

THE NEBRASKA LEGISLATURE'S
WEEKLY PUBLICATION

UPDATE

Senators send tax cut bill to governor

Senators passed a package of tax cuts May 16 totaling approximately \$425 million over the next two years.

LB 367, introduced by Nickerson Sen. Ray Janssen, will result in a net tax cut of \$208.3 million in fiscal year 2007-08 and \$216.4 million in FY2008-09. The bill includes changes to taxes on property, sales, estates and income.

LB 367 provides state funding for a property tax credit for all real property owners. The credits will flow through county government based on valuation and appear on each taxpayer's property tax statement. The property tax credits will equal approximately \$105 million of property tax relief in FY2007-08 and approximately \$115 million in FY2008-09.

The bill repeals the sales tax on construction labor. A new sales tax exemption for community-based wind energy projects is granted, the current tax credit for renewable energy projects increased and an existing one megawatt capacity



Sen. Ray Janssen discusses LB 367, which would result in tax cuts of about \$425 million over the next two years.

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School assessment bill gains first round approval

Lawmakers advanced a bill May 18 that would regulate the tracking and assessment of student achievement throughout the state.

LB 653, sponsored by Lincoln Sen. Ron Raikes, would require the state Department of Education to implement a statewide system for the assessment of student learning and for reporting the performance of school districts and learning communities.

Under an Education Committee

amendment, adopted 27-4, the department would identify criteria for rating assessment instruments and contract with assessment experts to review and rate locally developed assessment instruments. These would be developed through collaboration among educational service units and approved by a majority of the ESU administrators.

The experts would identify model assessment instruments and select up to four instruments for the five sub-

ject areas of reading, math, science, social studies and history for each of the three selected grade levels based on such ratings.

The assessment and reporting plan would include all public schools and all public school students while providing individual students' confidentiality. The state board would adopt criteria for the inclusion of students with disabilities, students entering school for the first time and students with limited English proficiency.

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Appropriations

Senators pass state budget bills

Lawmakers passed a \$6.8 billion two-year budget package May 15. **LB 321**, the mainline budget bill, passed on a 37-12 vote.

Omaha Sen. Pete Pirsch made a motion to return LB 323 to select file for an amendment. **LB 323** would provide for transfers from the cash reserve fund. Pirsch later withdrew his motion, but not before initiating a debate about roads funding.



Sen. Pete Pirsch

Pirsch encouraged lawmakers to reconsider a previous failed amendment brought by Bayard Sen. Philip Erdman. The proposed measure would have transferred \$19 million from the cash reserve fund to the highway cash fund to avoid an increase in the gasoline tax.

Elk Creek Sen. Lavon Heidemann, chairperson of the Appropriations Committee, said it is important to protect the cash reserve fund in preparation for budget shortages in the future.



Sen. Lavon Heidemann

LB 323 passed on a 42-2 vote.

The budget's average annual overall spending level would



increase by 4.5 percent, as opposed to an average annual increase of 7.4 percent in the last biennium. The budget package anticipates revenue growth of 4.2 percent in fiscal year 2007-08 and 4.7 percent in FY2008-09.

Senators made few changes to the Appropriations Committee's recommendations. Lawmakers amended the budget to appropriate \$290,000 each fiscal year of the biennium to the Eastern Nebraska Office on Aging and to appropriate \$250,000 in FY2007-08 and \$500,000 in FY2008-09 for area health education centers.

Several other bills comprise the budget package. Each was advanced by voice vote to final reading.

LB 317 would provide for deficit appropriations and passed 48-0.

LB 318 would appropriate funds for salaries of members of the Legislature and passed 49-0.

LB 319, passed 49-0, would appropriate funds for salaries of constitutional officers.

LB 320 would appropriate funds for capital construction and passed on a 49-0 vote.

LB 322, passed 44-1, would change provisions relating to certain funds and provide for transfers of funds and extend an excise tax.

Bill would create behavioral health task force

Senators advanced a measure to final reading May 16 relating to children's behavioral health.

LB 542, introduced by Omaha Sen. John Synowiecki, would create the Children's Behavioral Health Task Force and set evaluation and treatment procedures for the behavioral health centers in Kearney and Geneva.



Sen. John Synowiecki

Synowiecki said current policies require that any child or adolescent in the Kearney Youth Development Center assessed as needing residential aid be automatically referred to the Hastings Regional Center. This referral occurs without the input of the family or by any choice of the child, he said.

LB 542 would require youth development centers to evaluate each patient and develop individualized plans of treatment that may or may not include a referral to the Hastings Regional Center.

The bill also would create a task force to study children's behavioral

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health policy in the state. The task force would include, among others, the chairpersons of the Health and Human Services and Appropriations committees, a member of the Behavioral Health Oversight Commission, consumers of behavioral health services, a juvenile court judge and representatives from the state Department of Health and Human Services. The task force would prepare a report and recommendations for a statewide behavioral health plan and present it to the Legislature by Dec. 4.

Synowiecki offered an amendment that would effectively remove the bill's fiscal note. He said the original bill's \$1.6 million fiscal impact reflected the cost of requiring all juveniles to be assessed by the Office of Juvenile Services. His amendment would limit that provision to assessment in youth development centers in Kearney and Geneva only.

Synowiecki's amendment was adopted on a 35-0 vote.

Sen. Arnie Stuthman of Platte Center offered an amendment that would designate the chairperson of the Legislature's Health and Human Services Committee as the sponsor of legislation relating to the task force's recommendations. The amendment was adopted 33-0.

LB 542 advanced to final reading on a voice vote.

Business and Labor

Workers' comp hospital fee schedule passes

Senators passed a Business and Labor Committee bill May 18 that makes changes to the workers' compensation claims

reimbursement process.

LB 588 makes three major changes to the system. First, the bill establishes a prospective payment system for in-patient hospital services. The proposed fee schedule is based on the payment method used by Medicare. The bill accounts for the differences between individual hospitals by incorporating hospital-specific Medicare rates into the fee schedule and then increasing those amounts by 40 percent.

Second, the bill establishes a "prompt payment" provision with the intent of reimbursing hospitals in a timelier manner.

Finally, the bill incorporates provisions from **LB 77**, a bill originally introduced by Lincoln Sen. Danielle Nantkes. The bill provides that certain injured employees can be reimbursed according to their loss of earnings capacity, rather than according to the schedule set in statute.

LB 588 passed on a 43-0 vote.

Education

ESU funding bill amended, advanced

A bill that would change the funding formula for educational service units received second-round approval May 16.

LB 603, sponsored by Lincoln Sen. Ron Raikes, incorporates six bills relating to the operation of ESUs.

ESUs are groups of local school districts within a geographical area that share and collaborate on

various educational services, such as technology and professional development. There are currently 17 ESUs across the state. Omaha Public Schools and Lincoln Public Schools each operate their own ESU.

Last year, the committee conducted an interim study that examined various policy issues related to ESUs. LB 603 addresses the findings of that study.

LB 603 would combine core services and technology infrastructure funding for ESUs beginning in fiscal year 2008-09 and would provide a new equalized distribution formula. The new equalized aid formula would take into account factors such as distance education and telecommunications costs, satellite offices, sparsity, the number of students served and a base amount for each ESU.

As amended, the bill also incorporates several other bills relating to ESUs.

LB 600 would require the State Board of Education to adjust ESU boundaries when the boundaries do not align with the boundaries of member school districts.

The boundaries would be adjusted to match member school districts as they exist on July 1 each year. The adjustments would be referred to the appropriate county and ESU officials for implementation and necessary changes to maps and tax records.

LB 600 also would clarify the use of a hearing officer to conduct a public hearing on an ESU reorganization petition.

LB 601 would create the Educational Service Unit Coordinating Council on July 1, 2008, and would transfer the responsibilities, assets and liabilities of the Distance Education Council



Sen. Ron Raikes

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to the new coordinating council. The coordinating council would be composed of one administrator from each ESU and would be funded by 1 percent of the state aid to ESUs, appropriations for distance education and fees established for services provided to educational entities.

LB 602 would require ESU board members to be elected by district beginning in 2008.

Each ESU board would be required to divide its territory into equally populated districts by Dec. 31, 2007, and after each decennial census.

Two other provisions related to distance education also are included in LB 603. Under the bill, up to \$200,000 of the School District Reorganization Fund could be used for aggregation routing equipment and network transport costs for Network Nebraska. The other provision would modify distance education financial incentives.

In addition to changing the formula, the bill also proposes a \$4.7 million funding increase for ESU core services and technology infrastructure. If future budgets do not allow for an increase of that size, each ESU would receive funding over the next three years of at least 95 percent of its funding level from the previous year.

Raikes offered an amendment, adopted 30-0, that would allow nonequalized school districts that have been receiving early childhood education grants to continue receiving that funding for the 2007-08 school year.

Raikes offered, and later withdrew, an amendment that would have incorporated provisions from **LB 653**, a bill regarding statewide assessment and reporting of student

learning. He indicated the issue would be further debated later.

LB 603 was advanced to final reading by voice vote.

Executive Board

Legislative salary proposal moves to select file

Lawmakers advanced a proposed constitutional amendment relating to legislative salaries May 17.

LR 1CA, introduced by Sen. Don Preister of Bellevue, would ask voters to consider a constitutional amendment that would increase the annual salary for state senators from \$12,000 to \$22,000.

As modified by a Preister amendment, the measure would go before the voters in the 2010 statewide primary election.

Preister said he offered the amendment delaying the ballot measure until 2010 in response to concerns expressed during previous debate. At that time, some senators had questioned the wisdom of asking voters to consider the proposal next year in light of the voters' May 2006 rejection of a proposed increase to \$21,000 with periodic adjustments.

Scottsbluff Sen. John Harms said the Legislature is missing input from young people and people of different segments of the state's population because of the low salary. While he voted against the proposal the first time lawmakers

debated it, he said he would support it this time.

Omaha Sen. Mike Friend said that an increase to \$22,000 might be too much to ask for. He suggested considering a more incremental approach, such as an increase to \$18,000.

Preister likened the job of state senator to that of a football coach. While the coach's main work comes during the season, he or she also gets paid for offseason work as well, he said.

State senators, too, have offseason work, such as interim studies, handling constituent concerns and preparing for the next session, he said.

The Preister amendment was adopted 29-5 and LR 1CA was advanced to select file 32-0.



Sen. Mike Friend



Sen. Don Preister



Sen. John Harms

General Affairs

Liquor tax return changes adopted

Lawmakers passed a bill May 18 that deals with the state liquor tax.

LB 578, introduced by St. Paul Sen. Vickie McDonald, allows amounts on liquor tax returns or reports to be rounded off to the nearest dollar when the administration of the tax might be more efficiently conducted.

The bill also contains technical changes to the law regarding repeat drunken driving offenders.

LB 578 was passed by a 40-0 vote.



Sen. Vickie McDonald

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Government, Military and Veterans Affairs

Robocalling regulatory measure passed

Lawmakers passed a bill May 15 that restricts the use of robocalls in political campaigns.

A robocall is a prerecorded telephone call made using a computer or automated dialing device typically used in election campaigning and telemarketing.

LB 198, introduced by Lincoln Sen. DiAnna Schimek, requires that robocalls made by an automatic dialer device identify, at the beginning of the message, the person on whose behalf the message is being transmitted.



Sen. DiAnna Schimek



Sen. Philip Erdman

Bayard Sen. Philip Erdman made a motion, which he later withdrew, to return the bill to select file. Erdman said the bill merited more discussion in light of an opinion issued by the state attorney general's office. The opinion brought up concerns about possible free-speech violations in the bill.

Schimek said she was aware of the concerns raised by the attorney general's opinion, but was still confident that the bill would hold up in court. She pointed out that the opinion was not conclusive.

"You could guess either way and you might be right and you might be

wrong," she said.

Under the bill, robocalls can be disseminated only between the hours of 8 a.m. and 9 p.m. at the location of the person receiving the message. Campaigns will be limited to making two robocalls per residence per day. The bill applies to federal, state and local campaigns.

The bill also requires robocalls to include a statement of whether the message was authorized by a particular candidate for office and, if so, the name of the candidate who authorized the message.

LB 198 was passed on a 31-7 vote.

Health and Human Services

Autism bill discussed, advanced to final

Senators advanced a bill to final reading May 16 that would improve autism intervention and treatment.

LB 482, introduced by Kearney Sen. Joel Johnson, would create a pilot program to provide intensive early intervention for autistic children in Nebraska and establish a cash fund for the program.



Sen. Joel Johnson

The fund would receive transfers of \$1 million annually for five years from the Nebraska Health Care Cash Fund. The transfers would be contingent on matching funds from two private donors.

The pilot program would require the state Department of Health and Human Services to apply for a Medicaid waiver or an amendment to an existing waiver for provision of

autism treatment.

Bayard Sen. Philip Erdman said he was not opposed to the goals of LB 482, but expressed concern about the bill's funding mechanism.

Sen. Don Preister of Bellevue spoke in support of the bill and its goal of early intervention.

"Prevention is the first line of defense," he said.

Following the adoption of a technical amendment, LB 482 advanced to final reading by voice vote.

Judiciary

Bill would prohibit intimidation via computers

Senators advanced a bill May 17 that would change the existing criminal offense of intimidation by telephone call to include communication via computer or an electronic communication device.

Current law prohibits an individual from contacting another person via telephone with the intent to terrify, intimidate, threaten, harass, annoy or offend using indecent, lewd, lascivious or obscene language or suggesting a lewd, lascivious or obscene act.

LB 142, sponsored by Omaha Sen. Mike Friend, would expand this offense to include communication via computers or electronic devices and the transmission of lewd, lascivious or obscene writing, sound or visual depiction of sexual conduct. The bill also would increase the penalty for the offense from



Sen. Mike Friend

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a Class III misdemeanor to a Class I misdemeanor. The penalty would be enhanced to a Class IV felony if the perpetrator is over 18 years of age and knows, or has reason to believe, that the recipient of the communication is less than 16 years of age.

A Judiciary Committee amendment, adopted 27-0, would create a new and separate offense of enticement by electronic communications device when the victim is younger than 16. The offense of enticement by electronic communication device would prohibit a person 19 years of age or older from knowingly using an electronic communications device to contact a child under 16 or a peace officer who is believed to be a child under 16 and:

- using or transmitting lewd, lascivious, or obscene language, writing or sound;
- transmitting or disseminating any visual depiction of sexually explicit conduct; or
- suggesting any indecent, lewd or lascivious act.

Enticement by electronic communication device would be a Class IV felony.

The definition of "electronic communications device" would be amended to clarify that it includes cell, wireless and wire-based telephones, text messaging, computers and PDAs.

The offense of intimidation by electronic communication device would be limited to include only conduct intended to terrify, intimidate, threaten or harass another individual. The bill also would amend the offense of intimidation by telephone to prohibit the transmission of indecent or obscene writings or sound or any

visual depiction of sexually explicit conduct.

Friend said the bill is intended to give adult victims of domestic abuse more modern tools to fight harassment and also to protect children from online predators.

One in seven children who use the Internet have been sexually solicited, Friend said. Thirty-one percent were aggressively sexually solicited or were asked to meet the predator in person, he said, despite parents' efforts to protect them.

"I believe we have to do a little bit more," he said.

Sen. Pete Pirsch of Omaha prioritized the bill.

"We live in a day and age in which we don't just communicate by telephone anymore," he said, listing e-mail, text messaging and Blackberries as examples. "This would recognize that we do use these new modes of communication."

Omaha Sen. Ernie Chambers objected to several elements of the bill that he said needed more work.

For example, LB 142 would make it illegal to tell someone on the phone that you want to break out the windows of the White House, he said. Moreover, it would punish the same conduct in different ways, he said, punishing terroristic threats as both a Class IV felony and a Class I misdemeanor.

"I don't think we need everything that's in the bill to accomplish that which was the intention," he said.

Chambers and Friend agreed to work on the bill further before select file debate.

Senators adopted technical

amendments brought by Chambers and Omaha Sen. Steve Lathrop and advanced the bill 31-0.

Bill protects medical apologies from liability

Lawmakers passed a bill May 15 that will prevent apologies from medical personnel from being used as an admission of liability in court.

Lincoln Sen. DiAnna Schimek, the sponsor of **LB 373**, said that doctors and nurses are discouraged from talking to patients and their families if something goes wrong with a medical treatment or surgery because their statements can be used against them in future litigation.

The bill passed 46-2.



Sen. DiAnna Schimek

Lawmakers debate sexual orientation discrimination bill

Senators debated a bill May 18 that would prohibit employment discrimination on the basis of sexual orientation.

Under current law, employment discrimination based on race, color, religion, sex, disability, marital status or national origin is prohibited. **LB 475**, sponsored by Omaha Sen. Ernie Chambers, would add sexual orientation to the list. Chambers said the bill would create a necessary protection.

"It is not a secret that this society is very hostile to those who appear different," he said.



Sen. Ernie Chambers



Sen. Pete Pirsch

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The bill also would change the name of the Nebraska Fair Employment Practice Act to the Employment Nondiscrimination Act.

The bill does not include sexual orientation in the definition of affirmative action and would not require numerical goals, quotas or other types of affirmative action programs with respect to sexual orientation.

A Judiciary Committee amendment was offered that would exclude religious organizations from the bill's provisions.

Opponents of the bill voiced concerns about elevating sexual orientation to the status of a protected class.

Lincoln Sen. Tony Fulton cited a 1991 report from the Wall Street Journal that listed the national average annual income of homosexual households as significantly higher than those averages of other minorities. Based on that, Fulton said LB 475 is not necessary because homosexuals are able to earn comparable incomes.



Sen. Tony Fulton

Sen. Bill Avery of Lincoln said any limitation on discrimination was a positive change.

"It's a matter of conscience," Avery said. "I cannot tolerate discrimination anywhere, in any form."



Sen. Bill Avery

The Legislature adjourned for the week before a vote was taken on the measure.

Child custody mediation advanced

A bill requiring mediation to help divorcing parents negotiate child custody issues advanced to select file May 16.

LB 554, introduced by Norfolk Sen. Mike Flood, would direct parents to develop a parenting plan either on their own or through mediation. If the parents were unable to do so in a particular case, the court would create a parenting plan that is in the best interests of the child.



Sen. Mike Flood

Parents involved in custody and parenting time cases would be required to attend at least one session with a mediator. Cases involving allegations of domestic abuse or unresolved parental conflict would be referred to a specialized alternative dispute resolution process with mediators trained to deal with high-conflict cases.

Flood called the bill the first substantive rewrite of Nebraska's parenting laws in 20 years. Among other things, LB 554 would:

- retain the "best-interests of the child" standard as the standard by which child custody and parenting time issues are resolved;
- recognize the importance of maintaining parent-child relationships while at the same time protecting victims of abuse and neglect;
- codify the court-recognized distinction between joint legal and joint physical custody arrangements;
- require parenting plans to include considerable detail as to what will

happen in the life of children after a divorce; and

- require parents involved in custody and parenting time cases to attend a parenting education course.

LB 554 would require judges, attorneys and mediators involved in parenting cases to participate in training focused on recognizing abuse and unresolved parental conflict.

The bill also would make changes related to child support liens.

A Judiciary Committee amendment, adopted 34-0, would delay the operative date of the mandatory mediation law until July 1, 2010.

The amendment also would make the father of a child liable for the reasonable and necessary medical expenses associated with the pregnancy and birth of the child.

All parties who have not submitted a parenting plan within the time ordered by the court would be required to participate in an initial individual screening session with a mediator and an initial mediation session.

Flood said that early in his law career he handled many divorce cases, including one in which a 12-year-old boy was forced to choose to live with one parent over another. Like many divorce cases, the custody of the boy had become very contentious.

"At some point it became more about winning than the child," he said. "It's about winning and losing, and children become the pawns."

Children should not have to make such an important decision, he said. Parents, with the help of a mediator, often are able to come to agreements that work better for everyone than a judgment from the

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court would, he said.

Lincoln Sen. DiAnna Schimek said she made the bill her priority because of the compelling testimony provided in the Judiciary Committee hearing. Ninety percent of children report experiencing profound grieving and irrational fears during a divorce, she said, with half of them feeling rejected and abandoned.



Sen. DiAnna Schimek

"This bill gives children a better chance to travel through this divorce with less emotional trauma," she said.

Lawmakers voted 37-4 to adopt provisions of **LB 682**, originally introduced by Lexington Sen. John Wightman, which would eliminate an incarcerated parent's liability for making child support payments. Upon release, they would retain responsibility for any payment owed prior to incarceration.



Sen. John Wightman

Parents who are imprisoned for failure to pay child support would continue to accrue child support due while incarcerated. The bill would apply only to those individuals incarcerated for six months or more.

Wightman said **LB 682** was intended to increase the likelihood of parents receiving the child support due to them. Inmates who are released from jail often owe so much in back child support that they have

no hope of catching up, he said.

Omaha Sen. Pete Pirsch questioned the fairness of absolving inmates' child support responsibilities.



Sen. Pete Pirsch

"They're the ones who chose to break the law," he said. "Paying it all may be a challenge, but that doesn't mean they can't do it."

The cost for the remaining parent to raise a child will remain steady even without the child support, which will result in a transfer of the child support cost to taxpayers, Pirsch said.

Flood brought an amendment that would require mediation centers to provide services to those who can't afford them. It also would raise the filing fee for a divorce by \$50 to cover the cost of the program. Those who cannot afford the fee could apply to waive it.

The Flood amendment was adopted 28-0 and the bill advanced 36-0.

Bill would increase penalties for providing alcohol to minors

Lawmakers advanced a bill May 16 intended to curb minors' access to alcohol.

As amended, **LB 573** would hold provides that social hosts who allow minors to drink on their property, adults who procure alcohol for a minor and retailers who sell alcohol to a minor liable for injuries or other damages caused by the negligence of the intoxicated minor.

Retailers who act in good faith and rely on false identification that a reasonable and prudent person would believe is a valid ID

would be protected from liability. Nor would they be held liable for damages if the minor's intoxication did not contribute to their negligent conduct.

The remaining provisions of the amended bill, sponsored by Omaha Sen. Lowen Kruse, would establish a two-year statute of limitations for claims and provide that defendants in an action are jointly and severably liable.



Sen. Lowen Kruse

The bill, as amended 34-0 by a committee amendment, would not prohibit a parent from providing alcohol to his or her own minor child at home. However, Kruse introduced an amendment that would have incorporated provisions of **LB 261** into the bill. The amendment would have removed the exception for drinking in the home.

Currently, exceptions are made for minors to consume alcohol in the home or as part of a religious rite or ceremony. Kruse said that youth who are found to be intoxicated know they can avoid prosecution if they say they were drunk when they left home. The amendment would close that loophole, he said.

Some senators objected to prohibiting minors from drinking in their homes under parental supervision.

"What about the Thanksgiving ceremony, where a 20-year-old has a glass of wine with a Thanksgiving dinner?" asked Omaha Sen. John Synowiecki.

Omaha Sen. Tom White shared similar concerns, saying parents should have the freedom to teach minors how to drink alcohol in

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moderation if they choose to. Moreover, the amendment contains inconsistencies, he said, because it would allow a parent to offer their child a glass of wine at home but not at a family member's house.

"It seems that if we want to provide an exemption for parents, it should not be tied to their place of residence," White said.

Kruse withdrew the amendment, saying he would refile it on select file, and the bill advanced 35-0.



Sen. Tom White

Bill restricts use of employees' Social Security numbers

Lawmakers gave final legislative approval May 18 to a measure that restricts employers' use of employees' Social Security numbers.

LB 674, sponsored by Omaha Sen. Steve Lathrop, prohibits employers from:

- posting more than the last four digits of a Social Security number;
- requiring an employee to transmit more than the last four digits of his or her Social Security number over the Internet unless encrypted or over a secure connection;
- requiring the use of more than the last four digits of a Social Security number to access an Internet site; and
- using more than the last four digits of a Social Security number as an employee number.



Sen. Steve Lathrop

Violations will be Class V misdemeanors, punishable by a maximum penalty of a \$100 fine.

The bill also allows a consumer, including a minor at the request of a parent, to place a security freeze on his or her file at a consumer reporting agency. The freeze will prevent the reporting agency from releasing a consumer's credit report to a third party without prior authorization from the consumer.

LB 674 was passed by a 44-0 vote.

Natural Resources

Right-of-way trapping would be banned

Senators advanced a bill to final reading May 17 that would prohibit the trapping of wildlife in county road rights-of-way.

LB 299, sponsored by Sen. Carol Hudkins of Malcolm, was introduced as a cleanup bill for the Nebraska Game and Parks Commission.

Hudkins offered the trapping restriction amendment. She said the proposal was developed in response to a constituent who lost a dog to a trap in a ditch along a county road. The amendment is intended to remove traps that may harm people and their animals who have reasons to be in the right-of-way, she said.

Hudkins said trappers would still be able to trap legally.

"Just move it 12 inches so it's behind the right-of-way marker and everything will be fine," she said.

The Hudkins amendment was adopted 27-4. LB 299 was advanced to final reading by voice vote.



Sen. Carol Hudkins

Wind energy bill passes

A measure that encourages wind energy development was given final legislative approval May 15.

LB 629, sponsored by Sen. Cap Dierks of Ewing, is intended to create new economic development opportunities through rural community-based energy development, also known as C-BED. The bill:

- allows a C-BED project developer to negotiate a power purchase agreement with an electric utility;
- allows a C-BED project to have an equity partner so long as no more than 67 percent of the power purchase payments flow to the non-qualified owner;
- prohibits the transfer of a C-BED project, except for an inherited interest, from a qualified owner to a non-qualified owner for the 10-year term of the power purchase agreement;
- prohibits the granting of net energy billing for a C-BED project that is operating under a power purchase agreement; and
- requires project approval by the state Power Review Board.

Electric utilities will be responsible for encouraging the aggregation of C-BED projects located in the same general geographical area and requiring owners to provide sufficient security to assure performance under the power purchase agreement.

Electric utilities that determine the need to construct new renewable generation facilities will be required to examine the feasibility of using C-BED projects to meet that need.



Sen. Cap Dierks

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C-BED developers will be required to provide property owners on whose property a wind turbine is located an opportunity to invest in projects.

Electric utilities will not be required to enter into a power purchase agreement with a C-BED project. Also, the bill limits a utility's power of eminent domain to acquire a C-BED project if the utility has a contract to purchase power from such a facility for a period of at least 10 years.

LB 629 was passed by a 49-0 vote.

Revenue

Shift of leased vehicle tax proceeds passed

Lawmakers passed a proposal May 18 that increases funding for road construction projects.

LB 305, sponsored by Valentine Sen. Deb Fischer, directs the sales tax from the leasing of motor vehicles to the Highway Trust Fund and Highway Allocation Fund



Sen. Deb Fischer

in the same manner as sales taxes collected from the sale of motor vehicles. Previous law directed the sales tax revenues from leased vehicles to the state's general fund.

The bill applies to motor vehicle leases that are for a period of more than 31 days.

According to the Legislative Fiscal Office, the bill will reduce revenues for the state's general fund by \$9.9 million annually. The bill increases annual roads funding for

local governments by \$5.1 million and by \$4.8 million for the state Department of Roads.

LB 305 was passed 40-1.

Measure amended to include capital gains exclusion

Senators voted May 16 to amend a bill to exclude certain capital gains from taxation.

Sen. Don Preister of Bellevue asked to have **LB 343** returned to select file for an amendment that would allow individuals to exclude extraordinary dividends from their capital gains tax liability. Extraordinary dividends would be those that are greater than 20 percent of the stock's value at the time the dividend is taken.



Sen. Don Preister

Preister said the exclusion would encourage both businesses and employees to stay in Nebraska. The amendment was adopted by a 44-0 vote. The bill was readvanced to final reading by voice vote.

Introduced by Sen. Chris Langemeier of Schuyler, **LB 343** would provide an income tax credit equal to 30 percent of investment in a biodiesel fuel



Sen. Chris Langemeier

facility. The maximum credit that could be allowed would be \$250,000. The credit also would be limited to no more than half of the taxpayer's liability.

If the investment is withdrawn, the credit could be recaptured by

the state. The entire investment must be expended at the facility for the plant, equipment, research and development, marketing or working capital.

The facility must produce a type of biodiesel fuel known as B100. All processing must take place within the state and Nebraska individuals or organizations must own at least 51 percent of the investment.

The credit would be available beginning with tax year 2007 and would be available only for investments made prior to 2015. Eligible companies could claim the credit over a four-year period. No more than 10 percent of the credit could be claimed during the first two years, with the remainder divided between the last two years of the eligibility period. To qualify, facilities would have to be operating at 70 percent of their rated capacity during the first two years of eligibility.

Subchapter S tax credit proposal amended

Lawmakers gave second-round approval May 16 to a bill that would create a tax credit for shareholders of subchapter S banks.

LB 456, sponsored by Sen. Tom White of Omaha, would allow each shareholder of a financial institution organized as a



Sen. Tom White

subchapter S corporation to take an individual income tax credit equal to his or her share of the deposit tax paid by the corporation. The credit would be distributed among the shareholders as income of the

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corporation is distributed.

A subchapter S corporation is legally organized as a corporation but taxed as a partnership.

The tax credit also would apply to partnerships, limited liability companies and estates or trusts. The credit would be phased in. Under an amendment offered by Lincoln Sen. Ron Raikes and adopted 34-0, the credit would be 50 percent of the deposit tax paid to be taken as a credit against income taxes for the 2007 tax year and 100 percent for 2009 and beyond.

LB 456 would take effect beginning with the 2007 tax year.

White has said that existing law requires financial institutions organized as subchapter S corporations to pay a franchise tax and requires the shareholders to pay personal income tax on the income of the bank. This results in a double tax on these individuals, he said.

LB 456 was advanced to final reading by voice vote.

Omaha convention center shortfall addressed by bill

A proposal that would address shortfalls in funding to pay back the cost of constructing Omaha's convention center cleared the first round of legislative consideration May 15.

In 1999, lawmakers passed a bill allowing local governments that construct convention center facilities to apply to the state for a return of sales tax proceeds generated by the presence of the convention center, also known as attributable revenue.



Sen. Mike Flood

According to Norfolk Sen. Mike Flood, the sponsor of **LB 551**, the funding program has produced less than 35 percent of the anticipated "turnback" revenue being returned to the city of Omaha and other communities that built facilities through a similarly funded program. Omaha issued general obligation bonds for the construction of the Qwest Center through the turnback program.

LB 551 would replace the present formula with a simple division of those sales tax proceeds generated by the facility. Sales tax collected by retailers doing business at the convention center, arena or hotel facility serving the complex would be certified to the state treasurer. As amended, 60 percent of the funding would be used to help retire Omaha's original convention center bond, 10 percent for tourism and attractions in the north and south Omaha areas surrounding the Qwest Center and 30 percent for use by cities other than Omaha.

Several amendments to the bill were adopted. Lincoln Sen. Bill Avery offered an amendment that would allow projects with both public and private involvement to be eligible for funding, which would effectively allow Lincoln and other communities to receive turnback funding.

The amendment also would prohibit communities from participating in both the turnback revenue program and the other portion of the funding program. Finally, the amendment would sunset the entire program in 2010.

Avery said fiscal estimates placed the cost of his amendment at \$2 million for the city of Lincoln to participate, and an additional \$1 million for other communities. Without this assistance, projects such as the arena being proposed in Lincoln might not be done, he said.

Valentine Sen. Deb Fischer said she supported LB 551 as introduced and opposed the Avery amendment. The bill should address Omaha's funding situation, but the state should not be obligated to more lost revenue than that, she said.



Sen. Deb Fischer

However, Avery called Lincoln "Nebraska's most sports-minded city." Adding an anticipated arena within walking distance of Memorial Stadium and Haymarket Park would be beneficial not only for Lincoln, but for the entire state, he said.

The Avery amendment was adopted 28-6.

Omaha Sen. Brad Ashford offered an amendment, adopted 28-2, that would allocate 10 percent of the turnback funding to tourism and attractions within the north and south Omaha areas surrounding the Qwest Center.

Omaha Sen. Ernie Chambers offered an amendment that would require the state to consider the fiscal and economic capacity of the applicant to finance the local share of the project when determining whether to provide state assistance. The amendment was adopted 31-0.



Sen. Brad Ashford



Sen. Bill Avery

ISSUES UPFRONT

Chambers offered an amendment that would eliminate stadiums from those facilities that would be eligible for funding under the bill. The amendment was adopted 29-0. Another Chambers amendment, adopted 26-0, would clarify that arenas, which would be eligible for funding, would be enclosed facilities. Other technical amendments offered by Chambers also were adopted.

LB 551 was advanced to select file by a 28-7 vote.

Transportation and Telecommunications

Interstate motor carrier bill advanced

Senators advanced a bill to select file May 16 that would change provisions relating to interstate motor carriers.

LB 358, sponsored by Malcolm Sen. Carol Hudkins, would authorize the director of the state Department of Motor Vehicles



Sen. Carol Hudkins

to set a date for Nebraska to begin participation in the Unified Carrier Registration plan. Under federal law, the UCR will replace the Single State Insurance Registration System.

Under the bill, Nebraska carriers would be required to register in Nebraska. Any foreign or domestic motor carrier that has an office in the state but has its primary place of business in another jurisdiction that does not participate in the UCR program could also register and pay the required fees in Nebraska. Fees would be remitted to the state's

general fund.

Hudkins offered an amendment, adopted 29-0, that would exclude private carriers from the Public Service Commission's authority over intrastate motor carriers. The amendment also would allow the DMV to continue with the current system until the UCR is fully enacted under federal law.

LB 358 advanced to select file 32-0.

Specialty license plates debated

Senators debated a bill May 17 that would create Gold Star specialty license plates.

LB 570, sponsored by Ellsworth Sen. LeRoy Loudon, would authorize the state Department of Motor Vehicles to create designs for the plates in consultation with the state Department of Veterans' Affairs and the Nebraska Military Department.



Sen. LeRoy Loudon

The plates would be available to applicants who are a surviving spouse, parent, grandparent, sibling or child of a person who died while serving on active duty.

Loudon said the license plates would be a way to express appreciation to families whose loved ones are killed while on active military duty.

"It is a small change in Nebraska law that would make a big difference to Nebraska families," Loudon said.

Under the bill, two types of Gold Star plates would be created. One type would be consecutively numbered and would cost \$15, with \$5 going to the DMV and \$10 going to the Nebraska Veteran Cemetery System. The other type of plate

would be personalized message plates. The personalized plates would cost \$40, with \$30 going to the department and \$10 going to the veteran cemetery system.

Omaha Sen. Ernie Chambers opposed the bill.

"A license plate should not be a billboard," he said. "I don't care what the issue is."

Chambers offered an unsuccessful motion to bracket the bill until May 25.

The Legislature adjourned before debate concluded on the bill.

Urban Affairs

Lawmakers bracketed tax increment financing amendment

Senators gave unanimous consent May 16 to bracket a measure proposing an amendment to the Nebraska Constitution regarding tax increment financing.

Introduced by Sen. Kent Rogert of Tekamah, **LR 2CA** would remove a requirement

that property be considered substandard and blighted in order to be eligible for rehabilitation, acquisition or redevelopment using tax increment financing.



Sen. Kent Rogert

The proposal was passed by the Legislature last session and appeared as Amendment 6 on the November 2006 ballot, but was defeated by the voters.

Rogert said the amendment was important for rural economic development but needed more work during the interim. The proposal was bracketed until Jan. 9, 2008.

A CLOSER **LOOK**

Senators send tax cut bill to governor

(CONTINUED FROM FRONT PAGE)

requirement eliminated in order to make the credit available for more projects. The sales tax changes will result in reduced revenues of approximately \$6 million in FY2007-08 and \$9.1 million in FY2008-09.

The bill also repeals the state's estate tax, which will reduce revenues by approximately \$13.2

million in FY2007-08 and \$25 million in FY2008-09.

The bill addresses the "marriage penalty" by adjusting the brackets for married taxpayers filing jointly so they will be twice the amounts for single filers. Standard deductions also are adjusted.

The earned income tax credit is increased to 10 percent of the federal

credit. Finally, the bill eliminates a tax credit for businesses that provide employees with subsidized child care. The income tax changes will result in a net reduction of \$84 million in FY2007-08 and \$67.3 million in FY2008-09.

LB 367 was passed by a 46-2 vote.

STATE CAPITOL SNAPSHOT



School children on the third floor of the Capitol wave to their classmates in the rotunda below May 16. For information on tours of the Capitol Building call (402) 471-0449 or visit the website at www.capitol.org.

A CLOSER **LOOK**

School assessment bill gains first round approval

(CONTINUED FROM FRONT PAGE)

Currently, student assessment is accomplished using the recently-developed School-based Teacher-led Assessment and Reporting System, or STARS standards. Raikes said LB 653 was based on the results of a legislative performance audit.

The result of the study, he said, reflected that the department had not met requirements enacted in 1999 to narrow the number of

assessment instruments used to four. The department instead identified six guidelines for developing an assessment and four alternatives for meeting those six guidelines, essentially leaving teachers 24 ways to do testing, he said.

The definitions provided in LB 653 would eliminate any confusion about the required assessments to ensure a consistent system, Raikes said. The bill defines an assessment

instrument as a test aligned with state and local standards.

The legislation in 1999 created a statewide writing assessment, Raikes said. LB 653 would add statewide math and reading tests to be done at three separate grade levels.

"They'd be developed in the same way our locally based assessments are, that is, from the bottom up," he said.

Sen. Greg Adams of York said



Lincoln Sen. Ron Raikes talks with Bellevue Sen. Abbie Cornett and Lincoln Sen. DiAnna Schimek during debate on the school assessment bill May 18.

A CLOSER LOOK

the bill moves away from the four previously required assessment models and reflects the recent work that teachers have done toward developing assessments.

“What’s been going on for the last seven years has been onerous, difficult, frustrating, but ultimately valuable,” he said. “Teachers have been put through the paces on developing good assessment devices.”

The bill is not meant to ignore or erase the work teachers have done, he said, nor is it intended to create more work for teachers.

“To the contrary. It’s designed to create a bit of relief,” Adams said. “Teachers have just bought themselves more time back in the classroom.”

LB 653 would allow school districts to continue developing assessments, but also would provide them the option to join with other teachers in their ESU to develop assessments. The bill comes closer to complying with the original

assessment law passed in 1999 while giving teachers more time in the classroom, Adams said.

Lincoln Sen. Bill Avery, a former university professor, supported the statewide assessment system. He said he was often shocked by the results of pre-testing his students who were fresh out of high school.

“Some students didn’t know that there was a Russian Revolution or that Poland was a part of Europe,” he said.

The state should be very concerned about how well schools are preparing students for college, he said.

“Our students have to compete not just in Nebraska, not just in the nation. They have to compete in a global community now,” Avery said.

Gretna Sen. Gail Kopplin said he is not a proponent of comparative testing. To illustrate his point, he suggested that all 49 senators take a test on the constitution.

“Half of us will score below average, and the rest of us will talk

about them behind their backs,” he said. “And the bottom five, we’ll all snicker and laugh at them. That’s what comparison testing does.”

Adams said the purpose of the assessment is to allow schools to track students’ learning process and is not intended to be a contest.

“What we’re really measuring is the progress of a kid, not how York is doing compared to Scottsbluff,” he said.

Provisions of **LB 615**, also sponsored by Raikes, were amended into the bill and would require the State Board of Education to implement a statewide system for tracking individual student achievement. This would allow schools to track students’ progress throughout their career in the K-12 system, Raikes said.

A technical amendment that delays dates throughout the bill by one year was adopted 30-0 and the bill advanced to select file 26-5.

Federal official contact information - U.S. Congress

Senator Charles Hagel
United States Senate
248 Russell Senate Office Building
Washington D.C. 20510
Tel. (202) 224-4224

Senator Ben Nelson
United States Senate
720 Hart Senate Office Building
Washington, D.C. 20510
Tel. (202) 224-6551

Congressman Jeff Fortenberry
(District 1)
1517 Longworth House Office Building
Washington, D.C. 20515
Tel. (202) 225-4806

Congressman Lee Terry
(District 2)
1524 Longworth House Office Building
Washington, D.C. 20515
Tel. (202) 225-4155

Congressman Adrian Smith
(District 3)
503 Cannon House Office Building
Washington, D.C. 20515
Tel. (202) 225-6435

MEET THE SENATORS

Harms brings lifetime of learning to Legislature

As a young person, Sen. John Harms said he spent the summers outside hunting, fishing and playing sports. The sun would turn his skin a deep shade of brown.

At the grocery store where he worked during the summer, migrant workers from Mexico and other Spanish-speaking countries would speak to him in Spanish, thinking he would be able to understand. Although he couldn't understand their language, Harms said he understood what it meant to be different in a small community.

The son of a Greek immigrant, Harms said he had always been taught to accept people for who they are, not what they are. Experiencing discrimination because of his ethnicity was surprising to him at first, he said.

"It always took me aback," Harms said. "It's given me a whole different perspective."

Harms attributes his love of cooking to his father, who ran a restaurant in Morrill, where Harms grew up. It's not uncommon for the kitchen to be filled with exotic scents whenever Harms is cooking. Greek, Hungarian and Mexican dishes are some of his favorite foods. He said his three children learned early to appreciate different flavors.

"They either starved to death or learned to try new things," he said, laughing.

His own desire to experience new things extends beyond the kitchen. With a doctorate in higher education, Harms has spent much of his life learning new things.

"There's some level of excitement in constantly learning," he said.

This is a passion he also has passed on to his children. His oldest daughter, Stacey Moore, is a special education teacher in Scottsbluff. His son Nick is one of the managers at Team Chevrolet and his youngest daughter, Suzette Luster, is a speech pathologist in Greeley.

Harms has served in administrative positions at several Nebraska community colleges. He started his career as director of housing and financial aid at Chadron State College. Later, he became dean of students, and

then dean of instruction, at Norfolk Junior College (now Northeast Community College). He served as president of McCook Community College. Most recently, he was president of Western Nebraska Community College for 30 years and is now retired.

Before he was an administrator, Harms taught at Gering High School for three years. His experience there led him to pursue more education because he wanted to be able to play a more active role in changing education policy, he said.

His love of learning didn't develop right away. He said he used to get in a fair amount of trouble at school growing up. But, living in a tight-knit community, he didn't get away with much.

"I knew if I did something, Mom would know about it before I got home," he said with a smile.

Harms said his favorite academic subject is biology. He enjoys teaching his five grandchildren, ranging in age from eight to 16 years old, about the plants and animals they see. He said any time he and his wife, Patricia, can spend with their grandchildren is time well spent.

"They're the best thing that's ever happened to us," he said.



John Harms embraces his granddaughter Elizabeth Ashley Moore, 15, after his retirement as president of Western Nebraska Community College.

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN TUESDAY, MAY 15, 2007, THROUGH FRIDAY, MAY 18, 2007

Agriculture

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
12	Mines	Change the Commercial Dog and Cat Operator Inspection Act	Placed on Final Reading
69	Hudkins	Change the Agricultural Opportunities and Value-Added Partnerships Act	Signed by Governor
435	Raikes	Provide for a study relating to the Nebraska State Fairgrounds	Signed by Governor
516	Agriculture	Authorize a study with respect to corporate farming and agricultural production in Nebraska	Placed on Final Reading

Appropriations

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
317	Speaker Flood, req. of Gov.	Provide for deficit appropriations	Passed by Legislature
318	Speaker Flood, req. of Gov.	Appropriate funds for salaries of members of the Legislature	Passed by Legislature
319	Speaker Flood, req. of Gov.	Appropriate funds for salaries of constitutional officers	Passed by Legislature
320	Speaker Flood, req. of Gov.	Appropriate funds for capital construction	Passed by Legislature
321	Speaker Flood, req. of Gov.	Appropriate funds for state government expenses	Passed by Legislature
322	Speaker Flood, req. of Gov.	Change provisions relating to certain funds and provide for transfers of funds and extend an excise tax	Passed by Legislature
323	Speaker Flood, req. of Gov.	Provide for transfers from the Cash Reserve Fund	Passed by Legislature
542	Synowiecki	Create the Children's Behavioral Health Task Force	Placed on Final Reading

Banking, Commerce and Insurance

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
188	Mines	Eliminate a notice requirement relating to motor vehicle service contracts	Signed by Governor
368	Erdman	Adopt the Nebraska Limited Cooperative Association Act	Signed by Governor

Business and Labor

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
88	Business and Labor	Provide for payment of claims against the state	Passed by Legislature
209	Business and Labor	Create and eliminate safety inspection funds relating to elevators and conveyances	Placed on General File
226	Cornett	Change provisions relating to boiler inspections	Signed by Governor
265	Business and Labor	Change various provisions of the Employment Security Law	Advanced from General File
339	Business and Labor	Change provisions relating to claims against the state	Passed by Legislature
432	Friend	Change the Act Prohibiting Unjust Discrimination in Employment Because of Age	Placed on General File
588	Business and Labor	Change provisions relating to the workers' compensation hospital fee schedule, payment of providers, and disability compensation	Passed by Legislature

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN TUESDAY, MAY 15, 2007, THROUGH FRIDAY, MAY 18, 2007

Education

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
219	Dierks	Change requirements for freeholder petitions	Signed by Governor
342	Raikes	Adopt the Community College Foundation and Equalization Aid Act and change postsecondary education scholarship provisions	Placed on Final Reading
603	Raikes	Change provisions relating to educational service units and early childhood education grants	Placed on Final Reading
641	Raikes	Change provisions relating to schools, learning communities, school governance, and school finance	Placed on Select File
653	Raikes	Require implementation of a statewide system for assessment of student learning and for reporting	Advanced from General File

Executive Board

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LR1CA	Preister	Constitutional amendment to change legislative salaries	Placed on Select File

General Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
578	McDonald	Change alcohol excise tax provisions, prohibited interests in alcoholic liquor wholesalers and business premises, and penalties for driving under the influence	Passed by Legislature

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WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN TUESDAY, MAY 15, 2007, THROUGH FRIDAY, MAY 18, 2007

Government, Military, Veterans Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
5	Pahls	Change provisions relating to the state's employee suggestion system	Signed by Governor
198	Schimek	Change requirements for campaign messages	Passed by Legislature
199	Schimek	Changes municipal cooperative financing and open meetings provisions	Signed by Governor
208	Aguilar	Change bond requirements for certain public building projects	Signed by Governor
233	Pirsch	Provide a residency requirement for certain members of public building commissions	Signed by Governor
252	Avery	Change land surveyor application and registration fees	Signed by Governor
256	Aguilar	Change administrative provisions relating to state government	Signed by Governor
289	Louden	Change procedure relating to elections to exceed the tax levy limit	Signed by Governor
388	Aguilar	Change duties and membership of the Economic Development Commission and the Department of Economic Development	Signed by Governor
396	Johnson	Increase the range of fees imposed by the State Board of Landscape Architects	Signed by Governor
471	Chambers	Authorize regulation of mixed martial arts by the State Athletic Commissioner	Signed by Governor

Health and Human Services

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
144	McDonald	Adopt the Hepatitis C Education and Prevention Act	Signed by Governor
236	Johnson	Provide for and change regulation of perfusionists, optometrists, pharmacy technicians, and in-home personal service providers	Signed by Governor
247	Johnson	Change provisions relating to pharmaceuticals and dental hygienists	Advanced from Select File
445	Stuthman	Provide qualifications and certification requirements for certain persons under the Commission for the Blind and Visually Impaired Act	Signed by Governor
463	Johnson	Adopt the Uniform Credentialing Act	Signed by Governor
481	Johnson	Change criminal background check and examination requirements under the Uniform Licensing Law	Signed by Governor
482	Johnson	Adopt the Autism Treatment Program Act	Placed on Final Reading
610	Legislative Performance Audit	Provide documentation and recordkeeping requirements for the Department of Health and Human Services regarding sex offenders	Signed by Governor

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN TUESDAY, MAY 15, 2007, THROUGH FRIDAY, MAY 18, 2007

Judiciary

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
8	Preister	Increase penalty for accumulation of junk	Signed by Governor
132	Nantkes	Provide for setting aside a legal separation decree	Signed by Governor
142	Friend	Create offenses of intimidation and enticement by electronic communication device	Placed on Select File
152	Pankonin	Change insurer reporting requirements regarding professional liability claims	Signed by Governor
214	Ashford	Change acting county attorney compensation, provide for county judge interchange, and eliminate an obsolete procedure	Signed by Governor
218	Burling	Change provisions relating to the acquisition of certain drug products	Signed by Governor
221	Lathrop	Change legal procedure complaint and petition provisions	Placed on Final Reading
227	Cornett	Change provisions governing certain offenses relating to animals	Signed by Governor
274	McDonald	Require a warning label on liquefied petroleum gas tanks and provide a limitation on liability	Passed by Legislature
373	Schimek	Provide for inadmissibility of apologies regarding medical care as evidence	Passed by Legislature
377	Ashford	Reallocate county, district, and separate juvenile court judgeships and change salary provisions of judges	Placed on Final Reading
382	Pahls	Change provisions relating to notaries public	Signed by Governor
424	Adams	Prohibit the breathing, inhaling, or drinking of certain compounds	Signed by Governor
449	Ashford	Change provisions on how judicial records are proved	Signed by Governor
554	Flood	Adopt a new Parenting Act	Placed on Select File
564	Friend	Change provisions relating to tort claims with respect to recreational liability	Signed by Governor
573	Kruse	Adopt the Minor Alcoholic Liquor Liability Act	Placed on Select File
580	Preister	Change provisions relating to tobacco product manufacturers	Signed by Governor
674	Lathrop	Adopt the Credit Report Protection Act and prohibit certain uses of social security numbers	Passed by Legislature

Natural Resources

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
299	Hudkins	Change provisions relating to the Game Law	Placed on Final Reading
504	Mines	Prohibit hunting through the Internet	Placed on Final Reading
629	Dierks	Adopt the Rural Community-Based Energy Development Act	Passed by Legislature
664	Hudkins	Eliminate an exemption from licensure as a geologist	Signed by Governor

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN TUESDAY, MAY 15, 2007, THROUGH FRIDAY, MAY 18, 2007

Retirement

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
508	Pahls	Change provisions of the Judges Retirement Act and the School Employees Retirement Act	Signed by Governor
596	Kopplin	Change benefit and contribution provisions for school retirement systems	Signed by Governor

Revenue

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
305	Fischer	Change distribution of certain sales tax revenue	Signed by Governor
334	Dierks	Provide for merger of Department of Property Assessment and Taxation and Department of Revenue and change property tax provisions	Placed on Final Reading
343	Langemeier	Provide an income tax credit for investments in biodiesel facilities	Placed on Final Reading
364	Flood	Change apportionment of inheritance tax revenue	Signed by Governor
367	Janssen	Change and eliminate estate tax, property tax, sales and use tax, and income tax provisions	Signed by Governor
456	White	Provide an income tax credit for franchise taxes paid by certain financial institutions	Placed on Final Reading
551	Flood	Change provisions relating to financing for convention center, sports arena, and hotel facilities	Placed on Select File

Transportation and Telecommunications

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
147	McDonald	Change penalty provisions for vehicle loads	Signed by Governor
277	Mines	Change provisions relating to a metropolitan transportation improvement program in lieu of a Department of Roads plan	Signed by Governor
358	Hudkins	Change and eliminate provisions relating to motor carriers	Placed on Select File
561	Fischer	Change provisions relating to removal of disabled or immobilized vehicles	Signed by Governor

RESOURCES AND INFORMATION



Sen. Greg L. Adams
District 24
471-2756 (Capitol)
831 W. Fourth St.
York, NE 68467

Sen. Ray Aguilar
District 35
471-2617 (Capitol)
706 Grand Ave.
Grand Island, NE 68801

Sen. Brad Ashford
District 20
471-2622 (Capitol)
7926 Shirley St.
Omaha, NE 68124

Sen. Bill Avery
District 28
471-2633 (Capitol)
1925 E St.
Lincoln, NE 68510

Sen. Carroll Burling
District 33
471-2712 (Capitol)
4120 S. Shiloh Ave.
Kenesaw, NE 68956

Sen. Tom Carlson
District 38
471-2732 (Capitol)
1112 Brown St.
Holdrege, NE 68949

Sen. Ernie Chambers
District 11
471-2612 (Capitol)
3116 N. 24th St.
Omaha, NE 68110

Sen. Mark R. Christensen
District 44
471-2805 (Capitol)
138 Yucca Dr.
Imperial, NE 69033

Sen. Abbie Cornett
District 45
471-2615 (Capitol)
State Capitol, PO Box 94604
Lincoln, NE 68509

Sen. M. L. Dierks
District 40
471-2801 (Capitol)
RR 1 Box 131
Ewing, NE 68735

Sen. Annette M. Dubas
District 34
471-2630 (Capitol)
54906 N. 180th Ave.
Fullerton, NE 68638

Sen. L. Patrick Engel
District 17
471-2716 (Capitol)
401 E. 31st St.
So. Sioux City, NE 68776

Sen. Philip Erdman
District 47
471-2616 (Capitol)
511 Second Ave. PO Box 624
Bayard, NE 69334

Sen. Deb Fischer
District 43
471-2628 (Capitol)
Box 54
Valentine, NE 69201

Sen. Mike Flood
District 19
471-2929 (Capitol)
105 S. Second St.
Norfolk, NE 68701

Sen. Mike Friend
District 10
471-2718 (Capitol)
4722 N. 81st St.
Omaha, NE 68134

Sen. Tony Fulton
District 29
471-2734 (Capitol)
5935 S. 53rd St.
Lincoln, NE 68516

Sen. Tim Gay
District 14
471-2730 (Capitol)
1001 Hogan Dr.
Papillion, NE 68046

Sen. Tom Hansen
District 42
471-2729 (Capitol)
3782 W. Foothill Rd.
North Platte, NE 69101

Sen. John N. Harms
District 48
471-2802 (Capitol)
State Capitol, PO Box 94604
Lincoln, NE 68509

Sen. Lavon Heidemann
District 1
471-2733 (Capitol)
62058 719 Rd.
Elk Creek, NE 68348

Sen. Gwen Howard
District 9
471-2723 (Capitol)
5512 Howard St.
Omaha, NE 68106

Sen. Carol Hudkins
District 21
471-2673 (Capitol)
8600 N.W. 112th St.
Malcolm, NE 68402

Sen. Ray Janssen
District 15
471-2625 (Capitol)
210 Cedar St. PO Box 159
Nickerson, NE 68044

Sen. Joel T. Johnson
District 37
471-2726 (Capitol)
3216 19th Ave.
Kearney, NE 68845

Sen. Russ Karpisek
District 32
471-2711 (Capitol)
PO Box 767
Wilber, NE 68465

Sen. Gail Kopplin
District 3
471-2627 (Capitol)
21760 Hilltop Ave.
Gretna, NE 68028

Sen. Lowen Kruse
District 13
471-2727 (Capitol)
5404 N. 50th Ave.
Omaha, NE 68104

Sen. Chris Langemeier
District 23
471-2719 (Capitol)
408 Elk St.
Schuyler, NE 68661

Sen. Steve Lathrop
District 12
471-2623 (Capitol)
State Capitol, PO Box 94604
Lincoln, NE 68509

Sen. LeRoy J. Loudon
District 49
471-2725 (Capitol)
P.O. Box 25
Ellsworth, NE 69340

Sen. Vickie D. McDonald
District 41
471-2631 (Capitol)
State Capitol, PO Box 94604
Lincoln, NE 68509

Sen. Amanda McGill
District 26
471-2610 (Capitol)
5045 Vine St. #520
Lincoln, NE 68504

Sen. Mick Mines
District 18
471-2618 (Capitol)
636 Hillcrest Drive
Blair, NE 68008

Sen. Danielle Nantkes
District 46
471-2720 (Capitol)
3179 R St. #1
Lincoln, NE 68503

Sen. John E. Nelson
District 6
471-2714 (Capitol)
6269 Glenwood Rd.
Omaha, NE 68132

Sen. Rich Pahls
District 31
471-2327 (Capitol)
16550 Dorcas St.
Omaha, NE 68130

Sen. Dave Pankonin
District 2
471-2613 (Capitol)
PO Box 106
Louisville, NE 68037

Sen. Dwite Pedersen
District 39
471-2885 (Capitol)
21440 Shamrock Road
Elkhorn, NE 68022

Sen. Pete Pirsch
District 4
471-2621 (Capitol)
State Capitol, PO Box 94604
Lincoln, NE 68509

Sen. Don Preister
District 5
471-2710 (Capitol)
4522 Borman St.
Omaha, NE 68157

Sen. Ron Raikes
District 25
471-2731 (Capitol)
3221 S. 76th St.
Lincoln, NE 68506

Sen. Kent Rogert
District 16
471-2728 (Capitol)
PO Box 114
Tekamah, NE 68061

Sen. DiAnna Schimek
District 27
471-2632 (Capitol)
6437 Lone Tree Dr.
Lincoln, NE 68512

Sen. Arnie Stuthman
District 22
471-2715 (Capitol)
24160 310th St.
Platte Center, NE 68653

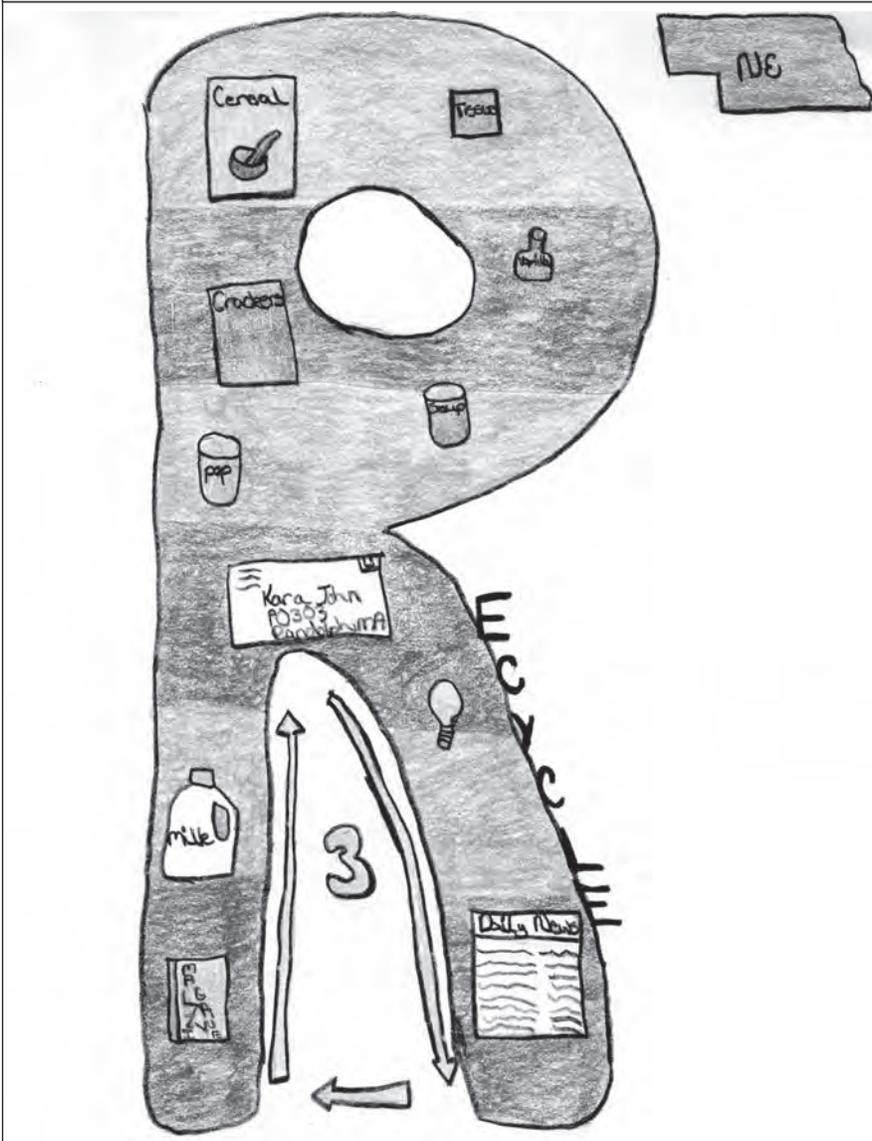
Sen. John Synowiecki
District 7
471-2721 (Capitol)
2451 S. 27th Ave.
Omaha, NE 68105

Sen. Norm Wallman
District 30
471-2620 (Capitol)
State Capitol, PO Box 94604
Lincoln, NE 68509

Sen. Tom White
District 8
471-2722 (Capitol)
2517 N. 55th St.
Omaha, NE 68104

Sen. John M. Wightman
District 36
471-2642 (Capitol)
PO Box 100
Lexington, NE 68850

IF I COULD MAKE A LAW



Second-place winner: *Kirsten Marie Fink, 12, Randolph Elementary School, Randolph.*
 "Everyone must recycle."

STUDENT ART SERIES

To commemorate the 100th Nebraska Legislature, fourth- through sixth-grade students throughout the state were invited to submit artwork depicting a law they would propose if they were a senator.

Selected entries will be published in each edition of this session's Unicameral Update and also will be posted on the Legislature's website at nebraskalegislature.gov/web/public/learning/makealaw.

Published entries were selected by Larry Starr, director of social science education at the state Department of Education, Karen Janovy, curator of education for the University of Nebraska-Lincoln's Sheldon Memorial Art Gallery and Heidi Uhing, civic learning coordinator for the Nebraska Legislature.

UNICAMERAL UPDATE

The Unicameral Update is a free, weekly newsletter offered during the legislative session covering actions taken in committees and on the floor of the Legislature.

The Unicameral Update is produced by the Clerk of the Legislature's Office through the Unicameral Information Office.

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Clerk of the Legislature
 Patrick J. O'Donnell

Editor
 Mitchell S. McCartney

Contributors
 Lauren Adams
 Kate Heltzel
 Connie Pritchard
 Heidi Uhing

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CLERK OF THE LEGISLATURE

Patrick J. O'Donnell
Room 2018, State Capitol
Lincoln, NE 68509-4604

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Voice/Telephone Text - (V/TTY)
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