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UPDATE

Chief Justice highlights court initiatives, goals



Nebraska Supreme Court Justice Michael Heavican gives the State of the Judiciary address Jan. 22.

Nebraska Supreme Court Chief Justice Michael Heavican appeared before the Legislature Jan. 22 to deliver a State of the Judiciary address that covered initiatives and challenges facing what he called Nebraska's "third, and often least understood, branch of government."

The first project Heavican mentioned was the "Through the Eyes of the Child" initiative, designed to assist abused and neglected children in the juvenile court system. He said 25 local teams across the state are working to discuss local issues and develop solutions for children in the foster care system. He called 2009 a "year of accountability" for the initiative.

individuals.

"We think our initiative has been a major factor in reducing [the number of children in foster care]. However, finding resources to address parental addiction and mental health issues is a problem contributing to longer foster care placement," Heavican said.

Challenges Heavican said the judicial branch faces include judicial resources, a growing trend of self-representation and a disparity in case-loads. He said interpreting services for 21 languages were needed last year, which cost \$1 million, though some courts were able to defray expenses by using technology to facilitate communication.

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Natural Resources eminent domain, bonding discussed

Two bills that would affect the power of natural resources districts to use eminent domain for recreational trails and grant permission to the Papio-Missouri NRD to issue bonds to finance flood control and water quality projects were discussed at a hearing of the Natural Resources Committee Jan. 23.

LB134, introduced by Louisville Sen. Dave Pankonin, would prohibit NRDs from using eminent domain for recreational trails or corridors, unless these projects are related to a flood control structure.

Pankonin said he introduced LB134 after constituents alerted him to their opposition to proposed Mo-Pac East Trail routes through their area. When completed, the trail will run from Lincoln to Omaha.

Landowners in proposed routes from Wabash to South Bend expressed their concerns at the hearing about the purpose for which their land will be used. Pankonin said his bill was meant to eliminate the eminent domain power of NRDs so that they would apply a greater effort toward placing trails in rights-of-way or abandoned railways.

Jim Panska of Murdock testified in support of LB134. He said there are alternatives to eminent domain, such as right-of-way usage, and suggested the trail use an abandoned railroad line that runs to Weeping Water.

"I think there are reasonable alternatives that exist for this trail," Panska said.

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Roger Gaebel of Louisville said the 26-foot easement that the NRDs would use to build the trails would place trail users 13 feet away from pesticides and other agricultural products that farmers would be applying.

Lincolnite and former NRD director Paul Morrison also testified in support of LB134. He said the bill was not a vote against recreational trails, but a bill determining how land is acquired to construct recreational trails.

Karen Ruwe of Arlington testified on behalf of Nebraska Farm Bureau in support of the bill. She questioned whether the use of eminent domain should be permitted for the purpose of building a bike trail.

“The taking of property through eminent domain should only be permitted when there is a clear public use for the betterment of the public good,” Ruwe said.

Glenn Johnson, general manager for the Lower Platte South NRD, spoke in opposition to LB134. He said eminent domain is used as a “last resort,” and this process protects both the public and land owner.

“Our board’s position is eminent domain is the last resource we would have to go to,” Johnson said.

Johnson said it is often difficult to build trails in a county road right-of-way. He said the MoPac Trail will need 21 acres of land from 22 landowners.

The second bill heard by the committee was LB160, introduced by Papillion Sen. Tim Gay. It would allow NRDs that encompass a metropolitan-class city, which includes only the Papio-Missouri NRD, to use 2 cents or less of its mill levy as financing for bonds providing for flood protection and water quality projects. Levies exceeding 2 cents and capped at the NRD’s 4-cent limit would require a district-wide public vote.

Financing would be restricted to projects of no more than 400 surface acres, and the use of eminent domain to enhance private developments would be prohibited. In addition, public access for permanent water pools greater than 20 surface acres would be required.

Finally, the bill would allow the Papio-Missouri NRD board of directors to issue warrants to make partial payments of bond proceeds and authorize payment of fees for placement of warrants or bonds.

Jim Thompson, chairperson of the Papio-Missouri NRD, testified in support of the bill. He said the NRD



Sen. Dave Pankonin of Louisville introduces LB134 to the Legislature’s Natural Resources Committee Jan. 23.

can no longer wait to tackle the water control and quality projects that the bonding authority will finance.

Thompson said recent floods in Iowa and Texas exemplify why flood control projects cannot be delayed. He said a spreading flood plain and a lack of bonding authority has led to a number of projects that the NRD needs to complete, but does not have the means to complete.

Papio-Missouri NRD general manager John Winkler also testified in support of LB160. He said storm water runoff has increased, and bonding authority is needed to begin projects now.

“We are not asking for a tax increase; we are not asking for additional fees,” Winkler said.

Opposition for LB160 began with David Barga, representing the Papio Valley Preservation Association. He said the organization opposes both the bonding authority and the overall plan of the NRD.

Barga said LB160 was a “step in the right direction,” but it was no different from previous bonding authority bills that failed in the Legislature in the past. He said the organization preferred LB577, introduced by Tekamah Sen. Kent Rogert, as a superior alternative to LB160.

Paul Ruwe of Arlington also testified against LB160. Speaking of behalf of the Nebraska Farm Bureau, he said NRD projects have not always focused on flood control, but private gain. He suggested zoning restrictions be given preference to NRD projects in addressing flood control.

The committee took no immediate action on LB160 or LB134.

Right: A view of the Natural Resources committee hearing room during the hearing of LB134 and LB160.

A CLOSER LOOK.....

Committee webstreaming now offered

Public hearings conducted by the Legislature's 14 standing committees can now be viewed live online. The new service is part of a comprehensive webstreaming project that provides citizens greater access to the workings of all three branches of state government.

Cameras installed throughout the Capitol Building now provide live video coverage so citizens can watch bills being heard before a committee, cases being argued before the Nebraska Supreme Court and Court of Appeals, as well as the governor's news conferences.

Nebraska's webstreaming project is believed to be one of the most comprehensive in U.S. statehouses, thanks to the collaboration that allows the three branches of government to use one system.

Legislative floor debate has been streamed live on the Internet since 1998. The addition of committee hearings

to the Legislature's webstreaming capabilities will increase accessibility and transparency, said Speaker Mike Flood of Norfolk.

Lexington Sen. John Wightman, chairperson of the Legislature's Executive Board, agreed.

"The opportunity for the citizens of Nebraska to observe their government in action has been greatly enhanced by this joint project," he said. "The Legislature is pleased to be a partner in making this possible."

Viewers can access the streaming video from the Legislature's Web site at www.NebraskaLegislature.gov. The webstream is broadcast by Nebraska Educational Telecommunication as part of its Public Media outreach program. NET will continue to broadcast live legislative coverage on NET2.

Chief names court initiatives, goals

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As a growing number of litigants elect for self-representation, Heavican said the Supreme Court has issued forms and instructions on its Web site to aid those contemplating this option. He also said a pilot project in Lancaster County that uses volunteer attorneys to provide legal assistance was launched successfully, and a similar program will be started in Omaha.

Heavican said 41,000 cases were filed in district courts last year, and county courts increased their filings from 396,000 in 2007 to 426,000 in 2008. He said some judges handle caseloads roughly twice as large as caseloads in other districts.

"Solving [the caseload disparity] problem requires more judges, redistricting, or both. Only the Legislature can create new judgeships or change district boundaries," Heavican said.

The future of the courts, Heavican said, is in technology. He cited the E-payment system used by the courts that allows citizens to pay fines such as traffic tickets online as a successful use of technology. He said all but one of Nebraska's 93 counties have collected fines using the E-payment system.

Another project utilizing the Internet Heavican mentioned was E-filing. He said three district courts and six county courts already allow for electronic filings, which can be made at any time.

Finally, Heavican highlighted the webcast capabilities of the judicial branch. He said court proceedings for the Supreme Court and Court of Appeals are available on the Nebraska Educational Television Web site.

"We believe that Nebraska's courts have a great story to tell, and audio and visual coverage of our courts enhance our ability to tell that story," Heavican said.



ISSUES UPFRONT

Education

Learning community adjustments advanced

Lawmakers advanced a bill to select file Jan. 23 that would adjust timelines in the implementation of learning communities. The Education Committee had advanced the bill earlier in the week.

Introduced by York Sen. Greg Adams, LB62 would allow for option enrollment in the first school year a learning community is in place.

Currently, option enrollment is specified to end once the learning community is established. The open enrollment does not take effect until the second school year after the learning community is established, resulting in an unintended one-year gap, Adams said.

“This is the first of many bills to smooth over the learning community transition,” Adams said. “There are going to be things we need to adjust and this is one of those adjustments.”

The bill would delay the transportation adjustment by one year to coincide with the current open enrollment provisions.

LB62 also would assign the state Department of Education responsibility for determining the average percentage of students qualifying for free or reduced price lunches in learning communities and member districts.

Lastly, the criteria for open enrollment are specified in the bill. If space is available for additional students in the district, a student who has a sibling in that district would have first



priority. Students who would contribute to the socioeconomic diversity of the enrollment would receive second priority.

Kevin Riley, superintendent of Gretna Public Schools, testified in support of the bill in committee. He said he and other superintendents reviewed the various learning community laws over the interim and found that “they fit together very well,” except for the few issues resolved by LB62.

“We’re at the point of polishing this law,” Riley said.

No one testified in opposition to LB62, and the committee voted 7-1 to advance the bill.

A technical amendment was adopted on general file Jan. 23 and the bill advanced 42-0.

Bill would require allergy plans

Schools would be more prepared for students’ asthma attacks and allergic reactions under a bill heard by the Education Committee Jan. 20.

LB72, introduced by Bellevue Sen. Abbie Cornett, would require the state Department of Education, in consultation with the state Department of Health and Human Services, to develop and make available policy guidelines for the management of students with life-threatening allergies.

The policy would include annual

education and training for school personnel on management of students with life-threatening allergies, procedures for maintaining a file for each student at risk for anaphylaxis and strategies to reduce the risk of exposure to anaphylactic causative agents in schools.

Anaphylaxis, Cornett explained, is a serious immune response that occurs as a reaction to an allergy. To avoid such reactions, some schools designate “peanut free” tables in their lunchrooms to protect students who are allergic to peanuts, she said.

Andrea Holka, a mother of children with asthma and life threatening allergies, testified in support of LB72. She said many schools provide training to staff but do not implement the preventative measures suggested in the bill.

Holka said having a good plan on record would assist both parents and schools should an emergency occur.

“This will relieve fears on both ends,” she said.

Dr. Russell Hopp, an allergist at Creighton University, also supported the bill, saying 4 to 5 percent of children have food allergies and 10 percent of children have asthma. The bill would set up a shield so children can be protected while at school, he said.

No opponent testimony was offered. The committee took no immediate action on LB72.

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Government, Military and Veterans Affairs

Committee considers ending boards

Members of the Government, Military and Veterans Affairs Committee heard two bills Jan. 21 that would eliminate boards and commissions. The third bill receiving a hearing from the committee would rename the Mexican-American Commission.

LB154, introduced by the committee, would eliminate 22 state boards, commissions, committees, councils, task forces and working groups.

Lincoln Sen. Bill Avery said LB154 was a recommendation based on a survey conducted every four years by the committee to evaluate all boards and commissions. Boards and commissions that had not met in the past four years and could not report at least one accomplishment were selected for termination.

"This is our opportunity to reduce government," Avery said.

Two of the 22 selected garnered committee amendments to be removed from the elimination list. These entities were the Nebraska Community College Aid Cash Fund and the Biopower Steering Committee.

Nebraska Community College Association executive director Dennis Baack testified that the Community College Aid Cash Fund is needed to transfer funds to a specific community college. He said this funding apparatus was recently used for an electronic testing center built for Southeast Community College.

Baack said the community college system has used the cash fund only

five or six times in the past 15 years, but no other means to direct funding to a specific college exists.

The committee also heard testimony on LB115, a bill introduced by Ellsworth Sen. LeRoy Loudon that would eliminate the Nebraska Veterans Cemetery Advisory Board.

The board is charged with reviewing the status of the state veterans cemetery system, recommending actions to facilitate the development of the system, and assisting in fundraising from public or private sources for the construction, operation, administration and maintenance of the system.

John Hilgert, director of the Nebraska Department of Veterans' Affairs, testified in support of LB115. He said removing the board, which he said met only twice, would not eliminate any statutory authority to establish a new cemetery.

"Any oversight at this point would be handled by the Nebraska Veterans' Advisory Commission," Hilgert said.

The provisions of LB115 were amended into LB154 via a committee amendment, and LB154 was advanced to general file on a 7-0 vote.

The final bill of the hearing, introduced by Avery, was LB139, which would change the name of the Mexican-American Commission to the Hispanic-American Commission.

Avery testified that the commission's name does not reflect the fact that many of the people served by the commission are not Mexican-Americans.

Avery said the current makeup of the Hispanic population in Nebraska is only three-fourths Mexican-American. He also said that Nebraska is alone in using the title for a government agency that serves Hispanics.

Jose Soto of Lincoln testified in support of LB139. A Puerto Rican na-

tive, he said the name change for the Mexican-American Commission was necessary due to the diversity that exists within Nebraska's Hispanic population.

"This is not a matter of law... to me, it is a matter of a simple principle: publicly funded entities should be as inclusive as possible in name and mission," he said.

Angel Freytez, acting director of the Mexican-American Commission, testified against LB139. He said special consideration has to be taken since the current name of the commission has a history. In addition, he said a large group of Latinos do not identify with the word "Hispanic."

The committee took no immediate action on LB139.

Health and Human Services

Repeal of prostitute assistance sought

A bill seeking to repeal a state law designed to assist prostitutes was heard by the Health and Human Services Committee Jan. 23.

Elk Creek Sen. Lavon Heidemann said he introduced LB150 because the Nebraska Prostitution Intervention and Treatment Act has not been funded by the Legislature since its passage in 2006.

Heidemann explained that although senators approved legislation creating the program, Gov. Dave Heineman vetoed funding.

Heidemann said the Legislature made no motion to override that veto and the Appropriations Committee has had no requests to fund the act. Lawmakers need to decide if they want the program, he said, and should consider removing it from

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statute if they don't.

Scott Adams, behavioral health director for the state Department of Health and Human Services, encouraged the committee to repeal the Prostitute Intervention and Treatment Act.

Services that would be funded under the law are available through existing programs, he said. In addition, Adams said, the act creates a state-financed benefit program specifically aimed at a population that engages in illegal activity.

"We simply believe that we need to keep the behavioral health system open to all, not just a select group," Adams said.

Kim Carpenter of Trauma Informed Nebraska said the lone program in the state to assist women attempting to leave prostitution is understaffed and underfunded.

Prostitutes have higher rates of post-traumatic stress disorder than Vietnam and Iraq War veterans, she said, and require special services.

Jan Quinley of Omaha said she was "stunned" to hear of Heide-
mann's bill.

Quinley, former chairperson of Pac Prostitution Task Force, said those who worked on the original bill decided not to seek funding this year because they understood the financial constraints facing the Legislature.

"We believed we were being responsible," she said.

Quinley urged the committee to keep open the possibility of future funding by not repealing the act.

"There are silly laws in this state that are still on the books, but this isn't one of them," she said. "Please don't throw it out."

The committee took no immediate action on the bill.

Adoption barrier could be removed

A bill that would allow state subsidized adoption of children in subsidized guardianships was heard by the Health and Human Services Committee Jan. 21.

LB91, sponsored by Omaha Sen. Gwen Howard, would allow subsidized guardians to adopt children under certain circumstances. Under the bill, post-adoption assistance would mirror the previous guardian-ship assistance if:

- the adoption ends the court's involvement;
- the child becomes a legal member of the family and the guardian assumes full parental rights and responsibilities; and
- there is no danger of another party petitioning for custody or visitation rights.

According to Howard, current Nebraska law does not allow subsidies to continue from guardianship to adoption. Potential parents must surrender assistance in order to pursue adoption of a child for whom they serve as guardian, she said.

Children in existing subsidized guardianships often have behavioral and health issues that are expensive to treat, Howard said, and most potential adoptive parents cannot afford to assume those costs.

"This is a simple change that can make a big difference to children and families," she said.

Todd Landry of the Nebraska Department of Health and Human Services testified in support of LB91. The bill would correct an oversight in state law that failed to anticipate guardianships developing into adoptions, he said.

"This [bill] removes an unintended barrier to adoption," Landry said.

There was no opposition testimony.

The committee advanced LB91 to general file 7-0.

Health program clarifications proposed

The Health and Human Services Committee heard testimony Jan. 21 on a measure intended to clarify requirements for a program aimed at encouraging health professionals to locate in shortage areas.

LB 196, introduced by Papillion Sen. Tim Gay, would exempt from the state's open contract requirements student loan and other loan repayment contracts for those participating in the Nebraska Rural Health Systems and Professional Incentive Act.

The act is a loan forgiveness program aimed at drawing professionals to areas of Nebraska with a shortage of health care providers.

Under the bill, contracts executed pursuant to the Nebraska Rural Health Systems and Professional Incentive Act would be exempt from two statutes that regulate state contracts. The statutes outline procedures required to standardize the awarding of state service contracts.

Joann Schaefer, public health director for the state Department of Health and Human Services, said program participants should not be subject to service contract statutes. The Rural Health Advisory Commission selects program recipients, she said, therefore the process should not fall under laws meant to regulate the awarding of competitive service contracts.

Moreover, Schaefer said, service contracts are generally short term and cover a specific service. Program participants commit for years and perform a wide range of services, she said.

Roger Wells, chairman of the Rural Health Advisory Commission,

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agreed.

The arrangements in question should be considered incentives rather than contracts for specific services, he said.

Schaefer noted that Nebraska has shortages in nearly every health care profession, and she encouraged the committee to strengthen the Nebraska Rural Health Systems and Professional Incentive Act.

“It’s an excellent program and we sorely need it,” she said.

No one testified in opposition to the bill

LB196 was advanced to general file on a 7-0 vote.

Possible facility closure changes considered

Legislation would be required to close certain state institutions under a bill heard by the Health and Human Services Committee Jan. 22.

Introduced by Cortland Sen. Norm Wallman, LB68 would require the state Department of Health and Human Services to notify the Legislature of its intent to close any state-owned or state-operated facility that provides residential services to persons with developmental disabilities.

The department then would be required to seek specific legislation directing the facility’s closure.

Wallman said LB68 currently would apply only to the Beatrice State Developmental Center (BSDC) and that he brought the bill to address concerns about the state’s commitment to BSDC.

The bill would help the facility recruit and retain quality staff who otherwise may be reluctant to commit to working there, he said.

“The bill would make it clear that we strongly support the continued existence of BSDC,” Wallman said.

John Wyvill, HHS director of

developmental disabilities, testified against the bill. He expressed concern that it could be interpreted to cover a variety of institutions, including the state’s regional centers.

In addition, the bill would impair the department’s ability to make administrative decisions about facility closures, Wyvill said. HHS has no intention of closing BSDC without notifying all interested parties, he said, but the department needs to preserve all of its administrative options.

Wyvill reminded the committee that Medicaid has decertified BSDC and that Nebraska will lose nearly \$30 million in federal funds for the facility’s operation if the state loses the appeal of that decision.

Several family members of BSDC residents testified in support of the measure.

Joan O’Meara, president of the Beatrice Family and Friends Association, said BSDC is central to her daughter’s well being. The center provides specialized care and is essential for those like her daughter whose developmental disabilities are too severe for community-based programs, she said.

Patricia Crawford, whose son resides at BSDC, said she is concerned that the state is exploring privatization.

“A private company could refuse the hard cases based on profit motive,” she said.

The committee took no immediate action on LB68.

Judiciary

Salvia ban proposed

The Judiciary Committee heard testimony Jan. 21 on a bill that would add a new drug to the state’s list of controlled substances.

LB123, introduced by Wilber Sen. Russ Karpisek, would create penalties for the possession and use of salvia divinorum and salvinorin A. Salvia divinorum is a plant native to Mexico that, when smoked or chewed, produces an hallucinogenic effect much like LSD, Karpisek said.

Under the bill, possession could bring a penalty of five years in jail, while trafficking of the drug could bring a penalty of up to 20 years.

Nine states and several other countries regulate the drug, he said, which is available for purchase throughout the state and can be purchased over the Internet, even by minors.

Cory O’Brien of the attorney general’s office called salvia an “emerging drug threat” and said the hallucinations brought on by the drug could cause users to harm themselves and others.

Further, the drug has no approved medical use, he said.

Lance Hedquist, city administrator for South Sioux City, testified that salvia divinorum is sold at two locations locally. Many citizens have shared concern with him about the drug and want sales of it to stop, he said.

Gary Krumland of the League of Nebraska Municipalities also supported the bill, adding that law enforcement and city officials across the state are concerned about its growing availability and popularity.

Steven Glaser, a recent graduate of the University of Nebraska – Lincoln, testified in opposition to LB123. He said that salvia is harmless and causes a high of only a few minutes.

The drug does have potential for medical use as a painkiller and for curing cocaine addiction, Glaser added. Moreover, studies of salvia conducted by the University of Nebraska at Kearney found the drug to have “absolutely zero toxicity what-

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soever,” he said.

The committee took no immediate action on the bill.

Reckless drivers could see new penalties

The Judiciary Committee heard testimony Jan. 21 on a bill to increase penalties for motor vehicle homicide.

LB148, introduced by Omaha Sen. Pete Pirsch, would add the revocation of a driver’s license to the penalties for motor vehicle homicide. The bill would allow the discretionary license revocation of one to 15 years.

Those convicted of motor vehicle homicide resulting in the death of an unborn child also would be subject to license revocation of 60 days to 15 years.

Joe McGuire, president of the Douglas County Deputies Union, testified in support of the bill. He said a friend was killed in a car accident in which the driver was convicted of reckless driving.

He said that drivers who flee the scene of an accident face penalties including license revocation, but drivers whose recklessness results in death merely lose points on their license.

LB148 would make the penalties more consistent, he said.

“Driving in Nebraska is not your right, it’s a privilege,” McGuire said.

No opponent testimony was given at the hearing.

The committee took no immediate action on the bill.

DNA collection proposed for felons

A bill heard by the Judiciary Committee Jan. 22 would require the collection and testing of DNA for all persons convicted of any felony for

the state sample bank.

LB190, introduced by Lincoln Sen. Bill Avery, would apply retroactively to those currently imprisoned for felonies who do not have a DNA sample on file.

Avery explained that Nebraska currently collects DNA for sex offenders and those convicted of false imprisonment and kidnapping. Forty-seven other states require it of all convicted felons, he said.

LB190 would provide a “powerful tool in identifying the guilty and exonerating the innocent,” Avery said, adding that 227 wrongly convicted people have been exonerated nationally by DNA testing. They served an average of 12 years before being released, he said, and 17 were on death row.

“Witnesses can make mistakes, and lawyers and police can make errors,” he said. “But a \$10,000 Zeiss microscope is about as close to infallibility as you can get.”

Assistant Attorney General Cory O’Brien testified in support of the bill, saying it was a reasonable extension of the current DNA collection statute. Such DNA information has helped solve 16 cases in Nebraska, he said.

The bill could serve as a deterrent to crime, he added, because felons will know that the state has their DNA on file.

Laurel Marsh, executive director of ACLU Nebraska, testified in opposition.

She said the expansion of DNA databanks to include nonviolent offenders should be limited by lawmakers in order to protect civil liberties. DNA, Marsh said, contains a large amount of private information, including a person’s predisposition to disease.

“Such intimate details should be private and not shared with the government unless there is a substantial reason to collect it,” she said.

The committee took no immediate action on the bill.

Natural Resources

Bill would require greater energy efficiency

State agencies and colleges would have to curb their energy use under a bill heard by the Natural Resources Committee Jan. 22.

LB14, introduced by Omaha Sen. Tom White, would require state agencies, community colleges and the University of Nebraska system to reduce their energy use 10 percent by 2014 and 15 percent by 2017. The bill would prompt state agencies to purchase energy efficient products and new state buildings would have to comply with conservation standards set by the Nebraska Energy Office.

White said the state spends an estimated \$64.5 million for utilities annually, and more than \$38 million for electricity alone.

Small changes and purchases would be made to begin the transition to more energy efficient practices, he said.

Ken Winston, who spoke on behalf of the Nebraska Sierra Club, testified in support of LB14. He said he was involved as a school board member in the fitting of four geothermal heat pumps for Lincoln Public Schools. He said LPS is now saving \$1 million through efficiency projects.

Representing the U.S. Green Building Council, Nate Maniktala testified in support of the bill. He said his company works for the federal government to increase efficiency of buildings, but the Lincolnite said 90 percent of his business is conducted out of state.

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Maniktala said the state has an opportune moment to initiate energy efficiency projects. The current economic situation has led to a slowdown for those in the engineering community, he said, which the state could reverse with efficiency initiatives.

Carlos Castillo, director of the Nebraska Department of Administrative Services, testified in a neutral capacity. He said the department has worked to lower energy costs, and he urged the committee to give the department more flexibility in selecting energy efficiency projects.

No persons testified in opposition to the bill.

The committee took no immediate action on LB14.

Roadside trapping ban repeal considered

Trappers would once again be allowed to set traps in county road rights-of-way under a bill heard by the Natural Resources Committee Jan. 22.

LB5, introduced by Imperial Sen. Mark Christensen, would repeal the ban set by LB299 in 2007 that prohibits trapping wildlife in county road rights-of-way. Christensen said the current restriction on trapping has led to a loss of income for trappers and crop yields for farmers.

Johnny Barta of Western testified in support of LB5. An avid hunter and trapper, he said the problems caused by traps in county road rights-of-way are due to illegal traps placed by people who ignore the current ban.

"I'm asking you today to not penalize the law-abiding citizens," Barta said.

Janice Spicha, representing the Nebraska Council of Sportsmen's Club, echoed Barta's claim that illegal trappers were the culprit for

problems affecting roadside trapping. She said the 2007 bill to ban trapping in rights-of-way was ushered through in response to a dog that was caught in an illegally placed trap.

"This is not the fault of the farmer, dog owner or legal trappers. This is the fault of illegal trappers," Spicha said.

Larry Hudkins of Malcolm testified in opposition to LB5. He described his recent experience of being caught in a trap placed illegally on his land.

"The problem is we don't know these traps are there," he said.

Larry Dix, executive director of the Nebraska Association of County Officials, also spoke in opposition to LB5, though he offered some alternatives. His proposals included flagging traps, granting counties the authority to pass trapping ordinances and requiring completion of a mandatory training to obtain a trapping permit.

The committee took no immediate action on LB5.

Revenue

Inheritance tax reductions considered

Nieces, nephews and other Class II relatives would experience a 3 percent reduction in county inheritance tax under a bill heard by the Revenue Committee Jan. 22.

Introduced by Lexington Sen. John Wightman, LB119 would reduce the county inheritance tax imposed on Class II relatives, which include nieces, nephews, aunts and uncles, from 13 to 10 percent.

Current statute stipulates that a 13 percent county inheritance tax may be levied against properties valued at \$15,000 or more. Properties valued less than \$15,000 are not subject to county inheritance tax.

Wightman said the inheritance tax was 6 percent but increased to a straight rate of 13 percent in 2007. The drop to 10 percent would still be higher than the original taxation, he said.

Omaha attorney Susan Spahn also testified in support of the bill. She said that many farmers must get a loan in order to pay inheritance tax, while others get out of paying it by putting their property in a corporation and moving out of state.

"I can think of a lot of ways for clients to avoid paying an inheritance tax," Spahn said. "There are creative ways that attorneys can get around these practices."

Nebraska Association of County Officials president Dennis Kimbrough testified in opposition to LB119. He said his home of Fillmore County has experienced a significant drop in inheritance tax revenue, which had been used to fill holes in their budget.

"In my view, and generally across the state, [LB119] would be a property tax increase bill," Kimbrough said.

Another opponent of the bill was Pamela Lancaster, chair of the Hall County Board of Supervisors. She said counties need another revenue source if the state continues to "chip away" at the inheritance tax.

"If we are to continue serving the people, we need adequate income to do so," Lancaster said. "If we are simply to maintain county services, property taxes will have to be increased if inheritance taxes are reduced."

The committee took no immediate action on the bill.

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Transportation and Telecommunications

Bill would require drivers to 'move over'

Drivers would be required to allow room for ambulances stopped on interstate highways under a bill heard by the Transportation and Telecommunications Committee Jan. 20.

Introduced by Omaha Sen. Gwen Howard, LB92 would direct drivers on controlled-access highways with four or more lanes to move into a lane at least one lane apart from stationary emergency and road assistance vehicles.

The bill includes exemptions for poor weather conditions and the unavailability of adjacent lanes, though drivers in those instances would be required to maintain a safe speed and proceed with caution when approaching the emergency vehicle.

"I recognize that moving over may not always be possible," Howard said.

The bill would direct the Nebraska Department of Roads to erect road signs reminding drivers of the law.

Violators would be guilty of a traffic infraction for the first offense and a Class IIIA misdemeanor for second and subsequent offenses.

Howard said 167 police officers in the U.S. have been killed during routine traffic stops in the past decade by vehicles failing to move over.

Tom Bartek, an Omaha firefighter who was struck by an SUV while on duty, testified in support of the bill. Bartek said he was thrown 50 feet and sustained a broken right arm and lacerated liver. He said the bill addressed a "life and death situation."

"I firmly believe if there were a law, it would not have happened," he said.

Nebraska Professional Fire Fight-

ers Association President David Engler also testified in support, calling the bill a significant step forward to aid emergency responders. He described an accident he witnessed in which a van failed to move over for an accident scene near an interstate exit. The van hit a car stopped on the side of the road and destroyed a fire truck.

"That is one of the many cases that we experience that ended in an injury," Engler said. "I believe that if this vehicle had been operating in the outside lane, we would not have been hit."

Rose White of AAA Nebraska testified in support of LB92. She said that highway lanes are 12 feet wide, and newer cars that are eight feet wide leave only 24 inches of error space for drivers passing a stopped vehicle on the side of the road.

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

School permit destinations considered

Students with school permits could add another destination to their list of legally acceptable places to drive under a bill heard by the Transportation and Telecommunications Committee Jan. 20.

LB6, introduced by Imperial Sen. Mark Christensen, would allow those with school permits to drive to and from their place of employment via the most direct route.

Christensen said that he introduced the bill to "remove the obstacles that prevent kids from working." He said public transportation is not available to kids in his area.

Kearney Sen. Galen Hadley said he could "understand the philosophy" behind a school permit, but questioned the fairness for students residing within city limits.

The committee took no immediate action on the bill.

County motor services bill advances

A bill that would require county treasurer offices to assume the sole responsibility for all motor vehicle and motorboat services was advanced from general file by state lawmakers Jan. 23.

LB49 would require county treasurers to manage certificates of title, registrations, license plates, renewal decals, and the notation and cancellation of liens. County treasurers also would collect taxes and fees required for motor vehicles, all-terrain vehicles, minibikes, snowmobiles, trailers and motorboats.

Valentine Sen. Deb Fischer, who introduced LB49, said the bill would consolidate services for one office so the state Department of Motor Vehicles could save hardware costs when replacing obsolete systems.

Fischer said 47 of Nebraska's 93 counties comply with the provisions of LB49. Those that do not share DMV equipment add unnecessarily to hardware costs, she said.

"It is neither feasible nor reasonable to maintain this process," Fischer said.

Platte Center Sen. Arnie Stuthman introduced an amendment that would have pushed back the bill's implementation date from 2011 to 2013. Calling LB49 an "unfunded mandate," Stuthman asked lawmakers to give counties more time to transition their services to treasurer offices.

"I think that we should allow these elected official and county board members to make the implementation as soon as possible, but at their convenience," Stuthman said.

The amendment failed on a vote of 4-32.

LB49 was advanced to select file 40-0.

ISSUES UPFRONT.....

Sen. Gloor sets course for the Unicameral

“Where there’s water, there’s sailing.”

It might seem like an odd philosophy for a Nebraskan, but Sen. Mike Gloor is passionate about sailing. His office shelves are filled with sailing references and his eyes light up when speaking of his hobby of 25 years.

Gloor is convinced that one can find great sailing anywhere, even in the Midwest.

In fact, he says, sailboat owners are happy to rent to those from places like Nebraska for one simple reason. “They know how to deal with the wind,” he said.

Most of the time, however, sailing and other hobbies take a back to seat to service for the new senator.

Gloor, who was born in Alliance and raised in Fullerton, credits his parents for instilling in him a commitment to community.

Both parents were often busy in the evenings with school board meetings and other obligations, he said. And in spite of it meaning that

sometimes he had to eat his father’s cooking, he was proud of them.

“We were expected to give back,” he said. “That’s what grown-ups do.”

That commitment is what brought Gloor to the Legislature, he said.

As CEO of St. Francis Medical Center in Grand Island, he had overseen the completion of a \$90 million addition and decided to retire and run for a seat in the Unicameral.

“I knew it was time to leave,” he said. “It was time to do something different.”

Gloor believes his many years as a health care administrator will add valuable experience to the Legislature.

But Gloor is quick to point out that he also is interested in economic development and many other issues that come before the body.

“I’m not going to be a sole issue

senator,” he said.

A wide range of interests also is evident in the variety found in Gloor’s



hobbies. For 14 years, the senator performed with a madrigal group in medieval costume.

“It might surprise people to know that I wore tights,” he laughed.

And what has surprised Gloor about the Unicameral is the level of collegiality among senators.

“People have been over-the-top helpful,” he said. “You don’t get treated like a freshman senator in the traditional sense.”

Gloor acknowledged the hectic pace of a new lawmaker’s schedule, but said his life is well suited to the challenge.

“My children are grown and I’m retired, so I can concentrate on being a full time senator,” he said.

COMMITTEE HEARINGS

Monday January 26

Banking, Commerce and Insurance

Room 1507 - 1:30 p.m.

LB192 (Pahls) Change insurance provisions
LB75 (Pirsch) Change provisions relating to automatic teller machine usage fees
LB80 (Nelson) Change the Uniform Principal and Income Act
LB87 (Pahls) Change provisions relating to the effects of errors and omissions in financing statements

Business and Labor

Room 2102 - 1:30 p.m.

LB158 (White) Adopt the Peace Officer Discipline Procedures Act
LB107 (Haar) Require an employer to provide an employee a reason for termination
Appointment Cole, Charles - Boiler Safety Code Advisory Board
Appointment DeMartino, Thomas - Boiler Safety Code Advisory Board
Appointment Kasl, Martin - Boiler Safety Code Advisory Board
Appointment Stewart, Kenneth - Boiler Safety Code Advisory Board

Education

1525 - 1:30 p.m.

LB206 (Nantkes) Adopt the In the Line of Duty Dependent Education Act
LB20 (Harms) Change provisions of the Access College Early Scholarship Program Act
LB197 (Fulton) Change provisions relating to the Nebraska educational savings plan
LB102 (Adams) Provide a definition of high school graduate for postsecondary admission and financial aid purposes

General Affairs

Room 1510 - 1:30 p.m.

LB189 (Pankonin) Change terminology relating to problem gambling services
LB266 (Karpisek) Adopt the Racetrack Gaming Act and change provisions relating to horseracing
LR6CA (Karpisek) Constitutional amendment to authorize and regulate racetrack gaming

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

LB229 (Fischer) Adopt federal regulations and change operator's license and state

identification card provisions

LB261 (Rogert) Provide for use of machine-readable information encoded on drivers' licenses and state identification cards
LB222 (Giese) Restrict issuance of learner's permits
LB204 (Transportation and Telecommunications) Change certain commercial motor vehicle penalty provisions

Tuesday January 27

Agriculture

Room 2102 - 1:30 p.m.

LB130 (Dubas) Create the Farm to School Program Task Force
LB142 (Hansen) Change recorded brand provisions and a fee
LB231 (Avery) Change Rural Development Commission membership provisions
LB71 (Cornett) Require animal care professionals to report cases of animal abandonment, cruel neglect, or cruel mistreatment

Appropriations

Room 1003 - 1:30 p.m.

LB135 (Heidemann) Change an appropriation to the Department of Health and Human Services

Banking, Commerce and Insurance

Room 1507 - 1:30 p.m.

LB32 (Pahls) Change provisions relating to unauthorized use of the word bank
LB88 (Pahls) Change provisions relating to unauthorized use of the word bank
LB74 (Pirsch) Authorize pledging of Federal Home Loan Bank of Topeka letters of credit as security for private deposits
LB259 (Utter) Clarify Federal Deposit Insurance Corporation coverage with respect to public funds

Education

Room 1525 - 1:30 p.m.

LB340 (Cook) Require the Coordinating Commission for Postsecondary Education to evaluate community college system
LB283 (Cornett) Change community college aid calculations
LB299 (Harms) Add a member to the Nebraska Safety Center Advisory Council

established by the Board of Regents
LB103 (Adams) Change provisions relating to postsecondary educational institutions' capital and facility expenditures

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

LB48 (Fischer) Adopt updated federal motor carrier safety and hazardous material regulations
LB219 (Flood) Transfer responsibility of the highway safety program to the Department of Roads from the Department of Motor Vehicles
LB331 (Transportation and Telecommunications) Change Department of Motor Vehicles provisions
LB28 (Pahls) Authorize the issuance of undercover license plates and driver's licenses to federal law enforcement agencies

Urban Affairs

Room 1510 - 1:30 p.m.

LB338 (Friend) Change weed height requirements for cities and villages
LB339 (Friend) Change community development authority provisions relating to cities and villages

Wednesday, January 28

Government, Military and Veterans Affairs

Room 1507 - 1:30 p.m.

LB116 (Fischer) Authorize certain volunteer emergency responders to participate in the state health insurance program
LB167 (Avery) Provide for discount program participation and electronic funds transfers for state employees
LB168 (Avery) Provide for reverse auctions by the state purchasing bureau
LB207 (Avery) Change provisions governing the Governor's residence and powers of the Department of Administrative Services and the Director of Administrative Services

Health and Human Services

Room 1510 - 1:30 p.m.

LB247 (Dubas) Require accreditation of the Division of Children and Family Services of the Department of Health and Human Services
LB268 (Lathrop) Require liability insur-

COMMITTEE HEARINGS

ance as prescribed for child care licensees
LB288 (Health and Human Services)
Change provisions relating to health and
human services

LB290 (Stuthman) Require criminal history
background checks on individuals who
transport vulnerable adults and children un-
der contracts with the Department of Health
and Human Services

Judiciary

Room 1113 - 1:30 p.m.

LB155 (Rogert) Adopt the Public Protec-
tion Act, change provisions relating to theft
offenses and criminal impersonation, and
create the offenses of identity theft and
identity fraud

LB276 (Nordquist) Change criminal mis-
chief provisions and prohibit defacement
LB277 (Mello) Prohibit the purchase of
spray paint and industrial-strength marking
pens by minors

LB244 (Coash) Add Tramadol and Carisop-
rodol to schedules of controlled substances

Natural Resources

Room 1525 - 1:30 p.m.

LB184 (Louden) Authorize Department of
Natural Resources to administer riparian
water rights

LB300 (Heidemann) Change bidding re-
quirements for public power and irrigation
districts

LB54 (Fischer) Change integrated manage-
ment plan provisions under the Nebraska
Ground Water Management and Protection
Act

LB56 (Fischer) Change the Livestock Waste
Management Act

Revenue

Room 1524 - 1:30 p.m.

LB26 (Friend) Change the priority of liens
for special assessments

LB218 (Cornett) Change, eliminate, and
provide state aid to various political subdivi-
sions

Thursday, January 29

Government, Military and Veterans Af- fairs

Room 1507 - 1:30 p.m.

LB66 (Rogert) Change limits on contribu-
tions and gifts under the Nebraska Political
Accountability and Disclosure Act

LB126 (Avery) Require financial disclosure
statements from constitutional officers and
candidates

LB322 (Avery) Prohibit nepotism and su-
pervision of family members by executive
branch officials and employees

Health and Human Services

Room 1510 - 1:30 p.m.

LB141 (Rogert) Adopt the Brain Injury Act

LB230 (Stuthman) Eliminate integrated
practice agreements for nurse practitioners
LB250 (Gloor) Change physician assistant
provisions

LB394 (Fulton) Define unprofessional con-
duct for physicians with regard to anatomic
pathology services

Judiciary

Room 1113 - 1:30 p.m.

LB36 (Flood) Change method and proce-
dure for inflicting the death penalty

LB306 (Council) Repeal the death penalty
and replace it with life imprisonment with-
out possibility of parole

Natural Resources

Room 1525 - 1:30 p.m.

LB379 (Haar) Extend a scrap tire grant
program

LB482 (Langemeier) Change provisions of
the Nebraska Ground Water Management
and Protection Act

LB483 (Langemeier) Change provisions
relating to water well permits

Revenue

Room 1524 - 1:30 p.m.

LB94 (Howard) Authorize late homestead
exemption applications for medical reasons
LB239 (Lathrop) Provide a homestead
property tax exemption for certain disabled
veterans

LB302 (Campbell) Change provisions relat-
ing to transfer of a homestead exemption

Friday, January 30

Health and Human Services

Room 1510 - 1:30 p.m.

LB220 (Gloor) Change provisions relating
to pharmacy practice and pharmaceuticals
LB301 (Gloor) Repeal exemption from fees
for medical records

LB310 (Haar) Change provisions relating to
deaf and hard of hearing persons

LB341 (Cook) Change provisions relating
to tuberculosis detection and prevention

Judiciary

Room 1113 - 1:30 p.m.

LB156 (Lautenbaugh) Eliminate the strict
liability requirement for pursuits by law
enforcement officers

LB216 (Wallman) Eliminate civil liability
provisions relating to motor vehicle and
aircraft guest statutes

LB79 (Pirsch) Change when a county attor-
ney files a child support order modification
complaint

Natural Resources

Room 1525 - 1:30 p.m.

LB209 (Langemeier) Change provisions
relating to time for construction of irrigation
projects and dams

LB246 (Dubas) Reestablish the Biopower
Steering Committee and provide for a strate-
gic biotechnology plan

LB490 (Giese) Change provisions relating
to nonresident hunting permits

Revenue

Room 1524 - 1:30 p.m.

LB77 (Gay) Change provisions relating
to income tax credits and long-term care
insurance

LB159 (Gay) Provide an income tax credit
for long-term care insurance policy premi-
ums

LB405 (Cornett) Change income tax provi-
sions related to planned gifts

NEW BILLS.....

Jan. 20, 2009

Bill	Introducer	One-line Description
LB417	Friend	Change provisions of the Optometry Practice Act
LB418	Price	Require valuation changes by the Tax Equalization and Review Commission among counties which have learning communities
LB419	Hadley	Eliminate limits on tax credits under the Nebraska Advantage Microenterprise Tax Credit Act
LB420	Hadley	Change a sales tax exemption relating to nonprofit organizations
LB421	Nordquist	Suspend collection of fuel tax on compressed natural gas for a prescribed period
LB422	Cornett	Define veteran of the Global War on Terror
LB423	Cornett	Change child custody provisions and the Parenting Act
LB424	Pankonin	Change mandatory contribution rates under the Judges Retirement Act
LB425	Pankonin	Change mandatory contribution rates under the Nebraska State Patrol Retirement Act
LB426	Pankonin	Name and change provisions relating to the Police Officers Retirement Act
LB427	Pankonin	Adopt the County Law Enforcement Officer Retirement Act
LB428	Christensen	Authorize deposit of public funds in credit unions and clarify Federal Deposit Insurance Corporation and National Credit Union Administration coverage
LB429	Christensen	Change employment provisions of persons committed to the Department of Correctional Services
LB430	Christensen	Amend the Concealed Handgun Permit Act and state the power of cities and villages with respect to firearms
LB431	McGill	Change Delayed Deposit Services Licensing Act provisions
LB432	Nelson	Change provisions relating to the Uniform Disposition of Unclaimed Property Act
LB433	Lathrop	Change provisions relating to interchange of court judges and court jurisdiction
LB434	Janssen	Change ballot questions regarding township organization
LB435	Janssen	Change fee provisions related to modular housing units, manufactured homes, and recreational vehicles
LB436	Haar	Provide for net metering of electricity
LB437	Haar	Create the Wind Energy Development Zone Task Force
LB438	Fischer	Prohibits instream appropriations in fully or overappropriated areas
LB439	Fischer	Adopt the Home Energy Alternatives Act
LB440	Council	Change diversity criteria under the Student Diversity Scholarship Program Act
LB441	Council	Change provisions relating to the cost of certain municipal proceeding transcripts
LB442	Council	Change procedural and relief provisions of the Nebraska Fair Housing Act
LB443	Christensen	Provide for the regulation of adult and sexually oriented businesses
LB444	Christensen	Adopt the Escort Services Accountability and Licensing Act
LB445	Fulton	Change the Health Insurance Access Act
LB446	Fulton	Provide for a loan repayment program under the Engineers and Architects Regulation Act
LB447	Schilz	Change a beginning farmer or rancher qualification under the Beginning Farmer Tax Credit Act
LB448	Campbell	Require an influenza vaccination pilot program
LB449	Campbell	Change disability retirement allowance provisions of the School Employees Retirement Act
LB450	Campbell	Change Nebraska State Capitol Environs District height restriction provisions
LB451	Campbell	Rename the Hearing Aid Instrument Dispensers and Fitters Practice Act
LB452	Avery	Adopt the Advance Directives Identification Act
LB453	Rogert	Change provisions relating to an employer notice that employees are not covered by workers' compensation insurance
LB454	Lathrop	Change Nebraska Health Care Cash Fund provisions
LB455	Nordquist	Provide renewable energy sales and use tax credit and exemption for eligible entities
LB456	Heidemann	Change provisions relating to the Cash Reserve Fund
LB457	Friend	Change provisions relating to certified nurse midwives
LB458	Harms	Provide for vocational training for public assistance recipients
LB459	Harms	Appropriate funds for the Stay in the Game Program
LB460	Friend	Change a sales tax exemption for nonprofit hospitals
LB461	Adams	Change provisions relating to the Commissioner of Education and the State Board of Education
LB462	Dierks	Change provisions relating to human immunodeficiency virus testing
LB463	Dierks	Provide for licensure of animal therapists and consultation between veterinarians and other health care professionals
LB464	Gay	Require certain booster immunizations for students entering seventh grade
LB465	Christensen	Provide for videoconferencing and telephone conferences for educational service unit board meetings
LB466	Wallman	Eliminate an excise tax on corn and grain sorghum
LB467	McCoy	Require voter approval for annexation of cities or villages
LB468	Karpisek	Appropriate funds to the Department of Health and Human Services
LB469	Karpisek	Create the Agricultural Land Valuation Task Force
LB470	Pirsch	Establish a limit on certain city occupation taxes
LB471	Fulton	Change public power special generation application provisions
LB472	Fulton	Change payment terms for scrap copper and catalytic converters

NEW BILLS.....

LB473	Louden	Adopt the Nebraska Elementary Attendance Region Act
LB474	Stuthman	Change provisions relating to property exempt from property taxes
LB475	Stuthman	Eliminate the position of county comptroller
LB476	Stuthman	Adopt the Center for Student Leadership and Extended Learning Act
LB477	Carlson	Change provisions relating to water transfer permits
LB478	Rogert	Provide for alcoholic liquor sale and consumption on Game and Parks Commission property
LB479	Rogert	Change enrollment provisions relating to early childhood education
LB480	Dierks	Change budget limit and tax levy limitation provisions
LB481	Haar	Eliminate restrictions on midwives attending home deliveries
LB482	Langemeier	Change provisions of the Nebraska Ground Water Management and Protection Act
LB483	Langemeier	Change provisions relating to water well permits
LB484	Stuthman	Provide for partial payment of insurance policy proceeds to a city or village by ordinance
LB485	Cornett	Exempt natural gas from sales tax and impose an excise tax on natural gas
LB486	Karpisek	Require certain governmental entities to identify themselves as such in their official name
LB487	Dubas	Adopt the Volunteer Emergency Responders Incentive Act and provide an income tax credit
LB488	Gloor	Change provisions relating to veterans' homes
LB489	Sullivan	Adopt the Area Health Education Centers Act
LB490	Giese	Change provisions relating to nonresident hunting permits
LB491	Haar	Provide for home energy efficiency loans
LB492	Haar	Provide for funding certain positions at the University of Nebraska-Lincoln
LB493	Karpisek	Require insurance coverage for cochlear implants
LB494	McCoy	Change provisions relating to dangerous dogs
LB495	Friend	Change provisions relating to additions and platting of cities and villages
LB496	Fulton	Authorize enforcement of traffic control signal violations by automated traffic enforcement systems
LB497	Fulton	Change ignition interlock device provisions and penalties
LB498	Fulton	Add trustees to the board of Wyuka Cemetery
LB499	Dubas	Allow breast-feeding as prescribed
LB500	Karpisek	Authorize certain cities and villages to use funds for the general care of cemeteries
LR8	Heidemann	Congratulate the Pawnee City High School boys' track team for winning the 2008 Class D state championship
LR9	Fulton	Encourage law enforcement agencies to enter into a memoranda of agreement with the U.S. Department of Homeland Security to perform immigration law enforcement functions

Jan. 21, 2009

Bill	Introducer	One-line Description
LB501	Sullivan	Change provisions relating to submission of ballot issues and elections by mail
LB502	Langemeier	Change the Petroleum Release Remedial Action Act
LB503	Langemeier	Adopt the Nebraska Shooting Range Protection Act
LB504	Langemeier	Authorize permits and provide penalties relating to discharge of dredged or fill material into the waters of the state
LB505	Pirsch	Create the Economic Development Committee of the Legislature
LB506	Pirsch	Change penalties related to the duty to stop at a motor vehicle accident
LB507	Pirsch	Change provisions and penalties regarding domestic assault in the third degree
LB508	Pirsch	Prohibit certain gang-related initiations
LB509	Pirsch	Redefine election period for the Campaign Finance Limitation Act
LB510	Pirsch	Require the deposit and distribution of certain surcharges and inmate wages for the benefit of victims of crime
LB511	Wallman	Redefine health care facility for purposes of certificate of need
LB512	Lautenbaugh	Change airport zoning provisions relating to the regulation of airport hazards
LB513	Lautenbaugh	Eliminate subrogation and contribution rights against a political subdivision or the state for property damage related to vehicular pursuit
LB514	Lautenbaugh	Change workers' compensation disability compensation provisions
LB515	Flood	Change provisions relating to emergency medical responders
LB516	Hansen	Require compensation for certain structures located on the Nebraska State Fairgrounds in Lancaster County
LB517	Hansen	Change provisions relating to family reunification and termination of parental rights
LB518	McGill	Change provisions relating to homicide and other criminal offenses and penalties
LB519	McGill	Provide for rate increases for behavioral health care providers and create the Provider Reimbursement Rate Commission
LB520	Hadley	Provide for an income tax credit for perpetual conservation easement donations
LB521	Pankonin	Provide additional tax levy authority for learning communities
LB522	Urban Affairs Committee	Change provisions relating to the use of funds by volunteer fire and rescue departments

NEW BILLS.....

LB523	Urban Affairs Committee	Change provisions regarding funds collected by volunteer fire and rescue departments
LB524	Friend	Increase fines for handicapped parking infractions
LB525	Friend	Change tax levy and economic development programs of cities and villages
LB526	Friend	Provide requirements for land annexation by certain cities and villages
LB527	Fulton	Require installation of automatic vehicle location system devices in state-owned vehicles
LB528	Fulton	Authorize electronic transmissions as a means of notice, delivery, and appointment under the Business Corporation Act
LB529	Pahls	Transfer ownership of certain computer equipment from the Secretary of State to county clerks
LB530	Sullivan	Change enrollment provisions relating to early childhood education
LB531	Sullivan	Redefine a term under the Nebraska Advantage Microenterprise Tax Credit Act
LB532	Price	Provide for the adoption of ordinances by counties
LB533	Price	Change expense reimbursement provisions for state employees, state officers, and others
LB534	Price	Change provisions relating to learning community diversity plans
LB535	Stuthman	Change membership of the Nebraska Natural Resources Commission and provisions relating to natural resources districts
LB536	Stuthman	Authorize creation of transportation development districts and imposition of a local sales tax
LB537	Giese	Change provisions relating to the hours of duty of firefighters
LB538	Giese	Exempt government employee retirement benefits from income tax
LB539	Coash	Authorize a refund of sales tax on certain residential building products
LB540	Gay	Change membership of the Children's Behavioral Health Task Force
LB541	Campbell	Exempt certain adult dental services from medicaid limitations
LB542	Campbell	Provide for rules and regulations regarding dental assistants
LB543	Campbell	Provide an exemption from motor vehicle industry licensing requirements
LB544	Giese	Require the Secretary of State to publish guidelines for election workers
LB545	Adams	Change the Tax Equity and Educational Opportunities Support Act
LB546	Adams	Change school organization provisions
LB547	Adams	Change the Attracting Excellence to Teaching Program Act
LB548	Adams	Change provisions relating to student files and the State Board of Education
LB549	Adams	Change provisions relating to schools
LB550	Avery	Change provisions relating to Military Department personnel and provide peace officer powers to National Guard members
LB551	White	Extend the limiting age on sickness and accident insurance policies
LB552	White	Adopt the Nebraska Construction Prompt Pay Act
LB553	White	Change certain property tax valuation protest procedures
LB554	White	Prohibit certain employers from requiring use of paid leave under certain circumstances
LB555	White	Change provisions relating to a research tax credit
LB556	White	Change workers' compensation third-party claims provisions
LB557	Nantkes	Provide for a fair share representation contribution from employees who are not members of the labor union
LB558	Nantkes	Require use of funds from the temporary school fund for enhancing salaries of certificated teachers
LB559	Gloor	Change the Convention Center Facility Financing Assistance Act
LB560	Lathrop	Change provisions relating to towing motor vehicles
LB561	Lathrop	Provide for restriction of eminent domain for wind energy projects
LB562	Lathrop	Provide for the continued service of metropolitan utilities district board members after annexation
LB563	Lathrop	Adopt the Contractor Employee Classification Act
LB564	Lathrop	Require licensure of contractors under the Contractor Registration Act
LB565	Louden	Adopt the Woody Biomass Energy Act
LB566	Dubas	Provide tax incentives for windmill manufacturing
LB567	Dubas	Change provisions relating to the State Energy Office and the Director of the State Energy Office
LB568	Dubas	Provide requirements for wind leases and easements
LB569	Dubas	Appropriate funds for a grant program for school wind projects
LB570	Nordquist	Exempt museum memberships from sales and use taxes
LB571	Pahls	Adopt the Guaranteed Asset Protection Waiver Act
LB572	Heidemann	Change Nebraska Tobacco Settlement Trust Fund provisions
LB573	Nordquist	Change Conveyance Advisory Committee membership
LB574	Rogert	Change reporting requirements under the Nebraska Political Accountability and Disclosure Act
LB575	Rogert	Change initiative and referendum petition provisions
LB576	Rogert	Provide for licenses for sales of liquor and for consumption of liquor in state parks
LB577	Rogert	Change provisions relating to improvement project areas of natural resources districts
LB578	Fulton	State intent relating to the state aid distribution to schools
LB579	Cornett	Adopt the Professional Employer Organization Registration Act
LB580	Cornett	Change the standard of review by the Tax Equalization and Review Commission
LB581	Carlson	Change disposition of funds from Pesticide Act fees and weed book sales
LB582	Dierks	Create the Nebraska Invasive Species Council

NEW BILLS.....

LB583	Dierks	Change sales, property, and income tax provisions and education funding
LB584	Dierks	Adopt the Agricultural Commodities Protection Act
LB585	Dierks	Adopt the Bovine Trichomoniasis Control Act
LB586	Dierks	Exempt veterinarians from the Veterinary Drug Distributor Licensing Act
LB587	Dierks	Exempt animal grooming from sales tax as prescribed
LB588	Dierks	Adopt the Dog and Cat Purchase Protection Act
LB589	Dierks	Designate both parents as joint custodians in a child custody determination unless there is proof otherwise
LB590	Dierks	Change the Disabled Persons and Family Support Act to provide financial compensation and special food and medical needs provided by families
LB591	Dierks	Change approval provisions relating to electric generation facilities
LB592	Dierks	Redefine a term under the Rural Health Systems and Professional Incentive Act
LB593	Dierks	Restrict entity ownership of agricultural land and farm and ranch operations
LB594	Dierks	Adopt the Women's Health Protection Act governing abortion and provide a civil remedy for failure to comply with the act
LB595	Karpisek	Change coroner's examination provisions in motor vehicle accident cases
LB596	Ashford	Change a legal services fee
LB597	Ashford	Change provisions relating to collaborative focus schools and programs and magnet schools
LB598	Ashford	Change the Nebraska Crime Victim's Reparations Act and authorize a Community Trust to assist with tragedies of violence or natural disaster
LB599	Howard	Require health care facilities to provide itemized billing statements upon patient's request
LB599	Howard	Require health care facilities to provide itemized billing statements upon patient's request
LB600	Karpisek	Authorize pool halls under the Nebraska Liquor Control Act and provide duties for owners of pool halls
LB601	Nordquist	Provide for a medicaid waiver for community-based mental health services
LB602	Dierks	Provide for expense reimbursement for first purchasers of certain commodities
LB603	Health & Human Services Committee	Adopt the Behavioral Health Workforce Act and provide funding
LB604	Howard	Change the Pharmacy Practice Act to change provisions relating to medical gas distribution
LB605	Howard	Change liquor license provisions
LB606	Karpisek	Redefine terms and change a grant qualification provision in the Microenterprise Development Act
LB607	Gay	Adopt the Higher Education Academic Scholarship Program Act
LB608	Mello	Appropriate funds to the Supreme Court for a salary increase for county court employees
LB609	Mello	Provide for child-care contracts as prescribed and provide duties for the Department of Health and Human Services
LB610	Mello	Change medicaid limitation provisions relating to services for persons with disabilities
LB611	Karpisek	Amend the Nebraska Clean Indoor Air Act to provide cities, villages, and counties the authority to regulate smoking
LB612	Avery	Prohibit school districts from making contributions or reimbursements relating to retirement benefits
LB613	Dierks	Eliminate a restriction on base-year employees for certain tax incentive laws
LB614	Howard	Provide for licensure of macro social workers
LB615	Cornett	Adopt the Family Entertainment and Sports Attraction Act and rename the Municipal Infrastructure Redevelopment Fund Act and authorize a county sales tax
LB616	Cornett	Rename and change provisions of the Municipal Infrastructure Redevelopment Fund Act and change cigarette tax distribution provisions
LB617	Cornett	Change provisions relating to county community buildings, authorize a community building district, and authorize a sales and use tax
LB618	Cornett	Adopt the Family Entertainment and Sports Attraction Act, authorize use of sales and use taxes, and authorize a county sales tax
LB619	Howard	Change mental health board membership provisions
LB620	Wightman	Change provisions relating to the Office of Legislative Audit and Research
LB621	Wightman	Provide an exemption from licensure as a massage therapist
LB622	Nordquist	Provide time limits and penalties for late workers' compensation medical payments
LB623	Haar	Adopt the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote
LB624	Haar	Provide for energy efficiency loans for public buildings
LB625	Pirsch	Prohibit intentional exposure to another of a life-threatening communicable disease
LB626	Karpisek	Change prohibited activities for public officials and public employees use of public resources
LB627	Business & Labor Committee	Authorize inspections of domestic potable hot water heaters under the Boiler Inspection Act
LB628	Business & Labor Committee	Provide for payment of claims against the state
LB629	Business & Labor Committee	Disapprove claims against the state
LB630	Business & Labor Committee	Change workers' compensation medical fee and procedural provisions
LB631	Business & Labor Committee	Change Employment Security Law provisions

NEW BILLS.....

LB632	Mello	Adopt the Nebraska Green Building Advantage Act and authorize a sales tax refund
LB633	Mello	Create the Neighborhood Development Act
LB634	Mello	Redefine household income for homestead exemption purposes
LB635	Mello	Change reporting requirements for political party committees under the Nebraska Political Accountability and Disclosure Act
LB636	Mello	Appropriate funds to the Department of Economic Development
LB637	Mello	Require disclosure of information by certain group health carriers
LB638	Lautenbaugh	Repeal the Campaign Finance Limitation Act and change reporting requirements under the Nebraska Political Accountability and Disclosure Act
LB639	Karpisek	Change provisions relating to telephone conferencing for public meetings
LB640	Schilz	Provide a local option on refundability of sales tax under tax incentive laws
LB641	Schilz	Create a production incentive for renewable diesel fuel
LB642	Schilz	Provide for Nebraska agriculture license plates
LB643	Schilz	Change and provide notice requirements of road construction near electric lines
LB644	Mello	Adopt the Electronics Recycling Act
LB645	Mello	Change provisions relating to public contracts for services
LB646	Christensen	Adopt the Livestock Growth Act
LB647	Christensen	Provide requirements for notice to property owners of city and village annexation proceedings
LB648	Christensen	State intent relating to funding for a highway-related study
LB649	Christensen	Change provisions for special permits for overweight vehicles
LB650	Christensen	Authorize the operation of minitrucks on public highways
LB651	Christensen	Adopt the Water Resources Revolving Loan Fund Act
LB652	Christensen	Change the Enhanced Wireless 911 Services Act
LB653	Harms	Create the Legislature's Planning Committee
LB654	Harms	Provide for borrowing by a school district for special building fund projects
LB655	Harms	Require community college compliance with association membership provisions
LB656	Harms	Adopt the Health Care Accessibility and Affordability Act
LB657	Harms	Change the Microenterprise Development Act
LB658	Friend	Provide infrastructure system replacement mechanism provisions under the State Natural Gas Regulation Act
LB659	Fulton	Provide for data collection relating to persons released from incarceration
LB660	Fulton	Change provisions relating to the Legislative Performance Audit Section and the Auditor of Public Accounts
LB661	Gay	Change preferred drug list provisions under the Medicaid Prescription Drug Act
LB662	Janssen	Change provisions relating to nomination for certain offices
LB663	Janssen	Adopt the Net Metering Act
LB664	Janssen	Change provisions relating to sale and consumption of alcoholic liquor on public property
LB665	Janssen	Adopt the Teacher Shortage Loan Repayment Act
LB666	Langemeier	Change provisions relating to the Niobrara Council
LB667	Sullivan	Change provisions relating to division fences
LB668	Gay	Create offenses of assault on an emergency services provider or a health care provider in the first, second, and third degrees
LB669	Coash	Change the number of district, county, and separate juvenile court judges
LB670	Pirsch	Change funding for the Property Tax Credit Act
LB671	Pirsch	Provide powers and duties and change membership of the Nebraska County Attorney Standards Advisory Council relating to death investigations
LB672	Pirsch	Change provisions and penalties for certain firearms crimes
LB673	Price	State intent for appropriations to the community colleges
LB674	Nantkes	Authorize establishment of an internal auditing system by the University of Nebraska
LB675	Fulton	Provide for additional voluntary and informed consents from a woman prior to abortion
LB676	Fulton	Provide for additional voluntary and informed consents from a woman prior to abortion
LB677	Haar	Change the Commercial Dog and Cat Operator Inspection Act
LB678	Haar	Change provisions relating to minutes of public meetings
LB679	Legislative Performance Audit Committee	Require certain disclosures from potential members of the State Foster Care Review Board
LR10	Price	Urge members of the Nebraska Congressional delegation to support worker freedom by opposing the Employee Free Choice Act

Jan. 23, 2009

Bill	Introducer	One-line Description
LR11	Lathrop	Provide for continuation of the Developmental Disabilities Special Investigative Committee

CITIZEN VIEWS of the CAPITOL



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Named one of America's favorite buildings by the American Institute of Architects, Nebraska's State Capitol Building is a favorite subject among photographers. Its dramatic architecture provides many opportunities for closer study. The Unicameral Update invited members of the public to share their own Capitol photographs with our readers. This photo series will be available in color on the Legislature's Web site, www.NebraskaLegislature.gov.

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