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# UPDATE

## Funding tools considered for county sports facilities

A series of proposals offering counties tools for sports facility projects were heard by the Revenue Committee March 19.

LB615, introduced by Bellevue Sen. Abbie Cornett, was an amalgamation of three other Cornett bills — LB616, LB617 and LB618.

The first provision of LB615, also found in LB616, would modify the Municipal Infrastructure Redevelopment Fund Act to become the County and Municipal Infrastructure Redevelopment Fund Act. The fund currently uses state cigarette tax revenues to fund city infrastructure projects and it is set to expire July 1.

LB615 would extend the fund and allow counties to participate. The act would be funded with \$2.5 million of state-collected cigarette taxes.

The second portion of LB615, also in LB617, would expand the authority of counties to create community building districts to finance facilities used for community, social and athletic purposes. The bill also would allow substantially urbanized counties to form community building districts in a manner similar to sanitary and improvement districts.

In addition to constructing facilities, counties could place local option sales taxes of up to 1.5 percent on taxable sales within community building districts with the consent of county boards. Districts could issue bonds

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## Committee considers “use and lose” bill for minors



*Sen. John Harms explains LB258, which would enhance penalties for minors in possession of alcohol.*

Minors in possession of alcohol could lose their license for up to two years under a bill heard by the Judiciary Committee March 19.

LB258, introduced by Scottsbluff Sen. John Harms, would enhance penalties for minors in possession of alcohol. For minors between the ages of 16 and 21, a first offense would be a Class III misdemeanor and would result in a 60 to 90 day driver's license impoundment and required attendance at an alcohol education class, an Alcoholics Anony-

mous meeting or a Mothers Against Drunk Driving victim impact panel. A second offense would result in a six-month license impoundment, 20 to 40 hours of community service and required attendance at an alcohol education class.

After the third offense, the offender would be charged with a Class II misdemeanor, face a one-year license impoundment, 60 hours of community service and an alcohol evaluation. The fourth offense would be a Class I misdemeanor, two-year license impoundment, 5 to 15 days in

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## Committee considers “use and lose” bill for minors

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jail and an alcohol evaluation. Penalties would be similar for those under 16 with a driver’s permit. Ability to obtain a permit would be delayed under penalties for those under 16 without a permit.

Harms said underage drinking costs the state about \$450 million annually in medical and work loss costs. Thirty-one other states have “use and lose” laws, he said.

“If we don’t start to address the issue, in the future, we will be sorry,” Harms said.

Allyson Bennett, a senior at Nebraska City High School, testified in support of the bill. She said teens do not take current penalties seriously.

“They think of it as being inducted into an elite social club,” she said. “Taking away their driver’s license is just the way to get their attention.”

Derrick Wymore, Scottsbluff county attorney, agreed that teens often consider minor in possession fines a rite of passage. He mentioned one 20-year-old in his jurisdiction who had 16 MIPs. Seven of those were incurred in a period of eight weeks.

Dan Noble of the Nebraska Medical Association also testified in support of the bill. He said the issue of underage drinking has serious long-term health effects and should be taken very seriously. Underage drinkers are four times more likely to become alcoholics, he said.

No opponent testimony was offered and the committee took no immediate action on the bill.

## Funding tools considered for county sports facilities

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to finance facilities with repayment made by local option sales taxes.

The final section of LB615, adapted from LB618, would permit political subdivisions to create Family Entertainment and Sports Attraction Districts, which would house a sports facility expected to attract more than 100,000 spectators per year. Qualifying facilities must hold occupancy agreements of at least 20 years.

Political subdivisions could place a 0.5, 1 or 1.5 percent local option sales tax within the district if a municipal sales tax does not already exist in the area. Furthermore, the subdivision could

be reimbursed up to 75 percent of the state sales tax collected within the district, which could be used to finance bonds issued.

Cornett said the proposals would provide tools to keep a AAA baseball team in Nebraska, which she said is an economic development project that would benefit the entire state. She said the tools offered in LB615 have been used for similar projects in the past and represent a “reasonable, balanced approach” for accomplishing the bill’s goal.

Sarpy County has developed outside city bounds, Cornett said, and the county needs a means to develop sites.

Kermit Brashear, representing

Sarpy County, testified in support of all four bills. He said a proposal for a stadium in Sarpy County for the Omaha Royals is the only way to retain affiliated baseball, as opposed to independent baseball, in Nebraska, which he said would be a difference of \$211 million for the state’s economy.

Brashear said the new stadium being constructed in downtown Omaha to host the College World Series does not accommodate a typical baseball franchise. According to a Forbes study, minor league baseball teams are most successful when they play in stadiums similar to the facility proposed in Sarpy County, he said.

Sarpy County is a unique political subdivision, Brashear said, as unincorporated areas in the county are the third most populated area in the state. Therefore, the county needs development tools offered in the bills, he said.

Omaha Sen. Mike Friend said he is concerned that the divorcing of the Royals and the College World Series, made permanent by a new Sarpy County facility for the Royals, would result in an underused facility in downtown Omaha.

“The fear that I have is ... we are going to have a stadium downtown that is used two weeks a year,” Friend said. “If you build it, we just don’t

“If you build it, we just don’t know if they will come.”

--Sen. Mike Friend

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# A CLOSER LOOK.....

know if they will come.”

Omaha Sen. Tom White expressed concerns regarding a bidding war between the city of Omaha and Sarpy County for the Royals franchise once both stadiums are constructed.

“Somebody is going to lose,” White said. “Some taxpayer-backed facility will lose.”

Lynn Rex, executive director of the League of Nebraska Municipali-

ties, testified in opposition to LB615. She said cities are responsible for planning growth, not counties. She said LB615 would create pockets of limited growth that cities would have to grow around.

“Sarpy County wants to be a city. Sarpy County isn’t a city,” Rex said.

Gretna city attorney John Green also testified in opposition. He said the provisions of LB615 would ad-

versely affect the long-term growth of cities by creating “black holes” with significant debt burdens.

Jack Cheloha, representing the city of Omaha, testified in a neutral capacity. He said the bill would use existing tax revenue, as opposed to revenue generated from the project in question.

The committee took no immediate action on the bills.

# SPEAKER Priority Bills.....

Priority bills are generally scheduled for debate before other bills. The Speaker may select up to 25 priority bills per session. Each senator may select one priority bill, and each committee may select two priority bills, which can be found on [www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov).

## Bill One-line Description

- LB9 Exempt biofuels used for irrigation and farming purposes from sales tax
- LB56 Change the Livestock Waste Management Act
- LB92 Require vehicles to move over upon approach of stopped emergency vehicles
- LB97 Change provisions relating to foreign corporations and provisions and penalties relating to certain sex offenders
- LB112 Exclude certain rural health loan repayments from income taxation
- LB155 Adopt the Public Protection Act, change provisions relating to theft offenses and criminal impersonation, and create the offenses of identity theft and identity fraud
- LB162 Change provisions relating to contractor registration and income tax withholding
- LB218 Change, eliminate, and provide state aid to various political subdivisions
- LB232 Permit sales of alcoholic liquor by community college culinary programs
- LB237 Adopt the Interstate Compact for Juveniles
- LB246 Reestablish the Biopower Steering Committee and provide for a strategic biotechnology plan
- LB263 Provide that state law preempts local law for the Nebraska Seed Law and the Nebraska Commercial Fertilizer and Soil Conditioner Act
- LB358 Change the Comprehensive Health Insurance Pool Act
- LB402 Change the Convention Center Facility Financing Assistance Act
- LB413 Adopt the College Choice Grant Program Act
- LB414 Change salary of Supreme Court judges
- LB440 Change diversity criteria under the Student Diversity Scholarship Program Act
- LB464 Require certain booster immunizations for students entering seventh grade
- LB494 Change provisions relating to dangerous dogs
- LB503 Adopt the Nebraska Shooting Range Protection Act
- LB511 Redefine health care facility for purposes of certificate of need
- LB542 Provide for rules and regulations regarding dental assistants
- LB548 Change provisions relating to student files and the State Board of Education
- LB579 Adopt the Professional Employer Organization Registration Act
- LB626 Change prohibited activities for public officials and public employees use of public resources

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## Appropriations

### Bill would alter cultural endowment funding structure

The Appropriations Committee heard testimony March 17 on a bill that would alter the structure of fund transfers to the Cultural Preservation Endowment Fund.

Omaha Sen. John Nelson, sponsor of LB359, said the measure clarifies legislative intent regarding funds appropriated in 2008 and would change how those funds are distributed.



Sen. John E. Nelson

The Cultural Preservation Endowment Fund is scheduled to receive \$2 million annually in general fund appropriations over a two-year period, but those monies will be released only if the Nebraska Arts Council is able to provide dollar for dollar matching funds.

Nelson said his proposal would change the structure to allow the Cultural Preservation Endowment Fund to receive up to \$1 million annually over a four-year period, based on whatever matching funds the Nebraska Arts Council is able to raise. The bill would allow the fund to receive an appropriation even if the arts council is not able to raise \$1 million annually in new monies, he said.

Cultural Preservation Endowment Fund board member Don Pederson testified in support of the bill, saying the modified funding structure would be better for the state and the endowment. Pederson said he believed the



arts council could reach the \$2 million mark this year, but maintaining the current funding structure would be a strain on donors and the state budget.

“We want to be good partners with the state,” he said.

There was no opposition testimony and the committee took no immediate action on the bill.

## Banking, Commerce, & Insurance

### Mortgage originator licensing bill advances

Lawmakers gave first-round approval March 18 to a bill intended to bring the state into compliance with the federal Secure and Fair Enforcement for Mortgage Licensing Act.

LB328, introduced by Omaha Sen. Rich Pahls at the request of the state Department of Banking and Finance, would make several changes to state laws governing mortgage



Sen. Rich Pahls

originators. Among other provisions, the bill would:

- repeal the exemption of individual mortgage loan originators from state licensure;
- require individual mortgage loan originators who work for installment loan companies to be licensed; and
- mandate that state-chartered, non-insured depository institutions register their loan originators in the same manner that insured depository institutions are required to do.

Pahls said all states must adopt a system of licensure for individual mortgage loan originators by July 2009 to be in compliance with the federal mortgage licensing act.

LB328 advanced to select file on a 32-0 vote.

## Education

### Public school district spending requirements proposed

Public school districts would face spending requirements under a bill heard by the Education Committee March 17.

Under LB240, sponsored by Omaha Sen. Rich Pahls, every public

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school district would be required to spend at least 65 percent of its total annual operating expenditures on direct classroom instruction.

“My intent is to see if the money is actually getting to the classroom,” Pahls said.

Doug Lewis, assistant superintendent of Papillion-La Vista public schools, testified in opposition to the bill. He said local school boards make budget decisions based on the specific needs of the district.

“This bill does not look at those individual needs,” he said.

Mike Dulaney of the Nebraska Council of School Administrators also opposed the bill.

“What’s good for one school district may not be good for another,” he said. “I do believe that local control has merit and we will fight to protect that.”

The committee took no immediate action on the bill.

## Bill would forgive loans for more teachers

Senators advanced a measure March 20 that would forgive some loans for teachers who pursue graduate degrees.

LB547, introduced by York Sen. Greg Adams, would change the way \$1 million of lottery funds are used in a teacher loan forgiveness program. Currently, the Attracting Excellence to Teaching program provides forgivable loans to teachers who work in areas of high need as established by the state Department of Education.

The bill, as amended by an Educa-



Sen. Greg Adams

tion Committee amendment adopted 36-0, would allow \$600,000 of the funds to be used for teachers pursuing graduate degrees. Adams said teachers are able to increase their salaries by acquiring graduate degrees. However, many teachers can’t afford to get graduate degrees, so they leave the teaching profession, he said.

“We may very well be losing our best folks,” he said. “They’re making a monetary decision.”

Under the bill, the graduate degree would have to be within the teacher’s endorsed area and teachers would have to commit to staying in the teaching profession for at least two years.

Lincoln Sen. Tony Fulton supported the bill.

“This is a very innovative way to keep teachers in Nebraska,” he said.

LB547 advanced to select file on a 38-0 vote.

## Bill would delay school state aid certification

Senators gave first-round approval to a bill March 19 that would delay the certification of state aid and budget authority to school districts.

York Sen. Greg Adams, sponsor of LB548, said typically, the certification date falls on Feb. 1. An Education Committee amendment, adopted 32-5, would further delay the certification date of state aid to schools from April 1 to June 1.

Adams said the committee had initially planned to delay the date until after the February meeting of the Revenue Forecasting Board. Additional time is needed to provide accurate state aid estimates to school districts in light of federal stimulus funds, he said.

“I don’t want to have to do this,” Adams said, acknowledging the

measure would delay school districts’ ability to make budget decisions. “I don’t want to have to deal with recession. I don’t want to have to deal with declining revenues. But here we are.”

Adams said the committee is working with school administrators to determine how federal stimulus dollars will affect state aid to schools.

“What I’m asking for is more time,” Adams said.

Wilber Sen. Russ Karpisek said he was concerned the uncertainty of state aid funds would cause some districts to cut teacher jobs.

“I think we’re really making things tough on them,” he said.

Papillion Sen. Tim Gay spoke in support of the bill.

“If we give them the wrong numbers now, we’re creating more problems down the road,” he said.

LB292 was advanced to select file on a 32-3 vote.

## Executive Board

### Bill would create separate audit, research offices

Senators advanced a bill March 18 that would divide the office of Legislative Audit and Research into two offices.

Lexington Sen. John Wightman, sponsor of LB620, said the bill would enact recommendations from an independent professional peer review of the office. Under the bill, the research and audit functions would be organized under separate offices



Sen. John Wightman

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with separate budgets.

Scottsbluff Sen. John Harms said the audit office "has grown in strength and responsibility."

"It's important for them to have their own budget," he said.

LB620 was advanced to select file on a 39-0 vote.

## General Affairs

### Senators debate cigar bar smoking ban exemption

Lawmakers began discussion March 20 of a bill that would allow a cigar bar exemption to the statewide smoking ban passed last year and set to take effect June 1, 2009.

LB355, introduced by Omaha Sen. Scott Lautenbaugh, would allow an exemption for cigar bars that hold a Class C liquor license and receive at least 15 percent of their gross profits from the sale of cigars, cigarettes and other tobacco and tobacco-related products.



Sen. Scott Lautenbaugh

A proposed General Affairs Committee amendment would change the qualifying requirement from gross profits to gross revenue and would require proof be submitted to the Nebraska Liquor Control Commission. The amendment also would prohibit counties and cities from passing resolutions or ordinances prohibiting smoking in cigar bars.

Lautenbaugh said the bill was similar to an amendment he tried to attach to the statewide smoking ban bill last year. It was inconsistent for the state to provide an exemption for

tobacco shops but not for cigar bars, he said, adding that LB355 would apply only to a "handful" of entities.

"This is not a repeal of the smoking ban," he said. "This is meant to be narrow."

Lautenbaugh said cigar bars will not survive the statewide smoking ban, and encouraged senators to provide them an exception.

"We are putting businesses out of business," he said. "And that's not the business we should be in."

Lincoln Sen. Bill Avery objected to the prohibition on local ordinances, noting that Lincoln voters upheld a citywide smoking ban in 2004. The ban was confirmed by 62 percent of voters, he said.

"We should be very careful about overruling the vote of the people," Avery said, adding that lawmakers worked hard to pass the statewide smoking ban.

"It took two years to get it done," he said. "This is a backdoor way of eroding a very hard won battle."

Grand Island Sen. Mike Gloor agreed.

The state often regulates behavior on private property in the interests of public health, he said. For example, cities have ordinances regulating backyard trash burning. The smoking ban is not about individual freedom or personal rights, Gloor said, but about public health.

"[Smoking] is a public health hazard and we should not backslide on the decisions that were made last year," Gloor said.

But Sen. Brenda Council of Omaha questioned classifying the smoking ban as a public health issue. A former bar owner, Council said she told potential employees that they always had the option of not working in an establishment that allows smoking.

"You don't have to work in my

bar," she said. "This is a right to work state and a right not to work state."

Lexington Sen. John Wightman offered an amendment that would remove cigarettes and other tobacco-related products from the list of products that establishments must earn 15 percent of their gross revenue from to qualify for the exemption as a cigar bar.

Wightman said he was concerned that owners wishing to qualify as cigar bars could manipulate the bill's broad language.

Senators adjourned for the day without taking action on LB355.

## Government, Military & Veterans Affairs

### Lawmakers advance public meeting changes

Senators advanced a bill March 18 that would allow some public governing bodies to record roll call and voice votes with an electronic voting device.

LB361, introduced by Lincoln Sen. Bill Avery, would apply to governing bodies created under the Interlocal Cooperation Act, the Joint Public Agency Act and the Municipal Cooperative Financing Act.



Sen. Bill Avery

Currently, only municipalities are authorized to use electronic voting devices.

"This bill would allow efficiency in government," Avery said. "It would also allow for more accurate records."

For example, some municipal

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energy agencies include 190 communities with voting rights, Avery said. Roll call votes sometimes take nearly 30 minutes, he said.

The Government, Military and Veterans Affairs Committee offered an amendment that would add county governing bodies to the entities allowed to use electronic voting devices. The committee amendment also would include provisions from two other bills.

LB465, introduced by Imperial Sen. Mark Christensen, would allow Education Service Units to hold meetings by video or telephone conference. No more than half of the annual meetings could be held using such methods.

LB639, introduced by Wilber Sen. Russ Karpisek, would allow risk management pool governing bodies to conduct more than half of their annual meetings by telephone conference if their quarterly meetings are conducted in person.

The committee amendment was adopted on a 32-0 vote and LB361 advanced to select file on a 34-0 vote.

## Health & Human Services

### Behavioral health education center proposal advanced

A bill intended to improve community-based behavioral health services in Nebraska was given first-round approval March 19.

LB603, introduced by Papihion Sen. Tim Gay on behalf of the



Sen. Tim Gay

Health and Human Services Committee, would create a behavioral health education center to be administered by the University of Nebraska Medical Center. Gay said the education center would increase the number of behavioral health professionals in the state and provide training in alternative delivery methods, resulting in expanded behavioral health outreach in rural Nebraska.

Among other provisions, the bill would:

- provide funds for two additional psychiatry residents per year in a Nebraska-based program, up to a total of eight residents by 2013;
- require center-funded residents to participate in rural training;
- focus behavioral health professional training on telehealth techniques and other innovative means of care delivery;
- analyze the geographic and demographic availability of behavioral health professionals in Nebraska; and
- develop six interdisciplinary training sites, four of which must be in counties with a population under 50,000.

Gay said the bill is an integral part of fixing the state's behavioral health system.

"The purpose is to create infrastructure to support current and future providers," he said. "The bill is not a fix-all, but a first step."

Lincoln Sen. Bill Avery agreed, reminding senators of promises made to Nebraska families during the Legislature's special session on the safe haven bill.

"We cannot do everything that we need to do on the cheap," he said. "It will cost money, but the payoff will be worth it in the long run."

Sen. Lavon Heidemann of Elk

Creek supported the bill, saying it should be a priority for the state, but raised concerns about the funding mechanism. As written, funding for LB603 would come from the state's health care cash fund. Heidemann said the fund is currently sustainable until 2042, but that may change if lawmakers decide to use it as a source of funding for health care bills.

"We are starting down a road to make this [fund] unsustainable," he said.

LB603 is part of a package of behavioral health measures that senators have agreed to consider together in terms of funding. Gay said negotiations continue on funding mechanisms for all bills in the package and that a plan will be discussed further on select file.

After passing a technical committee amendment, lawmakers advanced LB603 on a 34-0 vote.

## Judiciary

### Increased penalties considered for offenses against HHS employees

The Judiciary Committee heard testimony March 19 on a bill that would increase penalties for offenses against employees at regional and youth rehabilitation centers.

Under LB38, introduced by Norfolk Sen. Mike Flood, offenses against employees of the state Department of Health and Human Services who work in a regional center facility or a youth rehabilitation and treatment center could be charged as felonies. The bill



Sen. Mike Flood

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would allow the filing of felony charges against people confined in a regional center or a youth rehabilitation and treatment center, including those committed as a mentally ill dangerous person or a dangerous sex offender.

Scot Adams, director of the department's division of behavioral health, testified in support of the bill. In 2007, there were 81 assaults on employees at the Lincoln Regional Center and 79 at the Norfolk Regional Center, he said, 13 percent of which resulted in serious injury.

"A law is needed to help protect our employees," Adams said.

Regina Seamann was assaulted in 2006 while she was an employee at the Norfolk Regional Center. She testified in support of the bill, saying it would deter future attacks like the one she sustained, which resulted in 10 months of missed work.

"The patients know that they will not be charged severely," she said.

Tony Noble, a security specialist at the Lincoln Regional Center, agreed. He was assaulted in October 2006 and said his assailant did not fear repercussions for his actions.

"They were cocky and frequently said, 'You can't do anything to me.' It would have made a big difference if it had been possible to file felony assault charges against them," Noble said.

Brad Meurrens of Nebraska Advocacy Services, Inc. testified in opposition to the bill, calling it a "misguided approach." He said assaults on staff are often manifestations of offenders' mental illnesses and staff injuries may be the result of "systemic problems" within the facility. A better approach would be to examine the treatment options of the offender and the organization of the facility where the assault occurred, Meurrens said.

"We shouldn't use a machete where a scalpel should be used," he said.

The committee took no immediate action on the bill.

### Senators advance appropriation to address violence prevention

Lawmakers advanced a \$455,000 appropriation March 17 to fund the Office of Violence Prevention created under LB63.

LB63, introduced by Omaha Sen. Mike Friend, would enhance penalties for several existing firearm violations and violent crimes committed with weapons. Friend said new offenses created under the bill are designed to discourage violent gang activities known to promote retaliation by rivals.



Sen. Mike Friend

The bill also would create a state Office of Violence Prevention. The office would include a director and advisory board appointed by the governor and would work with state and local law enforcement to implement programs to reduce violence. The office also would identify programs and services for people previously convicted of violent crimes to help change their pattern of violent behavior.

LB63A would appropriate \$455,000 in fiscal year 2009-10 and \$459,753 in FY2010-11.

Omaha Sen. Brad Ashford said the prevention office is a worthy investment because it would reduce incarceration and rehabilitation costs to the state.

"By next session we'll be able to show that this is money well spent," he said.

Sen. Steve Lathrop cited the effectiveness of other prevention programs around the country and called the appropriation a "modest investment."

But North Platte Sen. Tom Hansen questioned whether state dollars should be used to deal with what he said is mainly an Omaha issue.

"This is starting to look like a stimulus package for Douglas County," he said.

Bellevue Sen. Scott Price said he would like to see the money go directly to law enforcement rather than be used to begin a new program.

Omaha Sen. Pete Pirsch questioned whether the funding was necessary since the enhanced penalties provided for in LB63 likely would cut down on violent crime.

But Ashford said Nebraska could no longer depend solely on law enforcement to solve the state's violent crime problem.

"It hasn't worked in the past and it won't work in the future," he said. "We must have a new approach on this issue."

LB63A advanced to select file on a 27-1 vote.

### Bill would update interstate regulations for juveniles

An updated version of the Interstate Compact for Juveniles would be adopted under a bill heard by the Judiciary Committee March 18.

The Interstate Juvenile Compact is an agreement between states to track and supervise juveniles on probation who move across state borders. The compact also regulates the return



Sen. Steve Lathrop

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of out-of-state runaways.

Omaha Sen. Steve Lathrop, sponsor of LB237, said the bill would allow Nebraska to join 35 other states that are already part of the compact.

Kari Rumbaugh of the Nebraska Probation Administration testified in support of the bill, saying that the compact's rules and oversight practices would enhance community safety.

"Leaving the compact to state-to-state agreements could become very costly," Rumbaugh said.

No opposition testimony was offered and the committee took no immediate action on the bill.

## Bill would make changes to sex offender registration

The Judiciary Committee heard testimony March 18 on a bill dealing with several aspects of the state's sex offender registry.

LB285, introduced by Omaha Sen. Pete Pirsch, would expand information included in the registry and change the verification process of that information. The bill also would expand registry offenses and outline changes in the duration of registration requirements, penalties for failure to register and public access to the information.

Pirsch said the bill would bring Nebraska into compliance with federal guidelines. Failure to comply by July 27 would result in a 10 percent reduction in federal grant funding for law enforcement, he said.

Information in the registry under LB285 would include:

- all residency, employment and

vehicle information;

- travel and immigration documents;
- professional license information;
- computer and Internet identifiers and addresses;
- cell phone information;
- digital fingerprints and palm prints;
- a digital photograph; and
- a DNA sample.

Initial registration would occur at a Nebraska State Patrol facility within three business days. The bill would stipulate that verification of registry information be done in person. Fifteen-year registrants would verify the information annually, 25-year registrants would verify every six months and lifetime registrants would verify every three months. Status changes would have to be reported to a county sheriff within three business days.

Public notification would include all registrant changes. Violations of registry requirements would be reported to the U.S. Marshal Service and an arrest warrant would be sought.

Registry offenses would be expanded to include incest, unlawful intrusion, sex-related child abuse, enticement by electronic device, sexual assault of an inmate or protected adult and sexually motivated offenses. The provisions of the bill would be retroactive for sex offense convictions on or after Jan. 1, 1997.

Offenses punishable by imprisonment for less than one year would require a 15-year registration. After 10 years, 15-year registrants would be eligible to apply for "Clean Record" consideration if they have successfully completed probation, parole or supervised release and successfully completed a sex offender treatment program.

Offenses punishable by more than

one year of imprisonment would require a 25-year registration. Lifetime registration would be required for offenders with prior sex offense convictions, aggravated offenses or a lifetime registration in another jurisdiction.

Under LB285, length of registration would be based solely on the convicted offense, rather than on risk of recidivism.

Pirsch said basing the length of registration on convictions ensures fairness.

"We're moving away from subjectivity and moving towards objectivity," he said. "I think that is a better way to report things – based on fact rather than on opinions."

Bryan Tuma of the Nebraska State Patrol testified in support of the bill, saying it is a comprehensive and nationally consistent approach to the issue.

Robert Creager, of the Nebraska Criminal Defense Attorneys Association, testified in opposition to the bill. He said the cost of implementing the changes outlined in LB285 would far exceed the 10 percent potential cut in federal grant funding for law enforcement. He also said the retroactive provision of the bill would violate offenders' right to due process.

The committee took no immediate action on the bill.

## Sports agent regulation bill advances

Lawmakers advanced a bill March 19 that would require sports agents seeking to represent student athletes to register with the state.

LB292, introduced by Omaha Sen. Steve Lathrop, would require registration, certification and background checks of sports agents seeking to represent intercollegiate athletes. The process would be administered by the secretary of state.



Sen. Pete Pirsch

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The bill would enable student athletes to opt out of an agreement within 14 days of signing. The director of the school's athletic department would have to be notified when a student athlete enters into a contract with a sports agent.

Lathrop said the bill would make Nebraska universities safer for talented student athletes. Currently sports agents in Nebraska do not have to provide any credentials when seeking to represent students. Lathrop said this lack of accountability has led some student athletes into financially ruinous contracts with disreputable sports agents.

"There is much at stake," he said.

The Judiciary Committee offered a technical amendment that was adopted 37-0.

LB292 was advanced to select file on a 40-0 vote.

## Bill would prohibit intentional exposure to disease

The Judiciary Committee heard testimony March 20 on a bill that would prohibit individuals from intentionally exposing others to a life-threatening communicable disease.

Under LB625, introduced by Omaha Sen. Pete Pirsch, people who know they are infected with a life-threatening communicable disease would be prohibited from engaging in sexual intercourse or sodomy, the sale or donation of their organs, tissues, blood or other bodily fluids, and the sharing of hypodermic needles or syringes with the intent of transmitting the disease.

Violations would be a Class IB

felony.

"The intent of the bill is not to target one particular life-threatening communicable disease," Pirsch said. "This is designed to be applied across the board."

E.J. Jack of Omaha testified in opposition to the bill, saying it is a misguided attempt to address HIV and AIDS issues. A better method would be to focus on education rather than criminalization, Jack said.

"I think this is going to adversely affect those living with HIV or AIDS," he said.

Robert Creager of the Nebraska Criminal Defense Attorneys Association testified in a neutral capacity on the bill. He supported the intent of the bill but raised concerns about the lack of a specific definition of a life-threatening communicable disease. He also said it would be difficult to determine if someone intentionally exposed another person with the intent of transmitting the disease.

"You could do it knowing that you have it, but not intending to transmit it," Creager said.

The committee took no immediate action on the bill.

## Natural Resources

### Plan for measuring streamflows advances to select file

Natural resources districts would have a process for measuring changes in streamflows under a bill advanced from general file March 17.

LB54, introduced and prioritized by Valentine Sen. Deb Fischer, would require integrated management plans for fully or overappropriated areas to

include procedures for tracking depletions and gains resulting from new, expired or modified water uses.

The bill would require that districts use generally accepted methodologies to estimate streamflow depletions and gains and provide information on gains as offsets to new uses. Districts would be required to establish that new uses would not cause significant adverse effects for existing surface or ground water uses. They also would be required to submit a procedure for sharing information with the state Department of Natural Resources.

In addition, districts would identify water available to mitigate new uses and offer a plan for water offsets for economic development purposes. Districts also would develop application procedures for new water uses and corresponding offsets.

The bill would not affect integrated management plans approved before the legislation's enactment.

A Natural Resources Committee amendment was offered that would ensure new uses have a minimal effect on existing surface or ground water users. It also would require that parties, such as political subdivisions, be afforded the opportunity to provide input when assessing water offsets for economic development opportunities.

Fischer said LB54 offers "clear and transparent" procedures for tracking gains and depletions. She said the bill would allow NRDs to move forward in determining how offsets are accomplished.

Scottsbluff Sen. John Harms had concerns regarding the use of models



Sen. Deb Fischer



Sen. Pete Pirsch

# ISSUES UPFRONT.....

in determining streamflows.

“Models are difficult, and even the best scientists don’t agree on the models,” Harms said.

Holdrege Sen. Tom Carlson spoke in support of LB54. He said naming a specific methodology in statute would be unwise, as they often change.

The committee amendment was adopted 36-0, and the bill advanced to select file on a 40-0 vote.

## Riparian water rights bill advances

The state Department of Natural Resources would be authorized to administer riparian water rights under a bill advanced to final reading March 18.

Under LB184, introduced by Ellsworth Sen. LeRoy Louden, the administration of riparian water rights, which affect water usage in streams adjacent to properties, would be restored to the department. Louden said the department relinquished administration after its statutory authority to do so was challenged.



Sen. LeRoy Louden

LB184 would permit the department to administer riparian water rights that have been validated and recognized by a court order. The bill would apply to land that borders a natural stream, came into private ownership prior to April 4, 1895, and has not been separated at any time from the land contiguous to the stream.

The bill also would grant the department authority to close surface water appropriations for a riparian right when the riparian right is used for watering livestock in a stream. Other surface water appropriations for livestock, however, would not be affected.

Louden offered an amendment that he said addressed concerns regarding the bill’s constitutionality. His amendment would authorize the department to administer any court-ordered riparian water right. In addition, surface water appropriations could be closed for riparian rights only if appropriations are held by parties of the lawsuit validating the right, or have priority dates subsequent to the date of the court order.

Schuyler Sen. Chris Langemeier, who offered and later withdrew a motion to recommit the bill, said he was concerned that the department would elect not to administer riparian rights, because the bill does not require the department to act. The department operates under statutory authority, he said, and the bill would ask it to administer rights granted under common law.

“I think that you’re going to see the department shy away from this,” Langemeier said. “There is nothing wrong with the law — it just won’t do anything.”

Louden said the department administered riparian rights for more than 50 years, so it would not be a new duty for the agency. The department was challenged because there was no language in statute allowing the department to administer riparian rights, he said. LB184 would provide proper statutory authority, Louden said.

Louden’s amendment was adopted 26-5, and the bill advanced to final reading on a voice vote.

## Higher bid thresholds for power districts garner first-round approval

Public power districts would be able to contract more projects without sealed bids under a bill receiving first-round approval March 17.

LB300, introduced and prioritized

by Elk Creek Sen. Lavon Heidemann, would raise the thresholds that require districts to use sealed bids for the construction or improvement of power systems or irrigation works, as well as hydrogen or ethanol facilities. Currently, projects exceeding \$100,000 require sealed bids.



Sen. Lavon Heidemann

Under the bill, districts with revenue less than \$500 million would administer sealed bids for projects more than \$250,000. For districts with revenue greater than \$500 million, sealed bids would be required for projects in excess of \$500,000.

Heidemann said the last sealed bid threshold increase was from \$50,000 to \$100,000 in 1990. Due to increased costs for materials and services, he said, the \$100,000 threshold has proven inadequate.

Furthermore, he said, sealed bids can hamper, rather than enhance, bidding. The process for sealed bids can take 90 days, he said.

Holdrege Sen. Tom Carlson spoke in support of LB300. He said the bill would allow districts to save money through their contracts.

“Normally the thought of putting things out on bids in a free society makes sense, but this is actually a step to reduce costs,” Carlson said.

LB300 advanced to select file on a 41-0 vote.

## Retirement

### Peace officer retirement plan changes proposed

The Nebraska Retirement Systems Committee heard testimony March

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18 on a proposal that would alter retirement plans for peace officers in first class cities. A first class city is defined as one with a population of 5,001 to 100,000.

LB426, sponsored by Louisville Sen. Dave Pankonin, would create a defined contribution retirement plan for first class city police officers beginning Oct. 1, 2009. Under the bill, the contribution rates for employees and for the employer match would be 8 percent in 2009 and 9 percent in 2012.



Sen. Dave Pankonin

The plan would have a five-year vesting period and allow portability of pension contributions. Existing death and survivor benefits would remain unchanged. A city's increased contribution payments would be outside of lid and levy restrictions.

Pankonin said the bill is the result of years of negotiations between city governments, the League of Nebraska Municipalities and law enforcement associations.

Jim Peschong of the Police Officers' Association of Nebraska testified in support of the measure, saying the changes are in step with benefits officers receive in cities of other classes. For example, Lincoln police officers pay 9.45 percent toward retirement and the city pays 11.45 percent, he said.

"It's not about trying to beat cities of the first class out of money," Peschong said. "It's about taking care of law enforcement men and women."

Norfolk police chief Bill Mizner agreed. He said young officers are leaving Nebraska for states with better retirement packages. The bill

is not meant to benefit those who are close to retirement, he said, but rather newly hired officers.

"That's why we're here; that's who we're working for," Mizner said. "We want to be able to compete."

Randy Gates, Norfolk finance officer, also testified in support.

Gates said the bill's mandated contribution increases for Norfolk would be approximately \$38,000 per year for the first three years. He said that amount would equate to a property tax increase of approximately \$3 per year for the owner of a home valued at \$100,000.

"It's a relatively minor cost," Gates said.

Lynn Rex of the Nebraska League of Municipalities agreed.

"We're not talking about huge shifts over to property tax," she said.

Byron Patterson, a captain with the Kearney Police Department, expressed concern that some members of the law enforcement associations involved in negotiating the bill do not fully understand the agreement reached.

Testifying in opposition, Patterson said the bill might potentially harm the small number of officers who were employed prior to 1984 and are members of the defined benefit plan.

The committee took no immediate action on the bill.

## Revenue

### Extensions for tax incentive programs advance

Various state tax incentive programs would be extended under a bill that advanced to select file March 18.

As introduced, LB164 would have

eliminated sunset dates for the Nebraska Advantage Research and Development Act, the Nebraska Advantage Microenterprise Tax Credit Act, and Tiers I and III of the Nebraska Advantage Act. The bill was modified by a Revenue Committee amendment, adopted 30-0, that implemented a sunset date of Dec. 31, 2015. All the programs are currently set to be phased out within a day of Jan. 1, 2011.



Sen. Abbie Cornett

LB164 sponsor, Sen. Abbie Cornett of Bellevue, said studies are currently underway regarding incentive programs, but they are incomplete.

"We don't have full data yet on how effective [the programs] are," Cornett said.

Remaining provisions of the bill would:

- extend the sunset date for the Agricultural Opportunities and Value-Added Partnership and the Building Entrepreneurial Communities Act grant programs from Jan. 1, 2011 to Jan. 1, 2015;
- expand the definition of new employee under the Nebraska Advantage Act to include employees at Nebraska military facilities who perform work connected to a project;
- allow businesses that capture 75 percent or more of their revenue from the sale of personal property outside the state to qualify under the Nebraska Advantage Act;
- allow companies under Tier VI of the Nebraska Advantage Act to claim all employees for credits against income tax;

# ISSUES UPFRONT.....

- alter penalties for inadequate investment or employment under Nebraska Advantage; and
- prohibit interest on refunds under the Nebraska Advantage Research and Development Act and the Nebraska Advantage Microenterprise Tax Credit Act.

LB164 advanced to select file on a 39-0 vote.

## Elimination of all sales tax exemptions considered

A bill heard before the Revenue Committee March 20 would sunset every sales tax exemption offered by the state of Nebraska, eventually eliminating the entire sales tax system by 2016.

LB385, introduced and prioritized by Omaha Sen. Rich Pahls, would implement the following schedule of sunsets for sales tax exemptions:

- July 1, 2011, for exemptions enacted or last amended prior to 2005;
- July 1, 2012, for exemptions enacted or last amended since 2005; and
- July 1, 2013, for exemptions on rebates relating to motor vehicles and motorboats and the sales tax on services.

The bill also would revoke the authority of political subdivisions to enact local option sales taxes on July 1, 2014, and cease sales tax obligations for storage, use, lease and rental fees on July 1, 2015. This would be followed by the elimination of the state sales tax on July 1, 2016.

Pahls said the bill is based on a re-



Sen. Rich Pahls

port issued in 2007 by the Nebraska Tax Policy Commission, on which he served as a member. He said his bill would prompt the Legislature to review the sales tax system and determine which exemptions, if any, are needed.

Property taxes and corporate income taxes could be replaced with revenues collected from the repeal of sales tax exemptions, Pahls said. The state annually receives \$2 billion in sales taxes, he said, but it exempts \$3 billion.

York Sen. Greg Adams said he is concerned that increased reliance on sales tax revenue would result in tax shifts during economic downturns that ultimately resemble the current tax system.

“Do we become too dependent on sales tax that is cyclical in nature?” Adams asked. “At some point, do we end up right back where we were to some degree?”

John McCollister of Omaha testified in support of the bill. Although the \$2 billion collected from state sales tax revenue is significant, he said, what is more important is the uncollected revenue resulting from a “patchwork of exemptions [that are] inherently unfair.”

He said reductions in property taxes and income taxes would make Nebraska more economically competitive. It would be easier for the Legislature to repeal all exemptions and work backwards, he said.

Ron Sedlacek, representing the Nebraska Chamber of Commerce, testified in opposition to the bill. He said it would create uncertainty and potential disruptions for businesses operating in Nebraska.

Lincoln Electric System vice president Shelley Sahling-Zart, who appeared on behalf of the Nebraska Power Association, opposed LB385.

She said taxes on fuel used to generate electricity would be passed on to consumers.

“Essentially, that fuel is being taxed twice if that exemption is eliminated,” Sahling-Zart said.

Jay Remppe of the Nebraska Farm Bureau also opposed the bill. He said the bill would result in substantially higher taxes for consumers, because animal sales would be taxed “four or five times ... before it gets to the end consumer.”

The committee took no immediate action on the bill.

## Funding mechanism for State Fair move considered

The city of Grand Island would have another tool to help finance the move of the State Fair under a bill heard by the Revenue Committee March 19.

LB559, introduced by Grand Island Sen. Mike Gloor, would permit cities other than those of the metropolitan or primary class to apply for funding from both the Convention Center Financing Assistance Act and the Local, Civic, Cultural and Convention Center Financing Act.

Under the Convention Center Financing Assistance Act, cities can receive state assistance up to 70 percent of the state sales tax collected by associated hotels. The bill also would change the distance requirement for associated hotels in first class cities from within 450 yards to one mile of an eligible facility.

LB559 would not require cities to issue bonds to receive state assistance. Rather, it would allow a city to



Sen. Mike Gloor

# ISSUES UPFRONT.....

proceed with official approval from its governing body and a financing plan.

Gloor said his bill would allow Grand Island to use a turn-back mechanism to repay financing of the State Fair relocation. He said the bill would annually provide \$190,000 to the city.

Bonds and other funding mechanisms are hard to use in the current economy, Gloor said, and LB559 would allow the city to use revenues generated by hotels near the proposed fair site to help fund the event's move.

"It's the economic downturn that has made this much more of a challenge," Gloor said.

Cindy Johnson, president of the Grand Island Chamber of Commerce, testified in support of LB559. She said local efforts, such as a 1.5 percent occupation tax in Grand Island, are providing relocation funds for the fair, but fundraising is difficult in today's economy. Grand Island should be allowed to utilize a turn-back mechanism similar to what was used to construct the Qwest Center in Omaha, she said.

Jeff Hix of Bellevue testified in opposition. He said he is opposed to using state funds for such projects in light of budgetary pressures that may be looming.

The committee took no immediate action on the bill.

## Provision would allow cities to opt out of tax incentive refunds

Cities and counties not wishing to forfeit sales tax revenues as part of refunds provided by the Nebraska Advantage Act could opt out of this provision under a bill heard by the Revenue Committee March 18.

LB640, introduced by Ogallala Sen. Ken Schilz, would allow municipi-

palities to choose not to refund local option sales and use taxes as part of the Nebraska Advantage Act. An ordinance or resolution by the locality's governing body would be required. Refunds would not affect entities applying to Nebraska Advantage before the enactment date of the bill.

Schilz said budgeting can be difficult for cities because the deductions made for Nebraska Advantage from sales tax revenues are unpredictable. He said his bill would allow municipalities to decide whether businesses under the Nebraska Advantage Act could claim refunds for local option sales tax paid.

Gary Person, city manager of Sidney, testified in support of LB640. He said communities trying to expand by using the Nebraska Advantage Act are now experiencing revenue losses.

"Local voters authorized use of local sales tax for local purposes, and the state is diverting these funds away from local use," Person said. "That is flat-out wrong."

The Sidney economy has tripled in the past 20 years, he said, but due to the capturing of local option sales tax, the city is facing a shortfall equivalent to the budgets of its police and fire departments.

Chris Anderson, city administrator of Central City, also testified in support of the bill. He said an ethanol plant that located in the community five years ago was recently approved for its refund, which amounted to approximately \$200,000 in local sales taxes. Anderson said this amount is equal to seven months of sales tax collections for the city.

"We had no idea what the potential exposure was," Anderson said. "The



Sen. Ken Schilz

city has some frustration that these refunds can accumulate for some time."

Richard Baier, director of the state Department of Economic Development, testified in opposition to LB640. He said now is the wrong time to pull back economic development efforts.

LB640 would require economic development recruiters to keep track of which political subdivisions permit refunds, Baier said, and would complicate efforts to attract businesses. He said the bill would result in lost opportunities.

Ron Sedlacek, representing the Nebraska Chamber of Commerce, also testified in opposition. He said the bill would pit cities against each other and make the state less competitive in attracting businesses.

The committee took no immediate action on the bill.

## Transportation & Telecommunications

### Construction zone speeding bill receives first-round approval

Motorists caught speeding in construction zones would find their fines doubled only if workers were present under a bill receiving first-round approval March 17.

LB111, introduced by Valentine Sen. Deb Fischer, stipulates that speeding fines may be doubled in construction zones only if the officer issuing the citation sees road workers in the construction zone.

"This bill does not change anything with speed limits," Fischer said. "What does change is that a construc-



Sen. Deb Fischer

# ISSUES UPFRONT.....

tion worker must be present.”

Fremont Sen. Charlie Janssen, who prioritized the bill, offered an amendment to add an emergency clause to the bill, saying LB111 addresses a “common sense emergency.” Bills with an emergency clause become effective immediately upon passage.

Both the adoption of Janssen’s amendment and the bill’s advancement to select file succeeded on votes of 36-0.

### Electronic title and lien process receives first-round approval

The state Department of Motor Vehicles would be required to develop

an electronic title and lien process under a bill receiving first-round approval March 18.

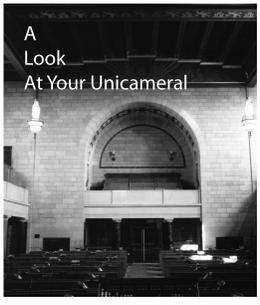
LB202, introduced and prioritized by the Transportation and Telecommunications Committee, would require that the department develop by Jan. 1, 2011, an electronic system for motor vehicle and motorboat titles and liens. A certificate of title would remain in the system if a lien or notice of a lien is filed, and owners could obtain printed certificates of title once all liens are discharged.

The bill would permit electronic title records to serve as sufficient evidence of an owner’s interest in a vehicle or boat. In addition, all se-

curity interests and liens would be submitted and cancelled through the system, which dealers and security interest holders could access.

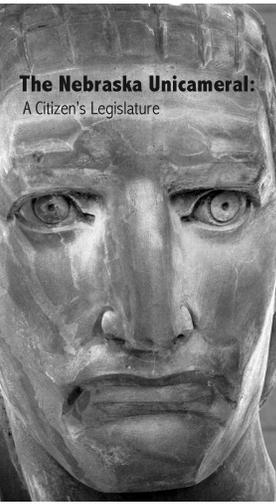
Committee chairperson Sen. Deb Fischer of Valentine said one of the most frequent complaints lodged against the current system is the amount of time needed to deliver titles. It is difficult for some dealers and owners to obtain titles from large banks with centralized storage, she said, and LB202 would expedite this process.

The bill advanced to select file on a 28-0 vote.



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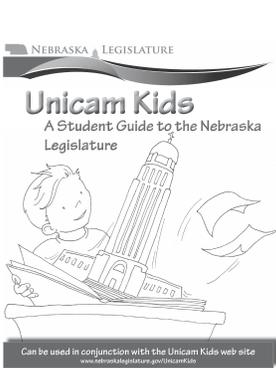
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# COMMITTEE HEARINGS

## Monday, March 23

### Appropriations

#### Room 1524 - 1:30 p.m.

LB269 (Heidemann) Change Nebraska Tobacco Settlement Trust Fund, Nebraska Health Care Cash Fund, and Stem Cell Research Cash Fund provisions

LB572 (Heidemann) Change Nebraska Tobacco Settlement Trust Fund provisions

LB459 (Harms) Appropriate funds for the Stay in the Game Program  
LB369 (Nantkes) Appropriate funds for the Every Woman Matters Program  
Agency 25 -- Health and Human Services (Operations, Children and Family Services, Medicaid and Long Term Care, Public Health, Behavioral Health, and Veterans Homes Divisions)

### Business and Labor

#### Room 2102 - 1:30 p.m.

LB564 (Lathrop) Require licensure of contractors under the Contractor Registration Act

LB628 (Business and Labor) Provide for payment of claims against the state  
LB629 (Business and Labor) Disapprove claims against the state

## Tuesday March 24

### Appropriations

#### Room 1524 - 1:30 p.m.

LB169 (Hadley) State intent relating to appropriations to the Department of Health and Human Services for the medical assistance program  
LB178 (Lathrop) State intent relating to appropriations to the Department of Health and Human Services for developmental disability aid

LB236 (Lathrop) Appropriate funds to the Department of Health and Human Services

LB468 (Karpisek) Appropriate funds to the Department of Health and Human Services  
Agency 25 -- Health and Human Services (Division of Developmental Disabilities)

## Wednesday, March 25

### Judiciary

#### Room 1113 - 1:30 p.m.

LB660 (Fulton) Change provisions relating to the Legislative Performance Audit Section and the Auditor of Public Accounts

LB4 (Christensen) Change the rate of jury compensation to minimum wage  
LB589 (Dierks) Designate both parents as joint custodians in a child custody determination unless there is proof otherwise

LB423 (Cornett) Change child custody provisions and the Parenting Act  
LB226 (Rogert) Change the age of majority to eighteen years of age for certain purposes

### Nebraska Retirement Systems

#### Room 1525 - 12:10 p.m.

LB427 (Pankonin) Adopt the County Law Enforcement Officer Retirement Act

### Revenue

#### Room 1524 - 1:30 p.m.

LB380 (Rogert) Change a state aid program relating to Indian reservations  
LB294 (Campbell) Change the length of time for county building levies  
LB474 (Stuthman) Change provisions relating to property exempt from property taxes

LB308 (Heidemann) Change levy provisions for rural and suburban fire protection districts

## Thursday, March 26

### Appropriations

#### Room 1525 - 1:30 p.m.

LB680 (Appropriations) Appropriate funds to carry out the federal American Recovery and Reinvestment Act of 2009

### Judiciary

#### Room 1113 - 1:30 p.m.

LB595 (Karpisek) Change corner's examination provisions in motor vehicle accident cases  
LB659 (Fulton) Provide for data collection relating to persons released from incarceration  
LB510 (Pirsch) Require the deposit and distribution of certain surcharges and inmate wages for the benefit of victims of crime  
LB518 (McGill) Change provisions relating to homicide and other criminal offenses and penalties

### Natural Resources

#### Room 1510 - 1:30 p.m.

AM769 to LB561

### Revenue

#### Room 1524 - 1:30 p.m.

LB521 (Pankonin) Provide additional tax levy authority for learning communities  
LB418 (Price) Require valuation changes by the Tax Equalization and Review Commission among counties which have learning communities  
LB469 (Karpisek) Create the Agricultural Land Valuation Task Force

# ISSUES UPFRONT.....

## Sen. McCoy sees Legislature as opportunity for leadership

“Leadership is part and parcel of everything we do here on a daily basis.”

Beau McCoy recognizes leadership when he sees it. He has a degree in the subject and 10 years’ experience owning and running small businesses.

Term limits offer a unique opportunity for newer senators to move into leadership roles and chairing

committees, the freshman senator said. Their responsibilities will be based not on their seniority in the body, but according to their personal strengths.

The Legislature is pretty fast paced, McCoy said, and the learning curve is steep. He’s still figuring out how to balance his responsibilities to his public office, his home improvement

and contracting businesses, and his family. The senator said the “back and forth” from Elkhorn to Lincoln is a challenge.

“I get rolling very, very early in the morning. And I take a briefcase home most nights,” he said.

Such is the nature of the Nebraska Legislature, McCoy said, which was designed to bring everyday citizens together as part-time senators who would return to private life, having left in their wake a better state.

He marveled at how lawmakers in the days before cell

phones and computers managed to keep their lives running at home while serving in the Legislature.

“Days tend to be very busy from start to finish, but thank goodness for technology,” he said.

McCoy has been involved in political campaigns since he was very young, but his campaign for a seat in the Unicameral was his first time as a candidate for public office. He said he was drawn to the opportunity of a new leadership role and the challenge of trying to make a difference for the state.

McCoy said growing up on a fourth-generation cattle ranch near Benkelman is helping him in his new role, as it provides the Omaha resident a perspective on rural issues that come before the Legislature.

McCoy and his wife, Shauna, have three children: Audrey, 5; Ryan, 3; and Nora, 1. “We have a busy house,” he said.

He and his wife are involved in the kids’ activities and are active in their church. When time allows, McCoy said, he reads nonfiction, biographies and historical fiction as a way to relax. Being so immersed in state issues, he tries to make time each day to catch up on national news.

And of course, they are big Husker fans and attend at as many games as possible on the weekends.

McCoy said his oldest daughter is just starting to get a sense of her father’s role as a state senator. All three children fully enjoyed campaigning, he said.

“Especially the parades.”



Sen. McCoy enjoys time with his wife, Shauna, and their three children.

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# CITIZEN VIEWS of the CAPITOL



photo by Keith Ghormley, used with permission

Named one of America's favorite buildings by the American Institute of Architects, Nebraska's State Capitol Building is a favorite subject among photographers. Its dramatic architecture provides many opportunities for closer study. The Unicameral Update invited members of the public to share their own Capitol photographs with our readers.

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