

**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:

<b>LB/LR</b>	<b>Committee</b>
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