

THE NEBRASKA LEGISLATURE'S
WEEKLY PUBLICATION

UPDATE

Committee revisits metro schools issue

The Education Committee heard two days of testimony Feb. 5-6 relating to issues of school funding, boundaries and student achievement affecting the Omaha metropolitan area.

In 2006, the Legislature passed LB 1024, which resulted in a learning community comprised of the school districts in Douglas and Sarpy counties. Among the many provisions of LB 1024, the law:

- creates a mechanism for the formation of learning communities governed by a coordinating council, which has resulted in school districts in Douglas and Sarpy counties becoming part of a learning community;
- requires schools in the learning community to have a common local property tax levy;
- requires boundaries of school districts in the learning community to remain as they were on March 1,

2006, except that boundaries could be changed with the approval of the coordinating council, the State Committee for the Reorganization of School Districts and the affected school district boards;

- requires the reorganization of Class V school districts – Omaha Public Schools is currently the state's only Class V district – into separate districts with at least two high schools

(CONTINUED ON PAGE 7)

CAPITOL SNAPSHOT



One of the chandeliers in the Great Hall was taken down Feb. 9 to be cleaned.

Senators reject changing petition requirements

After two days of debate, lawmakers rejected a measure Feb. 8 that would propose changing signature thresholds required for both constitutional amendments and statutory initiatives.

LR 8CA, introduced by Lincoln Sen. Bill Avery, would increase the required number of signatures for constitutional amendments from 10 percent of the state's registered voters to 15 percent. The required number of signatures for statutory initiatives would be decreased from 7 percent to 4.

Avery said the proposal, if adopted by the voters, would make it harder to change the constitution, but easier for citizens to make statutory changes.

"We need to protect our constitution," he said.

Since 1990, 18 petition drives have succeeded in getting issues on the ballot and 16 of those have been proposed constitutional amendments, Avery said. According to public records, he said, \$9 million has been raised since 1990 for petition drives and 70 percent of that funding came from out-of-state sources.

Avery said he hoped the increase in signature requirements for constitutional amendments would encourage

(CONTINUED ON PAGE 11)

INSIDE:

• Committee Hearing Schedule • Committee considers I-300 alternative • Weekly Review

ISSUES UPFRONT



Agriculture

Bill would create task force to study corporate farming

The Agriculture Committee heard testimony Feb. 6 on a bill that would create a Corporate Farming Policy Advisory task force.

LB 516, introduced by the committee, would create a task force to study and make recommendations to the Legislature concerning corporate farming in Nebraska.



Sen. Philip Erdman

In 2006, the 8th Circuit District Court ruled that the state's corporate farming law, known as Initiative 300, was unconstitutional. LB 516 was introduced in the event that the court's ruling stands.

The bill would create a task force with members appointed by the governor and the chairperson of the committee.

Former Sen. Bob Kremer testified in support of the bill.

"I think it's so important to do an in-depth study," he said.

While everyone who testified agreed that an in-depth look at how the state should handle corporate farming is necessary, there was disagreement over how to proceed. Proponents supported the formation of a task force, while opponents said the committee should conduct an interim study.

Laura Krebsbach of the Great



Plains Environmental Law Center said the interim study would be a more appropriate way to study the issue.

"I think that it's a more open process," Krebsbach said. "It's more accessible to the public. Adding that other layer of bureaucracy tends to put the public at arm's length."

The committee took no immediate action on the bill.

Business and Labor

Bills introduced in response to court decision

The Business and Labor Committee heard testimony Feb. 5 on bills introduced in response to a Nebraska Supreme Court decision, *Roseland vs. Strategic Staff Management*.

The decision requires payment of unused vacation leave upon termination.

LB 255, introduced by Tekamah Sen. Kent Rogert, would allow employers and employees to agree to conditions and



Sen. Kent Rogert

limitations on the use and payment of accrued but unused leave.

Sen. Mike Friend of Omaha introduced **LB 271**, which would essentially implement the same practices as LB 255.

"Current law can impose a significant loss on employers and keep them from offering generous leave options," Rogert said.

Friend described the court decision as placing a "cloud" over benefit plans. He said legislation was necessary to offer clarity on the issue.

Bruce Stec of the Society for Human Resources Managers testified in support of the bill.

"Since the Roseland decision, employers have been unsure how to implement the court's findings," he said. "We are looking to you for some clarification on this issue."

Mark McGuire of the Nebraska State Education Association opposed the bill because he said there was no mention of collective bargaining in the process of agreeing on benefit plans.

The committee took no immediate action on the bills.



Sen. Mike Friend

ISSUES UPFRONT.....

Executive Board

Legislative salary measures considered

The Legislature's Executive Board considered two proposals aimed at increasing legislative salaries during a public hearing Feb. 8.

Both **LR 1CA**, sponsored by Bellevue Sen. Don Preister, and **LR 7CA**, sponsored by Omaha Sen. Lowen Kruse, would propose amending Article III, Section 7 of the Nebraska Constitution to increase legislators' annual salaries to approximately \$22,000. Currently, lawmakers are paid \$12,000 per year.



Sen. Don Preister

In 2006, voters rejected a proposed constitutional amendment that would have increased annual pay to \$21,000, plus yearly cost-of-living adjustments based on the Consumer Price Index.

LR 1CA would set the salary amount specifically at \$22,000 beginning in 2009. Preister noted that the last increase voters gave state senators came in 1988, almost two decades ago.

He told his colleagues that he visited with many voters who would have supported last year's proposal had the automatic cost-of-living adjustments not been built in.

LR 7CA would propose indexing legislative salaries according to inflation back to 1988, when the last increase was passed, and every two years thereafter. According to Kruse, that would set the initial pay in 2009 at approximately \$22,100 annually.

Kruse said he kept a log of hours spent in his role as a lawmaker during his first couple of years in office. He estimated he spent more than 2,000 hours a year, which is near the equivalent of a full-time job.

Kruse's assessment of why the 2006 proposal lost focused more on the amount of the proposed increase and less on the inclusion of built-in adjustments.



Sen. Lowen Kruse

Janice Rogers of Common Cause spoke in favor of LR 1CA. She said the job of being a state senator is demanding, even though the public views it as a part-time position.

"It is amazing that we in Nebraska have attracted the high quality candidates that we have with the demeaning \$1,000 per month," Rogers said.

No one testified in opposition to either measure. The board took no immediate action on the two proposals.

Bicameral legislature proposed

Nebraska's legislative system would revert back to a two-house bicameral under a proposed constitutional amendment discussed by the Legislature's Executive Board Feb. 8.

LR 3CA, introduced by Sen. Mike Friend of Omaha, would amend several sections of the Nebraska Constitution to create a 31-member Senate and a 62-member House of Representatives to replace the existing 49-member unicameral

body. The changes, should the measure be approved by voters, would go into effect beginning with the 2010 election to give time for enabling legislation to be developed and passed.

Friend said a two-house system would provide more checks and balances and more deliberation than the current one-house system. He said he loves the unicameral, but not because there's only one house. Rather, he said, he enjoys the unicameral because of its parliamentary nature.

Having one legislative house made sense for former U.S. Sen. George Norris and others to support during the Great Depression, he said, but it's time to revisit the issue.

"I think it's healthy once every 70 years," Friend said.

No fiscal note has been developed for LR 3CA, but Friend estimated that adding an extra legislative house could cost approximately \$1.5 million initially.

Sen. Arnie Stuthman of Platte Center asked whether moving to a two-house system might bring pressure to move away from the Nebraska Legislature's other unique feature - its nonpartisan structure.

Friend said a bicameral legislature would not have to be partisan in nature and that he would fight such a move.

"We've decided from a public policy standpoint that nonpartisanship works pretty darn good," Friend said.

Sens. Philip Erdman of Bayard



Sen. Mike Friend

ISSUES UPFRONT.....

and Vickie McDonald of St. Paul both noted that because of court rulings requiring state legislatures to adhere to a "one person, one vote" principle, a second house would not necessarily increase representation in rural areas of the state. Friend agreed, but said that with a second house, constituents would have additional representatives to whom they could voice their opinions.



Sen. Vickie McDonald

Friend acknowledged that the idea of moving back to a bicameral legislature may be in its infancy, but that the discussion needs to start somewhere.

"It's hard to get past the infancy if no one will hold the baby," he said.

The board took no immediate action on LR 3CA.

Government, Military and Veterans Affairs

Campaign finance changes discussed in committee

The Government, Military and Veterans Affairs Committee heard testimony Feb. 8 on a bill that would change the enforcement of campaign finance and accountability laws.

LB 464, introduced by Omaha Sen. Ernie Chambers, would make the state attorney general responsible for the criminal enforcement of the political accountability and disclosure laws. Currently, this responsibility lies with the Nebraska Accountability and Disclosure Commission. The bill would grant

concurrent jurisdiction to the county attorney of the county in which a violation occurs.

If the commission believes that criminal prosecution is warranted, a referral would be made to the attorney general, who would advise the commission whether the matter would be prosecuted. Neither the commission's referral nor the attorney general's response would be confidential.

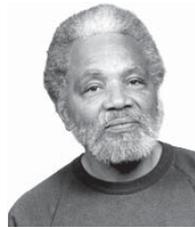
Additionally, **LB 464** would clarify that criminal laws regarding the making of false statements do not apply to those made in various documents required to be filed pursuant to the Campaign Finance Limitation Act or the Nebraska Political Accountability and Disclosure Act.

Under the criminal code, the highest level of offense for false statements is a Class I misdemeanor, while false statements under election laws can be punished as a Class IV felony.

Chambers said this heightened penalty exists because undermining the election process is so destructive of the democratic process.

"Candidates should know that if you make these false statements, you will be charged with a higher penalty," he said.

Frank Daley, executive director of the commission, said the law's current structure has served as an impediment to the election process. Under accountability and disclosure law, filing false reports is a felony, but in the criminal code it's a



Sen. Ernie Chambers

misdemeanor, he said.

"We're operating under two sets of rules," Daley said.

No one testified in opposition to the bill. The committee took no immediate action.

Health and Human Services

Pharmacy technician registry proposed

The Health and Human Services Committee heard a bill Feb. 7 that would establish a registry of all practicing pharmacy technicians in Nebraska.

Introduced by Louisville Sen. Dave Pankonin, **LB 426** would require pharmacy technicians to register with the state of Nebraska within 30 days after being hired and to pay a biennial registration fee of no more than \$50.

Technicians who are currently employed in Nebraska would have 30 days after the act's effective date to register. The registry would be managed by the state Department of Health and Human Services Regulation and Licensure.

LB 426 also would allow technicians to report other technicians or licensed health care professionals for practicing while impaired or for diverting medications. The bill would establish procedures for disciplinary actions, removal from the registry and reinstatement provisions.

HHS anticipates that approximately 5,000 technicians would register.

The committee took no immediate action on the bill.

ISSUES UPFRONT.....

Natural Resources

Bill would change financing system for storm water management

The Natural Resources Committee heard testimony Feb. 8 on a bill that would change the way storm water management is financed.

LB 534, sponsored by Lincoln Sen. DiAnna Schimek, would allow Nebraska cities to use a system similar to water and sewer rate systems for financing storm water management improvements.

Only cities that comply with the Federal Clean Water Act would be allowed to use the new financing method.

Schimek said the proposed system would be based on sound engineering principles that more accurately reflect the cost of providing a public service. It would also ensure that the expense is borne by those that contribute to the cost, she said.

The committee took no immediate action on the bill.



Sen. DiAnna Schimek

Revenue

Sales tax exemption for repair parts proposed

The Revenue Committee heard a proposal Feb. 7 that would exempt repair or replacement parts and depreciable replacement parts for agricultural machinery or equipment beginning Oct. 1.

LB 159, introduced by Sen. Lavon Heidemann of Elk Creek,

would reduce state sales tax revenues by approximately \$6.7 million in fiscal year 2007-08 and \$10 million in FY2008-09.

The committee took no immediate action on the bill.

Committee considers income tax credits

The Revenue Committee considered three bills Feb. 8 that would grant income tax credits for various purposes.

LB 512, introduced by Lincoln Sen. Tony Fulton, would provide a nonrefundable income tax credit for individuals claiming a dependent eligible for medical assistance under state law. The credit would be equal to 100 percent of the federal credit allowed under federal tax code. However, the state credit would be available for individuals of any income level, and would be available in full, even though the federal credit is limited by federal tax liability. The credit would become available beginning with the 2007 tax year and would have an estimated annual revenue impact of \$1.1 million.

LB 514, also introduced by Fulton, would allow a nonrefundable income tax credit for employers making contributions to their employees' long term care insurance plans. The credit would be for 20 percent



Sen. Lavon Heidemann



Sen. Tony Fulton

of the net contributions made by an employer during a taxable year. The credit could be carried forward for three years. The credit would have a nominal impact on state revenues.

LB 531, sponsored by Sen. Danielle Nantkes of Lincoln, would provide a \$5,000 refundable income tax credit to any small employer who provides a health insurance plan for its employees and pays a portion of the cost of the plan. Small employers would include taxpayers who employ 25 or fewer full-time equivalent employees in Nebraska.

Fiscal estimates place the revenue impact of LB 531 at between \$150 million and \$475 million annually.

The committee took no immediate action on any of the measures.



Sen. Danielle Nantkes

Urban Affairs

Tax increment financing amendment heard

The Urban Affairs Committee heard testimony Feb. 6 on 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.

The proposal was passed by the Legislature last session and appeared as Amendment 6 on the November

ISSUES UPFRONT.....

2006 ballot, but was defeated.

Rogert said the idea deserved a second look from voters.

“With a little time to educate them on the subject, I think it can be successful,” he said.



Sen. Kent Rogert

The blighting process was designed to provide for redevelopment but has evolved into an economic development tool, he said.

The measure would make tax increment financing more available for economic development without having to deem a property substandard or blighted first.

Rogert offered the development of ethanol plants as an example of a project that could greatly benefit

from this type of financing. Current law requires a study to determine that the cornfield where the project would be located is blighted.

Steve Sorum, representing the Nebraska Ethanol Board, said LR 2CA would remove the hypocrisy of the blighted designation and streamline the process.

Further, he said it would make Nebraska very competitive for future development.

“This would give Nebraska another tool—one very well suited to ethanol—because it addresses rural areas where ethanol plants are likely to locate,” he said.

Gary Hedman, representing Southern Public Power District, said the proposal would give counties the same authority that cities have to access financing. He called LR 2CA a great development tool to help counties that are losing population.

He attributed the lack of voter support for last year’s amendment to a lack of education on the topic.

“We couldn’t understand why anyone wouldn’t vote for it, but I believe that voters will vote against anything they don’t understand,” he said.

Neal Erickson, deputy secretary of state for elections, provided neutral testimony regarding the cost of putting a constitutional amendment on the ballot.

The main cost stems from the requirement to publish the language of the amendment in newspapers throughout the state prior to the election, he said.

This costs an average of \$50,000 per amendment, he said, depending on its length.

No opposing testimony was given. The committee took no immediate action on the measure.

COMMITTEE HEARINGS OPEN TO PUBLIC

Public hearings offer people the opportunity to make their views known on proposed legislation and have them incorporated into the official legislative record.

In Nebraska, most bills, with the exception of a few technical bills, receive a public hearing before a legislative committee.

A weekly schedule of committee hearings is available in the Clerk’s Office, the Legislative Bill Room and the Legislature’s web site (www.nebraskalegislature.gov).

The schedule also can be found in the

Unicameral Update, the Sunday Lincoln Journal-Star and the Sunday Omaha World-Herald.

To testify before a committee, attend and fill out the sign-in sheet at the witness table, orally identify yourself and spell your last name for the record and state who, if anyone, you represent as you begin your testimony. Be prepared to answer questions. Please note that addressing committee members or witnesses from the audience, public demonstrations and applause are prohibited.

A CLOSER LOOK.....

Committee revisits metro schools issue

(CONTINUED FROM FRONT PAGE)

effective July 1, 2008; and

- requires the formation of an integration task force charged with examining how issues of diversity and integration in the learning community's school districts can best be addressed.

Since the passage of LB 1024 last year, efforts to find alternative solutions have continued. Implementation of the law was put on hold by a court injunction.

The Education Committee was presented with several proposals, some of which would dramatically change the approach taken by LB 1024, and some of which would continue and build on the course set by the Legislature last session.

Much of the conflict during the hearings was focused on three bills that encompass an alternative presented by a majority of metro area superintendents, the interest of one district in opting out of the learning community and a measure that would end the separation between OPS and the Westside Community Schools district.

The superintendents' plan

LB 547, introduced by Sen. Gail Kopplin of Gretna, would freeze school district boundaries in the metropolitan area and eliminate both the Learning Community Coordinating Council and the reorganization of OPS.

The common levy that was enacted

last year would be eliminated. State aid allowances for poverty, limited-English proficiency, focus schools and elementary class size that were established in LB 1024 would be repealed. New state aid allowances would be created for transportation, professional development, marketing, focus schools, academies of excellence and magnet programs. The focus schools, academies of excellence and magnet programs would be formed by interlocal agreements and each school within the learning community would be required to participate in such an agreement.

Governance of metro area school districts would be coordinated by a Superintendents Executive Board consisting of superintendents from the member school districts. A Student Achievement Council would be created for the purpose of resolving disputes pertaining to marketing plans, professional development, the methodology used to determine building capacity and for monitoring interdistrict student achievement.

The bill also calls for a Student Voluntary Inclusion Plan that would:

- require each district to determine the capacity of its individual buildings;
- give priority to transfer students who contribute to the socioeconomic diversity of the district;
- provide that each district market available seats to participating school districts; and
- provide transportation funding for transfer students.

Finally, LB 547 would require the state Department of Education to adopt a student data tracking

system.

Kopplin said LB 547 was the result of a challenge posed by lawmakers to educators to find alternatives to LB 1024. He acknowledged that the proposal still had some financial details to be worked out, but said the intent was to focus on students.

"The emphasis of the proposal before you is on children," Kopplin said.

Rebecca Valdez, executive director for the Chicano Awareness Center, said LB 547 would eliminate legal issues stemming from the passage of LB 1024. The center was one of the parties involved in a lawsuit seeking to stop LB 1024's implementation.

Valdez said too much time and money has been spent litigating educational issues in the metro area.

"Shouldn't we be spending our time and money to bring the residents of Omaha back together again?" she asked.

According to OPS superintendent John Mackiel, 20 legislative recommendations regarding equity and integration have been offered by OPS since 1997.

"We believe this one holds the hope that perhaps the other 20 did not," he said.

Calling LB 547 landmark legislation, Mackiel said racial and socioeconomic isolation affect student achievement and that the new model would make school board members responsible for more than just their own communities.

But Omaha Sen. Ernie Chambers testified in opposition to the bill, saying he did not believe it would be passed. He questioned whether the school superintendents involved in the development of LB 547 were



Sen. Gail Kopplin

A CLOSER LOOK.....

interested in student achievement.

"Money is what they're looking for," Chambers said.

He said all children should have a good education, regardless of where they live. According to Chambers, parents need to be given a stake in their schools in order to help close the student achievement gap.

He suggested upholding LB 1024 because it will bring local control to the metro area schools.

Former Omaha Sen. Pam Redfield said passing a bill is not necessary for superintendents to meet, to coordinate professional development or marketing, or to share costs among school districts.

She also questioned how school funding would be used under LB 547. She said the bill's spending would not be limited to helping low-income or minority students.

"Student achievement is not even mentioned until page 145 of a 147-page bill," Redfield said.

Lincoln Sen. Ron Raikes, the committee's chairperson, asked supporters if it was enough to freeze school district boundaries and "hope the right thing happens."

Ben Gray of the African-American Achievement Council, who testified in support of LB 547, said there have to be benchmarks and monitoring involved to ensure that school districts will work toward better student achievement.

"If we stay on top of them, they won't have any choice," Gray said.

A plan for all?

Not all of the school districts involved in the learning community area were supportive of LB 547 or the existing law. Residents of the Bellevue Public Schools District testified that they want to be left out

of the issue.

LB 91, introduced by Bellevue Sen. Abbie Cornett, would remove Sarpy County's four school districts from the

learning community. Cornett said she was concerned about the impact a common levy would have on the Bellevue district. Local funding inequities would exist because of differences in the way in which Douglas and Sarpy counties pursue the reassessment of property values for tax purposes, she said.

Bellevue Public Schools superintendent John Deegan was critical of the process used to develop LB 547, saying that it did not reflect an open dialogue.

"As a superintendent, I was ashamed to be in those meetings," he said.

Deegan supported LB 91, saying that "you begin the dying process when you put us in the learning community and freeze our boundaries."

Megan Lucas, president of the Bellevue Chamber of Commerce, said LB 547 and the existing law as enacted last year would lead to higher taxes, stifled growth and lack of local control. She and other supporters of LB 91 said the metro area school issues should be left to Douglas County to resolve.

"Don't drag Sarpy County into their problems," Lucas said.

But Chuck Chevalier, superintendent of South Sarpy County District 46 said Bellevue's interest in leaving the learning community comes down to boundaries and money. The Bellevue district, he said, could lose as much



Sen. Abbie Cornett

as \$8 million in federal impact aid and needs to add assessed value to its district tax base, something the existing freeze on district boundaries does not permit.

Chevalier said his school district, however, wants to be part of the overall solution to the metro area school issue.

"We see the interrelatedness in the two counties area," he said.

Cornett explained that the Bellevue district receives the federal impact aid because it is a district with low property tax resources. This results from the large amount of federal land used for Offutt Air Force Base, land that is not on the tax rolls, she said.

Stay the course

Chambers indicated to the committee that they should stay the course with the law enacted under LB 1024. In fact, he suggested taking it one step further.

LB 473, sponsored by Chambers, would essentially merge the Westside Community Schools District 66 with OPS, the state's only Class V school district. This would include Westside as part of the OPS reorganization into separate districts, each with at least two high schools, under LB 1024.

Under the bill, the State Committee for the Reorganization of School Districts would have until Dec. 31 to issue orders merging the districts with the reorganization occurring in June 2008.

Finally, the bill would require affected school board members and personnel to work toward a smooth transition into the reorganized districts.

Chambers said Westside was formed as the result of "white flight."

A CLOSER LOOK.....

He cited language that, although legally unenforceable, still exists in protective covenants in residential developments within the Westside district.

"District 66 is a white enclave in the midst of a minority district," Chambers said.

In earlier testimony, Chambers had cited figures indicating low test scores for metro area students, with specific emphasis on the low scores for minority students.

"They are all our children. They are our responsibility and we are failing them," he said.

Westside superintendent Ken Bird said his district was not created as a haven for families looking to escape the OPS district.

According to Bird, during the last five years, minority enrollment at Westside has increased from 10 to 16 percent. The number of students

who are economically disadvantaged has risen from 20 to 26 percent, he said.

"You will find great diversity in our schools, not a white enclave," Bird said.

Other proposals

The Education Committee also considered four other proposals relating to the metro area schools issue.

LB 641, sponsored by Raikes, would replace the breakup of OPS with the creation of education centers within OPS. School districts within the learning community would be required to provide a sufficient number

of openings for students residing outside the school's attendance area to enable at least 10 percent of the students attending the school to come from outside the attendance area.

Each education center would have an eight member board that would serve as the center's school board. OPS would have an administrative board composed of two members from each education center board. The OPS board would determine which responsibilities would be performed by OPS and which would be performed by the education centers. Each education center would be treated as an individual school district for purposes of calculating state aid.

OPS would retain the authority and responsibility for:

- levying property taxes and distributing the proceeds based



Sen. Ron Raikes



Omaha Sen. Ernie Chambers testifies at the Education Committee hearing on his bill that would merge District 66 into Omaha Public Schools. District 66 superintendent Ken Bird, left, and school board member Scott Hazelrigg, center, look on.

A CLOSER LOOK.....

on the proportionate share of the adjusted valuation of each education center;

- determining an equitable contribution from each education center to the OPS district based on the overall district budget;
- financing, purchasing, constructing, remodeling and maintaining facilities;
- administering the OPS retirement system; and
- reporting aggregate information to the state Department of Education for the entire district.

Education centers would be responsible for hiring teachers, principals and a superintendent for the education center, and reporting information to the department on an individual education center basis.

LB 642, sponsored by Raikes, would merge educational service

units (ESUs) that serve territory within Omaha's boundaries. The new ESU would be governed by the Learning Community Coordinating Council and serve as the administrator for the learning community. School districts that are members of the merged ESUs, but not members of the learning community, would be transferred to other adjacent ESUs.

LB 558, sponsored by Omaha Sen. Brad Ashford, would require the integration task force established by last year's legislation to consider low- and middle-income housing patterns and their effect on integration efforts in the metro area.



Sen. Brad Ashford

LB 440, sponsored by Sen. Don Preister of Bellevue, would repeal the portion of last year's learning community law that requires the division of the OPS system. The bill also would require that any reorganization within a learning committee reduce disparities in concentrations of poverty students among the affected school districts. Finally, the Learning Community Coordinating Council and the State Committee for the Reorganization of School Districts would be required to consider concentrations of poverty students in affected school districts as part of designing and approving any reorganization plan within the learning community.



Sen. Don Preister

STATE CAPITOL SNAPSHOT



UNMC College of Pharmacy students observe floor debate Feb. 5. The students visited the Capitol as part of their Legislative Day.

A CLOSER LOOK.....

Senators reject changing petition requirements

(CONTINUED FROM FRONT PAGE)

people to attempt statutory changes before trying to change the constitution. Statutory changes passed through the petition process are eligible for review by the Legislature and may be repealed by a two-thirds vote of lawmakers.

Sen. Mike Friend of Omaha said Avery's resolution would have unintended consequences. While many

complaints have been voiced against aggressive petition circulators, Friend said raising the requirement for constitutional amendments would not alleviate that concern.

"There's zeal because they need it," Friend said. "There are much better ways to deal with the zeal."

Omaha Sen. John E. Nelson offered an amendment, which failed on a 7-34 vote, that would have based the percentages for the required amount of signatures on the number of votes cast in the previous gubernatorial election. The amendment also would have increased the percentage required for statutory changes to 10 percent.

Nelson said his amendment would make it easier for citizens to get constitutional issues on the ballot.

"This is what practically all of the states that have requirements do," Nelson said. "It's not as stringent."

However, Avery said Nelson's amendment would put Nebraska in a vulnerable position in relation to out-of-state interests. Petition sponsors could wait for elections when voter turnout was low and then have a much lower threshold to achieve.

"If you tie the requirement to the turnout, it's too volatile," Avery said.

Fullerton Sen. Annette Dubas supported Nelson's amendment because she said it would make the initiative process more accessible to ordinary Nebraskans.

"I would rather protect the underdog than prohibit the deep pockets," Dubas said.

Nelson said the Legislature should put more faith

in the ability of voters to be discerning when it comes to amending the constitution. He stated that only four out of the 12 most recent proposals that would amend the constitution have been successful.

"I think it should be difficult, but it's the voters who have the chance to vote and amend," Nelson said. "I'm concerned about keeping the constitution

accessible to the people of the state of Nebraska."

Two other amendments that failed were offered on the resolution.

Lexington Sen. John M. Wightman offered an amendment that would have raised the signature requirement for statutory changes to 5 percent. The amendment failed on a 20-23 vote.

Sen. Carol Hudkins of Malcolm offered an amendment that would have decreased the percentage of signatures needed to suspend a law from 10 to 5 percent.

The amendment failed 8-28.

LR 8CA failed to advance on a 20-22 vote. Twenty-five votes were needed for the proposal to advance. The measure remains on general file.



Omaha Sen. Mike Friend, left, talks with Sen. Bill Avery during the debate on Avery's proposal that would have changed signature requirements for petition initiatives.

COMMITTEE HEARINGS

MONDAY, FEBRUARY 12, 2007

Banking, Commerce and Insurance

Room 1507 - 1:30 p.m.

LB 123 (*Banking, Commerce and Insurance*) Adopt the Nebraska Foreclosure Protection Act and change provisions relating to deceptive trade practices

LB 386 (*Langemeier*) Adopt the Nebraska Security Instrument Satisfaction Act

LB 190 (*Mines*) Provide for consumers to put a security freeze on their credit reports

Business and Labor

Room 1524 - 1:30 p.m.

LB 77 (*Nantkes*) Change workers' compensation disability compensation provisions

LB 222 (*McGill*) Provide workers' compensation benefits for permanent disfigurement or scarring

LB 462 (*Dubas*) Change workers' compensation provisions covering disability payments during vocational rehabilitation

LB 588 (*Business and Labor*) Change the workers' compensation hospital fee schedule and payment of providers

Education

Room 1525 - 1:30 p.m.

LB 153 (*Aguilar*) Change provisions relating to legal actions over school districts in annexed territory

LB 219 (*Dierks*) Change requirements for freeholder petitions

LB 230 (*Raikes*) Change provisions relating to resident students for purposes of certain reorganizations

LB 524 (*Aguilar*) Change provisions relating to school districts in annexed territory

LB 630 (*Dierks*) Change provisions relating to freeholder petitions

LB 678 (*Dubas*) Change school district boundary provisions relating to annexed territory

General Affairs

Room 1510 - 1:30 p.m.

LB 404 (*Janssen*) Change Nebraska Liquor Control Commission members' salaries

LB 689 (*Karpisek*) Provide for a limited winery license

LB 578 (*McDonald*) Change provisions relating to liquor licenses

Nebraska Retirement Systems

Room 1525 - 9:00 a.m.

LB 612 (*Nebraska Retirement Systems*) Redefine compensation for school employees retirement systems

LB 613 (*Nebraska Retirement Systems*) Change deposit provisions of school employees retirement systems

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

LB 266 (*Aguilar*) Provide for driving privilege cards

LB 401 (*Schimpek*) Provide for notations on drivers' licenses and state identification cards regarding advance medical directives

LB 663 (*Hudkins*) Change distribution and allocation of motor vehicle registration fees

LB 681 (*Pedersen*) Increase motor vehicle dealer licensing fees and a bond

TUESDAY, FEBRUARY 13, 2007

Agriculture

Room 1524 - 1:30 p.m.

Presentations by Vision 2015, City of Lincoln and State Fair Board on planning activities affecting State Fairgrounds

2:30 p.m.

Sallie Atkins - Nebraska State Fair Board

Linda Lovgren - Nebraska State Fair Board

LB 131 (*Raikes*) Provides for the University Research and Development Corridor Master Plan

LB 435 (*Raikes*) Provide for a Nebraska State Fairgrounds Master Plan

Banking, Commerce and Insurance

Room 1507 - 1:30 p.m.

LB 379 (*Pahls*) Change certain corporate reporting, notice, and filing provisions and eliminate references to professional limited liability companies

LB 383 (*Pahls*) Change filing requirements involving the address of a partnership's agent

LB 188 (*Mines*) Eliminate a notice requirement relating to motor vehicle service contracts

LB 378 (*Pahls*) Change the Small Employer Health Insurance Availability Act

Education

Room 1525 - 1:30 p.m.

Tom Baker - Board of Educational Lands and Funds

Richard B. Uhing - Coordinating Commission for Postsecondary Education

LB 139 (*Flood*) Change reimbursement provisions under the Special Education Act

LB 316 (*Friend*) Create the Special Education Services Task Force

LB 506 (*Friend*) Provide an alternative method of reimbursement for special education and related services

LB 702 (*White*) Change reimbursement provisions under the Special Education Act

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

LB 598 (*Karpisek*) Provide for Shriners license plates

LB 360 (*Pedersen*) Change limitations on the issuance of Purple Heart license plates

LB 570 (*Louden*) Provide for Gold Star license plates

LB 419 (*Erdman*) Authorize issuance of Nebraska Agriculture specialty and personalized message license plates

LB 421 (*Erdman*) Permit issuance of multiple Purple Heart specialty plates

LB 93 (*Cornett*) Authorize a new firefighter license plate and fund emergency training

COMMITTEE HEARINGS

LB 437 (Cornett) Change provisions relating to issuance of specialty and personalized license plates

Urban Affairs

Room 1510 - 1:30 p.m.

LB 160 (Cornett) Change fire and rescue department provisions relating to clothing, equipment, and donations

LB 607 (Ashford) Provide a requirement for full-time fire personnel in certain cities of the first class

LR 13 (White) Provide the Legislature encourages public fire departments to implement national fire safety guidelines

WEDNESDAY, FEBRUARY 14, 2007

Government, Military and Veterans Affairs

Room 1507 - 1:30 p.m.

LB 196 (Schimek) Permit the Adjutant General to designate certain vehicles as military emergency vehicles

LB 232 (Dubas) Change the Building Entrepreneurial Communities Act

LB 300 (Howard) Create the State Work Incentive Program

LB 497 (White) Adopt the Family Military Leave Act

Health and Human Services

Room 1510 - 1:30 p.m.

LB 236 (Johnson) Provide requirements for in-home personal care services workers

LB 397 (Johnson) Adopt the In-home Personal Care Services Act

LB 482 (Johnson) Provide for the coverage of qualifying autism services under the Medical Assistance Act

LB 523 (Aguilar) Adopt the Quality Home Care Act

LB 555 (Ashford) Change provisions relating to home- and community-based services

Judiciary

Room 1113 - 1:30 p.m.

LB 225 (Friend) Provide for acknowledgment of satisfaction of judgment and unsworn certification

LB 564 (Friend) Change the Recreational Liability Act

LB 566 (Louden) Adopt the Public Recreational Liability Act

LB 567 (Louden) Change the Recreational Liability Act

LB 20 (Mines) Change provisions related to public recreational access to water projects

LB 221 (Lathrop) Change legal procedure complaint and notice provisions

Natural Resources

Room 1525 - 1:30 p.m.

LB 412 (McGill) Provide duties for the Nebraska Power Review Board relating to renewable energy

LB 629 (Dierks) Adopt the Rural Community-Based Energy Development Act

Nebraska Retirement Systems

Room 1525 - 12:15 p.m.

LB 303 (Synowiecki) Adopt a deferred retirement option plan (DROP) retirement program for the Nebraska State Patrol

LB 324 (Speaker Flood, req. of Gov.) Change provisions relating to state patrol retirement system contributions

LB 611 (Nebraska Retirement Systems) Change Nebraska State Patrol retirement contribution and payment provisions

Revenue

Room 1524 - 1:30 p.m.

LB 356 (Cornett) Change provisions relating to greenbelted agricultural land

LB 484 (McDonald) Change provisions relating to payment of tax proceeds to certain political subdivisions

LB 519 (Howard) Require a review of property valuations

LB 294 (Mines) Change a standard of review for appeals to the Tax Equalization and Review Commission

LB 332 (Janssen) Change procedures for appeals to the Tax Equalization and Review Commission

THURSDAY, FEBRUARY 15, 2007

Government, Military and Veterans Affairs

Room 1507 - 1:30 p.m.

Keith Hansen - State Emergency Response Commission

Larry Johnson - State Emergency Response Commission

LB 256 (Aguilar) Change administrative provisions relating to state government

LB 388 (Aguilar) Change duties and membership of the Economic Development Commission and the Department of Economic Development

LB 396 (Johnson) Increase the range of fees imposed by the State Board of Landscape Architects

LB 408 (Preister) Change provisions relating to certain public contracts for services

Health and Human Services

Room 1510 - 1:30 p.m.

LB 481 (Johnson) Change requirements relating to criminal background checks for certain health care professionals

LB 631 (Dierks) Prohibit interchange of anti-epileptic drugs

LB 699 (Lathrop) Adopt the Healthy Nebraska Rx Card Program Act

Judiciary

Room 1113 - 1:30 p.m.

LR 4CA (Avery) Constitutional amendment to provide grounds for impeachment

LB 107 (Pedersen) Create a deputy public counsel for institutions and facilities operated by the Department of Health and Human Services

COMMITTEE HEARINGS

LB 142 (*Friend*) Change provisions relating to intimidation through the use of communication devices

LB 246 (*Johnson*) Provide requirements for coroners relating to the procurement of anatomical gifts and provide for civil and criminal immunity

LB 467 (*Chambers*) Grant the Ombudsman authority with respect to county jails

LB 475 (*Chambers*) Prohibit discrimination based upon sexual orientation or marital status

LB 639 (*Raikes*) Change powers and duties of county attorneys

Natural Resources

Room 1525 - 1:30 p.m.

LB 690 (*Fischer*) Provide for apprentice hunter education exemptions under the Game Law

LB 504 (*Mines*) Prohibit hunting through the Internet

LB 418 (*Erdman*) Change Game and Parks Commission membership provisions

Revenue

Room 1524 - 1:30 p.m.

LB 278 (*Stuthman*) Change permitted uses of county sales tax revenue

LB 443 (*Stuthman*) Authorize transportation development districts and authorize a local sales tax

LB 565 (*Avery*) Adopt the Entertainment and Tourism Development Act

LB 697 (*Nelson*) Adopt the Entertainment and Tourism Development Act

LB 551 (*Flood*) Provide for sales tax revenue appropriations under the Convention Center Facility Financing Assistance Act

LB 235 (*Nantkes*) Provide business incentives for film and music production

TENTATIVE SCHEDULE

TUESDAY, FEBRUARY 20, 2007

Agriculture

Room 2102 - 1:30 p.m.

LB 515 (*Stuthman*) Change county planning commission provisions relating to livestock operations

LB 632 (*Dierks*) Change provisions relating to the national uniform system of animal identification

LB 633 (*Dierks*) Change the Competitive Livestock Markets Act

LB 634 (*Dierks*) Adopt the Feedlot Statutory Trust Act

Appropriations

Room 1524 - 1:30 p.m.

LB 317 (*Speaker Flood, req. of Gov.*) Provide for deficit appropriations

LB 318 (*Speaker Flood, req. of Gov.*) Appropriate funds for salaries of members of the Legislature

LB 319 (*Speaker Flood, req. of Gov.*) Appropriate funds for salaries of constitutional officers

LB 320 (*Speaker Flood, req. of Gov.*) Appropriate funds for capital construction

LB 321 (*Speaker Flood, req. of Gov.*) Appropriate funds for state government expenses

LB 322 (*Speaker Flood, req. of Gov.*) Change provisions relating to certain funds and provide for transfers of funds and extend an excise tax

LB 323 (*Speaker Flood, req. of Gov.*) Provide for transfers from the Cash Reserve Fund

LB 249 (*Heidemann*) Change Cash Reserve Fund provisions

Banking, Commerce and Insurance

Room 1507 - 1:30 p.m.

LB 262 (*Kruse*) Change automobile insurance requirements

LB 350 (*Stuthman*) Authorize a city or village to adopt an ordinance covering use of certain insurance proceeds

LB 425 (*Pankonin*) Create the Nebraska Operational Assistance Act

Education

Room 1525 - 1:30 p.m.

LB 30 (*Hudkins*) Provide for reorganization of certain Class I and Class VI school districts

LB 234 (*Dierks*) Provide for reorganization of certain school districts as prescribed

LB 357 (*Flood*) Provide for community schools, operating councils, elementary grants, and attendance centers

LB 658 (*Raikes*) Change provisions relating to Class I and Class VI school districts

Nebraska Retirement Systems

Room 1525 - 12:15 p.m.

LB 499 (*White*) Change contributions for school retirement

LB 508 (*Pahls*) Change provisions of the Judges Retirement Act and the School Employees Retirement Act

LB 596 (*Kopplin*) Change retirement benefits and annuity payments for school employees

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

LB 589 (*Cornett*) Change provisions relating to motorcycle operator's licenses

LB 253 (*Rogert*) Adopt the Motorcycle Safety and Training Act and change motorcycle helmet provisions

COMMITTEE HEARINGS

Urban Affairs

Room 1510 - 1:30 p.m.

LB 405 (*Pedersen*) Provide for additional city council members for cities of the metropolitan class
LB 591 (*Cornett*) Provide for a change in zoning regulations for cities of the first class
LB 592 (*Cornett*) Change provisions relating to sanitary and improvement districts
LB 597 (*Kopplin*) Change provisions relating to zoning and jurisdiction designations for cities of the first class

WEDNESDAY, FEBRUARY 21, 2007

Appropriations

Room 1003 - 1:30 p.m.

AGENCY 59 Board of Geologists
AGENCY 45 Board of Barber Examiners
AGENCY 74 Power Review Board
AGENCY 41 State Real Estate Commission
AGENCY 53 Real Estate Appraiser Board
AGENCY 63 State Board of Public Accountancy
AGENCY 32 Board of Educational Lands and Funds
AGENCY 62 State Surveyor
AGENCY 36 State Racing Commission
AGENCY 66 Abstracters Board of Examiners
AGENCY 73 State Board of Landscape Architects
AGENCY 35 Liquor Control Commission

Government, Military and Veterans Affairs

Room 1507 - 1:30 p.m.

Lucinda Glen - State Personnel Board
LB 233 (*Pirsch*) Provide a residency requirement for certain members of public building commissions
LB 269 (*Burling*) Change provisions relating to county and museum board organization
LB 348 (*Burling*) Change and eliminate provisions relating to the discontinuance of township organization
LB 392 (*Mines*) Change provisions relating to municipal counties

Health and Human Services

Room 1510 - 1:30 p.m.

LB 171 (*Kopplin*) Require Department of Health and Human Services to apply for food stamp options and waivers
LB 292 (*Hansen*) Provide for transfers of county funds for medicaid purposes
LB 518 (*Howard*) Change provisions relating to the eligibility of children under the Medical Assistance Act
LB 666 (*Pedersen*) Provide for eligibility for certain federal programs upon release from incarceration as prescribed
LR 10 (*Johnson*) Urge Nebraska's congressional delegation to ensure that Congress timely reauthorizes the State Children Health Insurance Program

Judiciary

Room 1113 - 1:30 p.m.

LB 65 (*Stuthman*) Change the statute of repose for the Nebraska Hospital - Medical Liability Act
LB 606 (*Ashford*) Provide for court referral to mediation or other alternative dispute resolution
LB 672 (*Lathrop*) Change eminent domain provisions relating to municipal utilities
LB 673 (*Lathrop*) Modify the definition of malpractice or professional neglect to include sexual abuse, misconduct, or exploitation
LB 450 (*Ashford*) Provide immunity for employer disclosure of certain employee information
LB 457 (*Hansen*) Change provisions governing court review of foster care placement

Natural Resources

Room 1525 - 1:30 p.m.

LB 664 (*Hudkins*) Eliminate an exemption from licensure as a geologist
LB 677 (*Dubas*) Change late fees under the Livestock Waste Management Act

Nebraska Retirement Systems

Room 1525 - 8:30 a.m.

Phyllis G. Chambers - Public Employees Retirement Board
Don Pederson - Public Employees Retirement Board

Revenue

Room 1524 - 2:30 p.m.

LB 454 (*White*) Change homestead exemption provisions
LB 687 (*Karpisek*) Redefine household income for homestead exemption purposes
LB 698 (*Fulton*) Require local tax rate reports by Department of Revenue

THURSDAY, FEBRUARY 22, 2007

Appropriations

Room 1003 - 1:30 p.m.

AGENCY 57 Oil and Gas Conservation Commission
AGENCY 18 Department of Agriculture-Potato Board and Poultry/Egg
AGENCY 39 Brand Committee
AGENCY 56 Wheat Development, Utilization, and Marketing Board
AGENCY 60 Ethanol Board
AGENCY 61 Dairy Industry Development Board
AGENCY 86 Dry Bean Commission
AGENCY 88 Corn Development, Utilization, and Marketing Board
AGENCY 92 Grain Sorghum Development, Utilization, and Marketing Board

Government, Military and Veterans Affairs

Room 1507 - 1:30 p.m.

Tim Hofbauer - State Emergency Response Commission
LB 394 (*Burling*) Change provisions relating to nomination for office
LB 460 (*Lathrop*) Change provisions relating to presidential primary elections and political parties
LB 539 (*Rogert*) Change ballot status provisions for presidential and vice-presidential candidates
LB 433 (*Friend*) Change provisions relating to selection and obligations of presidential electors

COMMITTEE HEARINGS

Health and Human Services Room 1510 - 1:30 p.m.

- LB 369** (*Erdman*) Redefine mental health practice for licensure of mental health practitioners
- LB 610** (*Legislative Performance Audit*) Provide documentation and recordkeeping requirements for the Department of Health and Human Services regarding sex offenders
- LB 616** (*Pedersen*) Eliminate a provision relating to regional behavioral health authorities
- LB 617** (*Pedersen*) Change provisions relating to children's behavioral health
- LB 670** (*Hudkins*) Create the Council on the Management and Treatment of Sex Offenders

Judiciary Room 1113 - 1:30 p.m.

- LB 218** (*Burling*) Change provisions relating to the acquisition of certain drug products
- LB 260** (*Kruse*) Change provisions relating to implied consent violations
- LB 407** (*Pedersen*) Change driving under the influence penalty provisions with respect to ignition interlock devices
- LB 424** (*Adams*) Prohibit the breathing, inhaling, or drinking of certain compounds
- LB 553** (*Flood*) Impound an operator's license as prescribed with respect to bail and eliminate certain administrative license revocation procedures
- LB 573** (*Kruse*) Adopt the Alcoholic Liquor Liability Act

Natural Resources Room 1525 - 1:30 p.m.

- LB 583** (*Preister*) Adopt the Electronic Recycling System Act
- LB 503** (*Mines*) Change and provide requirements for vacancies on natural resource district boards of directors

Revenue Room 1524 - 1:30 p.m.

- LB 272** (*Kopplin*) Provide for issuance of bonds by certain natural resources districts and a levy on taxable property

LB 362 (*Raikes*) Change budget limitations and require audits of joint entities

- LB 409** (*Preister*) Change tax levy authority of community colleges
- LB 569** (*Louden*) Change tax levy authority relating to hospital districts
- LB 628** (*Dierks*) Change budget provisions and levy limitations for cities, villages, and counties

FRIDAY, FEBRUARY 23, 2007

Appropriations Room 1003 - 1:30 p.m.

- LB 33** (*Fischer*) Appropriate funds to fund the County Property Tax Relief Program
- AGENCY 16** Department of Revenue
- AGENCY 93** Tax Equalization and Review Commission
- AGENCY 96** Department of Property Assessment and Taxation

Health and Human Services Room 1510 - 1:30 p.m.

- LB 417** (*Nantkes*) Include invasive pneumococcal disease as a childhood immunization requirement
- LB 445** (*Stuthman*) Provide qualifications and certification requirements for certain persons under the Commission for the Blind and Visually Impaired Act
- LB 469** (*Chambers*) Change funding restrictions under the Nebraska Health Care Funding Act
- LB 480** (*Johnson*) Change provisions relating to the Nebraska Health Care Funding Act

Judiciary Room 1113 - 1:30 p.m.

- LB 68** (*Hudkins*) Create the Office of Guardian ad Litem Services
- LB 75** (*Hudkins*) Provide powers and duties to the juvenile court regarding the placement and custody of juveniles
- LB 254** (*Aguilar*) Change child passenger restraint system and occupant protection system provisions
- LB 257** (*Lathrop*) Adopt the Public Guardianship Act
- LB 280** (*Stuthman*) Provide for jurisdiction over custody proceedings of juveniles as prescribed
- LB 535** (*Schimek*) Create the juvenile legal services division of the Commission on Public Advocacy and eliminate a council
- LB 556** (*Ashford*) Change Juvenile Code provisions relating to counsel and guardian ad litem

Revenue Room 1524 - 1:30 p.m.

- LB 32** (*Nantkes*) Exempt college textbooks from sales tax
- LB 429** (*Synowiecki*) Exempt certain purchases by museums from sales and use tax
- LB 575** (*Kruse*) Exempt assisted-living facilities from sales and use taxes
- LB 494** (*White*) Change the sales and use tax exemption on manufacturing machinery and equipment
- LB 582** (*Preister*) Create the Nebraska Educational Trust and change the distribution of certain sales tax proceeds

DO YOU NEED INSTANT
ACCESS TO LEGISLATIVE INFORMATION?

VISIT THE
UNIC@MERAL
UPDATE ONLINE:

<http://www.nebraskalegislature.gov/web/public/update>

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, FEB. 5, 2007, THROUGH THURSDAY, FEB. 8, 2007

Agriculture

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|-------------|--|-------------------------|
| 12 | MINES | Change the Commercial Dog and Cat Operator Inspection Act | Placed on General File |
| 25 | LANGEMEIER | Change rabies control provisions to include hybrid animals | Bracketed |
| 74 | ERDMAN | Change the Nebraska Pure Food Act | Placed on Final Reading |
| 108 | AGRICULTURE | Change provisions relating to fence disputes | Placed on Select File |
| 110 | ERDMAN | Adopt the Bovine Tuberculosis Act | Placed on Final Reading |
| 111 | ERDMAN | Change provisions relating to milk | Placed on Final Reading |
| 422 | ERDMAN | Change membership of the Nebraska Brand Committee | Placed on Select File |

Banking, Commerce and Insurance

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|------------|---|-------------------------|
| 63 | SCHIMEK | Change insurance coverage provisions relating to childhood immunizations | Placed on Final Reading |
| 117 | BANKING | Change provisions relating to insurance | Placed on Select File |
| 136 | FLOOD | Adopt the Nebraska Uniform Prudent Management of Institutional Funds Act | Placed on General File |
| 186 | LANGEMEIER | Change provisions relating to the credentialing of real property appraisers | Placed on Final Reading |
| 381 | PAHLS | Eliminate oral requests for information regarding farm product liens | Indefinitely postponed |

Business and Labor

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|--------------------|--|------------------------|
| 204 | SYNOWIECKI | Change provisions relating to the Contractor Registration Act | Placed on Select File |
| 210 | BUSINESS AND LABOR | Change membership of the Nebraska Workforce Investment Board | Placed on General File |
| 211 | BUSINESS AND LABOR | Change payment provisions for members of the Commission of Industrial Relations | Placed on Select File |
| 226 | CORNETT | Change provisions relating to boiler inspections | Placed on General File |
| 472 | CHAMBERS | Change statutory references to members of the Commission of Industrial Relations | Placed on Select File |

Education

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|---------|---|-------------------------|
| 150 | ADAMS | Change provisions relating to certificate fees paid to the State Department of Education | Placed on Final Reading |
| 192 | HARMS | Adopt the Access College Early Scholarship Program Act and eliminate the Community Scholarship Foundation Program Act | Placed on General File |
| 205 | HOWARD | Require schools to adopt a bullying policy | Placed on General File |

General Affairs

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|------------|--|-------------------------|
| 64 | SCHIMEK | Eliminate a gaming fee and tax adopted by initiative | Placed on Final Reading |
| 549 | SYNOWIECKI | Provide for microdistilleries | Placed on Select File |

Government, Military, Veterans Affairs

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|-------|---------|---|----------------------------------|
| 434 | AVERY | Change late filing fees under the Nebraska Political Accountability and Disclosure Act | Placed on Select File |
| 527 | AGUILAR | Provide registration fees for political committees and allow waiver of interest on late filing fees and penalties | Placed on Select File |
| LR8CA | AVERY | Constitutional amendment to change signature requirements for initiative petitions | Failed to Advance to Select File |

Health & Human Services

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|---------------------------|--|-------------------------|
| 103 | ERDMAN | Authorize release of patient information and change provisions relating to regional trauma advisory boards | Placed on General File |
| 185 | HEALTH AND HUMAN SERVICES | Change provisions relating to health and human services | Placed on Final Reading |
| 203 | GAY | Provide an informal conference process for disciplinary action regarding health care facilities | Placed on General File |

Health & Human Services

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|----------|---|-------------------------|
| 283 | STUTHMAN | Provide for biennial renewal of medication aide registrations | Placed on Final Reading |
| 374 | JOHNSON | Change repayment provisions for rural health education loans | Placed on General File |
| 385 | JOHNSON | Change provisions relating to advanced practice registered nurses | Placed on General File |
| 395 | JOHNSON | Adopt a new Nebraska Clean Indoor Air Act | Placed on General File |

Judiciary

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|----------|--|-----------------------|
| 67 | STUTHMAN | Permit service of summons of proposed jurors by first-class mail | Placed on Select File |
| 97 | FLOOD | Repeal terminated provisions relating to settlement escrow funds | Placed on Select File |
| 290 | PIRSCH | Change judicial nominating commission provisions | Placed on Select File |

Natural Resources

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|-------------------|---|------------------------|
| 295 | NATURAL RESOURCES | Change provisions relating to irrigation and regulation of water and water wells | Placed on General File |
| 299 | HUDKINS | Change provisions relating to the Game Law | Placed on General File |
| 390 | AGUILAR | Require certain rules and regulations related to underground storage tanks and tank operators | Placed on General File |
| 568 | NATURAL RESOURCES | Extend a scrap tire grant program | Placed on General File |

Revenue

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|------------|--|-------------------------|
| 22 | WIGHTMAN | Change inheritance tax calculations | Indefinitely postponed |
| 240 | LANGEMEIER | Provide an income tax credit for certain capital gains | Indefinitely postponed |
| 304 | GAY | Change qualifications for tax credits relating to long-term care insurance | Placed on General File |
| 315 | JANSSEN | Update references to the Internal Revenue Code of 1986 | Placed on Final Reading |
| 403 | SCHIMEK | Change distribution and allocation of certain sales tax revenue and road funds | Indefinitely postponed |
| 423 | BURLING | Change sales and use tax collection fees | Indefinitely postponed |
| 442 | STUTHMAN | Redefine animal life for sales tax purposes | Indefinitely postponed |
| 537 | SCHIMEK | Authorize the collection and dissemination of motor fuel tax on land held in trust for Indian tribes | Placed on General File |
| 557 | ASHFORD | Create the Tutoring and Summer School Fund and provide an income tax credit | Withdrawn |

Transportation and Telecommunications

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|---------------------------------------|--|-------------------------|
| 35 | JANSSEN | Set maximum speed limit for non-Interstate freeways | Placed on Final Reading |
| 43 | HEIDEMANN | Provide for mowing and hay-harvesting permits for right-of-ways of highways | Placed on Final Reading |
| 148 | HEIDEMANN | Provide an exception to weight and load limits for trucks | Placed on Final Reading |
| 239 | FISCHER | Update references to federal law in certain state motor vehicle statutes | Placed on General File |
| 286 | TRANSPORTATION AND TELECOMMUNICATIONS | Change the Motor Vehicle Certificate of Title Act and the Motor Vehicle Registration Act | Placed on General File |
| 307 | STUTHMAN | Change provisions relating to operation of all-terrain vehicles | Placed on Select File |
| 349 | STUTHMAN | Change provisions relating to motor vehicles and trailers | Placed on General File |
| 466 | CHAMBERS | Provide for private party In Transit stickers | Indefinitely postponed |

Urban Affairs

| BILL | SPONSOR | ONE-LINE DESCRIPTION | STATUS |
|------|-----------|--|-------------------------|
| 206 | FRIEND | Change provisions regarding the city treasurer and the county treasurer serving as ex officio city treasurer in cities of the metropolitan class | Placed on Final Reading |
| 207 | FRIEND | Provide a power for the board of directors of a metropolitan utilities district | Placed on Final Reading |
| 309 | HEIDEMANN | Change provisions relating to handicapped or disabled parking permits | Indefinitely postponed |
| 347 | MINES | Change provisions relating to the giving of bonds by city or village officials | Placed on Select File |

IF I COULD MAKE A LAW



Cordell Nilson, age 11, Keya Paha County School, Springview. "My law would cause trespassing hunters to receive harsher penalties rather than just fines."

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. The top three entries will be published in the last three issues this session.

UNICAMERALUPDATE

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.

To subscribe, you may contact the Unicameral Information Office, P.O. Box 94604, Lincoln, NE 68509, (402) 471-2788.

You can also subscribe by e-mailing:
uio@leg.ne.gov

Clerk of the Legislature
Patrick J. O'Donnell

Editor
Mitchell S. McCartney

Contributors
Lauren Adams
Kate Heltzel
Connie Pritchard
Heidi Uhing

Assistance provided by

Clerk of the Legislature's Office
Legislative Bill Room
Legislative committee clerks
Legislative committee legal counsels
Legislative journal clerks
Legislative Mail Room
Legislative pages
Legislative Technology Center
Legislative Transcribers
Nebraska State Print Shop

Contact Information

UNICAMERAL UPDATE SUBSCRIPTIONS:

- 24-Hour Request Line: (402) 471-2877

UNICAMERAL UPDATE ONLINE:

- On the Web: www.nebraskalegislature.gov/web/public/update

STATUS OF BILLS OR RESOLUTIONS:

- Legislative Hot Line - Lincoln: (402) 471-2709
- Legislative Hot Line - Nebraska, outside Lincoln: (800) 742-7456
- On the Web: www.nebraskalegislature.gov/web/public/research

BILLS, RESOLUTIONS OR LEGISLATIVE JOURNALS:

- SUBSCRIPTIONS: Room 2018: (402) 471-2271
- INDIVIDUAL COPIES: 24-Hour Request Line: (402) 471-2877
- On the web: www.nebraskalegislature.gov/web/public/research

UNICAMERAL WEB SITE:

- On the Web: www.nebraskalegislature.gov
- Technical Assistance - E-Mail: support@leg.ne.gov

UNICAM LIVE!:

- On the Web: www.nebraskalegislature.gov/web/public/unicamlive

NEBRASKA BLUE BOOK:

- Nebraska Blue Book Office: (402) 471-2220
- On the Web: www.nebraskalegislature.gov/web/public/bluebook

WARNER INSTITUTE FOR EDUCATION IN DEMOCRACY:

- Unicameral Information Office: (402) 471-2788
- On the Web: www.nebraskalegislature.gov/web/public/learning

UNICAMERAL UPDATE

CLERK OF THE LEGISLATURE

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

Legislative Hot Line

Voice/Telephone Text - (V/TTY)
Lincoln...(402) 471-2709
Nebraska (outside Lincoln)...(800) 742-7456

24-Hour Automated Request Line
(402) 471-2877

Web Site

www.nebraskalegislature.gov

Unic@meral Update Online

www.nebraskalegislature.gov/web/public/update

Use the address below to
contact your senator. Include your senator's
name and district number in the address.

SENATOR
DISTRICT #
STATE CAPITOL
P.O. BOX 94604
LINCOLN, NE 68509-4604

Unicameral Information Office
Nebraska State Legislature
Box 94604
Lincoln, NE 68509
03-23-05

PRESRT STD
U.S. POSTAGE PAID
LINCOLN, NE
PERMIT NO. 212