

**SIXTH DAY - NOVEMBER 15, 2002****LEGISLATIVE JOURNAL****NINETY-SEVENTH LEGISLATURE  
THIRD SPECIAL SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, November 15, 2002

**PRAYER**

The prayer was offered by Senator Aguilar.

**ROLL CALL**

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

The roll was called and all members were present except Senators Bourne, Byars, Dierks, Jones, Maxwell, Preister, Robak, Stuhr, Suttle, Vrtiska, and Wehrbein who were excused; and Senator Beutler who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifth day was approved.

**RESOLUTIONS**

**LEGISLATIVE RESOLUTION 6.** Introduced by Johnson, 37.

WHEREAS, Steven J. Hansen of Kearney earned the Boy Scouts' highest honor and rank of Eagle Scout and will be awarded the Eagle Scout Badge on Sunday, November 24, 2002; and

WHEREAS, Steven is being recognized by the Boy Scouts for his years of hard work, service to community, and commitment to his Scouting duties; and

WHEREAS, fewer than four percent of all young men who join the Boy Scouts attain the rank of Eagle Scout; and

WHEREAS, Steven J. Hansen has achieved great success as an exemplary member of the Scouting program and has represented his troop and community with excellence.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SEVENTH LEGISLATURE OF NEBRASKA, THIRD SPECIAL SESSION:

1. That the Legislature congratulates Steven J. Hansen on his achievement

of the elite rank of Eagle Scout in the Boy Scouts and recognizes his outstanding community service efforts in Kearney.

2. That a copy of this resolution be sent to Steven J. Hansen and his family.

Laid over.

**LEGISLATIVE RESOLUTION 7.** Introduced by Burling, 33.

WHEREAS, skillful, enthusiastic, and innovative teachers improve the lives of countless students by encouraging curiosity and understanding and by contributing to the development of mind and spirit; and

WHEREAS, the U.S. Professors of the Year program, presented by The Carnegie Foundation for the Advancement of Teaching and directed by the Council for Advancement and Support of Education, is the nation's most highly respected program to recognize outstanding faculty; and

WHEREAS, the Nebraska Professor of the Year represents the thousands of dedicated university and college instructors throughout Nebraska who serve their students, their communities, and their state with dedication and talent; and

WHEREAS, Nebraska has long supported excellence in undergraduate teaching; and

WHEREAS, the quality of life and the scope of opportunity for many future citizens of Nebraska will be determined by the quality of teaching in the college classroom.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SEVENTH LEGISLATURE OF NEBRASKA, THIRD SPECIAL SESSION:

1. That the Unicameral of Nebraska recognizes and commends Dr. James Wiest, professor of sociology at Hastings College, upon being named the 2002 Professor of the Year.

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

Laid over.

**LEGISLATIVE RESOLUTION 8.** Introduced by Aguilar, 35.

WHEREAS, Andrew Dodendorf, Troop 120, of Grand Island, 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 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: Tenderfoot, Second Class, First Class, Star, Life, and finally Eagle. Throughout his Scouting experience, Andrew Dodendorf has learned, been tested and reviewed 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, only two percent of the boys who join the Boy Scouts of America achieve the rank of Eagle Scout; and

WHEREAS, on Sunday, November 17, 2002, Andrew Dodendorf will receive the rank of Eagle Scout, thereby, through his hard work and perseverance, joining 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 NINETY-SEVENTH LEGISLATURE OF NEBRASKA, THIRD SPECIAL SESSION:

1. That the Legislature congratulates Andrew Dodendorf on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Andrew Dodendorf.

Laid over.

### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of November 15, 2002, 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

Clark, Douglas R.  
Metropolitan Utilities District of Omaha

Otto, James A.  
Retail Federation, Nebraska

### **REPORTS**

The following reports were received by the Legislature:

#### **Liquor Control Commission**

Keg Registration Act Report

#### **Roads, Department of**

2001 Traffic Crash Facts Annual Report

Board of Public Roads Classifications and Standards Minutes for September 2002

### **MOTIONS - Approve Appointments**

Senator Coordsen moved the adoption of the Revenue Committee report for the confirmation of the following appointment found on page 36:

Property Tax Administrator  
Catherine D. Lang

Voting in the affirmative, 28:

Aguilar	Engel	Jensen	Pederson, D.	Schrock
Baker	Foley	Johnson	Price	Smith
Brown	Hartnett	Kremer	Quandahl	Thompson
Coordsen	Hlava	Kruse	Raikes	Tyson
Cudaback	Hudkins	Landis	Redfield	
Cunningham	Janssen	McDonald	Schimek	

Voting in the negative, 1:

Erdman

Present and not voting, 7:

Brashear	Burling	Connealy	Synowiecki
Bromm	Chambers	Pedersen, Dw.	

Excused and not voting, 12:

Beutler	Dierks	Preister	Suttle
Bourne	Jones	Robak	Vrtiska
Byars	Maxwell	Stuhr	Wehrbein

The appointment was confirmed with 28 ayes, 1 nay, 7 present and not voting, and 12 excused and not voting.

Senator Schrock moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment found on page 36:

Nebraska Ethanol Board  
Michael P. Alberts

Voting in the affirmative, 29:

Aguilar	Cudaback	Hudkins	Landis	Redfield
Baker	Cunningham	Janssen	McDonald	Schimek
Brown	Engel	Jensen	Pederson, D.	Schrock
Burling	Erdman	Johnson	Price	Smith
Connealy	Foley	Kremer	Quandahl	Tyson
Coordsen	Hlava	Kruse	Raikes	

Voting in the negative, 0.

Present and not voting, 8:

Beutler	Bromm	Hartnett	Synowiecki
Brashear	Chambers	Pedersen, Dw.	Thompson

Excused and not voting, 11:

Bourne	Jones	Robak	Vrtiska
Byars	Maxwell	Stuhr	Wehrbein
Dierks	Preister	Suttle	

The appointment was confirmed with 29 ayes, 0 nays, 8 present and not voting, and 11 excused and not voting.

### UNANIMOUS CONSENT - Add Cointroducer

Senator Coordsen asked unanimous consent to have his name added as cointroducer to LB 3. No objections. So ordered.

### GENERAL FILE

**LEGISLATIVE BILL 3.** Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

### MOTION - Approve Appointment

Senator Schrock moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment found on page 36:

Environmental Quality Council  
James D. Whitaker

Voting in the affirmative, 28:

Aguilar	Cunningham	Hudkins	Landis	Schimek
Beutler	Engel	Janssen	McDonald	Smith
Brown	Erdman	Jensen	Price	Thompson
Burling	Foley	Johnson	Quandahl	Tyson
Coordsen	Hartnett	Kremer	Raikes	
Cudaback	Hlava	Kruse	Redfield	

Voting in the negative, 0.

Present and not voting, 9:

Baker	Bromm	Connealy	Pederson, D.	Synowiecki
Brashear	Chambers	Pedersen, Dw.	Schrock	

Excused and not voting, 11:

Bourne	Jones	Robak	Vrtiska
Byars	Maxwell	Stuhr	Wehrbein
Dierks	Preister	Suttle	

The appointment was confirmed with 28 ayes, 0 nays, 9 present and not voting, and 11 excused and not voting.

### **VISITORS**

Visitor to the Chamber was Milt Rodgers from Chappell.

### **ADJOURNMENT**

At 9:24 a.m., on a motion by Speaker Bromm, the Legislature adjourned until 9:00 a.m., Monday, November 18, 2002.

Patrick J. O'Donnell  
Clerk of the Legislature