

THE NEBRASKA LEGISLATURE'S  
WEEKLY PUBLICATION

Stories published daily at  
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## UPDATE

## Proposal extending auto claims to family members clears first round



Sen. Norm Wallman introduced LB216, which the Legislature advanced 26-16 on Jan. 22.

Family members injured in a car crash in which a relative was driving would be able to recoup their medical expenses from the relative's auto insurance policy under a bill narrowly advanced Jan. 22.

Under current law, motor vehicle and aircraft operators are not liable for damages to passengers if they are a spouse, parent, grandparent, child, grandchild or sibling riding as a guest, unless the operator committed gross negligence or was under the influence of alcohol. The law is commonly referred to as the "guest statute."

LB216, introduced by Cortland Sen. Norm Wallman, would repeal the law, which he said is intended to thwart collusion amongst family members in making fraudulent insurance claims.

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## Chief Justice highlights juvenile court program

Nebraska Supreme Court Chief Justice Michael Heavican appeared before the Legislature Jan. 21 to deliver a State of the Judiciary address that emphasized "swift and fair justice for children" in juvenile courts and the use of technology as a cost-saving measure.

Heavican reported on progress made by the "Through the Eyes of the Child" initiative, designed to assist abused and neglected children in the juvenile court system. He said the program was showing promising

results.

"The goal is for children to receive rehabilitative services without being made wards of the state," he said.

Heavican mentioned the benefits of "front loading," which involves holding pre-hearing conferences for cases involving children who have been removed from abusive or neglectful households. These conferences offer an opportunity for delivering needed services to these individuals, he said.

Heavican highlighted portions of

the program's data in his address, noting that nearly 80 percent of all juveniles in the project are receiving needed services in their own home while on probation. He also reported a "significant drop" in the state's foster care population, from 6,222 children in 2006 to 5,221 in 2009.

"Although the data indicates that we still have room for improvement, the collection and analysis of the reports is a significant step in improving the work we do on behalf of Nebraska's most vulnerable children."

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# A CLOSER LOOK.....

## Proposal extending auto claims advances

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Wallman offered an example: if a father who is driving his son and his friend to a baseball game is involved in a car accident, his auto insurer would pay for the friend's medical bills, but not his son's.

Holdrege Sen. Tom Carlson opposed the bill, saying it would cause an estimated 3 to 5 percent increase in premiums. The insurance industry instead should encourage policyholders to add medical coverage to their policies, he said.

Omaha Sen. Steve Lathrop spoke in support of the bill. When the guest statute was implemented, he said, health insurance deductibles were approximately \$100, but the higher deductibles in modern insurance plans present difficulties for families trying to pay medical bills associated with accidents.

"The collusive lawsuit is a rare thing and what we are doing today is treating every family member as though they were going to engage in a collusive lawsuit," Lathrop said.

Lathrop said Nebraska is one of nine states that has not repealed its guest statute or had it declared unconstitutional.

LB216 was advanced from general file 26-16. ■



## Chief Justice highlights juvenile court program, efficiencies

*continued from front page*

Finally, Heavican detailed how the court system is using technology to offset costs in light of the state's fiscal situation.

He said allowing the electronic payment of fines and the electronic filing of court materials in district and county courts has been a success. E-filing will be available in all courts by March, he said.

Automation of court clerks' work has also provided savings, Heavican said. Default judgments, which are given to defendants who do not respond in court, are now computerized. In the past staff had to go through a lengthy process of pulling files and issuing paperwork, he said.

"The 38 county courts using this new default judgment system pro-

cessed over 4,000 judgments and saved an estimated 1,000 hours in staff time," he said.

Courts are also using Skype — a computer program that provides free video calls — for group interaction among judges, magistrates, attorneys, and interpreters. Heavican said this has reduced travel costs.

Beyond technology, Heavican said courts have restricted hiring, travel and large purchases to keep costs down.

"Because our budget is 95 percent salaries and benefits, budget reductions are particularly difficult for the judiciary," he said. "Nevertheless, this court is continuing efforts to make cuts while at the same time maintaining necessary court services." ■



Chief Justice Mike Heavican is escorted out of the Norris Chamber after giving his State of the Judiciary address Jan. 21.

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## Banking, Commerce & Insurance

### Bill would fine unlicensed realtors

The Banking, Commerce and Insurance Committee heard testimony Jan. 19 on a measure that would allow the Nebraska Real Estate Commission to assess fines against unlicensed individuals conducting activity that requires a real estate license.

Schuyler Sen. Chris Langemeier, sponsor of LB691, said the measure would give the real estate commission the ability to enforce Nebraska's existing licensure provisions. The state currently has no enforcement mechanism, he said.



Sen. Chris Langemeier

Greg Lemon, director of the Nebraska Real Estate Commission, testified in support of the bill, saying the Internet has changed the way real estate is sold.

The increased number of buyers shopping for homes online has resulted in more out-of-state realtors listing properties in Nebraska, he said. If those realtors are unlicensed, Lemon said, their activities can be difficult to regulate.

The bill would create a civil penalty of up to \$1,000 per day, or the amount of commissions earned without a license, whichever is greater. The penalties could be assessed only after deliv-



erance of notice and an administrative hearing before the commission.

"At least 13 other states have similar enforcement provisions," Lemon said.

There was no opposition testimony and the committee advanced LB691 to general file on a 6-0 vote.

## Education

### Committee hears testimony on student health screenings

The Education Committee heard testimony Jan. 19 on a bill that would require the state Department of Health and Human Services to set health screening schedules for school districts.

Currently, school districts are required to screen every child for sight, hearing and dental health in the first quarter of each school year.

Grand Island Sen. Mike Gloor said he introduced LB713 because current law is outdated.

"There have been no major updates on issues related to screenings since the

1960s," he said.

Very few school districts can meet the first quarter deadline, Gloor said, adding that it's especially difficult for school nurses who work at several schools.

Under the bill, the department also would determine what screenings should be performed and would establish a method for gathering student health data for schools.

Jan Thede, Grand Island senior high school nurse, testified in support of the bill. She said current medical practice no longer requires every type of screening for every student every year.

"It is not practical. It is not useful. It is not necessary," Thede said.

Brian Halstead of the state Department of Education testified in a neutral capacity. He warned that new costs could be associated with the proposal if the Department of Health and Human Services decides to require additional screenings beyond sight, hearing and dental.

The committee took no immediate action on the bill.

### Committee considers blind, visually impaired education issues

The Education Committee heard testimony Jan. 19 on a bill that would adopt the Blind Persons Literacy



Sen. Mike Gloor

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Rights and Education Act.

Sen. Robert Giese of South Sioux City said he introduced LB754 to increase the Braille literacy of blind and visually impaired children in Nebraska.



Sen. Robert Giese

The bill would establish instruction in Braille as the default individualized education program (IEP) for blind and visually impaired children. Currently, each student's IEP team determines the method of instruction.

"Braille literacy is linked to employment," Giese said. "Those who were instructed in Braille are far more likely to be employed."

Under LB754, the state Department of Education would be required to develop and administer an examination for individuals who teach blind or visually impaired children. Likewise, the bill would require training and certification in Braille for those teachers employed by a school district or educational service unit.

Proponent testimony centered on the benefits of learning Braille.

Amy Buresh, state chapter president of the National Federation of the Blind, cited a 2009 study by the federation that found 90 percent of blind and visually impaired children are not receiving Braille instruction. Instead, instructors rely on audio texts, voice recognition software and large-print text, she said, and as a result many blind and visually impaired people are illiterate.

Maria Hernandez also testified in support of the bill. A blind graduate of public school, Hernandez said if a student is classified as low-vision, the individualized education program often does not include Braille instruction. Low-vision students,

who may eventually lose their sight completely, are instead taught to rely on large-print or other technologies, she said.

"We need to teach our kids to read and write regardless of media or technology," she said.

Opponents testified that the bill does not consider the individual needs of students.

Mary Campbell, representing the Lincoln Public Schools, testified in opposition to the bill.

"Our professionals feel that there are many good instruction modes," she said. "Each student's needs should be individually assessed."

Jane Byers, the special education administrator for Papillion-La Vista schools, agreed that the bill is not needed.

"We're already required as the IEP team to look at whether Braille should be considered," she said.

The committee took no immediate action on the bill.

## Government, Military & Veterans Affairs

### County consolidation proposed

The Legislature's Planning Committee would be tasked with developing a county consolidation plan for Nebraska under a bill heard Jan. 22 by the Government, Military and Veterans Affairs Committee.

LB826, introduced by Omaha Sen. Rich Pahls,



Sen. Rich Pahls

would require the Planning Committee to work with county officials and residents to develop a plan to reduce the number of counties to approximately 30 by 2018. There are currently 93 counties in Nebraska.

Fewer counties and more online services likely would result in more efficient local government, Pahls said, adding that the Nebraska constitution requires that any consolidation proposal be subject to voter approval in each affected county.

"My goal with LB826 is to get us started," he said. "[It] does not say how we are going to accomplish the goal; it begins the process."

Richard Goodban of Lincoln testified in support of the bill.

There should be criteria required for a county designation, he said, such as a minimum population, a minimum level of service provision or the ability to host a county fair.

Larry Dix, executive director of the Nebraska Association of County Officials, opposed the bill, saying there are ways of increasing efficiency at the county level other than reducing the number of counties.

Consolidation of services is becoming more common, he said, and is occurring both within and between counties.

In 13 Nebraska counties the county clerk also serves as the clerk of the district court, the assessor, the election commission and the register of deeds, Dix said. Interlocal agreements between counties also save money, he said, citing the example of Keith County, which dispatches E-911 calls for seven other counties.

"It doesn't always make the headlines," Dix said, "but I think consolidation of services will continue to happen."

The committee took no immediate action on the bill.

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## Health & Human Services

### Medical record access discussed

The Health and Human Services Committee heard testimony Jan. 20 on a bill that would eliminate a time limit on authorization for the release of health information.

Grand Island Sen. Mike Gloor, sponsor of LB702, said Nebraska's current 180-day limit on authorizations is more restrictive than federal law and creates a barrier to the exchange of health information.



Sen. Mike Gloor

If the 180-day provision were removed, Gloor said, HIPAA privacy rule requirements would apply. Under HIPAA rules, individuals may choose longer or shorter periods of authorization, or may allow access for a specified period of time, such as the duration of chemotherapy treatment.

"LB702 gives patients more options," Gloor said.

Travis Parker, deputy director of the Community Mental Health Center of Lancaster County, testified in support of the bill.

The center served over 4,500 consumers last year, Parker said, and obtaining new authorizations for each individual every 180 days is burdensome for staff. Allowing greater flexibility under the proposed bill would be beneficial for consumers and providers, he said.

For example, a person could stipulate that access to health records be terminated at the end of his or her

stay in an outpatient mental health unit, Parker said, eliminating the need for reauthorization every 180 days.

Shelia Wrobel, privacy officer for the Nebraska Medical Center campus, also supported the bill.

Many patients at the Nebraska Medical Center have advocates and family members who are deeply involved in their care, she said.

"These patients want to have the right to sign an authorization for a longer period of time," Wrobel said.

Don Wesley of the Nebraska Association of Trial Attorneys testified in opposition to the bill, citing privacy concerns.

While acknowledging the appeal of electronic transfers of information among health care providers, Wesley said insurance companies potentially could abuse access to medical records. The current requirement for reauthorization every 180 days was put in place to prevent open-ended access, he said.

"There is nothing more private than your medical records," Wesley said. "How do you make sure that [access] is not unlimited?"

The committee took no immediate action on the bill.

### Changes to chiropractic law considered

The Health and Human Services Committee heard testimony Jan. 21 on two bills related to the practice of physical therapy and chiropractic in Nebraska. The bills would make changes to the state's Chiropractic Practice Act.

LB710, sponsored by Ewing Sen. Cap Dierks,



Sen. Cap Dierks

would clarify the term chiropractic adjustment in the act, and LB803, sponsored by Omaha Sen. Jeremy Nordquist, would exempt licensed physical therapists from the act.

Dierks said LB710 would provide needed clarification regarding what constitutes a chiropractic adjustment and who is authorized to perform the procedure.

The bill would define chiropractic adjustment as joint manipulation, which involves a high-velocity thrust that carries a joint beyond the normal physiological range of motion and is accompanied by joint cavitation. Only individuals authorized to diagnose patients would be allowed to perform a chiropractic adjustment.

Under current law, physical therapists are not authorized to diagnose patients.

"The bill is intended to promote the health and safety of patients," he said.

Jeremiah Rethwisch of the Nebraska Chiropractic Physicians Association, who testified in support of the bill, said there are five grades of joint movement; grades one through four are mobilization and grade five is chiropractic manipulation.

Mobilization occurs within the normal range of motion and is within the scope of practice for physical therapists, massage therapists, athletic trainers and others, he said, while chiropractic manipulation involves high-velocity thrust and joint cavitation.

"Joint cavitation is the popping and cracking noise you hear when someone gets adjusted," Rethwisch said.

Steve Grasz, legal counsel for the Nebraska Chiropractic Physicians Association, testified in support of the bill, saying some physical therapists are engaging in grade five joint

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manipulation, which is outside their scope of practice and for which they may not be trained adequately.

“Statute is being ignored,” he said. “This bill will provide accountability and enforcement.”

Natalie Harms, a licensed physical therapist, opposed the bill, saying there is no consensus that grade five manipulation and chiropractic adjustment are synonymous.

“There is a different interpretation of the science,” she said. “You can have joint popping in grades one through four, depending on the person.”

Physical therapists have been performing grade five manipulations for over 50 years with no negative consequences for the public, she said.

James Cavanaugh of Creighton University Medical Center also opposed the bill.

National accreditation guidelines for physical therapy programs require the teaching of grade five manipulations, he said.

“The restrictions would jeopardize our ability to be an accredited physical therapy school,” Cavanaugh said.

Nordquist said he offered LB803 as an attempt to resolve the impasse between the two professions. The bill would exempt licensed physical therapists from the Chiropractic Practice Act.

The professions have different philosophies, training and terms, Nordquist said, and as such should be governed separately.

Kirk Peck of the Nebraska Physical Therapy Association supported the bill, saying it would legislatively recognize that the two practices are different.

“I think it’s a clear and simple solution,” he said.

Grasz disagreed. Currently only

those with diagnostic authority – physicians, surgeons and osteopaths – are exempt from the Chiropractic Practice Act, he said. Physical therapists do not have diagnostic authority and exempting them would be “a dramatic departure from current law.”

“[LB803] is bad precedent and bad public policy,” Grasz said.

The committee took no immediate action on either bill.

## Training for Alzheimer’s caregivers examined

Individuals working in Nebraska facilities with an Alzheimer’s special care unit would be required to obtain dementia-specific training under a bill heard by the Health and Human Services Committee Jan. 20.

Wilber Sen. Russ Karpisek, sponsor of LB726, said current law requires 12 hours of staff training annually for those working in Alzheimer’s special care units, but does not require dementia-specific training.



Sen. Russ Karpisek

LB726 would require that four of the 12 hours of training be dementia-specific and, as originally drafted, would have required a curriculum prescribed by the state Department of Health and Human Services. Karpisek asked the committee to remove the curriculum requirement due to the fiscal impact of developing and implementing a new training program.

Teresa Stitcher Fritz, program director of the Alzheimer’s Association of the Great Plains, testified in support of the bill, saying there are approximately 45,000 Alzheimer’s patients in Nebraska.

Facilities in the state that advertise as having an Alzheimer’s special care unit must disclose the Alzheimer’s-specific services they offer, she said, but there is no minimum criteria facilities must meet in order to use the label.

“We really want to see some uniformity across the state,” she said. “We need this minimum requirement in law.”

Brendon Polt of the Nebraska Assisted Living Association testified in a neutral capacity.

Requiring dementia-specific training is a good idea, Polt said, but sufficient training materials and programs already exist. The state does not need to “force” a curriculum on facilities, he said.

“This minimum requirement is good,” Polt said, “but the existing programs are sound.”

Karpisek said the bill was a step in the right direction even without a statewide, uniform curriculum.

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

## Judiciary

### Senators advance proposed DNA collection for felons

Senators gave first-round approval Jan. 22 to a bill that would require the collection and testing of DNA for all persons convicted of any felony for the state sample bank.

LB190, introduced by Lincoln Sen. Bill Avery, would apply retroactively to those currently imprisoned for



Sen. Bill Avery

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felonies and who do not have a DNA sample on file.

The bill had been considered last session and amended into LB1555. It was later withdrawn from that bill, Avery said, because of its fiscal note.

The proposal would help in identifying the guilty and exonerating the innocent, Avery said, adding that 227 wrongly convicted people have been exonerated nationally by DNA testing. They served an average of 12 years before being released, he said, and 17 were on death row.

“There are too many opportunities in the criminal justice system for failure,” he said. “But it [DNA testing] is the gold standard for evidence in criminal cases.”

The Judiciary Committee offered an amendment, adopted 39-0, that would expand the bill to include certain misdemeanors such as stalking, sexual abuse of a vulnerable person and violations of the sex offender registry.

Avery offered an amendment to the committee amendment, adopted 39-0, which would create the State DNA Sample and Data Base Fund, maintained by the state Department of Justice and administered by the state attorney general.

Money from state settlement funds, federal grants and any future legislative appropriations would be directed to the fund to cover costs associated with the bill, Avery said. The creation of the fund removed any fiscal impact to the state’s budget.

LB190 was advanced from general file on a 41-0 vote.

## Tort claim bill fails

Lawmakers rejected a bill Jan. 19 that would have made changes to the Political Subdivisions Tort Claims Act.

Omaha Sen. Brenda Council, sponsor of LB304, said the intent of the measure was to harmonize laws governing tort claims against political subdivisions and those against the state of Nebraska.



Sen. Brenda Council

Current law requires a party to file a written claim against a political subdivision within one year or forever be barred from recovery. LB304 would have extended the time limit from one year to two years, which is the time frame for filing a claim against the state.

“This bill simply harmonizes the provisions of the Political Subdivision Tort Claims Act with the State Tort Claims Act,” Council said, adding that the different requirements, “essentially create two classes of injured residents in the state of Nebraska.”

Sen. Steve Lathrop of Omaha said injured individuals often require extensive recovery time before turning their attention to the possibility of taking legal action.

“A year sounds like a long time, but it isn’t,” he said. “We are simply allowing people who have been hurt a little bit longer to make their claim.”

Omaha Sen. Scott Lautenbaugh opposed the bill, saying it was not the only solution to the existing inconsistency.

“There are two ways to standardize,” he said. “We have chosen the way that expands claims. We could have gone the other way and adopted the shorter [time] limit that cities have.”

LB304 failed to advance from general file on a 20-20 vote.

## Bill to abolish the death penalty stalls, cost study introduced

Senators began debate Jan. 20 on a bill that would repeal the death penalty. After some senators expressed disapproval of an amendment proposing a cost study of the state’s death penalty, LB306 stalled on general file.

Sponsored by Omaha Sen. Brenda Council, the bill would have replaced the death penalty with a maximum sentence of life without possibility of parole and with an order of restitution.

The death penalty discussion initially centered on questions of morality and fairness. Senators debated whether or not having a death penalty deters crime in Nebraska.

The emphasis shifted to cost when Council offered an amendment that instead would have required the state auditor to conduct an audit on the cost of the death penalty.

“The death penalty is an enormously expensive and wasteful program with no real benefits,” she said.

Council referenced studies estimating the cost of prosecuting a death penalty case to be 10 times that of other prosecutions.

Lincoln Sen. Danielle Conrad said death penalty-related expenditures would be better directed toward other crime reducing measures, noting that the number of Nebraska State Patrol authorized sworn positions is at the lowest level since 1986.

Conrad urged support for the amendment, acknowledging that a repeal of the death penalty lacked support.

“Let’s focus on the small sliver of common ground that exists,” she said.

Norfolk Sen. Mike Flood opposed

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the bill and Council's amendment. He recalled the 2002 Norfolk bank killings, saying the state should retain the death penalty as an appropriate punishment for those who commit the most horrendous crimes.

"It probably does cost more, but you know what? It should, because the state is taking someone's life," he said. "Justice demands that you pay the cost to prove your case."

Flood suggested that Council introduce the amendment as a bill so that the issue would have a public hearing.

Omaha Sen. Scott Lautenbaugh also opposed the amendment.

"I don't support studying this because the results aren't going to change any minds," he said.

Council's amendment failed on a 15-30 vote. Council moved to indefinitely postpone LB306 when the Legislature reconvened Jan. 21, and the body gave unanimous consent to do so.

Council then introduced a new bill, LB1105, that would require an audit of death penalty costs.

## Senators advance emergency responders' benefit bill

Senators advanced a bill from general file Jan. 19 that would change death and disability-related provisions for emergency response personnel.

Omaha Sen. Scott Lautenbaugh said he introduced LB373 to update current benefits for emergency responders.



Sen. Scott Lautenbaugh

Current law provides a presumption that certain illnesses contracted by a firefighter,

while still employed, are job-related. Heart disease, cancer and hypertension are the maladies covered in current law.

LB373 would expand that presumption to other illnesses, such as tuberculosis and some blood-borne diseases.

Originally, the bill would have allowed the presumption to extend past the date of current employment. The extension would have been calculated based upon the length of employment. But an amendment offered by the Judiciary Committee, adopted 28-3, would limit the extension to 90 days after employment.

Omaha Sen. Brad Ashford, chairperson of the committee, said the amendment was a reasonable compromise.

"The state has a role to make sure that the safety of those individuals is first and foremost," he said.

Louisville Sen. Dave Pankonin raised concerns about the cost of the proposal.

"I can't prove that it will increase costs," he said. "We just need to know, though, that this is a benefit enhancement."

LB373 was advanced on a 26-9 vote.

## Changes to estate allowances examined

Allowances applied to estates would change under a bill heard by the Judiciary Committee Jan. 20.

LB687, introduced by Lexington Sen. John Wightman, would affect the estates of decedents who die on or after Jan. 1, 2011. The bill would increase



Sen. John Wightman

homestead allowances from \$7,500 to \$20,000 and family allowances from \$9,000 to \$20,000 for lump sums, or \$750 to \$1,666.67 for monthly payments.

Both the homestead and family allowances are offered to a surviving spouse, or minor, or dependent children if there is no surviving spouse.

Current law also permits an allowance of \$5,000 for household furniture, automobiles, furnishings, appliances and personal effects, which would be increased under the bill to \$12,500. The exempt property allowance is offered to surviving spouses, or children, regardless of minor or dependent status, if there is no surviving spouse.

Wightman said the intent of the bill is to update allowance figures that have not been changed since 1980.

"The purpose of this [bill] is to provide support for a spouse, or minor or dependent children, during the time it takes to administer the estate," Wightman said.

The committee took no immediate action on the bill.

## Bill would require sex offenders to have permission to enter schools

The Judiciary Committee heard testimony Jan. 21 on a bill that would require certain sex offenders to obtain written permission from a school principal before entering school grounds.

LB694, introduced by Bellevue Sen. Scott Price, would apply to registered sex offenders who have been convicted of an aggravated offense against a person 18 years old or younger.



Sen. Scott Price

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“Nothing in the law protects children while they’re at school,” Price said.

Belinda Stussy, president of Leonard Lawrence Elementary’s Parent Teacher Association in Bellevue, testified in support of the bill. She recounted incidents where a sex offender repeatedly entered school grounds. The offender was arrested after a confrontation with a police officer, she said.

“The most we could do is take as many kids as we could and walk them to school,” she said.

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

## Bill clarifying ‘peeping Toms’ considered

Members of the Judiciary Committee held a hearing Jan. 20 for a bill that would redefine unlawful intrusion.

Under current law, it is a Class III misdemeanor — or a Class II misdemeanor if the victim is under the age of 18 — to knowingly intrude upon any other person without his or her consent or knowledge in a place of solitude or seclusion. Intrusion is defined as viewing or recording a person in a state of undress.

LB707, introduced by Malcolm Sen. Ken Haar, would remove from the definition the requirement that the victim be undressed. The bill also would add a dwelling unit as a place of solitude or seclusion and enable Class I misdemeanor charges for violators.

Doug Whitehead of Ashland testi-

fied in support of the bill. A person caught in the act of peeping into his family’s home through a bathroom window was not charged with unlawful intrusion, he said, because authorities could not prove that the victim was seen in a state of undress. Instead, the person was charged with disturbing the peace, he said, adding that the punishment was not commensurate with the crime.

“It’s offensive to us ... that we have to prove whether [the victim was] in a state of undress and whether or not the perpetrator viewed it,” Whitehead said.

The committee took no immediate action on the bill.

## Bill would raise threshold for sales of property left by tenants

Landlords left with furniture and other personal property of former tenants could more easily dispose of the property under a bill considered by the Judiciary Committee Jan. 20.

Current law requires that landlords, after providing a tenant with written notice of residual personal property, must hold a public sale if the value of the personal property is believed to be greater than \$250.

LB712, introduced by Tekamah Sen. Kent Rogert, would raise the public sale threshold to \$1,000.

Katie Zulkoski, representing the Nebraska Association of Commercial Property Owners, testified in support of the bill. She said the bill would cut down on the cost of public sales, which are causing losses for landlords due to inadequate buyer interest.

“What is happening is that people

are not coming to these sales, the property is ultimately not sold, and money cannot be recouped for the costs that were incurred,” Zulkoski said.

The committee took no immediate action on the bill.

## Bill would allow civil suits for child porn victims

The Judiciary Committee heard testimony Jan. 22 on a bill that would give victims of child pornography a civil cause of action against exploiters.

Omaha Sen. Scott Lautenbaugh introduced LB728 and said its primary goal is to stop further exploitation of children who are the subjects of child pornography.

Under the bill, victims would be allowed to sue individuals who created, distributed or possessed sexually explicit images or videos of them within the state. The state attorney general’s office would be authorized to pursue claims on behalf of the victims.

The bill would apply to victims age 15 and younger. Victims may file a suit within three years after the conclusion of any related criminal prosecution, police notification that the perpetrator has been identified or the victim’s 18<sup>th</sup> birthday.

LB728 would allow victims to seek a minimum of \$150,000 in damages.

Chief Deputy Attorney General David Cookson testified in support of the bill. He said cases of child pornography are particularly damaging to victims because the images spread quickly on the Internet.

“There is an initial event and a child is victimized,” he said. “But then it happens again and again and again. It’s become apparent to us how insidious[ly] and how quickly these



Sen. Ken Haar



Sen. Kent Rogert

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images spread.”

Cookson said the bill also could apply in situations where a boyfriend forwards explicit photos sent to him by his girlfriend.

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

## Revenue

### Appointment of county assessors considered

County boards would be permitted to appoint county assessors under a bill heard by the Revenue Committee Jan. 22.

LB823, introduced by Fremont Sen. Charlie Janssen, would authorize a county board, after receiving consent from a majority of voters during a statewide general election, to appoint a county assessor. To place the measure on a general election ballot, a board would need to adopt a resolution no less than 60 days before the election.



Sen. Charlie Janssen

Janssen said he introduced LB823 in response to a bill passed last year requiring counties with state-provided assessors to resume assessment duties. He said his bill would provide an avenue by which assessors can be selected without politicizing the position.

While state law requires assessments to be figured at 92 to 100 percent of market value, Janssen said, voters may not appreciate an assessor’s adherence to this law.

“Too often, assessors are punished for following state law,” Janssen said. “It is one of the few offices where be-

ing good at your job can jeopardize your future.”

Mike Goodwillie, representing the Douglas County Assessor’s Office, spoke in opposition to the bill. County boards already control assessors’ budgets, he said, and LB823 would put assessors’ tenures in the hands of county boards. In his experience, county boards tend to meddle in the assessment process when certain neighborhoods face higher assessments, he said.

“I think you’re going to make the process a lot more political than less,” Goodwillie said. “Most assessors would rather take their chances with the voters of the county than they would with four county board members.”

The committee took no immediate action on the bill.

### Expanded electronic tax payments proposed

The state tax commissioner would have the authority to require employers to deduct and withhold income taxes using electronic filings or transfers under a bill considered by the Revenue Committee Jan. 21.

LB878, introduced by Bellevue Sen. Abbie Cornett, would decrease the threshold from \$20,000 to \$500 for instances in which electronic fund transfers of taxes or fees are required. The bill also would extend from 90 to 180 days the timeline within which refunds of taxes must be paid for paper filings.



Sen. Abbie Cornett

The bill would change the date from March 15 to Feb. 1 by which an employer must provide employees

with copies of statements detailing taxes withheld on wages or payments subject to withholding. The bill would decrease from 250 to 50 the number of statements an employer may provide before being required to file electronically.

Finally, the bill would require that employers file withholding returns and pay taxes in such form and content as the tax commissioner may prescribe.

Cornett said the bill is intended to facilitate cost savings for the department.

State tax commissioner Doug Ewald said the department has used technology to reduce administrative costs and introduce efficiencies. Electronic filings will help the department reduce temporary staff to process paper returns, he said, adding that temporary staffing levels at the department have been halved and will be eliminated next year.

A hasty switch to only electronic filings is not the goal of the department, Ewald said. Even though the department is permitted to require electronic filings for tax payments of \$20,000, the department currently is enforcing filings at the \$25,000 level, he said, adding that the department would not immediately require filings for payments of \$500.

“It’s going to take us a while to get to that level,” Ewald said. “We don’t want to make it a hardship on anybody.”

Omaha Sen. Tom White said he supports incentives for using electronic filings but questions administering penalties against those wishing to pay taxes with cash.

“The idea of penalizing people for using what is acknowledged to be a legal tender for all debts, public and private, gives me great concern,” White said.

# ISSUES UPFRONT.....

The committee took no immediate action on the bill.

## Delinquent taxpayers list proposed

The Revenue Committee held a hearing Jan. 21 on a bill introduced on behalf of the state Department of Revenue. LB879 proposes several changes, among them allowing the department to post an online list of delinquent taxpayers.

Introduced by Bellevue Sen. Abbie Cornett, the bill would direct the departments of Labor and Revenue to prepare and publish a list of delinquent taxpayers owing taxes, penalties and costs in excess of \$20,000 for which a notice of lien has been filed. The list would be published on either department's Web site and would include the name, address, type and amount of the tax or fee due.

Taxpayers would receive notice from the tax commissioner or commissioner of labor 30 days before their names are published. Those added to the list would be removed within 15 days of providing full payment or entering a payment agreement.

State tax commissioner Doug Ewald said 16 other states release public lists of delinquent taxpayers, which have been found to expedite payments.

Other changes proposed in LB879 include:

- permitting the state Department of Motor Vehicles to provide the department with information, such as Social Security numbers and addresses, about license or state identification card holders;
- eliminating criteria for waiving interest on delinquent payments of motor fuel taxes;

- changing the funding source for the state athletic commissioner's office expenses from the Charitable Gaming Operations Fund to the State Athletic Commissioner's Cash Fund;
- authorizing the department to disclose taxpayer information to the state Department of Labor to administer the Employment Security Law or the Contractor Registration Act; and
- simplifying sales and use tax refunds under the Nebraska Advantage Act for purchases made by contractors.

The committee took no immediate action on the bill.

## Transportation & Telecommunications

### Repeal of disabled veterans license plate restriction considered

Disabled veterans would be permitted to purchase any number of Disabled American Veteran license plates under a bill heard by the Transportation and Telecommunications Committee Jan. 19.

Introduced by Malcolm Sen. Ken Haar, LB705 would eliminate the current restriction that prohibits applicants for Disabled American Veterans license plates from registering more than one motor vehicle, trailer, semitrailer or cabin trailer.

Haar said the bill would harmonize the guidelines for Disabled American

Veteran license plates with those regulating Purple Heart plates.

"I think it is a simple change and a very worthy change," Haar said.

The cost for the license plates is \$5 more than the regular license plate fee. The \$5 fee is deposited in the Nebraska Veteran Cemetery System Operation Fund.

John Schwartz testified in support of the bill. He said disabled veterans like him would be willing to pay the extra amount for their plates in order to show pride in their service.

The committee took no immediate action on the bill.

### Bill would eliminate DMV driver training school regulations

The state Department of Motor Vehicles would no longer develop rules and regulations for driver training schools under a bill considered by the Transportation and Telecommunications Committee Jan. 19.

LB739, introduced by Valentine Sen. Deb Fischer, would repeal law requiring that the DMV regulate driver training schools, license driver training schools and instructors and inspect licensee facilities and equipment.

DMV legal counsel Noelle Sherdon said the bill would not affect driver safety courses offered to youth, but rather driver training schools for adults.

"Nothing for training youth has been changed by this bill," Sherdon said.

Unlike driver safety programs, Sherdon said, driver training programs do not provide graduates with



Sen. Deb Fischer



Sen. Ken Haar

# ISSUES UPFRONT.....

waivers to obtain their licenses without taking DMV driving tests.

“In the case of the driver training schools ... in which the student gains no access to waivers, it seems appropriate to let the marketplace regulate itself,” Sherdon said.

Bill Mulherin, representing the Greater Omaha Chapter of the National Safety Council, spoke in opposition to the bill. He said the DMV regulation of independent driver training programs provides a level of protection for the public.

“We should not subject the most vulnerable citizens — the people who are coming for adult driver education — to a marketplace that will by default sink to the lowest level if it is left to its own devices,” Mulherin said.

Bill Saxton of Road Ready Driver Training School also spoke in opposition to the bill. Licensure of realtors, plumbers and beauticians offers safeguards to Nebraska, he said, and these assurances should be extended to driving schools.

Saxton also said that deficiencies in course curricula and equipment could come about from deregulation.

The committee took no immediate action on the bill. ■



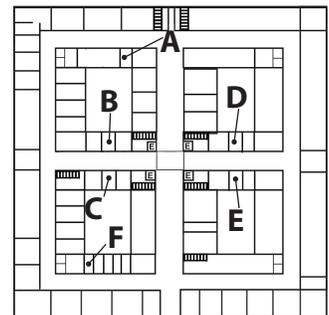
## TESTIFYING TIPS

1. Always state your name and spell it for the record.
2. Prepare written copies of your testimony for the committee.
3. Be prepared to limit your testimony and try not to repeat other testifiers.
4. Please turn off cell phones.

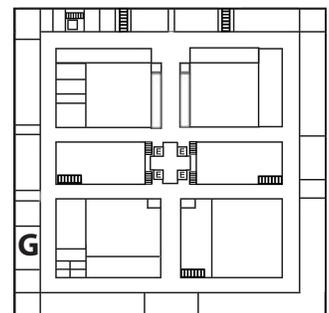
## HEARING ROOMS

Hearing Room	Committee	Meeting Days
Room 1003 (A)	Appropriations	W, Th, F
Room 1524 (B)	Appropriations	M, Tu
	Revenue	W, Th, F
Room 1525 (C)	Education	M, Tu
	Natural Resources	W, Th, F
	Nebraska Retirement Systems	(Meets at noon as scheduled)
Room 1510 (D)	General Affairs	M
	Urban Affairs	Tu
	Health and Human Services	W, Th, F
Room 1507 (E)	Banking, Commerce, and Insurance	M, Tu
	Government, Military and Veterans' Affairs	W, Th, F
Room 1113 (F)	Transportation and Telecommunications	M, Tu
	Judiciary	W, Th, F
Room 2102 (G)	Business & Labor	M
	Agriculture	Tu

First Floor



Second Floor



# COMMITTEE HEARINGS

## Monday, January 25

### Appropriations

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

LB740 (Agriculture) Eliminate transfer provisions from certain agricultural funds

LB776 (Hansen) State findings and intent relating to respite care appropriations

LB793 (Dubas) Prohibit cash fund transfers without authorization

### Banking, Commerce & Insurance

#### Room 1507 - 1:30 p.m.

LB738 (McCoy) Change provisions relating to the substitution of trustee under the Nebraska Trust Deeds Act  
LB762 (Pahls) Change provisions relating to the unauthorized use of the word bank

LB814 (Gloor) Change provisions relating to transactions exempt from securities registration

### Business & Labor

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

LB709 (White) Adopt the Small Business Regulatory Flexibility Act  
LB729 (Lautenbaugh) Repeal the Conveyance Safety Act

LB884 (McGill) Require employers to provide employees with wage and deduction information as prescribed  
LB913 (Council) Adopt the Criminal Offender Employment Act

### Education

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

LB741 (Avery) Exclude lobbying expenses as a general fund operating expenditure for purposes of the Tax Equity and Educational Opportunities Support Act

LB711 (Dierks) Change interlocal agreement provisions relating to unified school systems

LB916 (Heidemann) Authorize leases on school lands for solar and wind energy production

### General Affairs

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

LB788 (Karpisek) Change provisions relating to managers under the Nebraska Liquor Control Act

LB861 (General Affairs) Transfer, reorganize, and remove unconstitutional provisions of the Nebraska Liquor Control Act

LB867 (Karpisek) Change shipping license fees for alcohol

LB825 (Karpisek) Provide for parimutuel wagering on horseraces at satellite wagering facilities

LR277CA (Karpisek) Constitutional amendment to allow for parimutuel wagering on horseraces at a satellite wagering facility

### Transportation & Telecommunications

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

LB816 (Fischer) Change motor vehicle industry regulation provisions

LB719 (Avery) Change provisions relating to use of a rotating or flashing amber light on a motor vehicle

LB831 (Utter) Change Motor Vehicle Operator's License Act provisions relating to school permits

LB856 (Janssen) Provide for requirements for memorials in the highway right-of-way

LB725 (Fischer) Define fertilizer and agricultural chemical application and distribution equipment and change applicability of certain federal motor carrier rules

## Tuesday, January 26

### Agriculture

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

LB909 (Carlson) Change provisions relating to division fences

### Appropriations

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

LB935 (Flood) Provide for deficit

appropriations and change certain appropriations

### Banking, Commerce & Insurance

#### Room 1507 - 1:30 p.m.

LB890 (Pahls) Change banking and finance provisions

LB891 (Pahls) Provide for conditional bank charters

LB892 (Pahls) Change provisions relating to federal deposit insurance requirements, residential mortgage licensing, installment loans, and reverse mortgages

### Education

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

LB898 (Haar) Adopt the Student Expression Act

LB929 (Ashford) Require schools to distribute certain information to parents of children with special hearing needs

### Transportation & Telecommunications

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

LB821 (Fischer) Change provisions relating to road priorities

LB805 (Transportation) Adopt by reference updates to the International Registration Plan and certain federal laws and regulations governing motor vehicles

LB808 (Transportation) Change commercial motor vehicle and commercial driver's license provisions

LB914 (Sullivan) Change a provision relating to the duty to stop after a motor vehicle accident

### Urban Affairs

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

LB848 (Cornett) Change provisions relating to board of equalization meetings for cities of the first class

LB863 (Cornett) Change annexation procedures affecting certain cities of the first class and sanitary and improvement districts

LB919 (Schilz) Permit a city of the first class to remain as such despite a population decrease

# COMMITTEE HEARINGS

## Wednesday, January 27

### Appropriations

#### Room 1003 - 1:30 p.m.

Agency 12 State Treasurer  
Agency 15 Parole, Nebraska Board of  
Agency 16 Revenue, Dept. of  
Agency 17 Aeronautics, Dept. of  
Agency 19 Banking, Dept. of  
Agency 24 Motor Vehicles, Dept. of  
Agency 33 Game & Parks Commission  
Agency 69 Arts Council, Nebraska  
Agency 78 Nebraska Commission on  
Law Enforcement and Criminal Justice  
Agency 85 Public Employees Retirement Board, Nebraska  
Agency 3 Legislative Council

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 p.m.

LB794 (White) Change early voting provisions  
LB951 (Avery) Change provisions relating to early voting at elections  
LB875 (Giese) Provide for voter registration on the Secretary of State's web site  
LB850 (Avery) Require public post-secondary educational institutions to provide information on early voting to students

### Health & Human Services

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

LB855 (Fischer) Adopt the Remote Pharmacy Act  
LB930 (Gloor) Change provisions relating to distribution of certain devices under the Pharmacy Practice Act  
LB866 (Howard) Provide for a dispensing practitioner permit and change other provisions relating to pharmacy  
LB827 (Howard) Provide requirements for prescription training for renewal of certain health practitioner licenses

### Judiciary

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

LB800 (Ashford) Provide methods of

early intervention for children at risk  
LB923 (Ashford) Change provisions relating to sealing of juvenile criminal justice records

### Natural Resources

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

LB747 (Louden) Permit killing mountain lions and other predatory animals  
LB836 (Lautenbaugh) Change deer hunting provisions, provide for mandatory deer depredation seasons, and provide a tax credit for allowing deer hunting

### Revenue

#### Room 1524 - 1:30 PM

LB708 (Stuthman) Change certain date provisions relating to property tax exemptions  
LB692 (Price) Change a duty of county assessors relating to real property valuation  
LB873 (Giese) Eliminate provision relating to notification of delinquent property taxes  
LB806 (Campbell) Change provisions relating to agricultural land valuation

## Thursday, January 28

### Appropriations

#### Room 1003 - 1:30 p.m.

Agency 5 Supreme Court  
Agency 13 Education, Dept. of  
Agency 25 Health and Human Services  
Agency 72 Economic Development, Dept. of

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 p.m.

LB815 (Haar) Change requirements for political subdivision budget statements and financial information on the state web site  
LB839 (Lautenbaugh) Eliminate a period of invalidity of rules and regulations as prescribed

LB716 (Avery) Change eligibility requirements for members of a community college board of governors

### Health & Human Services

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

LB922 (Coash) Change registration renewal provisions relating to medication aides  
LB828 (Gloor) Change requirements for medical radiographers and limited radiographers  
LB902 (Howard) Provide for an information form for assisted-living facilities  
LB903 (Howard) Require the Department of Health and Human Services to establish criteria to evaluate the adequacy of Alzheimer's special care units  
LB904 (Howard) Provide for enhanced assisted-living certificates for certain assisted-living facilities

### Judiciary

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

LB763 (Mello) Adopt the Successor Asbestos-Related Liability Act  
LB732 (Utter) Change provisions relating to certain forced sales of real property  
LB822 (Janssen) Change provisions relating to construction liens  
LB859 (Lautenbaugh) Change provisions relating to trial by jury  
LB830 (Coash) Limit small tourism business liability and adopt the Tourism Insurance Act

### Natural Resources

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

LB895 (Janssen) Change procedures for filling vacancies on a natural resources district board  
LB885 (Nordquist) Transfer the responsibilities of the Nebraska Oil and Gas Conservation Commission and the State Energy Office to the newly created Nebraska Energy Commission  
LB696 (Pahls) Change provisions relating to disposal fees under the Integrated Solid Waste Management Act

# COMMITTEE HEARINGS

**Revenue**

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

LR276CA (Pirsch) Constitutional amendment to permit exemption from taxation of real property, the use of which is donated to the state or a governmental subdivision

LB893 (Christensen) Provide refund procedures for unconstitutional taxes and assessments

**Friday, January 29**

**Health & Human Services**

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

Appointment: Turco, Acela - Foster Care Review Board

**Judiciary**

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

LB864 (Pirsch) Provide duties for the Community Corrections Council

LB792 (Coash) Change controlled substances schedules

LB809 (Rogert) Change statute of limitations for fraud involving certain assistance programs

LB817 (Rogert) Exempt concealed handgun permitholders from the requirement that they obtain a certificate to purchase a handgun

**Natural Resources**

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

LB689 (Langemeier) Change Water Resources Cash Fund, Ethanol Production Incentive Cash Fund, and ethanol excise tax provisions

LB845 (Howard) Require energy conservation by state agencies

LB960 (Stuthman) Change provisions relating to net metering

**Revenue**

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

LB958 (Giese) Exempt retirement ben-

efits and social security benefits from income tax

LB918 (Hadley) Redefine certain terms and provide certain tax incentives under the Nebraska Advantage Act

LB897 (Howard) Change income limits for homestead tax exemption purposes

**Monday, February 1**

**General Affairs**

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

LB783 (Karpisek) Change restrictions on sales of alcohol near a college or university

LB786 (Karpisek) Eliminate the prohibition on adding alcohol to beer

LB869 (Karpisek) Provide for and change fees relating to licensure under the Nebraska Liquor Control Act

LB870 (Karpisek) Provide for a temporary operating permit under the Nebraska Liquor Control Act

LB900 (Karpisek) Change retail license fees for sales of alcohol

LB906 (Karpisek) Eliminate restrictions on sales of alcohol near certain places

**Transportation & Telecommunications**

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

LB723 (Fischer) Change surcharge remittance requirements for telephone companies

LB735 (Gay) Adopt the Kelsey Smith Act to require wireless carriers to provide call location information in certain emergency situations

LB787 (Fischer) Provide for an additional member to serve on the Nebraska Information Technology Commission

LB811 (Transportation) Change appeal procedures relating to the Public Service Commission

**Tuesday, February 2**

**Agriculture**

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

LB865 (Fischer) Adopt the Livestock Animal Welfare Act

LB882 (Rogert) Change provisions relating to disposal of dead animals

**Nebraska Retirement Systems**

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

LB950 (Retirement) Change provisions relating to retirement

**Search for Bills**

Learn more about bills considered by the Unicameral by logging on to [www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov).

The Legislature's Web site offers a bill search on the upper-right portion of the home page. Entering a bill number will retrieve the bill's text, fiscal note, statement of intent and more.

You also can search current laws using the keyword search found beneath the bill search.

# NEW BILLS.....

## Jan. 19, 2010

Bill	Introducer	One-line description
LB963	Carlson	Change Nebraska Workers' Compensation Act provisions governing disability compensation after retirement
LB964	Christensen	Prohibit the leasing of land in a county road right-of-way for oil and gas exploration and development
LB965	Sullivan	Change school board and educational service unit vacancy provisions
LB966	Pahls	Adopt the Classroom Educational Expenditure Act
LB967	Schilz	Change local option sales tax refund provisions for certain tax incentive laws
LB968	McGill	Redefine abuse for certain domestic violence situations
LB969	Urban Affairs Committee	Provide for terms of office for municipal officers
LB970	Campbell	Change provisions relating to appeals from county planning commission decisions
LB971	Campbell	Change provisions relating to care and placement of neglected children and children in foster care
LB972	Utter	Change a date related to certain political subdivision budget filings
LB973	Coash	Change provisions relating to the central register of child protection cases and authorize a hearing
LB974	Avery	Change permissible uses of a learning community levy as prescribed
LB975	Nordquist	Change the Convention Center Facility Financing Assistance Act relating to projects undertaken in areas with a high concentration of poverty
LB976	Cornett	Change a budget limitation
LB977	Mello	Require new state buildings and renovations to comply with energy efficiency standards
LB978	Mello	Provide requirements relating to energy star certified appliances in the state's competitive bidding process
LB979	Retirement Committee	Provide for the transition of certain employees to the State Employees Retirement System
LB980	Wallman	Change personal services contract requirements and provide restrictions on privatization contracts
LB981	Cornett	Provide for review of the tax expenditure report
LB982	Campbell	Adopt the Build Nebraska Act and authorize issuance of highway bonds
LB983	Karpisek	Authorize and regulate skilled mechanical amusement devices
LB984	Howard	Change a penalty relating to child abuse
LB985	Karpisek	Adopt the Nebraska Charitable Poker Act
LB986	Conrad	Authorize grants for electronic scanners and point-of-sale devices at farmers markets
LB987	Krist	Require the Department of Veterans' Affairs to contract for a study of lung cancer in veterans
LR295CA	McGill	Constitutional amendment to authorize use of revenue bonds to develop property for use by nonprofit enterprises
LR296CA	Karpisek	Constitutional amendment to permit the Legislature to authorize and regulate charitable poker

## Jan. 20, 2010

Bill	Introducer	One-line description
LB988	Council	Change provisions relating to credit for imprisonment for fines and costs
LB989	Council	Provide for administrative segregation of certain committed offenders as prescribed
LB990	Council	Change reduction of sentence provisions for a person sentenced to a city or county jail
LB991	Schilz	Provide a special permit for farmers hauling hay and change livestock-forage-vehicle provisions
LB992	McGill	Provide for treatment relating to sexually transmitted diseases as prescribed
LB993	Carlson	Change permissible uses of the Water Resources Cash Fund
LB994	Lathrop	Change a provision relating to workers' compensation hearing locations
LB995	Lathrop	Change a provision in the Industrial Relations Act relating to employee representation
LB996	Lathrop	Change provisions relating to use of the federal immigration verification system by public contractors
LB997	Mello	Require cities' comprehensive plans to include an energy element
LB998	Gay	Provide regional service centers for the issuance of driver's licenses and state identification cards
LB999	Campbell	Provide a two-year moratorium on new hospital licenses
LB1000	Karpisek	Change eligibility for licensure for managers and limited liability companies under the Nebraska Liquor Control Act

# NEW BILLS.....

LB1001	Janssen	Change and eliminate residency provisions relating to postsecondary education
LB1002	Louden	Authorize state sales tax revenue assistance derived from the sale of alcoholic liquor for certain political subdivisions
LB1003	Giese	Provide for provisional ballots for change of residence in Nebraska
LB1004	Louden	Allow operation of golf car vehicles and low-speed vehicles on highways as prescribed
LB1005	Karpisek	Create the Substance Abuse Treatment Grant Program under the Native American Public Health Act
LB1006	Adams	Change provisions relating to kindergarten entrance age
LB1007	Adams	Provide for performance measures under the Quality Education Accountability Act
LB1008	Janssen	Provide for cash basis or modified accrual or encumbrance basis budget statements under the Nebraska Budget Act as prescribed
LB1009	Janssen	Change provisions relating to the date for fixing salaries of certain county officers
LB1010	Pankonin	Provide procedures and limitations on the use of eminent domain by natural resources districts for recreational trails
LB1011	Pankonin	Limit the eminent domain power of natural resources districts to exclude certain recreational trails
LB1012	Rogert	Change State Racing Commission membership provisions
LB1013	Rogert	Provide for extended closing time for alcoholic liquor retail licensees as prescribed
LB1014	Haar	Create the Teacher Performance Pay Fund and provide for additional public teacher pay
LB1015	Haar	Adopt the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote
LB1016	Christensen	Adopt the Nebraska Statewide Water Planning Commission Act
LB1017	Cornett	Provide requirements for insurers for prescription drug coverage
LB1018	Cornett	Adopt the Nebraska Advantage Transformational Tourism and Redevelopment Act
LB1019	Haar	Provide for trails dispute boards to decide disputes between county boards and natural resources districts concerning recreational trails
LB1020	Lathrop	Change provisions relating to benefit eligibility under the Employment Security Law
LB1021	Avery	Adopt the High School Activities Association Act
LB1022	Rogert	Provide for alkaline hydrolysis disposition of dead human bodies
LB1023	Price	Change provisions relating to keno
LB1024	Stuthman	Create the Snow Removal Advisory Committee
LB1025	Avery	Change provisions relating to stays on new water appropriations
LB1026	Wightman	Provide for transfers of civil actions in district court
LB1027	Coash	Change Developmental Disabilities Services Act provisions
LB1028	Louden	Adopt the Charter Schools Act
LB1029	Stuthman	Change court nonjudicial days provisions
LB1030	Dierks	Appropriate funds to the Attorney General to aid in enforcing the Competitive Livestock Markets Act
LB1031	Dierks	Change tax levy authority relating to natural resources districts
LB1032	Dierks	Change tax levy authority relating to natural resources districts
LB1033	Christensen	Change provisions relating to regulation of concealed handguns
LR297CA	Karpisek	Constitutional amendment to change the powers of municipalities relating to fund sources for economic or industrial development

## Jan. 21, 2010

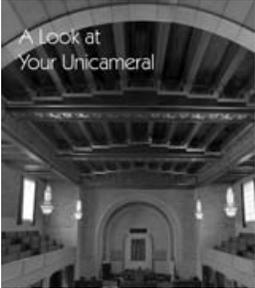
Bill	Introducer	One-line description
LB638A	Lautenbaugh	Appropriation Bill
LB1034	Cook	Define tuition and fees for purposes of the Community College Foundation and Equalization Aid Act
LB1035	Cook	Provide powers for counties, cities, and villages to control and abate public health nuisances
LB1036	Council	Adopt the Revised Uniform Anatomical Gift Act
LB1037	Fulton	Change provisions relating to support enforcement and arrearages
LB1038	Fulton	Change provisions relating to informed consent for genetic testing
LB1039	Fulton	Adopt the Fire Extinguishing Certification Act
LB1040	Fulton	Adopt the Nebraska Municipal Comparability Act for use in industrial disputes involving public employees
LB1041	Fulton	Change provisions relating to findings and orders of the Commission of Industrial Relations

# NEW BILLS.....

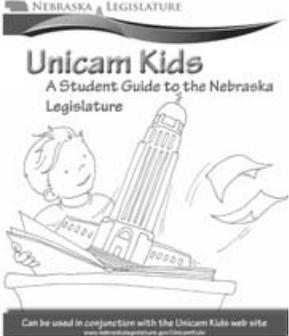
LB1042	Fulton	Change provisions relating to findings and orders of the Commission of Industrial Relations
LB1043	Lautenbaugh	Change medical lien provisions and provide for discovery of medical treatment value and payment rights
LB1044	Lautenbaugh	Change employer liability provisions under the Nebraska Workers' Compensation Act
LB1045	Lautenbaugh	Change provisions relating to the designation of jury commissioner
LB1046	Lautenbaugh	Change speedy trial and indefinite continuance provisions
LB1047	Wightman	Provide for construction of terms in wills and trusts relating to federal laws
LB1048	Natural Resources Committee	Provide for approval and taxation of certain power generating facilities using wind as a fuel source
LB1049	Langemeier	Change provisions relating to community-based energy projects
LB1050	Price	Require a second coroner's opinion as prescribed
LB1051	Christensen	Change provisions relating to certificate terms, fees, and rosters of abstracters
LB1052	Christensen	Adopt the Agricultural Production and Economic Stability and Assistance Act
LB1053	Pahls	Exempt prepared food, computer software, and certain tangible personal property from sales tax
LB1054	Carlson	Adopt the correlative rights doctrine relating to the use of ground water as prescribed
LB1055	Carlson	Change provisions relating to extended unemployment benefits
LB1056	Carlson	Provide for measurement of aquifer depletion and limitations on irrigation as prescribed
LB1057	Carlson	Create the Republican River Basin Water Sustainability Task Force
LB1058	Howard	Rename and change a formula in the Community College Foundation and Equalization Aid Act
LB1059	Avery	Provide for digital and electronic signatures on initiative and referendum petitions
LB1060	Janssen	Change requirements for driving in the right-hand lane of a roadway
LB1061	Janssen	Adopt the Tuition Equalization Grant Program Act
LB1062	McGill	Change provisions relating to murder in the second degree and create the offenses of voluntary and involuntary manslaughter
LB1063	Nelson	Authorize an art maintenance fund for public art and provide for an inspection schedule
LB1064	Nelson	Adopt the Limited Purpose Sanitary and Improvement District Act
LB1065	Heidemann	Change provisions relating to towing of vehicles
LB1066	Dierks	Provide for sales and use tax on certain services
LB1067	Rogert	Require pulse oximetry screening for newborns
LB1068	Hansen	Adopt the Rural Tourism Development Act
LB1069	Adams	Change technology purchase and funding provisions relating to educational service units
LB1070	Adams	Change provisions relating to learning communities
LB1071	Adams	Change provisions relating to schools
LB1072	Adams	Rename and change a formula in the Community College Foundation and Equalization Aid Act
LB1073	Mello	Adopt the Building Nebraska's Creative Economy Act and provide income tax credits
LB1074	Mello	Provide for job training grants to film production companies
LB1075	Carlson	Adopt the Alcoholic Liquor Liability Act
LB1076	Schilz	Change provisions relating to evaluation of river basins, subbasins, and reaches
LB1077	Karpisek	Change the manner of valuing agricultural land for property tax purposes
LB1078	Cornett	Update references to the Internal Revenue Code
LB1079	Cornett	Change the time for appealing to the Tax Equalization and Review Commission and certain dates relating to property tax assessment and equalization
LB1080	Cornett	Provide tax incentives for wind energy projects
LB1081	Cornett	Provide a tax credit and authorize job training grants for teleworkers
LB1082	Cornett	Rename and change a formula under the Community College Foundation and Equalization Aid Act
LB1083	Dierks	Change provisions relating to contents of a certification of trust
LB1084	Karpisek	Provide for seizures of pet animals and equines as prescribed
LB1085	Lautenbaugh	Change provisions relating to garnishment
LB1086	McCoy	Change provisions relating to determination of the state unemployment insurance tax rate
LB1087	Adams	Change provisions relating to payment for educational services
LB1088	Cornett	Adopt the Physician and Patient Prescription Protection Act
LB1089	Karpisek	Adopt the Nebraska Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act
LB1090	Business & Labor Committee	Approve claims against the state and authorize write offs
LB1091	Business & Labor Committee	Disapprove claims against the state

# NEW BILLS.....

LB1092	Lathrop	Provide restrictions on fees for towing services
LB1093	Lathrop	Change Medicaid Prescription Drug Act provisions
LB1094	Lathrop	Adopt the Nonrecourse Civil Litigation Act
LB1095	Lathrop	Change distribution of educational service unit funds
LB1096	Haar	Adopt the Nebraska High Performance Schools Initiative Act
LB1097	Cornett	Change property tax levy limitations
LB1098	Mello	Authorize creation of sustainable energy financing districts by municipalities
LB1099	Mello	Authorize the establishment of a recycling program in cities of the metropolitan class
LB1100	Mello	Allow operation of low-speed vehicles on highways as prescribed
LB1101	Wightman	Authorize use of employee furloughs by the Legislature
LB1102	Giese	License and regulate wagering on historic horseraces
LB1103	Flood	Adopt the Abortion Pain Prevention Act
LB1104	Flood	Change judges' salaries
LB1105	Council	Require an audit of death penalty costs
LB1106	Nordquist	Provide for school-based health centers under the Medical Assistance Act
LB1107	Pirsch	Change the priority of liens for special assessments
LB1108	Nordquist	Impose an excise tax on compressed natural gas, create a grant program, and change provisions relating to jurisdictional utilities
LB1109	Conrad	Adopt the Nebraska Innovation and High Wage Employment Act
LR299CA	Ashford	Constitutional amendment to provide for no more than three community college areas
LR300CA	Nelson	Constitutional amendment to change signature requirements for initiative petitions
LR301CA	Price	Constitutional amendment to change initiative and referendum petition signature requirements







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Lincoln, NE 68509  
03-23-05

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Assistance provided by the Clerk of the Legislature's Office, the Legislative Technology Center, committee clerks, legal counsels, journal clerks, pages, transcribers, mail room and bill room staff and the State Print Shop.

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