's dedication to her students is evidenced by her support for the "whole child" as well as their families; and

WHEREAS, Luisa's commitment extends beyond the classroom as she works to engage community organizations and partners in providing a diverse and well-rounded educational experience for her students; and

WHEREAS, Luisa has built a strong academic career at Nebraska educational institutions, earning her bachelor's degree in elementary education from Creighton University, a master's degree in educational administration from the University of Nebraska at Omaha, and a teaching endorsement from Concordia University, Nebraska in English as a second language; and

WHEREAS, Luisa was previously honored as one of Omaha's best teachers with the Alice Buffett Outstanding Teacher Award in 2010, and she will represent Nebraska in the national teacher of the year competition later this year.

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

1. That the Legislature congratulates Luisa Palomo on receiving the 2012 Nebraska Teacher of the Year Award and expresses its gratitude for her dedication to our state's future.

2. That a copy of this resolution be sent to Luisa Palomo.

Laid over.

LEGISLATIVE RESOLUTION 23. Introduced by Hadley, 37.

WHEREAS, the Kearney High School boys' cross country team won the 2011 Class A Boys' State Cross Country Championship; and

WHEREAS, at the championship meet, 3 Kearney runners finished in the top 9 and 5 runners finished in the top 23 to propel the school to victory; and

WHEREAS, the win gave Kearney High School its first team championship since 2003 and its sixth team championship in school history; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Kearney High School boys' cross country team on winning the 2011 Class A Boys' State Cross Country Championship.

2. That a copy of this resolution be sent to the Kearney High School boys' cross country team and their coach, Luke Garringer.

Laid over.

AMENDMENTS - Print in Journal

Senator K. Haar filed the following amendment to LB1:

AM41

- 1 1. On page 11, line 5, strike the first "and" and after
- 2 "Funds" insert ", and the Conservation and Survey Division of the
- 3 University of Nebraska".
- 4 2. On page 14, line 16, after the first comma insert
- 5 "hydrogeologists".

Senator Wightman filed the following amendment to LB2:

AM40

- 1 1. Strike the original sections and insert the following
- 2 new sections:
- 3 Section 1. There is hereby appropriated \$101,587 from
- 4 the General Fund for FY2011-12 to the Legislative Council, for
- 5 Program 122, for expenses incurred during the One Hundred Second
- 6 Legislature, First Special Session, 2011.
- 7 Sec. 2. There is hereby appropriated \$38,229 from the
- 8 General Fund for FY2011-12 to the Legislative Council, for
- 9 Program 123, for expenses incurred during the One Hundred Second
- 10 Legislature, First Special Session, 2011.
- 11 Total expenditures for permanent and temporary salaries
- 12 and per diems from funds appropriated in this section shall not
- 13 exceed \$21,195 for FY2011-12.
- 14 Sec. 3. There is hereby appropriated \$2,879 from the

15 General Fund for FY2011-12 to the Legislative Council, for
16 Program 127, for expenses incurred during the One Hundred Second
17 Legislature, First Special Session, 2011.
18 Total expenditures for permanent and temporary salaries
19 and per diems from funds appropriated in this section shall not
20 exceed \$2,500 for FY2011-12.
21 Sec. 4. Since an emergency exists, this act takes effect
22 when passed and approved according to law.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1A. Introduced by Dubas, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1, One Hundred Second Legislature, First Special Session, 2011; and to declare an emergency.

UNANIMOUS CONSENT - Add Cointroducers

Senators Mello and Nordquist asked unanimous consent to add their names as cointroducers to LR8. No objections. So ordered.

ADJOURNMENT

At 10:44 a.m., on a motion by Senator Hansen, the Legislature adjourned until 9:00 a.m., Wednesday, November 16, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

ELEVENTH DAY - NOVEMBER 16, 2011

LEGISLATIVE JOURNAL

**ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION**

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, November 16, 2011

PRAYER

The prayer was offered by Senator Harms.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Gloor presiding.

The roll was called and all members were present except Senators Ashford and Pirsch who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the tenth day was approved.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 2. Placed on Select File.

LEGISLATIVE BILL 1. Placed on Select File.

(Signed) Tyson Larson, Chairperson

AMENDMENT - Print in Journal

Senator Schumacher filed the following amendment to LB1:
AM45

- 1 1. On page 2, lines 16 through 22, strike the new matter
- 2 and insert "except that for any major oil pipeline as defined
- 3 in section 5 of this act to be placed in operation in Nebraska
- 4 after the effective date of this act, prior to having the rights
- 5 provided under this section, any such person, company, corporation,
- 6 or association shall (1) apply for and receive an order granting
- 7 the application under the Major Oil Pipeline Siting Act and (2)

8 enter into an agreement with the State of Nebraska to allow the
 9 state to lay, relay, operate, and maintain fiber optic cable in
 10 the right-of-way or other interest in real estate acquired through
 11 negotiations, eminent domain, or otherwise for the purposes of (a)
 12 law enforcement interfaces related to the pipeline, (b) electric
 13 load control and monitoring of pipeline facilities by public power
 14 companies, (c) such primary or backup pipeline data transmission
 15 as may be desired by the operator of the pipeline, and (d) data,
 16 broadband, or Internet protocol communications over any unused
 17 capacity of the fiber optic cable for (i) interconnection with
 18 fiber optic cables crossing the pipeline, (ii) providing rural,
 19 industrial, and community connectivity, or (iii) augmenting public
 20 or private communications infrastructure of the state unless an
 21 agency of the United States or court having proper jurisdiction
 22 makes a final determination that the placement of such fiber optic
 23 cable materially impairs the safety or operation of the pipeline or
 1 materially impairs the speed of its deployment, is otherwise not
 2 in the public interest or within the sovereign police power of the
 3 state, or is preempted by the laws of the United States or treaties
 4 thereof".

RESOLUTIONS

LEGISLATIVE RESOLUTION 24. Introduced by Flood, 19.

WHEREAS, the Norfolk Lutheran High Northeast Eagles won the 2011 Class C-2 State Volleyball Championship, defeating the Ord Chanticleers in four sets; and

WHEREAS, this is the second consecutive state volleyball championship for the Eagles; and

WHEREAS, the Eagles championship team members are Annemarie Becker, Shelby Boche, Kelsey Dinkel, Kendra Dinkel, Elizabeth Gebhardt, Megan Gebhardt, Natalie Gubbels, Katrina Hughes, Hannah Knapp, Jessica Masters, Kelsey Sunderman, Morgan Sunderman, Mandi Uecker, and Jill Winkelbauer; 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates the Norfolk Lutheran High Northeast Eagles on winning the 2011 Class C-2 State Volleyball Championship.

2. That a copy of this resolution be sent to the Norfolk Lutheran High Northeast Eagles, their head coach, Kathy Gebhardt, and the assistant coaches, Carey Portwood and Nancy Boche.

Laid over.

LEGISLATIVE RESOLUTION 25. Introduced by Brasch, 16.

WHEREAS, Michael Landholm of West Point, Nebraska, was born June 14, 1999, to Kevin and Carie Landholm; and

WHEREAS, Michael was diagnosed with a brain tumor while attending first grade; and

WHEREAS, Michael fought a valiant fight against the brain tumor and in his short life was a source of infinite love and brilliant light for those who knew and loved him; and

WHEREAS, Michael represents all the children who suffer from life-threatening illnesses; and

WHEREAS, Michael passed away on November 11, 2011, at the age of twelve; and

WHEREAS, Michael will be remembered, missed, and honored for his fight; and

WHEREAS, Michael was survived by his parents, brother, and grandparents.

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

1. That the Legislature extends its heartfelt sympathy to the family of Michael Landholm and to the families of all children who have lost a courageous battle with a life-threatening illness.

2. That a copy of this resolution be sent to the family of Michael Landholm.

Laid over.

LEGISLATIVE RESOLUTION 26. Introduced by Larson, 40.

WHEREAS, the Crofton Warriors won the 2011 Class D Girls' State Cross Country Team Championship by a substantial margin; and

WHEREAS, the Crofton girls' cross country team won a state championship for the sixth consecutive year; 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates the Crofton Warriors on winning the 2011 Class D Girls' State Cross Country Team Championship.

2. That a copy of this resolution be sent to the Crofton girls' cross country team and their coaches, Jayne and Jason Arens.

Laid over.

LEGISLATIVE RESOLUTION 27. Introduced by Larson, 40.

WHEREAS, Austin Hamm of the Bloomfield Bees boys' cross country team won the 2011 Class D Boys' State Cross Country Meet; and

WHEREAS, Austin took first in the meet with a time of 16:27.3; and

WHEREAS, Austin competed in and placed at the Class D Boys' State Cross Country Meets in 2008, 2009, and 2010; 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates Austin Hamm on winning the 2011 Class D Boys' State Cross Country Meet.

2. That a copy of this resolution be sent to Austin Hamm.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 4. Committee AM13, found on page 68 and considered on page 73, was renewed.

Senator Dubas withdrew her amendment, AM14, found on page 69 and considered on pages 73 and 77.

Senator Fulton withdrew his amendment, FA2, found on page 69.

Senator Lautenbaugh withdrew his amendments, AM16, AM17, AM18, AM19, AM20, AM21, AM22, AM23, AM24, AM25, AM26, AM27, AM28, AM29, AM30, AM31, and AM32, found on pages 78, 79, and 80.

Senator Mello withdrew his amendment, AM15, found on page 80.

Senator Flood renewed the Flood-Langemeier amendment, AM37, found on page 73, to the committee amendment.

The Flood-Langemeier amendment was adopted with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

Senator Langemeier offered the following amendment to the committee amendment:

AM47

(Amendments to AM37)

1. On page 2, lines 8 and 9, strike "or operated".

The Langemeier amendment was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

Senator Langemeier withdrew his amendment, FA1, found on page 68.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 4A. Title read. Considered.

Senator Flood offered the following amendment:

AM44

- 1 1. Strike original section 1 and insert the following new
- 2 section:
- 3 Section 1. There is hereby appropriated \$2,000,000 from
- 4 the General Fund for FY2011-12 and -0- from the General Fund for
- 5 FY2012-13 to the Department of Environmental Quality, for Program
- 6 513, to aid in carrying out the provisions of Legislative Bill 4,
- 7 One Hundred Second Legislature, First Special Session, 2011.

The Flood amendment was adopted with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

EASE

The Legislature was at ease from 10:18 a.m. until 10:44 a.m.

AMENDMENT - Print in Journal

Senator Dubas filed the following amendment to LB1:
AM52 is available in the Bill Room.

MOTION - Print in Journal

Senator Dubas filed the following motion to LB1A:

MO1

Indefinitely postpone.

RESOLUTIONS

LEGISLATIVE RESOLUTION 28. Introduced by Council, 11; Adams, 24; Avery, 28; Campbell, 25; Coash, 27; Conrad, 46; Cook, 13; Cornett, 45; Fulton, 29; K. Haar, 21; McGill, 26; Mello, 5; Nordquist, 7; Wallman, 30.

WHEREAS, Lela Nuna (Knox) Shanks was born September 16, 1927, in Oklahoma City, Oklahoma, to William Medford and Lila (Griggs) Knox; and

WHEREAS, Lela Shanks grew up in the all Black community of Green Pastures, Oklahoma, where a big part of her life was attending and working in the True Vine Baptist Church; and

WHEREAS, Lela Shanks began writing poetry and slogans in elementary school; and

WHEREAS, Lela Shanks' parents, recognizing her creative gift, gave her a hand printing press from which Lela published a one-page newspaper; and

WHEREAS, Lela Shanks joined the previously all-male publication staff of her high school newspaper as an editorial writer; and

WHEREAS, Lela Shanks graduated from Douglas High School in Oklahoma City in 1945 as its valedictorian; and

WHEREAS, Lela Shanks graduated magna cum laude from Lincoln University in Jefferson City, Missouri, in 1949, with a degree in journalism and later worked at the St. Louis News, the St. Louis Argus, and the Chicago Defender; and

WHEREAS, Lela Shanks and her husband, the late Hughes Shanks, moved to Lincoln, Nebraska, in 1965, where they campaigned for better and more pluralistic education in the Lincoln Public Schools, shaped national educational policy, and fostered the birth of multiculturalism in the schools; and

WHEREAS, Lela Shanks was known and admired locally and nationally as an activist, humanitarian, scholar, speaker, feminist, and author; and

WHEREAS, Lela Shanks devoted her life to making Nebraska and the world a fair, peaceful, and verdant place; and

WHEREAS, Lela Shanks died on October 24, 2011.

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

1. That the Legislature expresses its deep and sincere appreciation of Lela Nuna (Knox) Shanks for her dedication and service to the people of Nebraska.

2. That a copy of this resolution be sent to the family of Lela Nuna (Knox) Shanks as a token of the high regard the people of Nebraska have for her and her achievements with our heartfelt condolences.

Laid over.

LEGISLATIVE RESOLUTION 29. Introduced by Lambert, 2; Louden, 49; Price, 3; Smith, 14.

WHEREAS, the Papillion-La Vista South Titans, coached by Gwen Egbert, won the 2011 Class A State Volleyball Championship; and

WHEREAS, the Titans' 25-15, 25-11, 25-17 victories over Omaha Burke High School in the championship game capped a 37-0 season; and

WHEREAS, the victory gave the Titans their second state volleyball title and a 78-match winning streak; and

WHEREAS, the Titans have exemplified teamwork, sportsmanship, discipline, and determination; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Papillion-La Vista South Titans on winning the 2011 Class A State Volleyball Championship.

2. That a copy of this resolution be sent to the Titans and their head coach, Gwen Egbert.

Laid over.

ADJOURNMENT

At 10:45 a.m., on a motion by Senator McGill, the Legislature adjourned until 9:00 a.m., Thursday, November 17, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

TWELFTH DAY - NOVEMBER 17, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****TWELFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, November 17, 2011

PRAYER

The prayer was offered by Senator Coash.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senator Krist who was excused; and Senators Ashford, Cornett, Flood, B. Harr, Karpisek, Lautenbaugh, Pahls, and Pirsch who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eleventh day was approved.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 4. Placed on Select File with amendment.

ER1

- 1 1. On page 1, strike beginning with "section" in line
- 2 1 through line 7 and insert "sections 73-307 and 73-507, Reissue
- 3 Revised Statutes of Nebraska; to state findings and intent; to
- 4 provide powers and duties for the Department of Environmental
- 5 Quality and the Governor relating to supplemental environmental
- 6 impact statements; to provide for applicability of statutes; to
- 7 harmonize provisions; to repeal the original sections; and to
- 8 declare an emergency."

LEGISLATIVE BILL 4A. Placed on Select File.

(Signed) Tyson Larson, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 30. Introduced by Langemeier, 23.

WHEREAS, the Howells Lady Bobcats won the 2011 Class D-2 State Volleyball Championship; and

WHEREAS, the Lady Bobcats defeated the Bertrand Lady Vikings in straight sets, 25-18, 25-22, and 25-20, to win the championship; and

WHEREAS, the Lady Bobcats ended their season with a 29-4 record; 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates the Howells Lady Bobcats on winning the 2011 Class D-2 State Volleyball Championship.

2. That a copy of this resolution be sent to the Lady Bobcats and their coach, Sarah Edwards.

Laid over.

SELECT FILE

LEGISLATIVE BILL 2. Senator Wightman renewed his amendment, AM40, found on page 85.

The Wightman amendment was adopted with 38 ayes, 0 nays, 2 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1. Senator K. Haar withdrew his amendment, AM41, found on page 85.

Senator Schumacher withdrew his amendment, AM45, found on page 87.

Senator Dubas withdrew her amendment, AM52, found on page 91.

Senator Dubas offered the following amendment:
AM55 is available in the Bill Room.

Senator Schumacher offered the following amendment to the Dubas amendment:
AM57

(Amendments to AM55)

- 1 1. On page 1, lines 19 through 23, strike the new matter
- 2 and insert "except that for any pipeline which is larger than
- 3 six inches in inside diameter and which is to be constructed in
- 4 the State of Nebraska after the effective date of this act for

5 the transportation of petroleum, or petroleum components, products,
6 or wastes, including crude oil or any fraction of crude oil,
7 within, through, or across the State of Nebraska, but not including
8 in-field and gathering lines, prior to having the rights provided
9 under this section, any such person, company, corporation, or
10 association shall (1) apply for and receive an order approving the
11 application under the Major Oil Pipeline Siting Act if applicable
12 and (2) permit, subject to rules and regulations of the Public
13 Service Commission, the State of Nebraska to lay, relay, operate,
14 and maintain fiber optic cable in the right-of-way or other
15 interest in real estate acquired after the effective date of
16 this act through negotiations, eminent domain, or otherwise for
17 the purposes of (a) law enforcement interfaces and surveillance
18 related to the protection of the pipeline and related property,
19 (b) electric load control and monitoring of pipeline facilities
20 by the public power utility which provides electric power to the
21 pipeline facilities, (c) such primary or backup pipeline data
22 transmission as may be desired from time-to-time by the operator of
1 the pipeline, and (d) over any excess capacity of the fiber optic
2 cable, (i) data, broadband, or Internet protocol communications,
3 (ii) interconnection with fiber optic cables crossing the pipeline,
4 (iii) providing rural, industrial, and community connectivity, or
5 (iv) augmenting public or private communications infrastructure of
6 the state unless an agency of the United States or the Public
7 Service Commission determines that the placement of such fiber
8 optic cable would materially impair the safety or operation of the
9 pipeline or would materially impair the speed of its deployment
10 or a court having proper jurisdiction finds the requirements of
11 subdivision (2) of this section are not within the sovereign police
12 power of the state, are preempted by the laws of the United States
13 or treaties thereof, or impair interstate commerce. The Public
14 Service Commission may adopt and promulgate rules and regulations
15 to carry out its duties under this section".
16 2. On page 2, line 1, strike the new matter.

The Schumacher amendment lost with 2 ayes, 27 nays, 16 present and not voting, and 4 excused and not voting.

Senator K. Haar offered the following amendment to the Dubas amendment:
AM54

(Amendments to AM55)

- 1 1. On page 10, line 22, strike "and"; in line 25 strike
- 2 the period and insert "; and"; and after line 25 insert the
- 3 following new subdivision:
- 4 "(i) Whether the route traverses any portion of an
- 5 avoidance zone unless the applicant shows under the circumstances
- 6 there is no reasonable alternative. For purposes of this section,
- 7 avoidance zone means a geographical area in Nebraska within
- 8 Ecoregion IV, subecoregion 44, as described by the United States

9 Environmental Protection Agency in document EPA 822-B-01-013
 10 (December 2001)."

SENATOR COASH PRESIDING

PRESIDENT SHEEHY PRESIDING

Senator K. Haar withdrew his amendment.

Senator Avery offered the following amendment to the Dubas amendment:
 AM58

(Amendments to AM55)

- 1 1. Insert the following new section:
- 2 Sec. 14. A pipeline carrier shall not withhold any
 3 documents or records relating to a major oil pipeline from the
 4 public unless the documents or records are of the type that can
 5 be withheld by a public entity under section 84-712.05 or unless
 6 federal law provides otherwise.
- 7 2. On page 2, line 4, strike "13" and insert "14".
- 8 3. Renumber the remaining sections accordingly.

Senator Avery withdrew his amendment.

The Dubas amendment, AM55, was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 1A. Title read. Considered.

Senator Dubas renewed her motion, MO1, found on page 91, to indefinitely postpone.

The Dubas motion to indefinitely postpone prevailed with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

AMENDMENT - Print in Journal

Senator Flood filed the following amendment to LB4:
 AM53

(Amendments to AM37)

- 1 1. Insert the following new section:
- 2 Sec. 6. Section 81-1701, Reissue Revised Statutes of
 3 Nebraska, is amended to read:
 4 81-1701 The purpose of ~~sections 81-1701 to 81-1721~~ the
 5 Nebraska Consultants' Competitive Negotiation Act is to provide
 6 managerial control over competitive negotiations by the state for

- 7 acquisition of professional architectural, engineering, landscape
 8 architecture, or land surveying services. The act does not apply to
 9 contracts under section 3 of this act.
 10 2. On page 3, line 15, after the first "to" insert "the
 11 Nebraska Consultants' Competitive Negotiation Act of".
 12 3. On page 6, line 3, strike "and 73-507" and insert "
 13 73-507, and 81-1701".
 14 4. Renumber the remaining sections accordingly.

RESOLUTION

LEGISLATIVE RESOLUTION 31. Introduced by Mello, 5; Nordquist, 7.

WHEREAS, Duane Brooks recently completed his 2011 term as president of the South Omaha Neighborhood Alliance; and

WHEREAS, Mr. Brooks has selflessly served as president of the South Omaha Neighborhood Alliance from January 2008 through December 2011 and as vice-president from January 2005 through December 2007; and

WHEREAS, under Mr. Brooks' thoughtful leadership, the South Omaha Neighborhood Alliance has served as a catalyst in encouraging neighborhood involvement through the South Omaha Development Project, the South 24th Street Tree of Life Project, the redevelopment of the Dorothy Patach Natural Environmental Area, Santa Claus at the Southeast Precinct, and National Night Out events; and

WHEREAS, due to Mr. Brooks' dedication to volunteerism, the South Omaha Neighborhood Alliance now participates regularly in graffiti abatement events, neighborhood cleanups, citizen patrols, and community celebrations that aim to foster better neighborhood relations with the Omaha Police Department; and

WHEREAS, as a longtime South Omahan, Mr. Brooks has worked tirelessly to not only organize and foster the Karen Western Neighborhood Association, but also to support the Neighborhood Center in their effort to strengthen all Omaha neighborhood associations; and

WHEREAS, Mr. Brooks has consistently prioritized fostering civic and neighborhood engagement, maintaining open dialogue among South Omaha community organizations, encouraging support for more youth programs and activities, and promoting a new level of mutual respect among neighbors of all backgrounds.

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

1. That the Legislature thanks Duane Brooks for his years of service to the South Omaha Neighborhood Alliance, the Karen Western Neighborhood Association, and the people of South Omaha.

2. That a copy of this resolution be sent to Duane Brooks.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer

Senator Sullivan asked unanimous consent to add her name as cointroducer to LB1. No objections. So ordered.

ADJOURNMENT

At 11:21 a.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Friday, November 18, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTEENTH DAY - NOVEMBER 18, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****THIRTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, November 18, 2011

PRAYER

The prayer was offered by Senator Fischer.

ROLL CALL

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

The roll was called and all members were present except Senators Campbell, Christensen, Conrad, Gloor, and Schilz who were excused; and Senators Ashford, Dubas, B. Harr, Lautenbaugh, and McGill who were excused until they arrive.

SENATOR SULLIVAN PRESIDING**CORRECTIONS FOR THE JOURNAL**

The Journal for the twelfth day was approved.

REPORTS

The following reports were received by the Legislature:

Agriculture, Department of

Exploring Requirements for a State Meat and Poultry Inspection Program
in Nebraska - LB305

Environmental Quality, Department of

Clean Water State Revolving Fund Annual Report
Drinking Water State Revolving Fund Annual Report

SELECT FILE

LEGISLATIVE BILL 4. ER1, found on page 95, was adopted.

Senator Flood renewed his amendment, AM53, found on page 98.

The Flood amendment was adopted with 34 ayes, 0 nays, 5 present and not voting, and 10 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 4A. Advanced to Enrollment and Review for Engrossment.

EASE

The Legislature was at ease from 9:18 a.m. until 10:25 a.m.

SENATOR LANGEMEIER PRESIDING

UNANIMOUS CONSENT - Add Cointroducers

Senator K. Haar asked unanimous consent to add his name as cointroducer to LB4. No objections. So ordered.

Senator Sullivan asked unanimous consent to add her name as cointroducer to LR8. No objections. So ordered.

COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Placed on Final Reading.

ST1

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, line 3, "75-130.01, 75-502, and 84-914" has been struck and "and 75-502" inserted; and in line 7 "to harmonize provisions;" has been inserted after the first semicolon.

LEGISLATIVE BILL 2. Placed on Final Reading.

LEGISLATIVE BILL 4. Placed on Final Reading.

ST2

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E & R amendments, ER1, on page 1, line 2, "and 73-507" has been struck and ", 73-507, and 81-1701" inserted.

LEGISLATIVE BILL 4A. Placed on Final Reading.

(Signed) Tyson Larson, Chairperson

ADJOURNMENT

At 10:26 a.m., on a motion by Senator Council, the Legislature adjourned until 1:30 p.m., Monday, November 21, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTEENTH DAY - NOVEMBER 21, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****FOURTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, November 21, 2011

PRAYER

The prayer was offered by Senator Krist.

ROLL CALL

Pursuant to adjournment, the Legislature met at 1:30 p.m., Speaker Flood presiding.

The roll was called and all members were present except Senators Cook, Council, Lautenbaugh, McCoy, McGill, Sullivan, Utter, and Wightman who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirteenth day was approved.

RESOLUTION

LEGISLATIVE RESOLUTION 32. Introduced by Sullivan, 41; Dubas, 34.

WHEREAS, Fredrich "Wayne" Frost of Lincoln, formerly of St. Paul, Nebraska, was a graduate of the University of Nebraska with a bachelor of science degree in agriculture; and

WHEREAS, Wayne Frost was a proud member of Alpha Gamma Rho Fraternity; and

WHEREAS, Wayne Frost was a tireless and enthusiastic volunteer and citizen advocate on behalf of Nebraska agriculture; and

WHEREAS, Wayne Frost spent his entire career in agriculture in positions ranging from feed salesman to livestock specialist to farmer and rancher; and

WHEREAS, Wayne Frost was a teacher, coach, mentor, and leader for generations of Nebraska farmers and ranchers; and

WHEREAS, Wayne Frost's love for Nebraska and his interest in protecting Nebraska's precious soil and water resources led him to become

actively involved in public policy development at the state and local level; and

WHEREAS, Wayne Frost's public policy accomplishments resulted in his being the recipient of the Nebraska Farmers Union President's Award in 2009; and

WHEREAS, Wayne Frost was a devoted and loving father, grandfather, and friend whose wisdom, patience, and humor will be greatly missed; and

WHEREAS, Wayne Frost passed away on November 2, 2011, at the age of eighty.

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

1. That the Legislature honors the memory of Wayne Frost for his service to Nebraska agriculture.

2. That the Legislature expresses and extends its sympathy and condolences to the family of Wayne Frost.

3. That a copy of this resolution be sent to the family of Wayne Frost.

Laid over.

MOTIONS - Approve Appointments

Senator Cornett moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 72:

Tax Equalization and Review Commission

Robert Hotz

Voting in the affirmative, 36:

Adams	Coash	Haar, K.	Lambert	Price
Ashford	Conrad	Hadley	Langemeier	Schilz
Avery	Cornett	Hansen	Larson	Schumacher
Bloomfield	Dubas	Harms	Lathrop	Smith
Brasch	Fischer	Heidemann	Nelson	
Campbell	Flood	Howard	Nordquist	
Carlson	Fulton	Karpisek	Pahls	
Christensen	Gloor	Krist	Pirsch	

Voting in the negative, 0.

Present and not voting, 5:

Harr, B.	Janssen	Louden	Mello	Wallman
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Excused and not voting, 8:

Cook	Lautenbaugh	McGill	Utter
Council	McCoy	Sullivan	Wightman

The appointment was confirmed with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

Senator Cornett moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 72:

Tax Equalization and Review Commission
Nancy Salmon

Voting in the affirmative, 38:

Adams	Coash	Hadley	Krist	Pirsch
Ashford	Cornett	Hansen	Lambert	Price
Avery	Dubas	Harms	Langemeier	Schilz
Bloomfield	Fischer	Harr, B.	Larson	Schumacher
Brasch	Flood	Heidemann	Lathrop	Smith
Campbell	Fulton	Howard	Louden	Wallman
Carlson	Gloor	Janssen	Nelson	
Christensen	Haar, K.	Karpisek	Pahls	

Voting in the negative, 0.

Present and not voting, 3:

Conrad Mello Nordquist

Excused and not voting, 8:

Cook	Lautenbaugh	McGill	Utter
Council	McCoy	Sullivan	Wightman

The appointment was confirmed with 38 ayes, 0 nays, 3 present and not voting, and 8 excused and not voting.

Senator Cornett moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 73:

Tax Equalization and Review Commission
Thomas Freimuth

Voting in the affirmative, 37:

Adams	Cornett	Hansen	Lambert	Price
Ashford	Dubas	Harms	Langemeier	Schilz
Bloomfield	Fischer	Harr, B.	Larson	Schumacher
Brasch	Flood	Heidemann	Lathrop	Smith
Campbell	Fulton	Howard	Louden	Wallman
Carlson	Gloor	Janssen	Nelson	
Christensen	Haar, K.	Karpisek	Pahls	
Coash	Hadley	Krist	Pirsch	

Voting in the negative, 0.

Present and not voting, 4:

Avery	Conrad	Mello	Nordquist
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Excused and not voting, 8:

Cook	Lautenbaugh	McGill	Utter
Council	McCoy	Sullivan	Wightman

The appointment was confirmed with 37 ayes, 0 nays, 4 present and not voting, and 8 excused and not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 33. Introduced by Fischer, 43; Flood, 19.

WHEREAS, Elvin Adamson was born on January 21, 1920, in Cherry County, Nebraska, to Walter and Delania Adamson; and

WHEREAS, Elvin Adamson believed in the value of education and attended Cody High School, Nebraska State Teachers College at Chadron, the University of Colorado, and the University of Nebraska from which he graduated in 1940; and

WHEREAS, Elvin Adamson married Mabel Gale on June 11, 1947, and had four children: Cheryl Ann, Janie Colleen, Marjorie Marie, and Marvin Walter. He was a devoted husband, father, grandfather, and great-grandfather; and

WHEREAS, Elvin Adamson was a rancher and member of the American National Cattlemen's Association and the Sandhills Cattle Association; and

WHEREAS, Elvin Adamson was honored for his work in agriculture and was elected to the Nebraska Hall of Agricultural Achievement; and

WHEREAS, Elvin Adamson continued his belief in higher education and served as the director of the Nebraska Independent College Foundation; and

WHEREAS, Elvin Adamson was a dedicated public servant in Cherry County and served as a Cherry County commissioner, secretary of a rural school district, director of the Nebraska County Officials Association, and chairman of the Cherry County Republican Committee; and

WHEREAS, Elvin Adamson was a member of the Episcopal Church; and

WHEREAS, Elvin Adamson was a state senator, serving the forty-third district, in the Nebraska Unicameral from 1961 through 1969; and

WHEREAS, Elvin Adamson served as Speaker of the Legislature from 1967 through 1969; and

WHEREAS, Elvin Adamson continued to serve his country as the Deputy Assistant Secretary of Marketing and Consumers and the State Director of Farmers Home Administration for the United States Department of Agriculture under Secretary of Agriculture Clifford Hardin; and

WHEREAS, Elvin Adamson was a member of the Game and Parks Commission under Governor Kay Orr; and

WHEREAS, in 2005, Governor Dave Heineman proclaimed that March 4 was Elvin Adamson Day.

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

1. That the Legislature expresses its deep and sincere appreciation for Elvin Adamson for his dedication and service to the people of Nebraska.

2. That the Legislature extends its condolences to the family of Elvin Adamson.

3. That a copy of this resolution be sent to the family of Elvin Adamson as a token of the high regard the people of Nebraska have for him and his achievements.

Laid over.

LEGISLATIVE RESOLUTION 34. Introduced by Pirsch, 4.

WHEREAS, recent reports of child sexual abuse at Pennsylvania State University have brought this horrific crime into the national spotlight; and

WHEREAS, child sexual abuse is a silent epidemic that causes devastating, lifelong effects for the victims and their families; and

WHEREAS, child sexual abuse occurs in every state, including Nebraska where an alarmingly high number of cases are substantiated every year; and

WHEREAS, it is critically important to raise awareness of the prevalence of child sexual abuse and to educate people on how to recognize and react to any signs of such abuse.

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

1. That the Legislature recognizes the devastating, lifelong effects of child sexual abuse and extends its sympathy to all victims of this terrible crime.

2. That the Legislature encourages all individuals to be vigilant for any signs of child sexual abuse and to report such abuse to the proper authorities.

Laid over.

LEGISLATIVE RESOLUTION 35. Introduced by Schilz, 47.

WHEREAS, the Arthur County Wolves won the 2011 Six-man State Football Championship; and

WHEREAS, the Wolves extended their winning streak to thirty-three games with their defeat of the Hitchcock County Falcons in the championship game; and

WHEREAS, this is the third straight championship for the Arthur County Wolves football team; 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 SECOND LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature congratulates the Arthur County Wolves on winning the 2011 Six-man State Football Championship.

2. That a copy of this resolution be sent to the Arthur County Wolves and their coach, Scott Trimble.

Laid over.

RESOLUTIONS

LEGISLATIVE RESOLUTION 8. Read. Considered.

LR8 was adopted with 34 ayes, 0 nays, 5 present and not voting, and 10 excused and not voting.

LEGISLATIVE RESOLUTION 12. Read. Considered.

PRESIDENT SHEEHY PRESIDING

LR12 was adopted with 34 ayes, 0 nays, 4 present and not voting, and 11 excused and not voting.

UNANIMOUS CONSENT - Add Cointroducers

Senator K. Haar asked unanimous consent to add his name as cointroducer to LB1. No objections. So ordered.

Senator Dubas asked unanimous consent to add her name as cointroducer to LR8. No objections. So ordered.

VISITORS

Visitors to the Chamber were 4 high school FCCLA students and teacher from West Point Beemer.

ADJOURNMENT

At 2:20 p.m., on a motion by Senator Cornett, the Legislature adjourned until 9:00 a.m., Tuesday, November 22, 2011.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTEENTH DAY - NOVEMBER 22, 2011**LEGISLATIVE JOURNAL****ONE HUNDRED SECOND LEGISLATURE
FIRST SPECIAL SESSION****FIFTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, November 22, 2011

PRAYER

The prayer was offered by Senator Wallman.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senator Utter who was excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourteenth day was approved.

REPORT

The following report was received by the Legislature:

Correctional Services, Nebraska Department of
Work Ethic Camp Annual Report

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 4. With Emergency Clause.

A BILL FOR AN ACT relating to oil pipelines; to amend sections 73-307, 73-507, and 81-1701, Reissue Revised Statutes of Nebraska; to state findings and intent; to provide powers and duties for the Department of Environmental Quality and the Governor relating to supplemental environmental impact statements; to provide for applicability of statutes; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Adams	Cook	Hansen	Lathrop	Schilz
Ashford	Cornett	Harms	Lautenbaugh	Schumacher
Avery	Council	Harr, B.	Louden	Smith
Bloomfield	Dubas	Heidemann	McCoy	Sullivan
Brasch	Fischer	Howard	McGill	Wallman
Campbell	Flood	Karpisek	Mello	Wightman
Carlson	Fulton	Krist	Nelson	
Christensen	Gloor	Lambert	Nordquist	
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Price	

Voting in the negative, 0.

Present and not voting, 2:

Janssen Pirsch

Excused and not voting, 1:

Utter

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 4A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 4, One Hundred Second Legislature, First Special Session, 2011; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Adams	Cook	Hansen	Lathrop	Schilz
Ashford	Cornett	Harms	Lautenbaugh	Schumacher
Avery	Council	Harr, B.	Louden	Smith
Bloomfield	Dubas	Heidemann	McCoy	Sullivan
Brasch	Fischer	Howard	McGill	Wallman
Campbell	Flood	Karpisek	Mello	Wightman
Carlson	Fulton	Krist	Nelson	
Christensen	Gloor	Lambert	Nordquist	
Coash	Haar, K.	Langemeier	Pahls	
Conrad	Hadley	Larson	Price	

Voting in the negative, 0.

Present and not voting, 2:

Janssen Pirsch

Excused and not voting, 1:

Utter

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1 with 46 ayes, 0 nays, 2 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1. With Emergency Clause.

A BILL FOR AN ACT relating to pipelines; to amend sections 57-1101, 75-109.01, 75-110.01, 75-112, 75-118, 75-128, 75-129, and 75-502, Reissue Revised Statutes of Nebraska; to change provisions relating to eminent domain for pipelines; to adopt the Major Oil Pipeline Siting Act; to change and provide powers and duties for the Public Service Commission; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Smith
Campbell	Flood	Janssen	McGill	Sullivan
Carlson	Fulton	Karpisek	Mello	Wallman
Christensen	Gloor	Krist	Nelson	Wightman
Coash	Haar, K.	Lambert	Nordquist	
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Excused and not voting, 1:

Utter

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 2. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the expenses incurred during the One Hundred Second Legislature, First Special Session, 2011; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:

Adams	Cook	Hansen	Larson	Pirsch
Ashford	Cornett	Harms	Lathrop	Price
Avery	Council	Harr, B.	Lautenbaugh	Schilz
Bloomfield	Dubas	Heidemann	Louden	Schumacher
Brasch	Fischer	Howard	McCoy	Smith
Campbell	Flood	Janssen	McGill	Sullivan
Carlson	Fulton	Karpisek	Mello	Wallman
Christensen	Gloor	Krist	Nelson	Wightman
Coash	Haar, K.	Lambert	Nordquist	
Conrad	Hadley	Langemeier	Pahls	

Voting in the negative, 0.

Excused and not voting, 1:

Utter

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 4, 4A, 1, and 2.

ANNOUNCEMENT

The Chair announced December 9 is Senator Carlson's birthday.

EASE

The Legislature was at ease from 9:25 a.m. until 9:40 a.m.

RESOLUTIONS

LEGISLATIVE RESOLUTION 24. Read. Considered.

LEGISLATIVE RESOLUTION 25. Read. Considered.

LEGISLATIVE RESOLUTION 26. Read. Considered.

LEGISLATIVE RESOLUTION 27. Read. Considered.

LEGISLATIVE RESOLUTION 28. Read. Considered.

LEGISLATIVE RESOLUTION 29. Read. Considered.

LEGISLATIVE RESOLUTION 30. Read. Considered.

LEGISLATIVE RESOLUTION 31. Read. Considered.

LEGISLATIVE RESOLUTION 32. Read. Considered.

LEGISLATIVE RESOLUTION 33. Read. Considered.

LEGISLATIVE RESOLUTION 34. Read. Considered.

LEGISLATIVE RESOLUTION 35. Read. Considered.

LRs 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 were adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

EXPLANATION OF VOTES

Had I been present, I would have voted "aye" on final passage of LB1, LB2, LB4, and LB4A.

(Signed) Dennis Utter

PRESENTED TO THE GOVERNOR

Presented to the Governor on November 22, 2011, at 9:27 a.m. were the following: LBs 4e, 4Ae, 1e, and 2e.

(Signed) Jamie Kruse
Clerk of the Legislature's Office

MESSAGE FROM THE GOVERNOR

November 22, 2011

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1e, 2e, 4e, and 4Ae were received, signed, and delivered to the Secretary of State earlier today.

Sincerely,
(Signed) Dave Heineman
Governor

SPEAKER FLOOD PRESIDING**RESOLUTIONS**

Pursuant to Rule 4, Sec. 5(b), LRs 20, 21, 22, and 23 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 20, 21, 22, and 23.

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 8, 12, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35.

PRESIDENT SHEEHY PRESIDING

MOTION - Approve Journal

Senator Howard moved that the Journal for the Fifteenth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

MOTION - Adjourn Sine Die

Senator Fischer moved that the One Hundred Second Legislature, First Special Session of the Nebraska Legislature, having finished all business before it, now at 10:06 a.m., adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell
Clerk of the Legislature

