

**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

