

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

Legislative Chamber, Lincoln, Nebraska  
Monday, November 7, 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 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

