

THE NEBRASKA LEGISLATURE'S  
WEEKLY PUBLICATION

## UPDATE

## Tax credit proposed for high-income jobs

In 2005, the Legislature enacted the Nebraska Advantage program, which revised the state's business tax incentive program. Nebraska Advantage awards tax incentives based on five tiers of capital investment and job creation.

**LB895**, introduced by Sen. Ray Janssen of Nickerson at the request of the governor, would create a sixth tier of qualifications for the program, also known as the Nebraska Super Advantage tier. Companies that invest at least \$10 million and create at least 75 new jobs that meet a wage threshold would qualify for tax credits under the new sixth tier of the program. To qualify, the newly created jobs must pay at least 200 percent of the average wage in the county in which the project is located or at least 150 percent of the statewide average wage, whichever is higher.

The tax credits awarded under the new Super Advantage tier would equal 10 percent times the average annual compensation of new employees times the number of new employees. The company also would receive a tax credit equal to 15 percent of the investment made in qualified property at the project.

Qualifying companies also could receive a tax exemption for all personal property at the project. Lastly, qualifying companies could use tax credits by obtaining reimbursement for real estate taxes paid anywhere in the state.

Companies seeking benefits under

the Super Advantage program would be required to pay a \$10,000 nonrefundable application fee.

Janssen told the Revenue Committee Feb. 6 that the Super Advantage program would break new ground in the ways companies could accrue and use tax credits.

"My goal for the bill is to stimulate growth of high-paying jobs in Nebraska," he said.

Gov. Dave Heineman told the committee that the proposal is an "innovative attempt to attract jobs of the future to Nebraska."

The governor said young people want to be able to stay and earn a good living in Nebraska.

"They'll tell you they feel like they

need to look at Kansas City, Denver or somewhere where they can make a quality salary," he said.

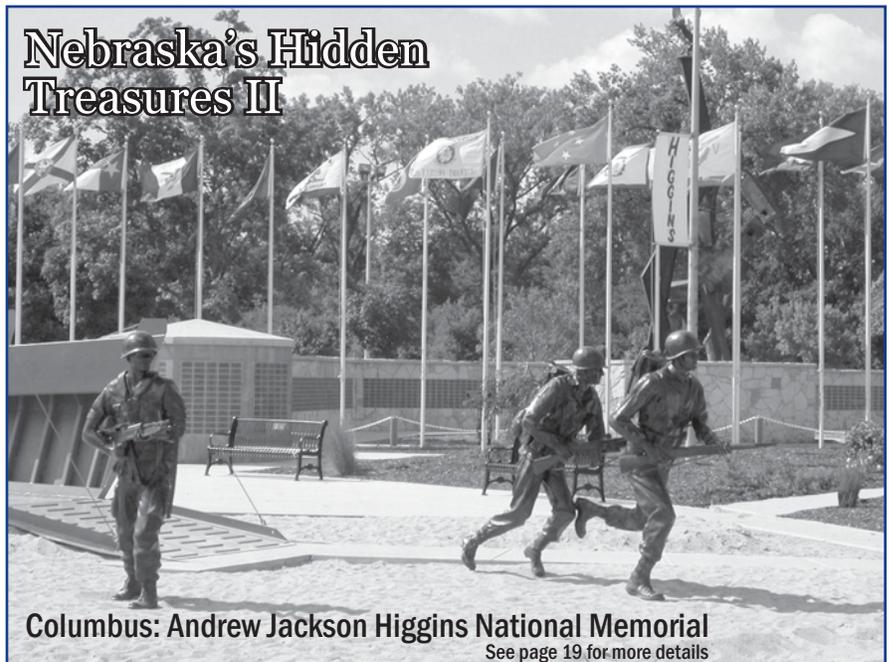
LB895 would attract businesses that would help convince young people that they can find a high-paying job in Nebraska, Heineman said.

Richard Baier, director of the Nebraska Department of Economic Development, deems the Nebraska Advantage program a success. During the last two and a half years, 141 applications have yielded \$4.77 billion in capital investment and more than 12,000 new jobs, he said.

Nebraska's per capita income has generally lagged behind the national average, Baier said. Calling LB895 the

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### Nebraska's Hidden Treasures II



Columbus: Andrew Jackson Higgins National Memorial  
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## Appropriations

NET funding bill would expand programming

A bill that would use cash reserve dollars to leverage funding for Nebraska Educational Telecommunications was heard by the Appropriations Committee Feb. 5.

**LB905**, introduced by Lincoln Sen. Bill Avery, would designate \$50 million of cash reserve funds to create the NET Programming Endowment Fund.



Sen. Bill Avery

Interest earned on reserve fund investments would be matched by NET and allocated to the NET Trust Fund, also created in the bill.

The Legislative Fiscal Office estimates \$2.4 million in annual interest earnings from the endowment fund. Matching funds would bring the annual trust fund deposit to nearly \$5 million.

According to Avery, the trust fund would help establish a stable funding base for operations and allow NET to offer more sports and cultural programming throughout Nebraska.

The committee took no immediate action on LB905.



Cigarette tax process challenged

The Appropriations Committee heard testimony Feb. 6 on a bill that would change the way cigarette tax revenue is allocated.

A state tax on cigarettes is imposed at 64 cents for each package containing 20 cigarettes.



Sen. Philip Erdman

**LB1109**, introduced by Bayard Sen. Philip Erdman, would change provisions governing the distribution of cigarette tax revenue by depositing those funds into the state's general fund, beginning in fiscal year 2009-10. The bill would not affect those funds which have been bonded against.

Erdman said he sponsored the bill to provide the committee an opportunity to reevaluate the earmarking process, which he said circumvents the committee's ability to review programs and determine whether there is a better use for the funds.

The bill would not prevent current recipients of cigarette tax funds from receiving state funding, he said, but merely require that they participate in the biennial appropriations process.

Programs currently receiving

funding from the state cigarette tax are:

- the Nebraska Outdoor Recreation Development Fund;
- the Department of Health and Human Services Cash Fund;
- the Building Renewal Allocation Fund;
- the Municipal Infrastructure Redevelopment Fund;
- the Information Technology Infrastructure Fund;
- the Nebraska Public Safety Communication Cash Fund;
- the Nebraska Capital Construction Fund; and
- development funds for cities of metropolitan and primary classes.

Funding the programs through the state's general fund would enable the committee to determine annually whether the Legislature is appropriating the right funds to the right programs, Erdman said.

"My philosophy is, if you want to fund something, let's put it in the general fund and appropriate funds for it," he said.

The bill's fiscal note indicates that it would result in a \$17 million annual increase in general funds.

The committee took no immediate action on the bill.

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## Banking, Commerce and Insurance

Bill would extend auto insurance coverage

The Banking, Commerce and Insurance Committee heard testimony Feb. 5 on a bill affecting auto insurance.

Sen. Rich Pahls of Omaha said he introduced **LB876** to fill a potential gap in insurance coverage for certain passengers involved in an accident with an uninsured or underinsured motor vehicle.

The bill would provide that uninsured and underinsured motorist coverage extend to passengers in the insured motor vehicle who are not entitled to uninsured or underinsured motorist coverage under any other motor vehicle liability insurance policy.

Pahls said the bill would address issues arising out of the Nebraska Supreme Court's 2007 decision in *Jones v. Shelter Mutual Insurance Companies*. The court ruled that persons insured for purposes of uninsured and underinsured motorist coverage are only those persons insured under the liability provisions of a motor vehicle policy.

Passengers who are not relatives, related household members or additional listed insureds may not have uninsured or underinsured motorist coverage unless it is under another motor vehicle liability policy that specifically applies to them.

"Under the right circumstances, a passenger may have no coverage at all," Pahls said. "That's what we're trying to fix."

James Cavanaugh, representing



Sen. Rich Pahls

Independent Insurance Agents of Nebraska, testified in support of the bill.

"Let's make the insurance we sell actually solve the problems we anticipate," he said.

Robert Moodie of the Nebraska Association of Trial Attorneys agreed that a problem exists but questioned whether the bill would solve the problem.

"We agree that this is a hole that needs to be plugged," he said. "But I'm not sure it's going to fill in the gap the Supreme Court has identified."

He said the language in the bill would "muddy" insurance statutes but that the intent to fill the coverage gap was a good one.

"With a little tweaking of the bill we can accomplish that," he said.

The committee took no immediate action on the bill.

## Education

Bills would allow for elementary attendance centers, annul reorganization order

The Education Committee considered proposals Feb. 4 that would address issues related to K-8 schools.

In 2005, the Legislature enacted a law that began the process of assimilating K-8 schools, also known as Class I schools, into existing K-12 school districts. As a result of the legislation, the State Committee for the Reorganization of School Districts issued an order for the dissolution of Class I school districts. Some former Class I attendance centers, depending on proximity, size and enrollment, were granted protections from closing under the legislation. In 2006, the voters approved Referendum 422, which repealed the 2005 legislation.

In 2007, the Legislature passed **LB658**, which would have set forth

a process of creating new Class I districts. However, the legislation was vetoed by Gov. Dave Heineman.

This year, two measures came before the committee related to the issue of K-8 schools.

**LB903**, sponsored by Omaha Sen. Steve Lathrop, would allow certain school districts to create elementary attendance regions. Elementary attendance regions would be community-governed elementary school sites established by residents of a single Class II, III or IV K-12 district with the primary purpose of assuring community educational governance in sparsely populated areas of the state.

There would be two types of elementary attendance regions: those within the limits of a city, village or unincorporated village and those outside the limits.

Within municipal limits, an elementary attendance region would need to have at least five resident students, be at least seven miles from the nearest attendance site and contain at least 100 square miles of contiguous territory.

Outside of municipal limits, an elementary attendance region would need to have at least 25 resident students, be at least seven miles from the nearest attendance site and contain at least 36 square miles of contiguous territory.

The bill would establish criteria for creating an elementary attendance region either by local school board approval after submission of a proposal or by a petition process. An elementary attendance region operating council, consisting of between three and five residents of the region, would make recommendations to the



Sen. Steve Lathrop

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local K-12 board regarding operations of the school. All annual operational and maintenance costs would be the responsibility of the K-12 district.

The school district could provide a facility or impose a levy on the residents of the K-12 school district of 1 cent per \$100 valuation not to exceed \$50,000 for five years for construction, purchase, renovation or lease of a facility. If the facility for an elementary attendance region is not provided by the K-12 board, the region's operating council could levy a tax on the property within the region, not to exceed 5.2 cents per \$100 of valuation with a total limit of \$50,000 over five years.

Lathrop said he was asked to work with other lawmakers to develop legislation that would keep students from having to travel long distances to school. Community college satellite locations were used as a model for the concept of having elementary attendance regions, he said.

The issue is not about the arguments of the past that drove the Class I schools issue, he said.

"It's about what are we going to do for the kids who live a ways from a school," Lathrop said.

**LB1089**, introduced by Sen. Cap Dierks of Ewing, attempts to restore Class I school districts as they existed prior to the passage of legislation in 2005 that began the process of assimilating those districts into K-12 school districts. The bill would annul the orders of the State Committee for the Reorganization of School Districts that were issued as a result of the 2005 legislation.

Dierks said the state reorganization committee does not have the

authority on its own to rescind its 2005 order. Legislative action is needed, he said.

Voters who supported Referendum 422 want the Legislature to honor their vote, he said.

"This is our last chance to do so," Dierks said.

The Education Committee took no immediate action on either bill.

### Teacher pay proposal goes before Education Committee

The Education Committee heard a bill Feb. 5 that would provide teacher salary assistance to school districts.

York Sen. Greg Adams said **LB1100** would "create incentives for performance and skill compensation systems and assure resources are available to maintain a competitive system."

LB1100 would create the Teacher Compensation Cash Fund that would receive interest dollars earned from \$200 million in the state's cash reserve fund that would serve as an endowment for teacher compensation. The interest generated is estimated to be \$9 million annually.

Beginning in fiscal year 2008-09, the fund also would receive revenue from funds currently distributed as state apportionment to school districts and from sales tax revenues derived from sellers registered through the streamlined sales tax program. Beginning in FY2016-17, the fund would receive the majority of lottery proceeds dedicated to education innovation.

School districts would receive funding from the teacher compensa-

tion fund proportionately based on the number of teachers employed.

A pilot program would be launched within the State Department of Education to evaluate alternative teacher compensation models. Up to 10 grants would be available to districts for planning purposes, with implementation grants available thereafter.

Finally, a 10-member board would be appointed to oversee the development of the compensation trust.

Nebraska is close to the crisis point for filling teacher vacancies, Adams said, adding that there is a need to replace retirees.

"It costs something to do that. And \$26,000 isn't going to do it," he said.

Adams said one of the proposal's features that fascinates him is the opportunity for local districts and collective bargaining units to develop new ways of looking at teacher compensation. Such plans open the door to possible performance-based pay factors, he said.

When asked how teachers might react to local pay systems that take performance into account, Adams said that if the state is asked to intervene, there should be some accountability.

Jess Wolf, president of the Nebraska State Education Association, said Nebraska ranks 43rd nationally in terms of teacher pay, and sixth among surrounding states. Experienced teachers are moving across the border to take advantage of better paying jobs in neighboring states, he said.

In addition, Wolf said, 46 percent of Nebraska teacher graduates are leaving the state, citing low salaries and student debt load as the primary reasons.

The committee took no immediate action on LB1100.



Sen. Greg Adams



Sen. Cap Dierks

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## General Affairs

Bill would revise gamblers assistance program

The General Affairs Committee heard testimony Feb. 5 on a bill that would change the relationship between the State Advisory Committee on Problem Gambling and Addiction Services and the HHS Behavioral Health Division.

According to its sponsor, Sen. Vickie McDonald of St. Paul, **LB1058** is an attempt to restore a faltering program to its goal of providing the best services to those who need help.

The bill would transfer authority for adopting and administering problem gambling and addiction services from HHS to the advisory committee. Evaluation and approval of applications for funding from the Compulsive Gamblers Assistance Fund also would shift to the advisory committee.

Sherrie Geier, advisory committee member, said Nebraska voters approved the lottery because they were assured that a portion of the proceeds would go toward making treatment available for problem gamblers. The gamblers assistance program was created to fulfill that mandate, she said, and initially worked well.

This early success, Geier said, was because the advisory committee was responsible for making decisions about services and treatment for those affected by problem gambling. Restoring that authority to the committee is essential, she said, because subsequent HHS reorganizations have created uncertainty and confu-



Sen. Vickie McDonald

sion in the program's administration.

"Change should always be given a chance to work," Geier said, "but if it doesn't work, you should always be able to turn back the clock."

Charles Spence, director of a gambling counseling program in Omaha, agreed.

Clarification from the Legislature would be a big help in improving the relationship between HHS and the committee, Spence said, adding that the current lack of communication threatens to distract providers from their primary responsibility of helping consumers.

Calling his two years on the advisory committee a struggle, Don Warren said there has not been a full board during his tenure. Five of the committee's twelve seats are currently vacant, he said - the result of frustration over how the program is currently being administered.

"I feel that my position has been a bit compromised," Warren said.

This frustration was acknowledged by Scot Adams, HHS Director of Behavioral Health, who testified against the bill.

There are problems with the gamblers assistance program, Adams said, but LB1058 goes too far by effectively transferring responsibility for the program from HHS to the advisory committee.

Adams said shifting the administration of state funds from a state agency to a volunteer committee is not good public policy. Executive branch functions should remain with paid professionals, he said.

But McDonald said the advisory committee is qualified to carry out the functions the bill gives them. Committee members are appointed by the governor with official statutory duties, she said, and are required to have specialized knowledge.

In addition, Nebraska already has a few dozen advisory committees that have the power to direct funds, she said.

"This advisory board is not unique," McDonald said.

The committee took no immediate action on the bill.

## Government, Military and Veterans Affairs

Senators pass petition circulator restrictions

Lawmakers passed a measure Feb. 6 that puts new restrictions on petition circulators.

**LB39**, sponsored by Lincoln Sen. DiAnna Schimek, requires circulators to be paid per hour rather than per signature and to be electors in Nebraska.



Sen. DiAnna Schimek

According to Schimek, an elector is an individual who meets the requirements for being eligible to vote, but who may or may not be registered to vote. She said similar requirements have withstood challenges in other states.

The bill passed by a vote of 31-14.

County commissioner election changes proposed

Lawmakers advanced a bill Feb. 4 that would change the manner in which some county commissioners are elected.

**LB268**, introduced by Lincoln Sen. Amanda McGill, would require

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that all county commissioners be nominated and elected by voters of the district they wish to represent.

Calling the bill “a rather simple idea,” McGill said the intention is to provide a uniform way to elect county commissioners across the state.



Sen. Amanda McGill

Under current law, commissioner election rules are determined by the population bracket into which the county falls. Counties are divided into three population brackets: under 150,000; 150,000 to 300,000; and over 300,000. Lancaster County is the only county in the middle population bracket, McGill said.

The top and bottom population brackets elect their officials directly from the districts they live in, according to McGill, while Lancaster County commissioners face a district-only primary, but are elected by the entire county population in the general election. LB268 would remove the general election provision for counties in the middle population bracket, she said.

Sen. Carol Hudkins of Malcolm noted that a similar proposal was considered in 1991 and was opposed on the grounds that the Legislature should not step in and impose an election system on citizens. If the system isn't working, it could be changed by either the county board or the voters putting the issue on the ballot, she said.

“The Legislature doesn't have to intervene,” Hudkins said.

But because Lancaster County has a mixed election system, the ability to change it by petition or other means short of changing state law is unclear, McGill said.

In addition, Omaha Sen. Ernie Chambers noted how difficult changing election law can be, even for a state senator. He said he had great difficulty getting the school board, city council and county board elected by district in Omaha. Election by district is now the norm in Nebraska, Chambers said.

Sen. Don Preister of Bellevue said the system has worked well in Douglas County. It has provided more interaction and more direct accountability, he said.

McGill noted that Sarpy County's population reached 142,000 in 2006 and predicted it would move into the middle population bracket within the next few years. She estimates that Lancaster County will likely enter the top population bracket within the next 12 years.

The bill is necessary, she said, because of these pending changes in county classification.

It also would ensure that district voters' preferences prevail, she said, noting that her office found three cases since 1990 in which the winner of the district primary went on to lose in the countywide general election.

“Fundamentally, I believe this is the better process,” McGill said. “It just makes sense to have all county commissioner races done the same way.”

A Government, Military and Veterans Affairs Committee amendment to delay the bill's implementation until 2010 was passed 39-1. Sen. Ray Aguilar of Grand Island said the amendment was intended to let the 2008 commission elections proceed without changes.

LB268 was advanced to select file by a vote of 35-2.

Changes to Nebraska Energy Office proposed

The Government, Military and Veterans Affairs Committee heard testimony Feb. 6 on a bill that would change the status, name and focus of the Nebraska Energy Office.

Sponsored by Fullerton Sen. Annette Dubas, **LB921** would rename the office the Nebraska Office of Energy Independence (NOEI) and make



Sen. Annette Dubas

it a noncode state agency. Currently, the Nebraska Energy Office is a code agency, subject to the governor's direct control.

The bill also would create the Nebraska Energy Council, an advisory board charged with overseeing the NOEI. The NOEI and the council would be charged with making legislative recommendations for a comprehensive policy to achieve energy independence.

Dubas said the Energy Office needs to be returned to noncode status so those who have a stake in Nebraska's energy future have the opportunity to be involved in policy development. There is an obvious level of frustration on the part of many interested parties, she said.

“I want them at the table,” Dubas said, “but there doesn't seem to be a table for them to come to.”

Ken Winston, testifying on behalf of the Nebraska chapter of the Sierra Club, agreed.

Nebraska has many resources that could be tapped to deal with our energy issues, he said, but the state lacks vision. Those currently in the Energy Office don't advocate for new policies because they aren't independent, he said.

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The lack of an independent Energy Office has resulted in a lack of focus on renewable energy, according to Robert Byrnes of the Nebraska Renewable Energy Association. Many attendees at a recent roundtable of renewable energy stakeholders in Aurora didn't even know the office existed, he said.

Nebraska lags far behind in all renewable areas other than ethanol, he said, and the state's energy policy hasn't been updated in 16 years.

"We need an updated energy policy and this bill will start the process," Byrnes said.

Todd Sneller, Nebraska Ethanol Board administrator, said the state should do for cellulose and biofuels what it has done for grain-based fuels. A good first step would be having an Energy Office that is able to advocate on behalf of other renewable fuel sources, as the Ethanol Board has been able to do on behalf of ethanol, he said.

"It is again time for the state to take a more proactive approach," Sneller said.

Rich Lombardi of the Center for Rural Affairs noted the importance of the proposed office name change. The state would be setting the goal of energy independence in the title of the office, he said.

"Renewable energy is necessary to turn the corner on our energy consumption," Lombardi said. "There needs to be a commitment at this level."

Opponents of the bill focused on implementation rather than intent.

Duane Gangwish of the Nebraska Cattlemen questioned the impact of the proposed changes. Merely creating a different office with a new name doesn't necessarily equate to advancing good public policy, he said.

Nebraska Rural Electric Association general manager Jay Holmquist

said the bill's goals are laudable, but that changing the office to a noncode agency would be inappropriate. Having the governor's office and other agencies working together on a goal is essential, he said.

Larry Bare, the governor's chief of staff, said the governor is prepared to make the Energy Office a stand-alone agency – a code agency with cabinet-level status. This would give the office the focus and stature that the bill envisions, Bare said, while still making it accountable to an elected official.

"We can bring together the needed resources," he said.

Dubas said the governor's proposal was a new one, adding that she feels strongly about the bill as designed but won't shut any doors in terms of implementation.

The committee took no immediate action on the bill.

## Health and Human Services

Proposed changes to child abuse disclosure rules advance

Senators gave first-round approval Feb. 5 to a bill that would expand the state's ability to release information in child abuse and neglect cases.

**LB782**, introduced by Omaha Sen. Gwen Howard at the request of the governor, would permit the Nebraska HHS Director of Children and Family Services or the department's CEO to release information in child abuse cases under limited circumstances.

Among the situations when disclosure would be allowed are those



Sen. Gwen Howard

involving the death or near death of a child, when a child is missing from an HHS placement or when information related to a case has already been made public by sources outside of HHS.

"The public has a legitimate interest to know more in these cases," Howard said.

Scottsbluff Sen. John Harms expressed concern that families who are trying their best might be harmed by exposure of their private difficulties.

"I'm struggling with this aspect," he said.

In high-profile cases the ability to correct damaging and inaccurate information in the media may be in the best interests of the child, Howard said, adding that the last thing the bill aims to do is to further endanger children.

"This is a step forward," Howard said. "It's a start."

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

## Judiciary

Safe haven measure passed

Lawmakers passed a bill Feb. 7 that provides a way for a mother to surrender parental rights of a newborn without legal repercussion.

**LB157**, introduced by Sen. Arnie Stuthman of Platte Center, states that no person shall be prosecuted for any crime based solely upon the act of leaving a child in the custody of an employee on duty at a licensed hospital.

Under the bill, the hospital must



Sen. Arnie Stuthman

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promptly contact appropriate authorities to take custody of the child.

Senators passed the bill 41-1.

### Fine for super-speeders increases

People who drive more than 35 mph over the speed limit will be subject to increased penalties under a bill given final legislative approval Feb. 7.



Sen. Pete Pirsch

Under **LB621**, introduced by Omaha Sen. Pete Pirsch, those convicted of driving 35 mph over the speed limit will be subject to a \$300 fine and assessed four points against their license. Currently, the penalty is a \$200 fine and three points against the driver's license.

LB621 was passed by a 41-3 vote.

### Penalties for fleeing arrest could change

A bill relating to penalties for fleeing arrest was advanced Feb. 5.

**LB624**, sponsored by Omaha Sen. Pete Pirsch, would adjust the penalty provisions for the offense of operating a motor vehicle to avoid arrest so that the punishment reflects the danger caused by the pursuit.

Currently, whether the crime of operating a motor vehicle to avoid arrest is a misdemeanor or a felony is determined by the initial reason for the attempted stop by law enforcement.

If the initial reason an officer attempts to stop a vehicle is based upon a felony, then any operation of a motor vehicle to avoid arrest that follows is automatically a felony. Conversely, if the initial attempt to stop a vehicle

is based upon a misdemeanor, then any operation of a motor vehicle to avoid arrest that follows is considered a misdemeanor.

The penalties ignore the danger created to the public and to law enforcement by the offender's flight itself, Pirsch said.

"The determination of the way in which the law decides misdemeanor or felony just does not make any sense," Pirsch said.

LB624 would make the offense of flight to avoid arrest a misdemeanor unless one of the following three factors is present:

- the flight results in the death or injury of any person;
- the flight includes the willful reckless operation of a motor vehicle; or
- it is a repeat violation of the law.

If any of the three factors is present, the penalty for the offense would be a Class IV felony.

The bill also would adjust the penalty of loss of operating privileges to reflect the severity of the flight.

Currently, a judge must impose a two-year loss of license for every violation, whether it is a felony or a misdemeanor. LB624 would allow judges the discretion to decide whether to impose a maximum one-year loss of license for a misdemeanor offense.

Pirsch explained that no matter how dangerous the flight is, "even 100 mph downtown," the driver will be charged with only a misdemeanor if that is the level of crime for which the officer initially sought the driver.

"You can see the nonsensical approach," he said.

Omaha Sen. Ernie Chambers introduced an amendment that would have limited the liability of the person fleeing arrest to cover any injury or death caused by the vehicle they were

driving. Chambers said that current law unfairly holds the person being pursued responsible for the actions of the officer.

"If the cop does something wrong, the cop should be liable," he said.

The amendment failed on a 2-18 vote but Chambers moved to reconsider. After further debate, Pirsch agreed to research how Chambers' amendment would affect other related statutes.

The bill advanced to select file 39-0.

## Natural Resources

### Local authorities oppose water use amendment

The Natural Resources Committee heard testimony on a bill Feb. 6 that would hold the Nebraska Department of Natural Resources and the natural resources districts jointly responsible for ensuring that the combined use of groundwater and surface water does not exceed the total water appropriation for any parcel of land.

**LB801**, introduced by Ellsworth Sen. LeRoy Loudon, would strengthen the Groundwater Management and Protection Act by requiring that integrated management plans contain provisions to prevent expanded water use on fully appropriated and overappropriated land.



Sen. LeRoy Loudon

Under the bill, local authorities would retain flexibility with regard to how they measure consumptive water use in their districts. No one testified

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against the bill.

Also heard by the committee was an amendment to LB801 that would establish specific measuring techniques and NRD reporting on water use.

**AM1629** would require installation of meter devices to measure the amount of water pumped from wells and surface water diversion works.

The amendment drew opposition from farmers and NRD officials in districts where consumptive use is considered a more accurate measure for water conservation.

According to Ron Bishop of the Central Platte NRD, meters won't work for every district.

"What matters is how much (water) is consumed or runs off the land," he said. "In the south central area the land is sandy so there is no runoff."

Also of concern was the cost of installing and monitoring the meters.

"We oppose this unfunded mandate in areas that don't need the meters," said Kent Miller of the Twin Platte NRD.

According to officials who measure consumptive use, the cost to install and monitor the meters would range between \$4 million and \$19 million, depending on the size and location of the district.

The committee took no immediate action on LB801 and AM1629.

Committee considers river-flow enhancement bill

The Natural Resources Committee heard testimony Feb. 7 on a bill that would require the Department of Natural Resources to fully protect and account for water purchased or leased by the state or natural resources districts for river-flow enhancement purposes.

**LB1041**, introduced by Imperial Sen. Mark Christensen, would require the department to account for this water, with the exception of normal carriage loss, from the point of diversion to its intended destination or use downstream.

The bill seeks to create different guidelines for water purchased or leased for river-flow enhancement purposes that would help maximize the credit the state receives toward compliance with its compact obligations to the state of Kansas.

The department estimates an additional seven full-time employees would be required to carry out the surface and groundwater modeling provisions in the bill. A fiscal report estimates general fund expenditures for salaries, benefits and travel costs could reach \$1 million for fiscal year 2008-09 and FY2009-10.

The committee took no immediate action on LB1041.

## Revenue

Sales tax holidays proposed

The Revenue Committee took testimony Feb. 7 on two measures proposing sales tax holidays in Nebraska.

**LB708**, introduced by Sen. Rich Pahls of Omaha, would allow retailers to sell merchandise without charging sales tax on the first Friday,



Sen. Mark Christensen

Saturday and Sunday of August each year. The decision on which items would be free of sales tax would be left to the retailer. Sales taxes would still be remitted by the retailer and the retailer would be allowed to advertise the sales tax exempted items as such.

**LB762**, introduced by Sen. Bill Avery of Lincoln, would declare sales tax holidays on the same days as LB708. However, the sales tax exemption would apply only to clothing with a sales price of \$100 or less per item, school supplies with a sales price of \$100 or less per item and computers with a sales price of \$1,500 or less per item.

The Legislative Fiscal Office estimates that LB762 would result in revenue reduction of \$4.2 million in fiscal year 2008-09.

The committee took no immediate action on either bill.

Film industry incentives stall

A business tax incentive rebate proposal for film production endeavors stalled during second-round debate Feb. 4

Under **LB235**, sponsored by Lincoln Sen. Danielle Nantkes, film productions with a minimum budget of \$2 million, with at least \$1.25 million of the production costs incurred in Nebraska, would be eligible for the rebate. As amended, the maximum amount of rebates available annually to film companies would be capped at \$2.5 million.



Sen. Danielle Nantkes

The rebate would be 25 percent of production costs incurred in Ne-



Sen. Rich Pahls

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braska 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 state Film Office that must determine that a proposed film project has a reasonable chance of success before a rebate could be granted. The Film Office would be located within the state Department of Economic Development.

Nantkes said her proposal would encourage more projects to locate in Nebraska and keep young people in the state. However, Omaha Sen. Ernie Chambers objected to the bill. Specifically, he opposed language in an amendment offered by Nantkes that would exclude projects that could portray the state, its citizens and institutions in a negative light.

Nantkes asked to have further consideration of LB235 bracketed, or delayed, until at least March 1. The bill remains on select file.

## Bill would aid Lincoln arena plans

The Revenue Committee heard a bill Feb. 6 that would expand an existing financial assistance program for convention and arena facilities.

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

A formula for distributing the attributable revenue divides it between funding the construction of the Qwest Center in Omaha, the construction of other eligible facilities and the improvement of local tourist attractions. The Legislature revised that formula last year.

**LB912**, sponsored by Lincoln Sen. Bill Avery, would expand the use of the program by allowing for the use of attributable revenue generated from publicly or privately owned arenas and convention centers as well as any hotels located within 450 yards of such facilities.



Sen. Bill Avery

Currently, the program only applies to publicly owned arenas and convention centers and hotels located within 200 yards of such facilities.

Avery said the city of Lincoln would use attributable revenue to replace Pershing Auditorium, which is 50 years old. The auditorium is no longer a desirable venue for conventions, concerts and other events, he said.

The committee took no immediate action the bill.

## Transportation and Telecommunications

### State tech policy changes proposed

Lawmakers advanced a bill Feb. 5 that would change the state's technology policy.

**LB823**, proposed by the Legislative Performance Audit Committee, would authorize the Nebraska

Information Technology Commission (NITC) to designate enterprise projects, require progress reports on reviewed projects and review technology projects regardless of their funding source.

Under the bill, state agencies would submit an accounting of their technology assets to the state's chief information officer and the NITC would provide an annual report of this information.

The bill is the result of an examination of the NITC performed by the Legislative Performance Audit Committee in 2007. The scope of the study included the commission's compliance with the Information Technology Infrastructure Act, the project review process and the sufficiency of the commission's authority to deal with project weaknesses.

Lincoln Sen. DiAnna Schimek, chairperson of the Legislative Performance Audit Committee, said the NITC is currently not authorized to analyze projects beyond the initial planning phases. Expanding their role would help mitigate costly technology failures, she said.



Sen. DiAnna Schimek

"State agencies have a great resource in NITC and this bill will help them make the most of it," Schimek said.

Bayard Sen. Philip Erdman supported the expansion of NITC's role in state technology policy. The commission provides a great vehicle for the state to ensure that agencies are maximizing resources and avoiding investment in technologies with limited applicability, he said.

A committee amendment proposed technical changes to the bill and was adopted 32-0. The bill advanced to select file 33-0.

# A CLOSER **LOOK**.....

## Tax credit proposed for high income jobs

(Continued from front page)



*Sen. Ray Janssen*

next phase in the state's economic development efforts, he said the Super Advantage program would "increase income and stimulate capital investment in our state."

Cindy Johnson of the Grand Island Area Chamber of Commerce said the creation of new jobs under the proposed Super Advantage program would have a dramatic impact on her area. Hall County, she said, currently has an average annual salary of \$58,772.

"Imagine what 75 new jobs at \$58,772 would mean to our community," Johnson said.

The committee also considered a proposal offered by Omaha Sen. Gwen Howard, **LB784**, that would require companies wishing to receive business tax incentives under the Nebraska Advantage program to certify that they do not violate federal immigration law by employing aliens who are unauthorized to work in the United States. The bill also would require the recapture or disallowance of business tax credits for companies found to be in violation of the same federal immigration law.

The committee took no immediate action on either measure.

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# A CLOSER LOOK.....

## Appropriations, Gov differ on spending reserves

**T**hree bills that comprise the mid-biennium budget package came before the Appropriations Committee Feb. 4.

**LB959** would fund deficit requests and adjustments from state agencies. Among the proposed budgeting changes, the bill would authorize additional funding for school aid and a student information system for the university and state colleges. The bill also would increase school aid funding by \$4.8 million in the current fiscal year and \$53 million in fiscal year 2008-09.

The governor's proposed budget estimates an average 13 percent annual increase in school aid expenditures over the next three years due to projected school enrollment growth, recent legislative changes in the school financing formula and lower than expected property tax receipts.

The governor also has requested \$10 million to replace student information systems for the University of Nebraska and state colleges. This amount is partially offset by a \$7 million surplus in homestead exemption funding for FY2007-08.

**LB960** would fund increases in salaries and health insurance premi-

ums for state employees.

The bill requests \$2.5 million in additional general funds for FY2008-09, as outlined in a pay equity labor agreement.

**LB961** would transfer \$75 million from the state's cash reserve fund to be used for local property tax relief and \$15 million from the general fund for road construction.

In light of current economic uncertainty, senators questioned the timing of a \$75 million withdrawal from the cash reserve fund. According to state budget administrator Gerry Oligmueller, the withdrawal would

“... the \$552 million projected balance for the following biennium appears very high. However, this amount can disappear very quickly in light of the \$287 million ‘shortfall’ in the projected financial status for the following biennium...”

-- Appropriations Committee preliminary budget report

leave a balance of \$465 million.

Oligmueller explained that the funds are offset by higher than anticipated receipts and a rollback in the homestead exemption, passed last year by the Legislature.

Agriculture industry representatives testified supporting property tax relief, but also acknowledged the need to protect the cash reserve fund.

Jess Wolf of the Nebraska State Education Association also opposed the use of cash reserve funds at this time.

“We believe the \$75 million should

stay in the reserve until we're more certain about the economy,” he said.

The Legislature's Appropriations Committee released its preliminary budget report Feb. 6. In that report, the committee outlined a few differences from the governor's budget proposal. Most notable is the committee's reluctance to spend money out of the state's cash reserve fund.

According to the report, “... the \$552 million projected balance for the following biennium appears very high. However, this amount can disappear very quickly in light of the \$287 million ‘shortfall’ in the projected financial status for the following biennium under existing revenue estimates plus the potential for revenue declines under a recession scenario or simple forecasting errors...”

The committee's preliminary report also differs from the governor's proposal with regard to school litigation costs, allocation of regional center funding, rate increases for providers to the developmentally disabled and funding for potential agency adjustments. In comparison to the governor's proposed budget adjustments, the committee's preliminary proposal would spend \$4.8 million less in FY2007-08 and \$10 million more in FY2008-09.

The committee is holding agency budget hearings and will issue its formal recommendations to the full Legislature later this session.

# COMMITTEE HEARINGS

**Monday February 11, 2008**

**Appropriations  
Room 1524 - 1:30 PM**

**Agency 5 - SUPREME COURT  
Agency 11 - ATTORNEY GENERAL  
Agency 46 - CORRECTIONAL SERVICES, DEPARTMENT OF  
Agency 64 - STATE PATROL, NEBRASKA  
Agency 78 - NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE**  
**LB982 (Schimek)** Appropriate funds to Wyuka Cemetery

**Banking, Commerce and Insurance  
Room 1507 - 1:30 PM**

**LB825 (Schimek)** Require insurance coverage for cochlear implants as prescribed  
**LB969 (Pankonin)** Require insurance coverage for prosthetics as prescribed  
**LB980 (Carlson)** Change trust account provisions under the Nebraska Real Estate License Act

**Business and Labor  
Room 2102 - 1:30 PM**

**LB1082 (Cornett)** Amend the Nebraska Workers' Compensation Act to redefine injury and personal injuries  
**LB948 (Karpisek)** Adopt the Volunteer Emergency Responders Job Protection Act  
**LB1016 (Lathrop)** Adopt the Proper Employee Classification Act

**Education  
Room 1525 - 1:30 PM**

**Appointment** Anderson, Clark - Coordinating Commission for

Postsecondary Education  
**LB873 (Kopplin)** Provide for a student growth adjustment and correction in the Tax Equity and Educational Opportunities Support Act  
**LB879 (Kopplin)** Provide for a construction, expansion, and alteration adjustment in the Tax Equity and Educational Opportunities Support Act  
**LB988 (Raikes)** Change the Tax Equity and Educational Opportunities Support Act  
**LB1079 (Raikes)** Exclude a portion of legal expenses from the definition of general fund operating expenditures in the Tax Equity and Educational Opportunities Support Act

**Transportation and Telecommunications  
Room 1113 - 1:30 PM**

**Appointment** Landis, Frank - Nebraska Railway Council  
**Appointment** Rasmussen, Gary - Nebraska Railway Council  
**Appointment** Rebensdorf, John - Nebraska Railway Council  
**Appointment** Books, Ronald - State Highway Commission  
**Appointment** Fagerland, Jerome - State Highway Commission  
**Appointment** Reiser, Richard - State Highway Commission  
**LB874 (Adams)** Allow certain self-propelled specialized mobile equipment to be transported on highways  
**LB712 (Pahls)** Provide for daytime running lights on motor vehicles  
**LB780 (Pirsch)** Change provisions relating to the duty to stop after an accident  
**LB1051 (Heidemann)** Change provisions regarding mowing and tree trimming along county roads

**Tuesday February 12, 2008**

**Agriculture  
Room 1510 - 1:30 PM**

**LB1174 (Dierks)** Restrict entity ownership of agricultural land and farm and ranch operations  
**LB1113 (Erdman)** Create the Family Farm Policy Advisory Council

**Appropriations  
Room 1524 - 1:30 PM**

**Agency 25 - HEALTH AND HUMAN SERVICES  
Agency 28 - VETERANS' AFFAIRS, DEPARTMENT OF**  
**LB842 (Karpisek)** Appropriate funds to the Department of Health and Human Services for developmental disability aid  
**LB795 (Stuthman)** Provide appropriations for community health centers  
**LB940 (Kruse)** State legislative intent to increase payments for pharmacy dispensing fees under the Medical Assistance Program  
**LB1119 (Johnson)** Appropriate funds to the Department of Health and Human Services

**Banking, Commerce and Insurance  
Room 1507 - 1:30 PM**

**LB831 (Lathrop)** Change provisions relating to security freezes on consumer credit information  
**LB900 (Flood)** Prohibit use of credit information and discriminatory practices in issuing insurance policies and eliminate the Model Act Regarding Use of Credit Information in Personal Insurance  
**LB785 (Howard)** Require seller of residential real estate to provide purchaser with information regarding sex offender registration  
**LB1045 (Pankonin)** Change

# COMMITTEE HEARINGS

provisions relating to coverage changes in property and casualty and automobile liability policies

## Education

**Room 1525 - 1:30 PM**

**LB970** (*Gay*) Eliminate taxing authority of learning communities and change state aid calculations

**LB978** (*Gay*) Change provisions relating to Class III school district boundary changes

**LB886** (*Gay*) Change provisions relating to student transportation

**LB1005** (*Howard*) Change provisions relating to learning community diversity plans

**LB1154** (*Raikes*) Change learning community provisions

**LB1158** (*Ashford*) Provide economic development grants for private, nonprofit organizations in high-poverty areas

## Transportation and Telecommunications

**Room 1113 - 1:30 PM**

**LB812** (*Kruse*) Provide for primary enforcement of occupant protection system laws

**LB1092** (*Harms*) Require seat belts on school buses

## Urban Affairs

**Room 2102 - 1:30 PM**

**LB1072** (*Friend*) Change rate filing provisions under the State Natural Gas Regulation Act

**LB1095** (*Aguilar*) Change provisions relating to the extension of natural gas mains under the State Natural Gas Regulation Act

**LB1102** (*Friend*) Provide requirements for infrastructure system replacement mechanisms under the State Natural Gas Regulation Act

**Wednesday February 13, 2008**

## Appropriations

**Room 1003 - 1:30 PM**

**Agency 13** - EDUCATION, DEPARTMENT OF

**Agency 69** - ARTS COUNCIL, NEBRASKA

**Agency 85** - PUBLIC EMPLOYEES RETIREMENT BOARD, NEBRASKA

**LB1133** (*Karpisek*) Appropriate funds to the Public Employees Retirement Board

**Agency 9** - SECRETARY OF STATE

**LB1165** (*Nelson*) State intent to appropriate funds to the Nebraska Cultural Preservation Endowment Fund

## Government, Military and Veterans Affairs

**Room 1507 - 1:30 PM**

**Appointment** Deiml, Keith - State Emergency Response Commission

**Appointment** Graf, Mark - State Emergency Response Commission

**LB884** (*Gay*) Change provisions relating to the Director of Personnel and employee health benefits

**LB962** (*Preister*) Change public body meeting provisions of the Open Meetings Act

**LB869** (*Nantkes*) Require disclosures relating to contracts for services with the state

## Health and Human Services

**Room 1510 - 1:30 PM**

**Appointment** Sykes, Leon - Board of Emergency Medical Services

**Appointment** Schroeder, Dave - Foster Care Review Board

**LB972** (*Gay*) Change optometry licensure provisions

**LB1029** (*Fulton*) Provide for contract

rates for foster care services

**LB1031** (*Ashford*) Change confidentiality provisions relating to researchers and auditors accessing adult and child protective services records

**LB1070** (*Dubas*) Provide for a child placement resources form for a child placed with the Department of Health and Human Services

## Judiciary

**Room 1113 - 1:30 PM**

**LB1167** (*Pedersen*) Provide for a statewide 24/7 sobriety program

**LB1032** (*Rogert*) Prohibit acts relating to ticket scalping

**LB1042** (*Howard*) Adopt the Resale of Tickets to Entertainment Events Act and provide penalties

**LB769** (*Cornett*) Change provisions relating to offenses against animals

**LB764** (*Cornett*) Prohibit certain treatment of bovines and equines

**LB1055** (*McDonald*) Change provisions relating to dangerous dogs and dogs running at large

## Natural Resources

**Room 1525 - 1:30 PM**

**Appointment** Anderson, Douglas - Environmental Quality Council

**LB1094** (*Carlson*) Change allocation provisions relating to the Nebraska Resources Development Fund

**LB1127** (*Christensen*) Change permitted uses of the Water Resources Cash Fund

**LB1131** (*Christensen*) Authorize a collection fee for collection of a natural resources district occupation tax

**LB1132** (*Christensen*) Change provisions relating to river-flow enhancement bonds

## Nebraska Retirement Systems

**Room 1525 - 12:00 PM**

# COMMITTEE HEARINGS

**LB711** (*Pahls*) Change disability benefit provisions under the Judges Retirement Act and the School Employees Retirement Act

**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

**Nebraska Retirement Systems  
Room 1525 - 8:30 AM**

**Appointment** Riffel, Norm - Nebraska Investment Council

**Revenue  
Room 1524 - 1:30 PM**

**LB1026** (*Rogert*) Change tax-exempt status of housing agency property

**LR230CA** (*Pedersen*) Constitutional amendment to permit exemption of the increased value of a homestead from taxation

**LB732** (*Kopplin*) Exempt first twenty-five thousand dollars of residential property values from taxation

**LB733** (*Kopplin*) Create a homestead exemption

**LR220CA** (*Kopplin*) Constitutional amendment to authorize different property tax treatment of residential property

**LB913** (*Wightman*) Change inheritance tax provisions

**Thursday February 14, 2008**

**Appropriations  
Room 1003 - 1:30 PM**

**LB811** (*Kruse*) State intent to appropriate five million dollars to the public transportation assistance program under the Nebraska Public Transportation Act

**LB771** (*Gay*) Provide funding for expressways and transfer money from the Cash Reserve Fund

**LB1035** (*Louden*) Provide funds for expressways and designate the Nebraska Expressway System

**LB1139** (*Johnson*) Transfer money from the cash reserve to fund road construction

**Government, Military and  
Veterans Affairs  
Room 1507 - 1:30 PM**

**Appointment** Virgil, Steven - State Emergency Response Commission

**LB927** (*Johnson*) Change factors favoring the change of county boundaries

**LB889** (*Flood*) Provide construction alternatives for political subdivisions

**LB745** (*Aguilar*) Change exemption provisions relating to the State Personnel System

**LB1112** (*Erdman*) Provide campaign contribution limits, change reporting requirements, and repeal the Campaign Finance Limitation Act

**Health and Human Services  
Room 1510 - 1:30 PM**

**Appointment** Dokken, Steven - Nebraska Rural Health Advisory Commission

**LB1074** (*Nantkes*) Provide requirements for owners and certified

operators of swimming pools

**LB994** (*Johnson*) Extend termination date of the Behavioral Health Oversight Commission

**LB1123** (*Johnson*) Change membership on the Children's Behavioral Task Force

**Judiciary  
Room 1113 - 1:30 PM**

**LB1130** (*Synowiecki*) Provide for the merger of adult probation and parole services

**LB1142** (*Johnson*) Provide for postsecondary education subsidy court orders for child support

**LB1107** (*Synowiecki*) Provide for problem-solving courts

**LB1106** (*Pirsch*) Create offense of intimidation by electronic communication device

**LB1159** (*Ashford*) Change provisions relating to truancy and parenting plans, authorize citations issued to parents, and provide for mediation

**LB1160** (*Ashford*) Change Nebraska Juvenile Code jurisdiction and jurisdiction determination provisions and provide for facilitated conferencing

**Revenue  
Room 1524 - 1:30 PM**

**LB863** (*Langemeier*) Change income tax calculations

**LB1000** (*Pirsch*) Change income tax calculations and property tax relief funding and transfer cash reserve funds

**LB887** (*Burling*) Change the corporate tax rate

**LB888** (*Burling*) Change corporate income tax calculations

**LB1175** (*White*) Change income tax withholding provisions

# WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, FEBRUARY 4, 2008, THROUGH THURSDAY, FEBRUARY 7, 2008

## Agriculture

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB131	Raikes	Provides for the University Research and Development Corridor Master Plan	Indefinitely postponed
LB632	Dierks	Change provisions relating to the national uniform system of animal identification	Presented to Governor February 07, 2008
LB633	Dierks	Change the Competitive Livestock Markets Act	Indefinitely postponed
LB790	Erdman	Change buffer strip reimbursement provisions	Advanced to Enrollment and Review Initial

## Banking, Commerce and Insurance

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB1011	Langemeier	Change the Real Property Appraiser Act	Placed on General File
LB123	Banking, Commerce and Insurance Committee	Adopt the Nebraska Foreclosure Protection Act and change provisions relating to deceptive trade practices	Advanced to Enrollment and Review for Engrossment
LB386	Langemeier	Adopt the Nebraska Security Instrument Satisfaction Act	Advanced to Enrollment and Review for Engrossment
LB715	Pahls	Change provisions relating to nonresident real estate licensees	Advanced to Enrollment and Review Initial
LB716	Pahls	Change provisions relating to the effect of errors and omissions in a financing statement	Placed on General File
LB717	Pahls	Change provisions relating to finance	Placed on General File with AM1776
LB779	Pirsch	Change requirements for filing certain statements with the Director of Insurance under the Multiple Employer Welfare Arrangement Act	Placed on General File with AM1615
LB848	Erdman	Change the Nebraska Limited Cooperative Association Act	Placed on General File
LB852	Banking, Commerce and Insurance Committee	Change provisions relating to certain financial services	Placed on General File
LB853	Banking, Commerce and Insurance Committee	Change provisions relating to insurance	Placed on General File with AM1780
LB854	Banking, Commerce and Insurance Committee	Adopt the Discount Medical Plan Organization Act	Placed on General File with AM1779
LB907	Pirsch	Change provisions relating to corporations and limited liability companies	Placed on General File
LB918	Pahls	Change provisions relating to bank holding company ownership limitations and interstate mergers	Placed on General File with AM1775

# WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, FEBRUARY 4, 2008, THROUGH THURSDAY, FEBRUARY 7, 2008

## Business and Labor

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB500	White	Change Employment Security Law provisions governing the experience account of employers	Advanced to Enrollment and Review Initial
LB609	Carlson	Adopt the Nebraska Recruitment Promotion Act	Advanced to Enrollment and Review Initial
LB819	Business and Labor Committee	Change Employment Security Law information disclosure and electronic payment provisions	Placed on General File with AM1791

## Education

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB849	Erdman	Eliminate the authority of school districts to provide certain insurance coverage for board members	Indefinitely postponed

## General Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB728	Karpisek	Change provisions relating to the state song	Placed on General File

## Government, Military and Veterans Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB268	McGill	Change election provisions for county board members	Placed on Select File
LB39	Schimek	Provide restrictions relating to petition circulation and change campaign reporting provisions	Presented to Governor February 06, 2008

## Health and Human Services

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB513	Fulton	Provide billing requirements for anatomic pathology services	Indefinitely postponed
LB550	Johnson	Provide for sale of prescription drugs to animal owners	Indefinitely postponed
LB765	Gay	Change provisions relating to certificates of need	Placed on General File with AM1755
LB782	Howard	Allow disclosure of child abuse and neglect information	Placed on Select File with ER8155
LB797	Health and Human Services Committee	Change provisions relating to health and human services	Placed on General File
LB806	Wallman	Change provisions relating to dog guides, hearing aid dogs, and service dogs	Placed on General File

# WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, FEBRUARY 4, 2008, THROUGH THURSDAY, FEBRUARY 7, 2008

## Judiciary

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB179	Lathrop	Require electronic recording of custodial interrogations	Advanced to Enrollment and Review for Engrossment
LB280	Stuthman	Provide for jurisdiction over custody proceedings of juveniles as prescribed	Advanced to Enrollment and Review Initial
LB586	Cornett	Change medical lien provisions	Placed on Final Reading
LB619	Pirsch	Change provisions relating to bad debt charges by the State Treasurer	Placed on Final Reading
LB620	Pirsch	Change provisions relating to debt collection by the State Disbursement Unit and by state agencies	Placed on Final Reading
LB623	Pirsch	Change provisions relating to speedy trial	Advanced to Enrollment and Review Initial
LB624	Pirsch	Change provisions relating to operating a motor vehicle to avoid arrest	Placed on Select File
LB668	Hudkins	Eliminate provisions relating to gift cards and gift certificates	Advanced to Enrollment and Review Initial
LB774	Wightman	Change provisions relating to filing for modification of child support orders	Placed on General File
LB775	Wightman	Change deputy court clerks provisions	Placed on General File
LB826	Christensen	Change the Concealed Handgun Permit Act to provide a residency exception for members of the armed forces	Placed on General File
LB952	Lathrop	Change provisions relating to administrative subpoena powers	Placed on General File

## Revenue

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB896	Janssen	Update references to the Internal Revenue Code	Advanced to Enrollment and Review Initial
LB898	Janssen	Change provisions of the Unfair Cigarette Sales Act	Advanced to Enrollment and Review Initial

## Transportation and Telecommunications

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB279	Stuthman	Change provisions relating to driver training schools	Advanced to Enrollment and Review Initial
LB823	Legislative Performance Audit Committee	Change the Information Technology Infrastructure Act	Placed on Select File with ER8154
LB837	Karpisek	Change provisions relating to railroad crossings	Placed on General File with AM1767

## 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 carving in the marble balcony on the third floor above the Capitol's rotunda.*



### 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.

Andrew Jackson Higgins, born in Columbus in 1886, designed the Higgins landing boat--known as the LCVP--used in WWII. The boat was fast, maneuverable and featured a ramp-bow that allowed troops and supplies to disembark quickly. Gen. Dwight Eisenhower reportedly called Higgins "the man who won the war for us."

The memorial, located in Columbus' Pawnee Park, features a full-size steel replica of a Higgins landing craft with life-sized bronze soldiers emerging from the boat, a Memorial Wall, 50 state flags and a bronze eagle with 7 ft. wing span by sculptor Fred Hoppe. Also included in the memorial is steel salvaged from the World Trade Center towers.

### UNICAMERAL UPDATE

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