

THE NEBRASKA LEGISLATURE'S  
WEEKLY PUBLICATION

## UPDATE

## Governor speaks of progress, challenges

**N**oting the challenges Nebraska faces in the 21st century, Gov. Dave Heineman delivered his State of the State address Jan. 15.

In a speech that focused more on broad themes and less on specific policy proposals, Heineman cited economic development, taxes, education and health care as among Nebraska's primary challenges.

The governor stressed to lawmakers that their work in previous years has made a difference in the state. "Nebraska is steadily and consistently moving forward," he said.

Among the successes noted by Heineman is the Nebraska Advantage Program. According to the governor, 138 companies have located or expanded in Nebraska under the program, creating more than 12,000 new jobs. In addition, Nebraska is now the second largest ethanol producer in the country.

"But," the governor noted, "we still have more work to do."

Heineman called for the creation of the Nebraska Su-

per Advantage Program, a new plan to keep young people in Nebraska. The program would include incentives for creating higher-paying jobs.

Tax policy also was key to Heineman's address. While noting that last year's tax relief was the largest in the history of the state, the governor said that taxes are still too high.

"Tax relief must continue to be a priority for our state," he said.

Heineman also discussed concerns at all levels of the state's education system.

Calling education "the great equalizer," Heineman called for improvements in education. His proposals included a simplified system to compare school performance, closing the academic achievement gap and more rigorous academic standards.

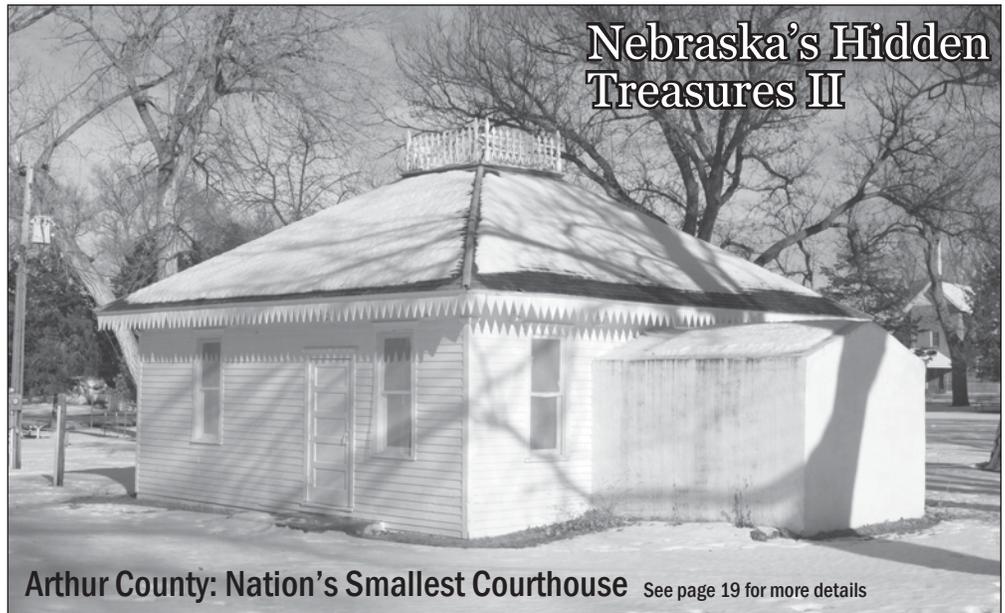
"Nebraska has a very good K-12 system," Heineman said. "We must make it even better in the future."

Looking to the future, the governor indicated a need for

(Continued on Page 7)

### Upcoming Action

- Jan. 22 – Committee hearings begin
- Jan. 23 – Last day of bill introductions
- Feb. 22 – Deadline for senators' priority bill designations
- April 17 – Sine die (tentative)



### Nebraska's Hidden Treasures II

Arthur County: Nation's Smallest Courthouse See page 19 for more details

### INSIDE:

• New bills introduced • 'Safe Haven' compromise underway • Helmet bill fails to advance • Bullying bill moves

# ISSUES UPFRONT

## Business and Labor

### Senators aim to amend Contractor Registration Act

Senators gave second-round approval to a bill that would require contractors in Nebraska to register with the state Department of Labor. **LB204**, sponsored by Omaha Sen. John Synowiecki, also contains provisions to increase penalties and registration fees.



Sen. John Synowiecki

Under current law, the Contractor Registration Act requires that contractors be registered if they work in Nebraska counties with populations greater than 100,000. Exempted from the law are contractors who are self-employed or have, at most, one full-time employee.

LB204 would expand the provisions of the law to contractors in all 93 counties.

The Synowiecki bill also would increase penalties from \$500 to \$5,000 for a first offense and from \$5,000 to \$10,000 for subsequent offenses, if a contractor does not register prior to performing construction work in Nebraska.

Senators adopted amendments to the bill that would increase the registration fee from \$25 to \$40 and would exclude contractors who earn less than \$5,000 per year, perform work on weekends and holidays or work on property they own. Also



exempt would be the construction of water wells or installation of septic systems.

The bill advanced with a vote of 25-20.

## Education

### Bullying policy requirement advances

The Legislature voted Jan. 16 to give first-round approval to a bill that would require schools to adopt policies regarding bullying.

Under **LB205**, bullying would be defined as any ongoing pattern of physical, verbal or electronic abuse on school property, in school vehicles or at school-sponsored events and activities.

The bill would require all school districts to develop and adopt a policy concerning bullying prevention and education. School districts would be required to review their bullying policies annually.

Finally, bullying would be included among those activities that constitute grounds for long-term suspension, expulsion or mandatory reassignment of a student.

Sen. Gwen Howard of Omaha, the bill's sponsor, said the measure has the support of the state's educa-

tion community. The bill's goal is to make sure schools are safe places for children to learn, she said.

"The message we want to send is that bullying is not acceptable," Howard said.

Some lawmakers expressed concern that most local school districts already have policies in place that address bullying activities. Bayard Sen. Philip Erdman said those who have contacted him about the issue have told him the problem is not that schools lack bullying policies.

"The reality is that it has to be enforced," he said.

But Omaha Sen. Tom White argued that requiring written policies would give teachers the ability to take action. The best way to address bullying, he said, is to have a coordinated effort between schools, teachers and parents.

"That will not happen unless there is a written policy," White said.

Senators voted 31-12 to adopt an amendment offered by Papillion Sen. Tim Gay clarifying that activities at designated school bus stops are not included under the bill.

An amendment offered by Lexington Sen. John Wightman that would



Sen. Gwen Howard

# ISSUES UPFRONT.....

have removed the bill's requirement for an annual review of bullying policies by local school districts was rejected 22-19.

Senators voted 39-1 to advance LB205 to select file.

## Government, Military and Veterans Affairs

Senators amend, advance bill on petition circulators

Lawmakers amended and advanced a measure Jan. 15 that would put new restrictions on petition circulators.

**LB39**, sponsored by Lincoln Sen. DiAnna Schimek, would require circulators to be paid per hour rather than per signature.



Sen. DiAnna Schimek

Schimek offered an amendment that would require circulators to be electors in Nebraska. According to Schimek, an elector is an individual who meets the requirements for being eligible to vote. She said the proposed requirement reflected developments during the interim indicating that such provisions have withstood challenges in other states.

The amendment was adopted on a 31-9 vote.

Lawmakers advanced LB39 by a vote of 30-11.

County government petition bill amended, advanced

A bill that would clarify the process for making changes to county government advanced to select file Jan. 15.

**LB269**, sponsored by Kenesaw Sen. Carroll Burling, would create a uniform petition process for making changes in local governments by requiring signatures from 5 percent of registered voters in the previous general election. Under current law, petition requirements are varied and do not reflect a county's population.

The bill would create a standard for the petition process and would, in some cases, make it easier for citizens to obtain the signatures required. Covered under the bill are petitions that would:

- change the number of county commissioners;
- establish a supervisor form of government;
- discontinue the township form of government; or
- establish a county library.

As amended by the Government, Military and Veterans Affairs Committee, the bill includes language from another Burling bill, **LB348**, that would change the procedure for discontinuing townships and adopting county board governance.

According to Burling, "the law is vague and counties have been left to determine a process on their own."

The new provisions would create a process for establishing new commissioner districts and for transferring county supervisors whose terms have not expired on the effective date of the reorganization.

The bill advanced on a 34-0 vote.

## Health and Human Services

Food stamp bill advanced

Lawmakers advanced **LB171** Jan. 14, a bill introduced by Gretna Sen.

Gail Kopplin that deals with the federal food stamp program.

The bill would require the state Department of Health and Human Services, within limits established by the Legislature, to apply for and utilize all appropriate food stamp options to maximize the number of Nebraska residents being served under the program.



Sen. Gail Kopplin

**LB171** also would direct HHS to maximize federal funding under the program and to minimize the use of state funding. The department would be required to report annually to the Health and Human Services Committee on its efforts to implement the bill.

Kopplin said the bill is intended to encourage HHS to better use federal funds for families in need. Lawmakers advanced the bill to final reading by voice vote.

## Judiciary

Compromise in the works for safe haven bill

Lawmakers revisited general file debate Jan. 16 on **LB157**, a bill that would provide procedures for a mother to surrender parental rights of a newborn.

An amendment offered by Sen. Arnie Stuthman of Platte Center, the bill's sponsor, would allow a mother to leave an unwanted infant less than 72 hours



Sen. Arnie Stuthman

# ISSUES UPFRONT.....

old at a hospital without legal repercussions if she provides the hospital staff proof of her identity.

The hospital receiving the child would be authorized to perform any act necessary to preserve the health of the child while the infant is in the hospital's custody. The hospital would be required to contact the state Department of Health and Human Services within four hours of the infant's arrival, and the infant would be placed with an agency for continued care and placement.

If she were to change her mind, the mother could reclaim custody of the child within 48 hours of leaving the infant. After 48 hours, her parental rights would be terminated.

DHHS would be charged with developing an awareness program to inform the public of the new law and specifying a method to anonymously provide family medical history.

The bill also would require DHHS to maintain a monthly count of the number of infants left in this manner, as well as infants abandoned by other means, and provide a report to the Legislature by Jan. 1, 2009.

Stuthman said the goal of the bill is to provide safety to infants who might otherwise be abandoned in unsafe places. His intention is to find a way to encourage mothers to surrender their children in a safe place without fear of criminal charges, he said.

"To me, mothers in this situation are not criminals," said Stuthman.

Several senators expressed support for the general thrust of the bill, but disagreed about the particulars.

Sen. Annette Dubas of Fullerton had concerns about the amendment's procedure for reclaiming a child within 48 hours. She said she would like to explore a means to provide emotional support to a mother who is unsure about whether to keep her

child.

Omaha Sen. Ernie Chambers opposed the bill and Stuthman's amendment, he said, because it would provide no procedure for the father to reclaim the child if he finds out that the child was surrendered after 48 hours have passed.



Sen. Ernie Chambers

Lincoln Sen. DiAnna Schimek said she had opposed the bill in previous years, but could now consider supporting it if several problems were addressed.

"How do you tell if a child is 72 hours old?" she asked. "Is 72 hours long enough? What if the child is 110 hours old? How is that checked?"

Chambers moved to recommit the bill to the Judiciary Committee to allow time for examining the new amendment's provisions.

After further debate, Stuthman, Chambers and Omaha Sen. Tom White agreed to drop their pending motions and amendments and work on a new proposal that would address senators' varied concerns.

White said the new proposal would explore a way to protect any abandoned child, not just newborns, and would provide a means to contact other family members who might want to take custody of the child.

Chambers and Stuthman agreed to develop a solution that would have broad support.

"Everybody wants to ensure the safety of these children and that's what we're going to end up with," Chambers said.

Speaker Mike Flood urged lawmakers to adopt the committee amendment and advance LB157 to keep the bill moving to the next stage of debate.

The committee amendment was adopted 35-0 and the bill advanced to select file 36-0.

## Organ donation bill advanced

A bill designed to increase the availability of organs for transplant was given second-round approval Jan. 14.

**LB246**, sponsored by Kearney Sen. Joel Johnson, would provide regulations for county coroners in issues related to organ donation.

The bill would specify procedures for cases under a coroner's jurisdiction in which a decedent's organs may contain evidence relating to their cause of death. The bill would require coroners to complete a timely investigation to determine whether organs contain such evidence, allowing the organs to be released for harvesting if they do not.



Sen. Joel Johnson

According to Johnson, cases are placed under a coroner's jurisdiction when there is suspicion that the proximate cause of death may be homicide. In such cases, the likelihood of organ recovery decreases due to lack of coordination and concern over impeding potential criminal investigations.

Johnson estimates that this delay may prevent organ recovery in eight to 10 cases in Nebraska annually. The result is a loss of as many as 70 potential transplants a year, he said.

Lawmakers voted 41-0 to adopt a Johnson amendment adding an emergency clause to the bill and then advanced the bill to final reading by voice vote.

# ISSUES UPFRONT.....

## Revenue

### Microenterprise credit changes advanced

Lawmakers gave second-round approval Jan. 14 to **LB 177**, a bill sponsored by Nickerson Sen. Ray Janssen that would make adjustments to a microenterprise tax credit program.



Sen. Ray Janssen

The bill would:

- make the program available to farmers or ranchers only if the operator has a net worth of \$200,000 or less, or the farmer or rancher is involved in the processing or marketing of agricultural products or alternative crop production;
- include the employer's cost of health insurance as compensation for purposes of employment increases qualifying for benefits;
- exclude from qualifying compensation any amounts paid to an employee in excess of 150 percent of the state average weekly wage; and
- include increased expenditures for advertising, legal and professional services as investment for purposes of qualifying for benefits.

LB 177 was advanced to final reading by voice vote.

### Proposed film industry incentives advance

Film production endeavors could be eligible for a business tax incentive under a measure given first-round

approval by lawmakers Jan. 18.

As amended by a Revenue Committee amendment, **LB235** would authorize a rebate of production costs for film productions. Film productions would need a minimum budget of \$2 million, with at least \$1.25 million of the production costs incurred in Nebraska, to be eligible for the rebate. The rebate program would be limited to \$5 million annually.

The rebate would be 25 percent of production costs incurred in Nebraska for a film with a budget of at least \$30 million. If the budget is less, the rebate would be:

- 25 percent if more than 50 percent of the crew members are Nebraska residents;
- 15 percent if between 25 percent and 50 percent of the crew members are Nebraska residents; and
- 10 percent if fewer than 25 percent of the crew members are Nebraska residents.

The bill would create a Film Office that must determine that a proposed film project has a reasonable chance of success before a rebate could be granted. Under an amendment offered by the bill's sponsor, Lincoln Sen. Danielle Nantkes, the Film Office would be located within the state Department of Economic Development.



Sen. Danielle Nantkes

Nantkes said her proposal is based on a similar program enacted in Oklahoma, where \$18.9 million was generated by the film production industry last year. Thirty-seven other states have some type of economic incentive program for film production, she said.

"Imagine the possibilities if we offered incentives for film. Imagine the

possibilities for jobs created by this industry," Nantkes said.

Sen. Lavon Heidemann of Elk Creek expressed concern about the need to set spending priorities. Heidemann, who heads the Appropriations Committee, said the current budget status shows a projected surplus of only \$12.9 million.

"When the budget hits the floor, it will not be that big," he said.

Lincoln Sen. Ron Raikes said the bill would result in a narrowing of the state's tax base, "putting off the day when we can do something with the tax structure that will provide tax relief for everyone."

But Omaha Sen. Tom White argued that the tax base would not be narrowed by the bill because the incentives would go for projects that would not otherwise locate in Nebraska. He also said promoting the film industry is important for keeping young people from leaving the state.

"Nothing shapes opinion more effectively than movies and TV," White said.

LB235 was advanced to select file on a 25-2 vote.

### Sales tax exemption for assisted living facilities considered

Lawmakers voted Jan. 17 for a proposal to exempt nonprofit, licensed assisted living facilities from having to pay sales tax.

**LB575**, introduced by Omaha Sen. Lowen Kruse, would effectively reduce state revenues by \$350,000 in fiscal year 2008-09 and by \$480,000 in FY2009-10.



Sen. Lowen Kruse

# ISSUES UPFRONT.....

Kruse said other nonprofit nursing facilities are already exempt from sales tax. Cortland Sen. Norm Wallman, who prioritized the measure, said the proposed sales tax exemption could result in a savings of Medicaid and Medicare expenses.

Senators voted 32-2 to adopt an amendment offered by Lincoln Sen. Ron Raikes that would make similar sales tax exemptions applicable only to nonprofit entities. Those entities would include education and health-care entities as well as childcare and child placement agencies.

Omaha Sen. Ernie Chambers offered, and later withdrew, an amendment that would have clarified that an existing sales tax exemption would apply only to those nonprofit religious organizations created and operated exclusively for religious purposes.

LB575 was advanced to select file on a 38-0 vote.

## Urban Affairs

### Senators advance revenue bond amendment

Senators advanced a proposal Jan. 17 that would place a constitutional amendment related to revenue bonding authority on the May 2010 ballot.

**LR5CA**, introduced by Omaha Sen. Mike Friend, is a constitutional amendment that would allow cities, villages and counties to acquire property and issue municipal revenue bonds for use by nonprofit organizations.

The measure would allow local government to collaborate with non-



Sen. Mike Friend

profit organizations for the purpose of developing services in the community. Use of bond funds would be restricted to activities deemed for a public purpose and property could not be acquired by condemnation or used for religious purposes.

Unlike general obligation bonds which are repaid with local taxes, revenue bonds rely on revenue from the projects they are designated to fund. LR5CA would prohibit local government from using taxes for the purpose of repaying the bonds.

Senators discussed financial risk to local governments and repayment

of the bonds.

York Sen. Greg Adams explained that if a city issued a revenue bond for a building, a private entity would hold the bond and the nonprofit entity would pledge to repay it.

Omaha Sen. John Nelson expressed concern about financial liability if a nonprofit could not repay the bond.

“Using the revenue bond takes the general obligation of the city out of the picture,” Adams said.

The bill advanced to select file by a vote of 35-0.

## COMMITTEE HEARINGS OPEN TO PUBLIC

Committee hearings are scheduled to begin this session on Jan. 22.

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 on the Legislature’s web site ([www.nebraskalegislature.gov](http://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 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**.....

## Governor speaks of progress, challenges

(Continued from front page)

a school funding formula that is understandable, stable and affordable.

“State aid to education should be predictable and sustainable,” he said.

Noting the importance of higher education to the state’s future, the governor called for increased efforts to boost college attendance and greater cooperation among the University of Nebraska, state colleges and community colleges.

Heineman also acknowledged the need to accelerate reform in the state’s restructured Department of Health and Human Services while noting encouraging signs of progress. Among those signs, according to the governor, are increases in adoptions and community-based care and a decrease in out-of-home placements.

The governor also called for creation of a “culture of wellness” in Nebraska, with state government leading by

example. Heineman said a new program for state employees would result in improved employee health, increased productivity and lower healthcare costs in the future.

The governor concluded his remarks by looking to Nebraska’s economic future and urging the safeguarding of the state’s cash reserve.

Citing suggestions by the Federal Reserve of an upcoming economic slowdown, the governor called on legislators to be prudent. Nebraska needs a robust reserve in these uncertain times, he said, encouraging senators to provide the leadership needed to resist the temptation to spend the state’s reserve fund.

Despite challenges facing the state, the governor expressed optimism for the future.

“Together we can make tomorrow better than today,” Heineman said. “Together we will continue to move Nebraska forward.”



*Gov. Dave Heineman gives his State of the State address in the Norris Chamber Jan. 15.*

# A CLOSER LOOK.....

## Helmet bill fails to advance by 2

**A** bill that would have relaxed helmet requirements for motorcycle and moped riders on state highways failed to advance to select file by two votes Jan. 15.

Currently, all motorcycle and moped operators are required to wear helmets on state highways.

**LB253**, introduced by Tekamah Sen. Kent Rogert, specifies that riders 21 years or older would not be required to wear a helmet if they have successfully completed a motorcycle safety course. Those under the age of 21 would still be required to wear a helmet.

All riders would be required to wear eye protection, while riders without helmets would be required to carry proof of successful completion of a motorcycle safety course.

The bill would raise the motorcycle registration fee from \$6 to \$11 to account for a larger demand for safety training courses. Likewise, the minimum fine for operating a motorcycle without a proper license or endorsement would be increased from \$10 to \$75.

Rogert named LB253 his priority bill for the year, saying that Nebraska lies in the middle of many states that do not require helmets. This results in many riders avoiding travel through the state and the income the state could be making from these travelers is lost to surrounding states, Rogert said.

"Helmets do absolutely nothing to prevent accidents on the road," he said, arguing that the safety training provisions in the bill would do more to prevent accidents.

Other senators said removing the helmet requirement would decrease

safety for riders.

Kearney Sen. Joel Johnson said a motorcycle rider takes a heavy risk by not wearing a helmet.

"If you are thrown from a car, it is a 50 percent mortality rate," he said. "On a motorcycle, you are already outside of the car."

Johnson further questioned how much the bill promoted safety by encouraging training courses for riders. Those who are 21 now would be grandfathered into the no-helmet

**"Helmets do absolutely nothing to prevent accidents on the road."**

*- Sen. Kent Rogert*

rule provided they simply wear eye protection.

"At this rate, I will be 95 before all the people get through training," he said, explaining that the bill would require training of only 2 percent of current motorcycle riders.

Omaha Sen. Lowen Kruse acknowledged that most critical injuries to bikers result from other drivers' actions on the road. Nonetheless, he said, "we as a state simply cannot afford the removal of helmets."

The high cost of care for someone who has received brain injuries from a motorcycle accident often exceeds the rider's own insurance coverage, according to Kruse. The state pays the rest, he said, estimating that it can cost more than \$200,000 a year to maintain the life of someone who has sustained a brain injury.

"For a 20-year-old with a head injury, if he lives 50 years, that's \$10 million. We put up millions of dollars and what are we getting for it?" he asked. "Air in the hair--that's all we get."

Sen. Tom White of Omaha disagreed.

"There are many things that are dangerous that cost society money," he said, citing skateboarding, parachuting and eating raw oysters as examples.

"There is an enormous number of activities that many of us may find a poor risk, but for others, they are the essence of the enjoyment of life," White said. "The cost of a free society is that some people will die, some people will be injured, but on the other hand, people will be happy."

Rogert brought an amendment that would require proof of \$1 million worth of medical insurance when a rider registers his or her motorcycle. He estimated the cost to the rider at \$9 per month for such a policy. The amendment was adopted 25-12.

Two cleanup amendments brought by Rogert also were adopted.

Johnson also expressed concern about the bill's effect on federal funding for state highways. The state's helmet law originated in 1989, he said, because the federal government made highway funding contingent upon the state having a helmet law.

Valentine Sen. Deb Fischer, chairperson of the Transportation and Telecommunications Committee, said it was unlikely that the bill would affect federal roads funding.

The bill failed to advance on a 23-25 vote.

# COMMITTEE HEARINGS

## Tuesday January 22, 2008

### Agriculture

#### Room 1524 - 1:30 PM

LB729 (Flood) Redefine exotic animals for auctions and swap meets  
 LB788 (Erdman) Adopt the Anthrax Control Act  
 LB790 (Erdman) Change buffer strip reimbursement provisions  
 LB791 (Erdman) Provide for rules for certified seed potatoes  
 LB925 (Fischer) Change provisions relating to estrays

### Banking, Commerce and Insurance

#### Room 1507 - 1:30 PM

LB715 (Pahls) Change provisions relating to nonresident real estate licensees  
 LB716 (Pahls) Change provisions relating to the effect of errors and omissions in a financing statement  
 LB717 (Pahls) Change provisions relating to finance  
 LB851 (Banking, Commerce and Insurance Committee) Change provisions relating to banking and finance  
 LB852 (Banking, Commerce and Insurance Committee) Change provisions relating to certain financial services

### Education

#### Room 1525 - 1:30 PM

LB849 (Erdman) Eliminate the authority of school districts to provide certain insurance coverage for board members  
 LB850 (Erdman) Change insurance coverage provisions for school board members

### Transportation and Telecommunications

#### Room 1113 - 1:30 PM

LB823 (Legislative Performance Audit Committee) Change the Information Technology Infrastructure Act  
 LB755 (Transportation and Telecommunications Committee) Change Public Service Commission powers and duties  
 LB815 (Fischer) Allow Geographic Information System data to be withheld from the public  
 LB829 (Fischer) Provide powers and duties to the Public Service Commission regarding telecommunications rates

### Urban Affairs

#### Room 1510 - 1:30 PM

LB768 (Cornett) Provide sanitary and improvement districts with the power to contract for library services  
 LB813 (McGill) Authorize urban growth districts and bonds  
 LB899 (Kruse) Authorize creation of a land reutilization authority by a city of the metropolitan class  
 LB947 (Friend) Increase minimum bidding amount requirements for cities of the first and second class and villages

## Wednesday January 23, 2008

### Government, Military and Veterans Affairs

#### Room 1507 - 1:30 PM

LB750 (Aguilar) Designate the Secretary of State's Office as a voter registration agency  
 LB856 (Lautenbaugh) Provide for special congressional elections in

case of multiple vacancies  
 LB857 (Lautenbaugh) Change certification provisions for candidates for President and Vice President  
 LB721 (Schimek) Change Capitol Landscape Restoration Master Plan provisions  
 LB752 (Flood) Change membership provisions of the Nebraska Capitol Commission  
 LB763 (Avery) Create the Nebraska State Capitol Environs District Revitalization Task Force

### Health and Human Services

#### Room 1510 - 1:30 PM

Appointment - Meter, Judy - Foster Care Review Board  
 Appointment - Peterson, Christine - Nebraska Department of Health and Human Services  
 Appointment - Schaefer, Joann - Nebraska Department of Health and Human Services  
 Appointment - Wyvill, John C. - Nebraska Department of Health and Human Services  
 Appointment - Albin, Ronald - Foster Care Review Board  
 Appointment - Klein, Gene - Foster Care Review Board  
 Appointment - Ramirez, Alfredo - Foster Care Review Board  
 LB713 (Pahls) Prohibit physicians from administering certain fat-dissolving substances  
 LB730 (Flood) Change emergency medical services classifications and training  
 LB738 (Fulton) Change brain injury registry notification and reporting requirements  
 LB797 (Health and Human Services Committee) Change provisions relating to health and human services

# COMMITTEE HEARINGS

## Judiciary

### RM 1113 - 1:30 PM

LB766 (Cornett) Regulate scrap metal recycling  
LB772 (Hudkins) Provide for state payment for county and district court courtroom security  
LB773 (Hudkins) Change unclassified county service position provisions relating to bailiffs  
LB774 (Wightman) Change provisions relating to filing for modification of child support orders  
LB775 (Wightman) Change deputy court clerks provisions  
LB804 (Burling) Permit jurors to take notes

## Natural Resources

### Room 1525 - 1:30 PM

LB724 (Natural Resources Committee) Change fees under the Remedial Action Plan Monitoring Act  
LB725 (Natural Resources Committee) Provide for grants under the Waste Reduction and Recycling Incentive Act  
LB726 (Natural Resources Committee) Change provisions relating to the Wastewater Treatment Facilities Construction Loan Fund

## Revenue

### Room 1524 - 1:30 PM

LB722 (Engel) Change the tax on tobacco products  
LB914 (Revenue Committee) Change provisions relating to taxes and funds  
LB916 (Revenue Committee) Change sales tax provisions  
LB915 (Revenue Committee) Change income tax and disclosure provisions  
LB898 (Janssen) Change provisions of the Unfair Cigarette Sales Act  
LB896 (Janssen) Update refer-

ences to the Internal Revenue Code

## Thursday January 24, 2008

## Government, Military and Veterans Affairs

### Room 1507 - 1:30 PM

LB739 (Fulton) Provide for the waiver of a fine or penalty for an information collection requirement for small businesses  
LB744 (Aguilar) Permit leasing of state property to the federal government or political subdivisions  
LB747 (Aguilar) Change provisions relating to energy financing contracts  
LB776 (Wightman) Change fees received by registers of deeds

## Health and Human Services

### Room 1510 - 1:30 PM

Appointment - Adams, Scot - Nebraska Department of Health and Human Services  
Appointment - Chaumont, Vivianne - Nebraska Department of Health and Human Services  
LB782 (Howard) Allow disclosure of child abuse and neglect information  
LB793 (Burling) Change which county pays for costs of emergency protective custody and proceedings  
LB796 (Johnson) Change medical radiography and radiation control provisions  
LB765 (Gay) Change provisions relating to certificates of need

## Judiciary

### Room 1113 - 1:30 PM

LB810 (Kruse) Adopt the Alcoholic Liquor Liability Act  
LB844 (Karpisek) Change certain

drug and alcohol penalty provisions  
LB736 (Fulton) Change certain driving under the influence penalties and provide indigent assistance for ignition interlock devices  
LB808 (Synowiecki) Change penalty provisions relating to motor vehicle homicide  
LB794 (McGill) Change provisions relating to the criminal responsibility of intoxicated persons and the insanity defense

## Natural Resources

### Room 1525 - 1:30 PM

Appointment - Jensen, S. Michael Mick - Nebraska Game and Parks Commission  
Appointment - Hanson, Steve - Nebraska Ethanol Board  
Appointment - Else, Tim - Nebraska Ethanol Board  
LB923 (Dubas) Change provisions relating to energy easements  
LB939 (Heidemann) Change bidding requirements for certain political subdivisions

## Revenue

### Room 1524 - 1:30 PM

LB710 (Pahls) Require notice of sale of real property by a land reutilization authority  
LB814 (Raikes) Change delinquent property tax notification and collection provisions  
LB893 (Langemeier) Change provisions relating to tax deeds and foreclosures  
LB985 (Stuthman) Change provisions relating to tangible personal property tax returns  
LB965 (Revenue Committee) Change property tax provisions  
LB964 (Revenue Committee) Change provisions relating to the Tax Equalization and Review Commission

# COMMITTEE HEARINGS

**Friday January 25, 2008**

## Government, Military and Veterans Affairs

**Room 1507 - 1:30 PM**

LB767 (Cornett) Authorize leave for members of the Civil Air Patrol  
 LB761 (Avery) Create the BRAC Task Force to examine issues relating to the military base realignment and closure process  
 LB746 (Aguilar) Change provisions relating to tuition credits for National Guard members  
 Appointment - Kadavy, Timothy  
 - Military Department

## Health and Human Services

**Room 1510 - 1:30 PM**

Appointment - Hilgert, John - Nebraska Department of Health and Human Services  
 Appointment - Landry, Todd - Nebraska Department of Health and Human Services  
 LB806 (Wallman) Change provisions relating to dog guides, hear-

ing aid dogs, and service dogs  
 LB809 (Synowiecki) Change provisions relating to metabolic screening

## Judiciary

**Room 1113 - 1:30 PM**

LB929 (Chambers) Prohibit hunting, trapping, and fishing and provide penalties  
 LB934 (Ashford) Change provisions relating to use of a deadly weapon by a felon  
 LB958 (Ashford) Change provisions relating to firearms  
 LB826 (Christensen) Change the Concealed Handgun Permit Act to provide a residency exception for members of the armed forces  
 LB950 (Pirsch) Change penalty provisions for failure to stop at the scene of an accident  
 LB872 (Pirsch) Change penalty provisions for motor vehicle homicide and motor vehicle homicide of an unborn child

## Natural Resources

**Room 1525 - 1:30 PM**

Appointment - Forney, Kent - Nebraska Game and Parks Commission

Appointment - Williams, Donald - Environmental Quality Council  
 LB880 (Kopplin) Provide for watershed enhancement bonds  
 LB945 (Pedersen) Change authority of natural resources districts

## Revenue

**Room 1524 - 1:30 PM**

LB754 (Synowiecki) Change provisions of the Convention Center Facility Financing Assistance Act  
 LB979 (Karpisek) Change county building levy tax provisions  
 LB1004 (Cornett) Change an income tax withholding amount  
 LB718 (Schimek) Exempt purchases by organizations like Habitat for Humanity from sales tax  
 LB949 (Christensen) Change a sales tax exemption for health clinics  
 LB890 (Flood) Exempt postage charges and certain magazine or journal subscriptions from sales and use tax

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# NEW **BILLS**.....

January 14

<b>Bill/Res.</b>	<b>Introducer</b>	<b>One-Line Description</b>
LB901	Johnson	Provide immunity for emergency management workers as prescribed
LB902	Pankonin	Change provisions relating to controlled substances schedules and inventory
LB903	Lathrop	Adopt the Nebraska Elementary Attendance Region Act
LB904	Lautenbaugh	Change provisions relating to applications for veterans aid
LB905	Avery	Provide funding for Nebraska educational telecommunications
LB906	Pankonin	Change provisions relating to laboratories regulated by the Department of Health and Human Services
LB907	Pirsch	Change provisions relating to corporations and limited liability companies
LB908	Pirsch	Provide for issuance of certain veterans license plates for multiple vehicles
LB909	Pirsch	Provide for aggregation of amounts for certain forgery crimes
LB910	Pirsch	Require that motor vehicle and motorboat titling be performed by county treasurers
LB911	Hudkins	Provide for REAL ID operator's licenses and state identification cards
LB912	Avery	Redefine terms for purposes of the Convention Center Facility Financing Assistance Act
LB913	Wightman	Change inheritance tax provisions
LB914	Revenue Committee	Change provisions relating to taxes and funds
LB915	Revenue Committee	Change income tax and disclosure provisions
LB916	Revenue Committee	Change sales tax provisions
LB917	Fischer	Provide an exception to vehicle weight limits for idle reduction technology
LB918	Pahls	Change provisions relating to bank holding company ownership limitations and interstate mergers
LB919	Fischer	Change the Motor Vehicle Registration Act
LB920	Langemeier	Authorize insurance producers to charge certain incidental fees
LB921	Dubas	Adopt the Nebraska Energy Independence Act
LB922	Dubas	Adopt the Cellulosic Biomass Renewable Energy Initiative and impose and change taxes
LB923	Dubas	Change provisions relating to energy easements
LB924	Fischer	Provide for streamflow depletion offsets
LB925	Fischer	Change provisions relating to estrays
LB926	Lathrop	Prohibit mandatory overtime for certain state employees
LB927	Johnson	Change factors favoring the change of county boundaries
LB928	Johnson	Repeal the Hepatitis C Education and Prevention Act
LB929	Chambers	Prohibit hunting, trapping, and fishing and provide penalties
LB930	Cornett	Change provisions relating to dangerous sex offender evaluations
LB931	Cornett	Change provisions relating to taxation of air carriers
LB932	Ashford	Create the Aging Prison Population Task Force
LB933	Ashford	Change clerk magistrate provisions
LB934	Ashford	Change provisions relating to use of a deadly weapon by a felon
LB935	Ashford	Change provisions relating to service or delivery of court documents
LB936	Friend	Provide for a fair share representation contribution by non-labor organization members for representation provided by the labor organization

# NEW **BILLS**.....

## January 14, continued

LB937	Nebraska Retirement Systems Committee	Change contribution requirements under the County Employees Retirement Act and the State Employees Retirement Act
LB938	Nebraska Retirement Systems Committee	Change contribution allocation provisions relating to the County Employees Retirement Act and the State Employees Retirement Act
LB939	Heidemann	Change bidding requirements for certain political subdivisions
LB940	Kruse	State legislative intent to increase payments for pharmacy dispensing fees under the Medical Assistance Program
LB941	Stuthman	Provide for use of historical license plates on historical vehicles registered for general purposes
LB942	Pedersen	Require substantial evidence of parole violation in order to revoke parole
LB943	Pedersen	Provide for release of driver's license pictures to parole and probation officers
LB944	Synowiecki	Exempt certain purchases by museums from sales and use taxes
LB945	Pedersen	Change authority of natural resources districts
LB946	Burling	Impose an excise tax on ethanol production
LB947	Friend	Increase minimum bidding amount requirements for cities of the first and second class and villages
LB948	Karpisek	Adopt the Volunteer Emergency Responders Job Protection Act
LB949	Christensen	Change a sales tax exemption for health clinics
LB950	Pirsch	Change penalty provisions for failure to stop at the scene of an accident
LB951	Kopplin	Provide for umbilical cord blood banking
LB952	Lathrop	Change provisions relating to administrative subpoena powers
LB953	Nelson	Change lien provisions relating to mobile homes and manufactured homes
LB954	Dierks	Change provisions relating to human immunodeficiency virus testing
LB955	Dierks	Change provisions under the Nebraska Liquor Control Act relating to manufacturers' interest in wholesalers
LB956	Schimek	Change provisions relating to job training grants
LB957	Ashford	Change the Sex Offender Registration Act
LB958	Ashford	Change provisions relating to firearms

## January 15

Bill/Res.	Introducer	One-Line Descriptions
LB959	Speaker Flood	Provide for deficit appropriations
LB960	Speaker Flood	Appropriate funds for employee pay and benefits
LB961	Speaker Flood	To provide for transfers of funds and increase property tax relief
LB962	Preister	Change public body meeting provisions of the Open Meetings Act
LB963	Friend	Require verification of lawful presence in the United States to receive public benefits
LB964	Revenue Committee	Change provisions relating to the Tax Equalization and Review Commission
LB965	Revenue Committee	Change property tax provisions
LB966	Synowiecki	Change provisions relating to the Tobacco Prevention and Control Cash Fund

# NEW **BILLS**.....

LB967	Synowiecki	Change annual audit provisions of the School Employees Retirement Act
LB968	White	Change service annuity provisions of the School Employees Retirement Act
LB969	Pankonin	Require insurance coverage for prosthetics as prescribed
LB970	Gay	Eliminate taxing authority of learning communities and change state aid calculations
LB971	Pedersen	Require voter approval for actions related to annexation of cities and villages
LB972	Gay	Change optometry licensure provisions
LB973	Raikes	Change calculation of state aid to community colleges
LB974	Gay	Provides an income tax credit for health insurance or care expenses of certain employers
LB975	Wightman	Change provisions relating to river-flow enhancement bonds
LB976	Raikes	Change provisions relating to dissolution of unified school districts
LB977	Raikes	Provide for freeholders' petitions relating to school districts which exceed certain levy limitations
LB978	Gay	Change provisions relating to Class III school district boundary changes
LB979	Karpisek	Change county building levy tax provisions
LB980	Carlson	Change trust account provisions under the Nebraska Real Estate License Act
LB981	Pirsch	Prohibit nepotism in state government
LB982	Schimek	Appropriate funds to Wyuka Cemetery
LB983	Cornett	Change an income tax credit for planned gifts
LB984	Cornett	Eliminate resolution, public hearing, and publication requirements for annexation by cities of the first class
LB985	Stuthman	Change provisions relating to tangible personal property tax returns
LB986	Preister	Adopt the Electronics Recycling Act
LB987	Raikes	Change provisions relating to the Quality Education Accountability Act

## January 16

Bill/Res.	Introducer	One-Line Description
LB988	Raikes	Change the Tax Equity and Educational Opportunities Support Act
LB989	Friend	Change priority of special assessment liens in cities of the metropolitan class
LB990	Christensen	Provide for a certificate of attendance for certain students as prescribed
LB991	Avery	Provide for election day voter registration
LB992	Avery	Provide duties to the state investment officer relating to Sudan-related investments
LB993	McDonald	Change expenditure provisions relating to the Nebraska Liquor Control Commission Rule and Regulation Cash Fund
LB994	Johnson	Extend termination date of the Behavioral Health Oversight Commission
LB995	General Affairs Committee	Change provisions relating to cemeteries
LB996	General Affairs Committee	Change provisions relating to bingo and lotteries
LB997	McDonald	Change provisions relating to economic development programs of political subdivisions
LB998	Gay	Appropriate funds to the Nebraska Innovation Zone Commission and provide for a transfer from the Cash Reserve Fund
LB999	Hansen	Change Livestock Brand Act provisions governing recorded brands
LB1000	Pirsch	Change income tax calculations and property tax relief funding and transfer cash reserve funds

# NEW **BILLS**.....

## January 16, continued

LB1001	White	Adopt the Low-Income Home Energy Conservation Act and provide for a sales and use tax exemption
LB1002	Pahls	Require disclosures by group health benefit plans
LB1003	Pahls	Adopt the Saving the Cure Act and provide for an accredited laboratory
LB1004	Cornett	Change an income tax withholding amount
LB1005	Howard	Change provisions relating to learning community diversity plans
LB1006	Aguilar	Provide for a registry and salary study of in-home personal services workers
LB1007	Dierks	Change budget and tax levy limits
LB1008	Wightman	Provide for reassumption of the tax assessment function by counties
LB1009	Avery	Provide for a tax levy for school safety and security purposes
LB1010	Hudkins	Change sales and use tax collection fees
LB1011	Langemeier	Change the Real Property Appraiser Act

## January 17

Bill/Res.	Introducer	One-Line Description
LB1012	Gay	Allow an income tax credit for certain long-term care insurance policy premiums
LB1013	Gay	Adopt the Higher Education Academic Scholarship Program Act
LB1014	Ashford	Change provisions relating to judicial vacancies and judicial resources
LB1015	Nantkes	Change contributory negligence provisions
LB1016	Lathrop	Adopt the Proper Employee Classification Act
LB1017	Raikes	Change tax levy provisions relating to risk management pools
LB1018	Synowiecki	Adopt the Children's Behavioral Health Transformation and Prioritization Appropriations Act
LB1019	Business and Labor Committee	Provide for payment of claims against the state
LB1020	Business and Labor Committee	Disapprove certain claims against the state
LB1021	Raikes	Change provisions relating to the enrollment option program
LB1022	Hansen	Adopt the Veterinary Drug Distribution Licensing Act
LB1023	Friend	Change tax levy authority of educational service units which have school districts which are members of a learning community
LB1024	Karpisek	Provide for listings maintained by the Secretary of State to facilitate filings and service of process under the Political Subdivisions Tort Claims Act
LB1025	McGill	Change domestic assault sentencing and protection order provisions
LB1026	Rogert	Change tax-exempt status of housing agency property
LB1027	Erdman	Provide a personal property tax exemption under the Beginning Farmer Tax Credit Act
LB1028	Pankonin	Change the Securities Act of Nebraska to regulate certain branch office operations and prohibit certain fraudulent activities
LB1029	Fulton	Provide for contract rates for foster care services
LB1030	Nantkes	Change filing deadlines for candidates for Class IV school boards
LB1031	Ashford	Change confidentiality provisions relating to researchers and auditors accessing adult and child protective services records
LB1032	Rogert	Prohibit acts relating to ticket scalping
LB1033	Synowiecki	Change provisions of the Nebraska Advantage Rural Development Act

# NEW **BILLS**.....

LB1034	Louden	Designate the Nebraska Expressway System
LB1035	Louden	Provide funds for expressways and designate the Nebraska Expressway System
LB1036	Raikes	Change tax levy provisions relating to school safety and health modifications or qualified zone academy bonds
LB1037	Janssen	Change income and sales and use tax rates
LB1038	Janssen	Change an income tax adjustment relating to interest and dividends
LB1039	Janssen	Create a task force and provide duties relating to agricultural land valuation
LB1040	Louden	Impose a tax on ethanol production, terminate an excise tax, and change funding for the Water Resources Cash Fund
LB1041	Christensen	Protect certain water purchased or leased for river-flow enhancement purposes
LB1042	Howard	Adopt the Resale of Tickets to Entertainment Events Act and provide penalties

## January 18

Bill/Res.	Introducer	One-Line Description
LB1043	Aguilar	Adopt the Security Services Act
LB1044	Raikes	Create and provide duties for the State Fair Future Commission
LB1045	Pankonin	Change provisions relating to coverage changes in property and casualty and automobile liability policies
LB1046	Burling	Change application limits under the Nebraska Advantage Rural Development Act
LB1047	Fulton	Change provisions relating to reimbursement of travel expenses by the state
LB1048	Nantkes	Provide for issuance of birth certificates for stillbirths
LB1049	Erdman	Change membership provisions for the Game and Parks Commission
LB1050	Erdman	Change the structure of the Game and Parks Commission and provide for an advisory board
LB1051	Heidemann	Change provisions regarding mowing and tree trimming along county roads
LB1052	Ashford	Appropriate funds to the Department of Economic Development
LB1053	Erdman	Create a production incentive for biodiesel production
LB1054	Karpisek	Create the offense of unlawful sexual intercourse
LB1055	McDonald	Change provisions relating to dangerous dogs and dogs running at large
LB1056	Erdman	Adopt the First-Class City Merger Act
LB1057	Howard	Adopt the Common Schools Facilities Equalization Aid Act
LB1058	McDonald	Change fund distribution and use provisions for state lottery funds for problem gambling
LB1059	Lautenbaugh	Change deer hunting provisions and provide for donation of deer to food banks
LB1060	Fulton	Appropriate funds to the University of Nebraska for planning and design of a Lincoln Division College of Nursing facility
LR229CA	McDonald	Constitutional amendment to change the powers of municipalities relating to fund sources for economic or industrial development

# WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, JANUARY 14, 2008, THROUGH FRIDAY, JANUARY 18, 2008

## Banking, Commerce and Insurance

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB379	Pahls	Change certain corporate reporting, notice, and filing provisions and eliminate references to professional limited liability companies	Placed on Select File
LB380	Pahls	Change a license application requirement under the Mortgage Bankers Registration and Licensing Act	Advanced to Enrollment and Review Initial
LB383	Pahls	Change filing requirements involving the address of a partnership's agent	Advanced to Enrollment and Review Initial

## Business and Labor

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB204	Synowiecki	Change provisions relating to the Contractor Registration Act	Placed on Final Reading with ST9060
LB210	Business and Labor Committee	Change membership and procedures of the Nebraska Workforce Investment Board	Placed on Select File

## Education

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB205	Howard	Require schools to adopt a bullying policy	Placed on Select File with ER8129

## Executive Board

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB402	Schimek	Provide duties for the Director of Research relating to redistricting plans	Placed on Select File with ER8127

## Government, Military and Veterans Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB269	Burling	Change provisions relating to county organization and formation of county libraries	Placed on Select File with ER8128
LB312	Aguilar	Change provisions relating to resignations, vacancy appointments, and recall elections	Placed on Select File
LB39	Schimek	Provide restrictions relating to petition circulation and change campaign reporting provisions	Placed on Final Reading with ST9061

## Health and Human Services

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB171	Kopplin	Require Department of Health and Human Services to apply for food stamp options and waivers	Placed on Final Reading

# WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, JANUARY 14, 2008, THROUGH FRIDAY, JANUARY 18, 2008

## Judiciary

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB157	Stuthman	Provide for leaving an infant with a firefighter or hospital staff member	Advanced to Enrollment and Review Initial
LB246	Johnson	Provide requirements for coroners relating to the procurement of anatomical gifts and provide for criminal immunity	Placed on Final Reading
LB467	Chambers	Grant the Ombudsman authority with respect to county jails	Advanced to Enrollment and Review Initial
LB92	Cornett	Change provisions relating to foreign national minors	Advanced to Enrollment and Review Initial

## Natural Resources

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB202	Louden	Change the Integrated Solid Waste Management Act	Advanced to Enrollment and Review Initial
LB690	Fischer	Provide for apprentice hunter education exemptions under the Game Law	Advanced to Enrollment and Review Initial

## Revenue

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB177	Janssen	Change the Nebraska Advantage Microenterprise Tax Credit Act	Placed on Final Reading with ST9059
LB235	Nantkes	Provide business incentives for film and music production	Advanced to Enrollment and Review Initial
LB575	Kruse	Exempt assisted-living facilities from sales and use taxes	Advanced to Enrollment and Review Initial

## Transportation and Telecommunications

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB253	Rogert	Adopt the Motorcycle Safety and Training Act and change motorcycle helmet provisions	Failed to advance to Enrollment and Review Initial
LB740	Fulton	Change provisions relating to authorized emergency vehicles	Bill withdrawn

## Urban Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LR5CA	Friend	Constitutional amendment to authorize use of revenue bonds to develop property for use by nonprofit enterprises	Advanced to Enrollment and Review Initial

## THE CAPITOL'S HIDDEN TREASURES



**Q:** *This architectural detail can be found somewhere in the State Capitol Building. Do you know where it is?*

*Check next week's issue to learn where to find this hidden treasure.*

**A:** *The detail featured in last week's issue is a close-up of the star-shaped chandelier in the State Law Library's Reading Room on the third floor of the State Capitol Building.*



## FROM THE COVER

Editor's Note: During the 2008 session, each week's cover of the Unicameral Update will feature a "Hidden Treasure of Nebraska II." Hidden treasures are sites and events throughout Nebraska that may not be widely known or publicized and reflect the state's culture, heritage and diversity. This series picks up where the 2004 series left off.

Arthur, Nebraska is the proud home of the smallest courthouse in the United States. The building was constructed in 1914, one year after the organization of both the town and county of Arthur, at a total cost of \$900, and stands only 26 by 28 feet.

The building was vacated in 1961, and

at that time the citizens voted to donate the building to the Arthur Historical Society. In 1986, the Historical Society set about restoring the courthouse as nearly as possible to its original condition.

It stands next to Arthur's present courthouse, and is open to the public as a historical museum.

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# UNICAMERAL UPDATE

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