

THE NEBRASKA LEGISLATURE'S
WEEKLY NEWS PUBLICATION

Stories published daily at
update.legislature.ne.gov

UPDATE

Campaign auto-dialed call procedures debated

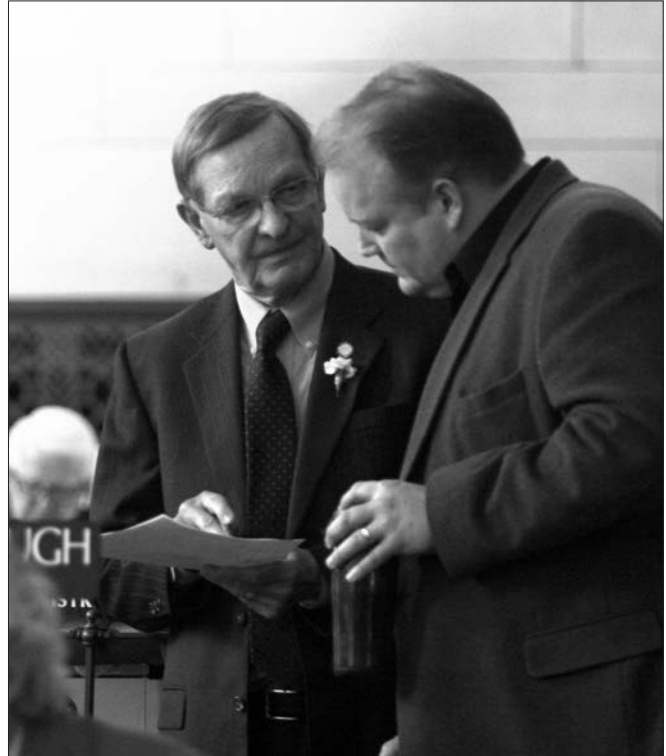
Senators began debating a bill on general file Jan. 17 that would create an exemption for automatic dialing-announcing devices used for campaign purposes. The Legislature debated the issue for the remainder of the week.

Currently, political calls made by automatic dialing-announcing devices are overseen by two commissions: the Public Service Commission (PSC)—a regulatory agency whose responsibilities include oversight of the telecommunications industry in the state, and the Nebraska Accountability and Disclosure Commission (NADC)—a regulatory agency that administers and enforces the state's campaign finance, lobbying and conflict of interest laws.

Any person who uses such a device for a reason other than solicitation is required to register with the PSC and include an explanation of the planned message.

LB418, introduced by Omaha Sen. John Nelson, would amend the current statute to create an exemption from registering automatic dialing-announcing devices with the PSC and would give regulatory authority to the NADC.

Nelson said the NADC has the knowledge and skills to regulate these calls. The current process of regulating auto-



(continued on page 2) Sen. John Nelson (left) discusses LB418 with Sen. Scott Lautenbaugh.

Chief's remarks focus on vulnerable Nebraskans

Chief Justice Michael Heavican of the Nebraska Supreme Court delivered his State of the Judiciary address to the Legislature Jan. 19.

Heavican's address focused on the judiciary's advancements in serving the state's children and elderly.

Through a statewide working group, the courts have cooperated with the Legislature and executive branch officials to improve service delivery in child welfare cases and in juvenile and county courts, Heavican said.

In addition, the state has addressed truancy by focusing on local-level solutions prior to formal court involvement, he said.

"By focusing our efforts on prevention and on diversion of truants before they enter the court system, all parties benefit," Heavican said. "The courts' resources should be reserved for the most difficult truancy cases."

Nebraska also has been recognized as a national leader in protection of vulnerable adults, he said.

By improving laws regarding guardianships and conservatorships, as well as increased training of court staff and financial institutions, Nebraska has strengthened protections for the state's vulnerable elderly population, he said.

Heavican noted the importance of technology in improving access and efficiency in the state's judicial system. Through partnership with Nebraska.gov, he said, the courts are able to process online payment of court fines and costs including civil judgments,

(continued on page 3)

Campaign auto-dialed call procedures debated

(continued from front page)

mated calls through two separate agencies is inefficient and confusing, he said, so LB418 could simplify this process.

A pending Judiciary Committee amendment would clarify that all political content, regardless of the message, would be exempt from the PSC registration requirements.

Omaha Sen. Heath Mello spoke in opposition to the amendment and the bill, saying they would undo the accountability measure originally put in place to regulate automated dialing calls.

Mello introduced an amendment to the committee amendment Jan. 18 that would require automated calls to provide information immediately preceding the message. This would include the name of the person making the expenditure if the message is being transmitted for a person making an expenditure that is reportable under the Nebraska Political Accountability and Disclosure Act.

“There is nothing wrong with the existing system in my mind,” Mello said. “There is a reasonable protection for consumers when they know who is providing the service and what they are providing it for.”

It could be burdensome to have two separate agencies regulating the process, he said, so the amendment provides a legitimate solution to both issues.

Nelson opposed the Mello amendment, saying that the primary purpose of the PSC is to regulate consumer commerce and solicitations, not political content. The regulatory authority should be placed with the NADC because political dialogue is its point of expertise, he said.

The Mello amendment failed on a 16-25 vote, and Mello filed a motion to reconsider the vote.

“I am open to ideas for efficiency,” he said. “But I also want to make sure that we keep the same consumer protections that we have already put into place.”

The motion to reconsider failed on a 14-27 vote, and Mello filed a motion to bracket the bill.

“If we are going to make massive, wholesale changes to

consumer protections on these types of calls, I think we should bracket this bill and explore it over the interim,” Mello said.

Sen. Annette Dubas of Fullerton supported the bracket motion, saying there are no problems with how automated calls currently are regulated.

“If there are changes that need to be made [to the bill], we need to take the time to consider them,” she said. “That is why I think the bracket motion is appropriate.”

Nelson spoke in opposition to the bracket motion, saying the intent of LB418 is to limit regulation on automated calls that are political in nature.

“I think the less regulation we have of free speech the better off we are,” he said.

The motion to bracket LB418 failed on a 17-23 vote as debate continued Jan. 19.

Nelson filed an amendment to the committee amendment that would require eligible persons who make automated calls relating to a political candidate or ballot to register the use of such a message with the NADC.

The name and address of the person paying for the message would be provided, as well as a detailed description of the planned use.

Under the amendment, the NADC could not charge a fee for such registration.

Nelson said his amendment would clarify what regulatory authority would be given to the NADC. It would require that statements for the intended use of the message be filed with the NADC, he said, but the amendment would not require a submission of the entire script as the PSC currently requires.

The Nelson amendment was adopted on a 32-7 vote, and Mello filed a motion to reconsider the vote.

“While this [amendment] does improve the bill, it still makes the process less transparent,” Mello said.

The Legislature adjourned before taking further votes. Six additional amendments are pending—five from Mello and one from Omaha Sen. Burke Harr. ■

“I am open to ideas for efficiency, but I also want to make sure that we keep the same consumer protections that we already put into place.”

-- Sen. Heath Mello

Chief's remarks focus on vulnerable Nebraskans

(continued from front page)

criminal fines and restitution.

The judicial branch also is making progress in electronic case filing and 24-hour viewing, he said.

"We are now one of only a few court systems in the nation that have a statewide comprehensive case management system," he said.

Heavican said the courts' use of technology enhances its ability to provide access to justice for Nebraska citizens.

"We continue to be committed to cooperation, to making the judicial branch and its services accessible and affordable and to being held accountable," he said. ■



Sens. Colby Coash (left), Amanda McGill (right) and others escort Nebraska Supreme Court Chief Justice Michael Heavican into the Norris Chamber to deliver his State of the Judiciary address.

UNICAMERAL UPDATE ONLINE

While the Unicameral Update print edition is mailed out weekly, the Web version of the publication, located at update.legislature.ne.gov, is updated continually throughout the legislative day.

The site provides links to get the Update's RSS and Twitter feeds or subscribe to the Update's Google group to receive weekly Update e-mails. Readers may search Update stories by bill number,

senator's name or keyword using the search box provided in the top-right corner.



UNICAMERAL UPDATE

The Nebraska Legislature's official news source

HOME | ABOUT | PHOTOS | TEACHER'S GUIDE

Committees Sections Senator Features Session Review 2010 Slideshows/Videos

RECENT HEADLINES: Bills introduced Jan. 11

Governor gives the State of the State address

Published January 13th, 2011, in Ceremonies

With a vision of making Nebraska the ideal place to create jobs, build a business, obtain an education and have a family, Gov. Dave Heineman delivered his State of the State address to lawmakers Jan. 13. "Our state is in a position to make these goals a reality because of what we have accomplished together [Read more ...]



Economic forecasting board reduces revenue projections

Published October 29th, 2010, in Appropriations

The Nebraska Economic Forecasting Board met Oct. 29 to revise its forecast for the current fiscal year and adopt projections for the next biennium. The board provides an advisory forecast of General Fund receipts on which the Legislature crafts the state's budget. During its February meeting, the board projected that state revenues would amount to [Read more ...]

January 2011						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						01
02	03	04	05	06	07	08
09	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					


Click here for streaming video.

Education

Bill would require increased educational accountability

The state Board of Education would establish an expanded accountability structure under a new bill discussed by the Education Committee Jan. 17.

LB870, introduced by York Sen. Greg Adams, would authorize the board to set performance and assessment indicators for students. The measures used under the new accountability structure would be established by the board by Aug. 1.



Sen. Greg Adams

Schools currently are held accountable for students' results on content area assessments. LB870 would add additional measures including student growth and improvement and graduation rates. Schools would be required to report the data annually.

Adams said the intent of the bill is to establish a broader range of benchmarks for use in measuring a school's effectiveness.

"When we look at content scores, there are a lot of things behind that number," he said. "This bill does not throw out what we're already doing,

but expands what we measure."

Bob Evnen testified on behalf of the state Board of Education in support of the bill. He said focusing on incremental growth and improvement would make progress attainable for all students.

"We're not expecting under-performing schools to bridge the gap immediately," he said. "We want schools to stair-step to higher achievement levels."

Andy Rikli, assistant superintendent of Westside Community Schools, testified that a school's demographics, as well as the rigor of a school's graduation requirements, should be considered under the new system.

"Not all school districts have the same graduation requirements," he said. "Schools that go above and beyond should be acknowledged."

No one testified in opposition.

The committee took no immediate action on the bill.

Government, Military & Veterans Affairs

New airport hazard-area dimensions advanced

Lawmakers gave first-round approval Jan. 17 to a bill that would change definitions in the state's Air-

port Zoning Act dealing with airport hazard areas.

LB352, sponsored by Omaha Sen. Scott Lautenbaugh, would extend the instrument runway approach zone from three to 10 miles.

Lautenbaugh said the bill would extend the zone in a cone shape from the end of an instrument runway, but would not alter the three-mile visual approach zone that currently surrounds airports.

Sen. Bob Krist of Omaha spoke in support of the bill, saying it would allow Nebraska airports to comply with Federal Aviation Administration regulations if they chose to be certified for instrument landings. For planes to land via instruments only, he said, certain criteria have to be met regarding obstacles in the plane's glide path.

A Government, Military and Veterans Affairs Committee amendment, adopted 34-0, would allow an existing structure or tree to be grandfathered into compliance with the new zoning restrictions if the structure or tree does not increase in height.

Committee chairperson Sen. Bill Avery of Lincoln said the amendment allows for a gradual increase in the height of potential obstacles as the 10-mile zone extends beyond the runway, ending at a maximum of 890 feet.

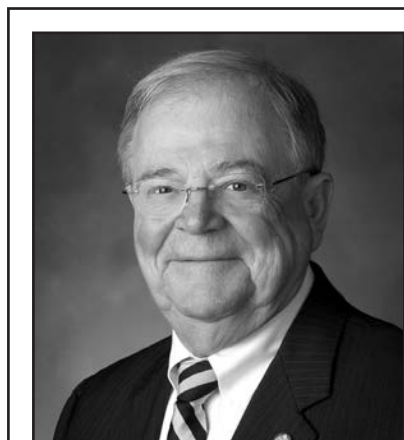
Avery said the amended bill should not adversely affect the construction of cell phone towers or windmills near rural airports because both are significantly shorter than 890 feet.

Lautenbaugh said the bill would support economic development and provide rural communities the ability to qualify for life-flight landings to provide emergency medical care.

Columbus Sen. Paul Schumacher



Sen. Scott Lautenbaugh



Sen. Les Seiler of Hastings was sworn in Jan. 14 to represent legislative district 33. He is a senior partner at a Hastings law firm.

Seiler was appointed by the governor to replace Sen. Dennis Utter, who passed away shortly before the start of the legislative session.

expressed concern that the bill would give too much power to local airport authorities who could pursue instrument runways at the expense of building windmills or other types of economic development.

“It’s a power shift [away] from the county and the people who can vote on it to a very narrow group of people,” Schumacher said.

The amended bill advanced to select file on a 32-1 vote.

Bill would change ballot vacancy provisions

Provisions for filling a general election ballot vacancy would be harmonized under a bill given first-round approval Jan. 17.

Omaha Sen. Pete Pirsch, sponsor of LB503, said the measure would provide consistency in filling ballot vacancies. Nebraska has different provisions when a ballot vacancy occurs due to a candidate declining a nomination and when a candidate exits a race for other reasons, he said.



Sen. Pete Pirsch

Under current law, the political party of a candidate who declines a nomination has three days to fill the ballot vacancy.

LB503 would remove the time constraint in cases of declination and would allow a vacancy to be filled by the executive committee of the vacating candidate. If such a committee does not exist or chooses not to replace the candidate, the vacancy may be filled by a mass convention of the political party.

“The bill would treat both situations the same,” Pirsch said.

LB503 advanced to select file on a 34-0 vote.

Structural changes proposed to local boards of education

The structure and compensation of local boards of education was the focus of a Government, Military and Veterans Affairs Committee hearing Jan. 18.

Under LB720, introduced by Omaha Sen. Scott Lautenbaugh, the Omaha Public Schools’ board of education would be limited to five members. The board is currently composed of 12. Under Lautenbaugh’s bill, members would be forced to vacate their position after two consecutive four-year terms. The bill also calls for a \$20,000 annual salary for all board members.

Lautenbaugh said the size of the Omaha board is simply too large to function effectively.

“You get to a point of diminishing returns with larger numbers,” he said. “It’s harder for members to assert themselves when you get a larger number.”

Omaha Sen. Brenda Council introduced LB717 in response to Lautenbaugh’s bill. Her bill would require that any changes made to the Omaha board be applied to every board of education.



Sen. Brenda Council

“It’s not our job to meddle in one district’s business, but to set statewide public policy,” she said. “If you believe those provisions represent sound public policy, it should be applied to all districts in Nebraska.”

Council, a former member of the Omaha Board of Education, testified to the board’s effectiveness during her 11-year term. She said the current structure allows representatives to hear from all areas of their districts.

John Lindsay, representing Omaha Public Schools, testified in opposition to LB720. He said the size of Omaha’s

subdistricts would become much too large under the bill.

“Some subdistricts would have to be nearly twice the size of some legislative districts,” he said.

Current board member Mary Morrissey opposed both the reduction in size and annual salaries proposed in LB720.

“I don’t want to be paid for my services,” she said. “I feel like the money should be better spent in the classrooms.”

Former senator Ernie Chambers of Omaha testified in a neutral capacity. He said the problem is the quality, not quantity, of people serving on the board.

“You don’t have to change the structure,” he said. “You have to get better and more responsive people on the board.”

No one testified in support of either bill, and the committee took no immediate action on them.

Bill would require reporting of electioneering communication

An electioneering communication of more than \$250 would require a report to the Nebraska Accountability and Disclosure Commission under a bill heard Jan. 19 by the Government, Military and Veterans Affairs Committee.

LB754, introduced by Lincoln Sen. Bill Avery, would define an electioneering communication as one that:

- refers to a clearly defined candidate;
- is publicly distributed in the 30 days before an election; and
- is directed to the electorate of an office sought by the clearly defined candidate.

Contributions and expenditures



Sen. Bill Avery

would be excluded from the definition of an electioneering communication, as would a candidate debate, a communication by the media or by a membership organization to its members or about a specific bill while the Legislature is in session.

Avery said the measure was similar to a bill he introduced last session that stalled during select file debate. He said LB754 addresses concerns expressed by various organizations regarding how membership organizations and voter guides are defined.

"I have incorporated all of the suggestions made to me last year into this bill," he said.

Under the bill, membership would be established when an individual indicates intent to join or pays dues to an organization.

Frank Daley, executive director of the Nebraska Accountability and Disclosure Commission, testified in support of bill.

"The simple point of the bill ... is that if you're going to spend money in connection with Nebraska elections, you have to report it," Daley said.

There was no opposition testimony and the committee took no immediate action on the bill.

Review of senator conflicts of interest proposed

The Government, Military and Veterans Affairs Committee heard testimony Jan. 19 on bill that would require the formal review of conflict of interest statements filed by state senators.

Lincoln Sen. Bill Avery, sponsor of LB755, said the proposal would raise awareness among lawmakers and provide citizens additional information



Sen. Bill Avery

about potential legislative conflicts of interest.

Under current law, local-level elected officials must file potential conflict of interest statements before voting on measures that may have a financial benefit or detriment to the individual, his or her immediate family members or business interests.

Statements are reviewed by the Nebraska Accountability and Disclosure Commission, Avery said, which determines if a conflict exists.

"If they have a conflict, they are barred from voting," he said.

State senators, however, face no such restriction, Avery said. Senators are required to file a potential conflict of interest statement, he said, but the commission currently does not review the filings and lawmakers are free to vote on measures related to a statement.

Under LB755, a potential conflict of interest statement filed by a state senator would be reviewed by the commission and a determination would be filed with the Clerk of the Legislature within a reasonable amount of time.

Frank Daley, executive director of the Nebraska Accountability and Disclosure Commission, testified in support of the bill. He said the measure would treat state lawmakers more like other elected officials in relation to conflicts of interest.

The bill would not prevent senators from voting on a bill even when a conflict of interest exists, he said, but would provide additional information for the public to consider regarding such votes.

Conflict of interest determinations by the commission also could assist senators in making decisions about recusing themselves from votes, he said.

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

Health & Human Services

Bill would broaden authorization for respiratory therapy decisions

A bill that would allow nurse practitioners and physician assistants to order respiratory services was discussed during a hearing of the Health and Human Services Committee Jan. 19.

LB788, introduced by Lincoln Sen. Kathy Campbell, would change current state statute to reflect the standards adopted by the federal government and Centers for Medicare and Medicaid Services.



Sen. Kathy Campbell

Darcy O'Brien-Genrich, president of the Nebraska Society for Respiratory Care, testified in support of the bill. She suggested that it be amended to include certified registered nurse anesthetists and certified midwives.

"Respiratory therapists need to be able to practice with midlevel practitioners," she said.

Lincoln respiratory therapist Tom Danek said providing proper care to homebound patients is particularly difficult under the current law.

"Being in the homecare setting, we don't have easy access to physicians for authorization," Danek said. "It's much easier to gain access to a nurse practitioner."

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

Foster care demonstration project proposed

The state Department of Health

and Human Services (DHHS) would be required to apply for a federal waiver for a foster care demonstration project under a bill heard Jan. 20 by the Health and Human Services Committee.

Lincoln Sen. Kathy Campbell said LB820, introduced by the committee, could improve permanency for children in the foster care system and allow the department to fund an array of community-based services for children and their families.

Title IV-E is the adoption assistance and foster care program funded by the federal government.

The bill would require DHHS to apply for a federal Title IV-E waiver by Jan. 1, 2013.

"The waivers do not add more money to state [Title] IV-E funds, but provide more flexibility in their use," Campbell said.

Under the bill, the waiver application would be required to show that Nebraska would implement at least two child welfare improvement policies outlined by the federal government within three years of the application. At least one of those policies would be new to the state.

Melanie Williams-Smotherman, executive director of the Family Advocacy Movement, spoke in favor of the bill.

She said a waiver could result in more funds for programs that focus on family preservation, rather than out-of-home services. Currently, Nebraska fluctuates between having the second and third highest child removal rate in the country, she said.

"There is a horrible price to pay for this ... which cannot be measured in dollars," Williams-Smotherman said.

Sarah Forrest of Voices for Children in Nebraska also testified in support, calling the bill an important opportunity for comprehensive child welfare reform.

"For many years our child welfare

system has failed children and families," she said, adding that abuse prevention and in-home services could greatly improve outcomes for children at risk.

Scot Adams, interim director of the DHHS division of children and family services, testified in a neutral capacity.

Adams said the department is interested in exploring a Title IV-E waiver, but is concerned about timelines outlined in the bill. In addition, he said, DHHS is engaged in monitoring the performance of current reforms and would like time to explore any unintended consequences of obtaining a waiver.

"We are concerned with the mandate of LB820," Adams said. "We've got far more to learn."

No opposition testimony was given and the committee took no immediate action on the bill.

Genetic counselors would receive licensure under bill

A formal licensure process for genetic counselors was the focus of a bill discussed by the Health and Human Services Committee Jan 19.

Under LB831, introduced by Omaha Sen. Gwen Howard, genetic counselors who have satisfied the training and certification requirements of the American Board of Genetic Counseling could apply for licensure. Howard said the need for licensure is important due to the growing prevalence of the practice.

"Genetic counselors work with many general practitioners today," Howard said.

Bronson Riley, representing the Southeast Nebraska Cancer Center, testified that licensure would improve the quality of care available to patients.

"Currently any individual can hold

himself or herself as a genetic counselor," he said. "With licensure, individuals can feel assured the person providing genetic counseling is properly educated."

Sen. Bob Krist asked whether a genetic counselor would advise a woman to terminate a pregnancy based on information provided during a consultation.

Beth Conover, an Omaha genetic counselor, explained that her job is to present all options and support the patient.

"My job is to help them identify the implications for their family," she said. "I'd never tell them what to do, but would help them find resources."

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

State ward drug task force proposed

The Health and Human Services Committee heard testimony Jan. 20 on a bill that would require creation of a task force to examine prescription of psychotropic drugs to children who are wards of the state.

LB837, sponsored by Omaha Sen. Gwen Howard, would require the committee to create the task force, comprising 10 lay members and 11 government representatives.

Howard said a recent federal report indicated that foster children are more likely than the general public to be medicated and that the drugs used can cause serious side effects, including seizures and suicidal thoughts.

In addition, she said, the mental disease and trauma suffered by foster children often is exacerbated by a lack of comprehensive and coordinated health care.

"I believe the turmoil of reform has only highlighted the likely risks," Howard said.



Sen. Gwen Howard

Caitlin Pardue of Voices for Children in Nebraska testified in support of the bill, saying psychotropic drugs can create more problems than they solve when used without other forms of therapy.

“Medication is often seen as a quick fix for many behavioral problems ... but they’re only addressing the surface level,” Pardue said.

No opposition testimony was given and the committee took no immediate action on the bill.

Judiciary

Penalty for contraband in detention facilities advances

A bill that would create an offense for bringing prohibited items into a detention facility was advanced from general file Jan. 17.

LB415, introduced by Cortland Sen. Norm Wallman, would make it a Class I misdemeanor to bring prohibited items into a detention facility, provide them to an inmate or for an inmate to possess them.



Sen. Norm Wallman

When contraband is brought into jail facilities for prisoners, Wallman said, it destabilizes the security of the jail and compromises its staff. Facilities are increasingly dealing with such situations and more significant penalties are needed, he said.

A Judiciary Committee amendment would require that any items prohibited by the detaining authority be listed on a sign that is clearly posted and visible to all persons entering the detention facility.

Sen. Brad Ashford of Omaha, the committee chairperson, said that the public should be adequately notified

about what items are considered contraband because the penalty for bringing contraband into facilities is so significant.

The amendment was adopted 34-0 and LB415 advanced from general file on a 35-0 vote.

Bill would allow transfer of judgeship

The Judiciary Committee heard testimony Jan. 18 on a bill that would transfer a county court judgeship to another district.

LB790, introduced by Lincoln Sen. Colby Coash, would transfer a judgeship in the 5TH Judicial District County Court—located in Hamilton County—to the 3RD Judicial District County Court—located in Lancaster County.



Sen. Colby Coash

Coash said caseloads in Hamilton County have decreased, so the Nebraska Judicial Resources Commission decided not to fill the vacant judgeship and instead transfer it to a district with a higher caseload.

Susan Strong, a Lancaster County judge, testified in support of the bill. She cited data from a recent caseload study showing that Hamilton County currently has six judgeships, but has a need for only 4.5 judgeships. Lancaster County currently has six judgeships, but has a need for 8.1 judgeships, she said.

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

Bill would prevent frivolous lawsuits from inmates

Inmates would be prevented from filing frivolous lawsuits at public

expense under a bill discussed by the Judiciary Committee Jan. 20.

LB793, introduced by Omaha Sen. Scott Lautenbaugh, would place restrictions on inmates with a history of filing frivolous lawsuits. He said the bill would save taxpayer money



Sen. Scott Lautenbaugh

and unclog the state court system.

“Some prisoners have abused the filing process in the past,” Lautenbaugh said. “One gentleman has filed over 600 lawsuits.”

Under the bill, any inmate who has previously filed three civil lawsuits deemed by a court to be frivolous would be prohibited from filing a civil case at the public’s expense. The inmate could continue to file civil suits at his or her personal expense.

Exceptions to the rule would include inmates who could prove an imminent danger of bodily harm or criminal appeals. If signed into law, the “three-strike” rule would apply only to lawsuits filed after the adoption of the law.

Warren Whitted, Nebraska State Bar Association president, testified in support of LB793. He said that the bill would strike an important balance within the court system.

“This bill ensures adequate access to redress in the courts while limiting frivolous lawsuits,” Whitted said.

Amy Miller, ACLU legal director, testified against the bill, saying it unfairly targets a prison population with high rates of illiteracy and poverty.

“It’s not fair to expect prisoners to meet the same standard in drafting lawsuits as trained lawyers,” Miller said. “The bill also unfairly targets the poor because those with money could continue to file suits.”

The committee took no immediate action on the bill.

Bill would ban “bath salt” drug

The Judiciary Committee heard testimony Jan. 19 on a bill that would expand the Uniform Controlled Substances Act to ban the compounds that are used to make the drug commonly known as bath salts.

These are chemically altered substances that have similar effects as methamphetamines, LSD and PCP. The product is manufactured and marketed as “bath salts” to skirt around current drug laws.

Under LB814, introduced by Ogalala Sen. Ken Schilz, the penalty for possessing bath salts would be a Class IV felony and manufacturing or trafficking the drug would be a Class III felony.



Sen. Ken Schilz

Schilz said the drugs can result in a loss of motor control, paranoia and erratic behavior in those who take it.

Corey O’Brien, assistant attorney general, testified in support of the bill. These drugs are cheap to purchase, are widely available and exist solely for the purpose of getting children and adults high, he said.

Some of the compounds listed in LB814 were banned at the federal level in 2010, O’Brien said, but that does not authorize Nebraska to prosecute for possession of these drugs.

“We wanted to make this bill as all encompassing as possible so manufacturers could not tweak the [banned substances] just enough so they are not illegal, like they are doing under federal laws,” O’Brien said.

Mike Vance, a Seward County sheriff, also testified in support of the bill, saying he had arrested a man who

had abducted a nine-year-old boy after using bath salts.

When the man was located, Vance said, he was on the roof of a house getting ready to jump off and was acting similar to people who are high on PCP.

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

Death concealment penalties could increase

A bill that would increase the penalty for concealing the death of another person was discussed in a Judiciary Committee hearing Jan. 19.

Under LB815, introduced by Lincoln Sen. Tony Fulton, the penalty for concealment of a person’s death would be increased from a Class I misdemeanor to a Class III felony.

The concealment or an attempt to prevent discovery of human remains would be treated as a separate offense, with any additional sentences imposed to be served consecutively. The bill also would remove the statute of limitation for the offense.



Sen. Tony Fulton

Fulton said concealing a person’s remains could significantly hamper an investigation into their death, so the punishment should reflect the significance of withholding that information.

David Partsch, representing the Nebraska County Attorneys Association, testified in support of the bill, saying that concealment often results in a lack of evidence on the causation of death.

In homicide cases involving concealment, Partsch said, there often is not enough evidence to convict a person of first-degree murder, so charges are lessened to an offense such as manslaughter.

John Freudenberg, the attorney gen-

eral’s criminal bureau chief, also testified in support of the bill, saying concealment cases are difficult to prosecute.

“It does not make sense to reward those who do a really good job of hiding a body by giving them a lesser penalty,” Freudenberg said.

Coleen Nielsen, representing the Nebraska Criminal Defense Attorneys Association, provided neutral testimony. When penalties are enhanced it makes more work for the court system, she said.

“In recent years, we have noticed there has become a burden on the court system and public defenders offices as a result of enhanced penalties,” Nielsen said. “And this particular [bill] is going to add all kinds of litigation to the process.”

There was no opposition and the committee took no immediate action on the bill.

Judicial pay increase considered

Nebraska Supreme Court justices would receive a salary increase under a bill heard by the Judiciary Committee Jan. 20.

Lincoln Sen. Colby Coash introduced LB862 with the intent of providing a salary increase to the Supreme Court justices commensurate with an increase received by state employees in 2012. He explained that the increase was important because the salaries of all judges are based on the salaries of the Supreme Court.

“This bill is important because it would also apply to all judges serving in Nebraska,” Coash said.

Warren Whitted, Nebraska State Bar Association president, testified in support of the bill. He said that compensation for judges should be competitive to encourage a strong judiciary.

“We have experienced an inordinate number of retirements recently,” Whitted said. “When looking for high-

ly qualified replacements, we need to be able to properly compensate them.”

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

Revenue

Bill would streamline tax certificate procedure

County treasurers would lose the ability to issue tax deeds without a public sale under a bill advanced to select file Jan. 17.

When a property tax bill goes unpaid, interested investors currently can purchase a tax sale certificate. The certificate pays 14 percent interest on the taxes due. If the tax bill remains unpaid, investors can choose to begin foreclosure proceedings. The most common method involves a judicial foreclosure of the tax certificate to gain ownership of the property.

The second method allows a county treasurer to issue a tax deed without a public sale of the property. This method would be eliminated under LB370, a bill introduced by Lexington Sen. John Wightman.

According to the bill's statement of intent, repealing the provision would place all lien holders on a fair, level playing field.

Several senators voiced concerns over the proposed change. Omaha Sen. Burke Harr said removing the tax deed structure would be problematic for all involved.

“By eliminating the provision, a property could feasibly sit for years without taxes being collected,” Harr said. “We want to encourage people to purchase tax certificates to keep funding for schools.”



Sen. John Wightman

Schuyler Sen. Chris Langemeier instead suggested changing the process used to notify property owners of a past-due tax bill.

“I think the notice is the problem,” he said. “They get this 30-day notice and don’t know what it is.”

Wightman agreed to discuss possible amendments to the bill before it reaches the second round of debate.

The bill was advanced to select file on a 40-0 vote.

Property valuation notices could change

A bill that would clarify the property valuation process was discussed in a Revenue Committee hearing Jan. 19.

York Sen. Greg Adams said he introduced LB822 on behalf of county assessors seeking to avoid confusion among property owners.



Sen. Greg Adams

Currently, when a property is assessed at a value different than the previous year, the county assessor must notify the property owner. The old and new assessed values, dates to file a protest and the median value of all property in the county are included in the notice.

LB822 would eliminate the inclusion of the median value from personal notices. Under the bill, the value would continue to be provided by the assessor's office and to local media.

“Listing the median value creates confusion for taxpayers,” Adams said.

Marilyn Hladky, representing the Nebraska Association of County Assessors, testified in support of the bill. She explained that the median value listed in the notice has been a frequent point of contention for taxpayers.

“Some homeowners who are assessed above the listed median value

feel their valuation should be lowered to meet the median,” she said.

No one testified in opposition to the bill and no immediate action was taken.

Urban Affairs

Two-year city budget cycles proposed

First class cities in Nebraska would be authorized to change from an annual to a biennial budget process under a proposal heard by the Urban Affairs Committee Jan. 17.

LB868, sponsored by the committee, would amend the State Budget Act to allow cities of the first class to file biennial budgets with the state auditor's office upon approval by city voters.

Crete mayor Roger Foster testified in support of the bill, saying the shift to a two-year budget cycle would allow communities like Crete to improve long-range fiscal planning and union contract negotiations.

“It would allow us to make better use of our time and tax dollars,” Foster said.

No opposition testimony was given and the committee took no immediate action on the bill. ■



SENATOR CONTACT INFO

Sen. Greg L. Adams York, District 24 Room 1107 (402) 471-2756 gadams@leg.ne.gov news.legislature.ne.gov/dist24	Sen. Tanya Cook Omaha, District 13 Room 1208 (402) 471-2727 tcook@leg.ne.gov news.legislature.ne.gov/dist13	Sen. Tom Hansen North Platte, District 42 Room 1012 (402) 471-2729 thansen@leg.ne.gov news.legislature.ne.gov/dist42	Sen. Tyson Larson O'Neill, District 40 Room 1019 (402) 471-2801 tlarson@leg.ne.gov news.legislature.ne.gov/dist40	Sen. Pete Pirsch Omaha, District 4 Room 1101 (402) 471-2621 ppirsch@leg.ne.gov news.legislature.ne.gov/dist04
Sen. Brad Ashford Omaha, District 20 Room 1103 (402) 471-2622 bashford@leg.ne.gov news.legislature.ne.gov/dist20	Sen. Abbie Cornett Bellevue, District 45 Room 1116 (402) 471-2615 acornett@leg.ne.gov news.legislature.ne.gov/dist45	Sen. John N. Harms Scottsbluff, District 48 Room 2011 (402) 471-2802 jharms@leg.ne.gov news.legislature.ne.gov/dist48	Sen. Steve Lathrop Omaha, District 12 Room 2000 (402) 471-2623 slathrop@leg.ne.gov news.legislature.ne.gov/dist12	Sen. Scott Price Bellevue, District 3 Room 1528 (402) 471-2627 sprice@leg.ne.gov news.legislature.ne.gov/dist03
Sen. Bill Avery Lincoln, District 28 Room 1114 (402) 471-2633 bavery@leg.ne.gov news.legislature.ne.gov/dist28	Sen. Brenda Council Omaha, District 11 Room 1120 (402) 471-2612 bcouncil@leg.ne.gov news.legislature.ne.gov/dist11	Sen. Burke J. Harr Omaha, District 8 Room 1115 (402) 471-2722 bharr@leg.ne.gov news.legislature.ne.gov/dist08	Sen. Scott Lautenbaugh Omaha, District 18 Room 1021 (402) 471-2618 slautenbaugh@leg.ne.gov news.legislature.ne.gov/dist18	Sen. Ken Schilz Ogallala, District 47 Room 1202 (402) 471-2616 kschilz@leg.ne.gov news.legislature.ne.gov/dist47
Sen. Dave Bloomfield Hoskins, District 17 Room 1117 (402) 471-2716 dbloomfield@leg.ne.gov news.legislature.ne.gov/dist17	Sen. Annette M. Dubas Fullerton, District 34 Room 1018 (402) 471-2630 adubas@leg.ne.gov news.legislature.ne.gov/dist34	Sen. Lavon Heidemann Elk Creek, District 1 Room 1004 (402) 471-2733 lheidemann@leg.ne.gov news.legislature.ne.gov/dist01	Sen. LeRoy J. Louden Ellsworth, District 49 Room 1016 (402) 471-2725 llouden@leg.ne.gov news.legislature.ne.gov/dist49	Sen. Paul Schumacher Columbus, District 22 Room 1019 (402) 471-2715 pschumacher@leg.ne.gov news.legislature.ne.gov/dist22
Sen. Lydia Brasch Bancroft, District 16 Room 1529 (402) 471-2728 lbrasch@leg.ne.gov news.legislature.ne.gov/dist16	Sen. Deb Fischer Valentine, District 43 Room 1110 (402) 471-2628 dfischer@leg.ne.gov news.legislature.ne.gov/dist43	Sen. Gwen Howard Omaha, District 9 Room 1124 (402) 471-2723 ghoward@leg.ne.gov news.legislature.ne.gov/dist09	Sen. Beau McCoy Omaha, District 39 Room 1404 (402) 471-2885 bmccoy@leg.ne.gov news.legislature.ne.gov/dist39	Sen. Les Seiler District 33 Room 1523 (402) 471-2712 lseiler@leg.ne.gov news.legislature.ne.gov/dist33
Sen. Kathy Campbell Lincoln, District 25 Room 1402 (402) 471-2731 kcampbell@leg.ne.gov news.legislature.ne.gov/dist25	Sen. Mike Flood Norfolk, District 19 Room 2103 (402) 471-2929 mflood@leg.ne.gov news.legislature.ne.gov/dist19	Sen. Charlie Janssen Fremont, District 15 Room 1403 (402) 471-2625 cjanssen@leg.ne.gov news.legislature.ne.gov/dist15	Sen. Amanda McGill Lincoln, District 26 Room 1212 (402) 471-2610 amcgill@leg.ne.gov news.legislature.ne.gov/dist26	Sen. Jim Smith Papillion, District 14 Room 1115 (402) 471-2730 jsmith@leg.ne.gov news.legislature.ne.gov/dist14
Sen. Tom Carlson Holdrege, District 38 Room 1022 (402) 471-2732 tcarlson@leg.ne.gov news.legislature.ne.gov/dist38	Sen. Tony Fulton Lincoln, District 29 Room 2107 (402) 471-2734 tfulton@leg.ne.gov news.legislature.ne.gov/dist29	Sen. Russ Karpisek Wilber, District 32 Room 1015 (402) 471-2711 rkarpisek@leg.ne.gov news.legislature.ne.gov/dist32	Sen. Heath Mello Omaha, District 5 Room 1206 (402) 471-2710 hmello@leg.ne.gov news.legislature.ne.gov/dist05	Sen. Kate Sullivan Cedar Rapids, District 41 Room 1118 (402) 471-2631 ksullivan@leg.ne.gov news.legislature.ne.gov/dist41
Sen. Mark R. Christensen Imperial, District 44 Room 1000 (402) 471-2805 mchristensen@leg.ne.gov news.legislature.ne.gov/dist44	Sen. Mike Gloor Grand Island, District 35 Room 2015 (402) 471-2617 mgloor@leg.ne.gov news.legislature.ne.gov/dist35	Sen. Bob Krist Omaha, District 10 Room 1117 (402) 471-2718 bkrist@leg.ne.gov news.legislature.ne.gov/dist10	Sen. John E. Nelson Omaha, District 6 Room 2108 (402) 471-2714 jnelson@leg.ne.gov news.legislature.ne.gov/dist06	Sen. Norm Wallman Cortland, District 30 Room 1406 (402) 471-2620 nwallman@leg.ne.gov news.legislature.ne.gov/dist30
Sen. Colby Coash Lincoln, District 27 Room 2028 (402) 471-2632 ccoash@leg.ne.gov news.legislature.ne.gov/dist27	Sen. Ken Haar Malcolm, District 21 Room 1017 (402) 471-2673 khaar@leg.ne.gov news.legislature.ne.gov/dist21	Sen. R. Paul Lambert Plattsmouth, District 2 Room 1522 (402) 471-2613 plambert@leg.ne.gov news.legislature.ne.gov/dist02	Sen. Jeremy Nordquist Omaha, District 7 Room 2004 (402) 471-2721 jnordquist@leg.ne.gov news.legislature.ne.gov/dist07	Sen. John M. Wightman Lexington, District 36 Room 2010 (402) 471-2642 jwightman@leg.ne.gov news.legislature.ne.gov/dist36
Sen. Danielle Conrad Lincoln, District 46 Room 1008 (402) 471-2720 dconrad@leg.ne.gov news.legislature.ne.gov/dist46	Sen. Galen Hadley Kearney, District 37 Room 2104 (402) 471-2726 ghadley@leg.ne.gov news.legislature.ne.gov/dist37	Sen. Chris Langemeier Schuyler, District 23 Room 1210 (402) 471-2719 clangemeier@leg.ne.gov news.legislature.ne.gov/dist23	Sen. Rich Pahls Omaha, District 31 Room 1401 (402) 471-2327 rpahls@leg.ne.gov news.legislature.ne.gov/dist31	

NEW BILLS

Bill Introducer One-line description

Jan. 17, 2012

LB996	Wightman	Change provisions relating to compulsory attendance
LB997	Wightman	Change provisions relating to high voltage conductor safety
LB998	Krist	Create the Foster Care Review Office and eliminate the Foster Care Review Board
LB999	Price	Authorize the display of an honor and remember flag at public buildings
LB1000	McGill	Change certain marriage related fees
LB1001	McGill	Create the Building Code Advisory Committee and change and eliminate state agency building code compliance requirements
LB1002	Sullivan	Change long-term care bed moratorium provisions
LB1003	Schumacher	Change motor vehicle liability insurance and financial responsibility requirements
LB1004	Schumacher	Authorize credit unions to receive deposits of public funds
LB1005	Lambert	Include state emergency response teams under the Volunteer Emergency Responders Job Protection Act
LB1006	Fulton	Change bidding provisions relating to vendors who are blind or visually impaired
LB1007	Fulton	Require production costs of a report submitted to the Legislature to be stated on the report
LB1008	Fulton	Provide for utilization and treatment guidelines for medical services under the Nebraska Workers' Compensation Act
LB1009	Ashford	Provide that probation records are not subject to disclosure
LB1010	Nordquist	Change eligibility provisions relating to the Supplemental Nutrition Assistance Program
LB1011	Dubas	Adopt the Property Tax Relief Act
LB1012	Lautenbaugh	Change medical treatment and temporary disability provisions under the Nebraska Workers' Compensation Act
LB1013	Mello	Change the Administrative Procedure Act and provide for attorney's fees and costs as prescribed
LB1014	Conrad	Authorize the Auditor of Public Accounts to conduct a performance audit of the Department of Roads
LB1015	Conrad	Change the child care reimbursement rate
LB1016	Conrad	Require the Department of Health and Human Services to contract with certain community-based organizations as prescribed
LB1017	Conrad	Transfer funds to the Affordable Housing Trust Fund
LB1018	Conrad	Change provisions relating to business mergers, consolidations, and conversions
LB1019	Harms	Appropriate funds for capital improvements at the state colleges
LB1020	Nordquist	Adopt the Nebraska Coordinated School Health Act
LB1021	Schilz	Change provisions relating to actions involving motor vehicle collisions with domestic animals
LB1022	Nordquist	Change officer and employer contribution rates under the Nebraska State Patrol retirement Act
LB1023	Avery	Provide for the waiver of education-related fees for dependents of veterans
LB1024	Avery	Provide exceptions to the State Personnel System
LB1025	Avery	Prohibit accepting gifts and contributions by Public Service Commission members
LB1026	Avery	Change the Uniform Disposition of Unclaimed Property Act to change provisions relating to confidential records
LB1027	Cook	Change licensure requirements for head injury facility administrators
LB1028	Cook	Require Department of Health and Human Services to apply for a grant relating to long-term care services
LB1029	Lambert	Require an address from a complainant or trustee for acceptance of demands of payment relating to real property
LB1030	Hansen	Change provisions relating to obligations of drivers
LB1031	Harr	Change provisions relating to name of debtor for Uniform Commercial Code financing statements
LB1032	Wightman	Change advertisement and display of credential provisions under the Uniform Credentialing Act
LB1033	Cornett	Provide tax incentives under the Nebraska Advantage Act for renewable energy projects
LB1034	Nordquist	Adopt the College Choice Grant Program Act
LB1035	Sullivan	Provide for automatic nomination of airport authority board members as prescribed
LB1036	Nordquist	Provide for a cash balance benefit election for certain county and state employees and create county and state retirement funds
LB1037	Nelson	Change matching requirements for arts funding
LB1038	Council	Require blood-lead testing prior to school enrollment
LB1039	Brasch	Change provisions relating to school bus safety requirements
LR375CA	Schumacher	Constitutional amendment to permit the Legislature to authorize games of chance, lotteries, and gift enterprises, provide for compacts with bordering states, and distribute revenue
LR376CA	Mello	Constitutional amendment to change provisions relating to redevelopment projects

Jan. 18, 2012

LB1040	Schilz	Change provisions relating to snow removal on state highways and encroachments and regulation of state rights-of-way
LB1041	Cook	Adopt the Department of Health and Human Services Delivery Improvement and Efficiency Act
LB1042	Campbell	Authorize nurse practitioners to sign death certificates
LB1043	Langemeier	Eliminate provisions relating to contracts or agreements for discounted rates involving public power districts

NEW BILLS

Bill	Introducer	One-line description
LB1044	Haar	Provide for Public Service Commission regulation of hazardous liquid pipeline facilities
LB1045	Haar	Authorize school district expenditures in case of disaster or emergency as prescribed
LB1046	Harr	Change provisions relating to law enforcement certification and continuing education
LB1047	Howard	Require safe injection practices as prescribed
LB1048	Howard	Increase an appropriation for nurse visitation services as prescribed
LB1049	Cornett	Create and change provisions relating to the purchase of certain metals
LB1050	Cornett	Provide a sales and use tax incentive for procurement processing companies
LB1051	Coash	Change registry provisions regarding adult protective services and child protection cases
LB1052	Christensen	Change provisions relating to maintenance of drainage facilities on county roads
LB1053	Louden	Create Nebraska Tourism Commission and transfer powers and duties from the Travel and Tourism Division of the Department of Economic Development
LB1054	McCoy	Exempt ancillary product contracts from state insurance laws and authorize the sale of such contracts in conjunction with motor vehicle service contracts
LB1055	Hadley	Appropriate funds for a Kearney Division nursing and allied health professions facility
LB1056	Pirsch	Change provisions relating to harassment and domestic abuse protection orders
LB1057	Carlson	Change the Nebraska Corn Resources Act
LB1058	Carlson	Change the Employment Security Law and the New Hire Reporting Act
LB1059	Avery	Adopt the State Officers Compensation Act
LB1060	Avery	Change procedures for adoption and promulgation of rules and regulations
LB1061	Heidemann	Change provisions relating to valuation of agricultural land
LB1062	Nordquist	Change provisions relating to adoption assistance
LB1063	Cook	Adopt the Children's Health and Treatment Act
LB1064	Fulton	Permit the procurement of sickness and accident insurance from a nonadmitted insurer under the Surplus Lines Insurance Act
LB1065	Fulton	Appropriate facility construction funds for the Lincoln Division of the University of Nebraska Medical Center College of Nursing
LB1066	Hansen	Appropriate funds for planning and design of a veterinary diagnostic laboratory facility
LB1067	Karpisek	Change restrictions on keno
LB1068	Adams	Create and provide duties for the Medicaid in the Public Schools Task Force
LB1069	Wightman	Change provisions relating to tax sales to collect delinquent property taxes
LB1070	Wightman	Change eligibility provisions for petitioning on the general election ballot
LB1071	Cornett	Extend the deadline for acceptance of applications under the Convention Center Facility Financing Assistance Act
LB1072	Business & Labor	Provide for payment of claims against the state
LB1073	Business & Labor	Deny payment of certain claims against the state
LB1074	Schilz	Provide duties for the State Department of Education relating to the federal Family Educational Rights and Privacy Act
LB1075	Cornett	Provide for assessment of rent-restricted housing projects by the Property Tax Administrator
LB1076	Karpisek	Change requirements for copies of public records and speaking at public meetings
LB1077	Howard	Require certain health care facilities to offer vaccinations to residents and patients
LB1078	Lautenbaugh	Require manager of a liquor licensee to complete training as prescribed
LB1079	Mello	Provide grants for educational bridge programs for low-income adults
LB1080	Cornett	Provide a property tax exemption and a sales and use tax exemption relating to data centers
LB1081	Christensen	Provide for free antlerless deer hunting permits for farmers as prescribed
LB1082	Karpisek	Name and change provisions of the Police Officers Retirement Act
LB1083	Bloomfield	Clarify permitted practices under the Nurse Practice Act
LB1084	Christensen	Require all land leased by the Board of Educational Lands and Funds be open to the public for hunting, fur harvesting, and fishing
LB1085	Harr	Adopt the Tourism Development Act and provide for the transfer of state sales tax revenue
LB1086	Lautenbaugh	Provide an additional ground for seeking grandparent visitation
LB1087	Nordquist	Adopt the Compressed Natural Gas Innovation Act
LB1088	Ashford	Change notice, summons, and warrant provisions of the Nebraska Juvenile Code
LB1089	Nelson	Appropriate funds for construction of a cancer research facility
LB1090	Wallman	Provide for the awarding of grants and the distribution of information relating to the Summer Food Service Program by the State Department of Education
LB1091	Fischer	Adopt the Prepaid Wireless Surcharge Act and eliminate certain charges on prepaid wireless service
LB1092	Fulton	Require information and training regarding the disposal of mercury-containing light bulbs
LB1093	Hadley	Change provisions relating to foreclosure proceedings for delinquent real estate taxes
LB1094	Harms	Provide for an election in certain counties to require elections by mail
LB1095	Larson	Provide for Beef State license plates
LB1096	Ashford	Prohibit entry into a motor vehicle without permission of the owner or for the purpose of committing a crime
LB1097	Pirsch	Exempt purchases of nonprofit mental health centers from sales and use tax
LR377CA	Avery	Constitutional amendment to terminate legislative compensation provisions and provide for creation of a compensation commission for state constitutional officers and members of the Legislature

NEW BILLS

Bill Introducer One-line description

Jan. 19, 2012

LB1098	Council	Repeal the Build Nebraska Act and change distribution of sales and use tax revenue
LB1099	Council	Change expense provisions under the Nebraska Juvenile Code
LB1100	Wightman	Create a legislative advisory committee to study and report regarding health care services and health care insurance
LB1101	Wightman	Change provisions relating to election of county assessors
LB1102	Wightman	Change inheritance tax rates and exemption amounts
LB1103	Wightman	Provide access to deceased family member's medical records
LB1104	Adams	Change the Postsecondary Education Act
LB1105	Adams	Change and eliminate provisions relating to schools
LB1106	Schilz	Change provisions relating to assessment of improvements on leased public land
LB1107	Pirsch	Change provisions relating to the movement of vehicles and other property after an accident and provide immunity
LB1108	Pirsch	Change provisions relating to a sales and use tax exemption for manufacturing machinery and equipment
LB1109	Brasch	Provide for classification of flooded agricultural land as inundated land
LB1110	Brasch	Provide for assistance for temporary and permanent housing after a natural disaster
LB1111	Flood	Change provisions relating to penalties involving operator's license revocation
LB1112	Flood	Change provisions relating to state highway system plans
LB1113	Flood	Adopt the Nebraska Uniform Power of Attorney Act
LB1114	Flood	Change provisions relating to the Municipal Equalization Fund
LB1115	Flood	Authorize construction and operation of natural gas pipeline facilities by jurisdictional utilities
LB1116	Flood	Change Nebraska Capitol Commission membership provisions
LB1117	Cornett	Change income tax calculations relating to the federal alternative minimum tax
LB1118	Cornett	Provide tax incentives for large data center projects
LB1119	Karpisek	Prohibit sale, possession, and use of flying lantern-type devices
LB1120	Karpisek	Limit liability for bucking bull activities
LB1121	Lambert	Change signature requirements for recall petitions for sanitary and improvement districts
LB1122	Bloomfield	Change the Medical Assistance Act with respect to certain home health services
LB1123	Council	Adopt the Nebraska Healthy Food Financing Initiative Act
LB1124	Council	Provide for designation of priority schools
LB1125	Christensen	Change provisions relating to natural resources district occupation tax
LB1126	Christensen	Provide and change extraterritorial jurisdiction of a village
LB1127	Christensen	Change provisions and penalties relating to issuing or passing a bad check or issuing a no-account check
LB1128	Schumacher	Adopt the New Markets Job Growth Investment Act and provide tax credits
LB1129	Coash	Provide requirements for insurance coverage of autism spectrum disorders
LB1130	Coash	Provide for entertainment district licenses under the Nebraska Liquor Control Act
LB1131	McGill	Adopt the Innovation, Discovery, Entrepreneurial Act
LB1132	McGill	Change the Community Development Law
LB1133	Avery	Adopt the Redistricting Act
LB1134	Avery	Change agency procedures for eminent domain
LB1135	Haar	Provide an income tax credit relating to purchases of energy star certified materials and equipment
LB1136	Mello	Create and provide for a wage subsidy program
LB1137	Mello	Adopt the Nebraska Municipal Land Bank Act
LB1138	Mello	Change community betterment organization and tax credit provisions under the Community Development Assistance Act
LB1139	Mello	Prohibit receiving certain types of wagers on horseracing
LB1140	Mello	Provide for licensure instead of registration under the Professional Landscape Architects Act
LB1141	McGill	Change provisions relating to reimbursement of travel expenses for Nebraska National Guard members
LB1142	Nordquist	Adopt the Health Care Transparency Act
LB1143	Cornett	Change and eliminate provisions relating to stacking of insurance coverages
LB1144	Ashford	Provide for career academy schools
LB1145	McGill	Change and provide provisions and penalties relating to human trafficking and pandering
LB1146	McGill	Appropriate funds to carry out the Nebraska Prostitution Intervention and Treatment Act
LB1147	Dubas	Provide for public wireless Internet access in the State Capitol
LB1148	Gloor	Change certification provisions for marriage and family therapists
LB1149	McGill	Change provisions relating to child guardianships and child welfare caseloads
LB1150	McGill	Adopt the Young Adult Voluntary Foster Care Services Act
LB1151	Lathrop	Eliminate a sunset provision under the Nebraska Workers' Compensation Act relating to certain first responder injuries
LB1152	Lathrop	Provide job training programs for recipients of unemployment insurance benefits
LB1153	Lathrop	Require timely provision of juvenile court-ordered treatment or services
LB1154	Lathrop	Provide job training programs for unemployment benefit recipients
LB1155	Lathrop	Change penalties relating to operating a motor vehicle while under orders not to operate a motor vehicle
LB1156	Carlson	Exempt non-equalized schools from expenditure limits in the Tax Equity and Educational Opportunities Support Act
LB1157	Larson	Change late filing fee provisions under the Nebraska Political Accountability and Disclosure Act

NEW BILLS

Bill	Introducer	One-line description
LB1158	Krist	Provide requirements for medical assistance behavioral health managed care contracts
LB1159	Krist	Provide additional requirements and duties relating to state contracts for services valued at twenty-five million dollars or more
LB1160	Health & Human Services	Require Department of Health and Human Services to develop an information system and provide for reports and an evaluation
LB1161	Smith	Provide for study and evaluation of routes for proposed oil pipelines
LB1162	Nelson	Provide for appointment of nonresidents as notaries public
LB1163	Fulton	Provide for a deer donation program and for redistribution of deer permit fees
LB1164	Fulton	Prohibit the Attorney General from bringing an action pursuant to a certain federal statute that addresses the distribution in commerce of general service incandescent lamps
LB1165	Fulton	Change provisions relating to truancy and excessive absenteeism
LB1166	Ashford	Eliminate certain elective county offices when approved by the voters and provide for appointments
LB1167	Lautenbaugh	Require certain provisions in highway and bridge construction and maintenance contracts
LB1168	Lautenbaugh	Adopt the School District Purchasing Act
LB1169	Pirsch	Require reporting of disappearance or death of a child as prescribed
LB1170	Christensen	Change provisions of separate segregated political funds under the Nebraska Political Accountability and Disclosure Act
LB1171	Christensen	Adopt the Nebraska Balance of Powers Act and create the Committee on Nullification of Federal Laws
LB1172	Pirsch	Provide an additional ground for termination of parental rights
LR378	Schilz	Congratulate the Ogallala High School one-act play for winning the 2011 Class B state championship
LR379	McCoy	Congratulate the Elkhorn South High School girls' golf team for winning the 2011 Class B state championship
LR380	McCoy	Congratulate the Elkhorn South High School boys' tennis team for winning the 2011 Class B state championship
LR381	Fulton	Recognize the achievements of Colonel Harry Francis Cunningham on the eightieth anniversary of the completion of the State Capitol and request the Lincoln City Council rename a portion of "J" Street in his honor



A column in the rotunda of the State Capitol.

2012 COMMITTEES

AGRICULTURE

Chairperson: Sen. Tom Carlson

Members: Sens. Bloomfield, Brasch, Harr, Karpisek, Larson, Lathrop and Wallman

Meets: Tues. – Rm. 2102



Sen. Tom Carlson

APPROPRIATIONS

Chairperson: Sen. Lavon Heidemann

Members: Sens. Conrad, Fulton, Hansen, Harms, Mello, Nelson, Nordquist and Wightman

Meets: Mon., Tues. – Rm. 1524;
Wed., Thurs., Fri. – Rm. 1003



Sen. Lavon Heidemann

BANKING, COMMERCE & INSURANCE

Chairperson: Sen. Rich Pahls

Members: Sens. Christensen, Gloor, Langemeier, McCoy, Pirsch, Schilz and Schumacher

Meets: Mon., Tues. – Rm. 1507



Sen. Rich Pahls

BUSINESS & LABOR

Chairperson: Sen. Steve Lathrop

Members: Sens. Ashford, Carlson, Cook, Harr, Smith and Wallman

Meets: Mon. – Rm. 2102



Sen. Steve Lathrop

EDUCATION

Chairperson: Sen. Greg Adams

Members: Sens. Avery, Cornett, Council, Haar, Howard, Seiler and Sullivan

Meets: Mon., Tues. – Rm. 1525



Sen. Greg Adams

GENERAL AFFAIRS

Chairperson: Sen. Russ Karpisek

Members: Sens. Bloomfield, Brasch, Coash, Krist, Lambert, Larson and McGill

Meets: Mon. – Rm. 1510



Sen. Russ Karpisek

GOVERNMENT, MILITARY & VETERANS AFFAIRS

Chairperson: Sen. Bill Avery

Members: Sens. Janssen, Karpisek, Pahls, Price, Seiler, Sullivan and Wallman

Meets: Wed., Thurs., Fri. – Rm. 1507



Sen. Bill Avery

HEALTH & HUMAN SERVICES

Chairperson: Sen. Kathy Campbell

Members: Sens. Bloomfield, Cook, Gloor, Howard, Krist and Lambert

Meets: Wed., Thurs., Fri. – Rm. 1510



Sen. Kathy Campbell

BUILDING MAINTENANCE

Chairman: Sen. LeRoy Loudon

Members: Sens. Hansen, Heidemann, Mello, Sullivan and Wallman

ENROLLMENT & REVIEW

Chairman: Sen. Tyson Larson

LEGISLATURE'S PLANNING COMMITTEE

Chairperson: Sen. John Harms

Members: Sens. Cook, Flood, Gloor, Heidemann, Mello, Schumacher, Sullivan and Wightman

EDUCATION COMMISSION OF THE STATES

Members: Sens. Adams, Harms and Howard

JUDICIARY

Chairperson: Sen. Brad Ashford

Members: Sens. Coash, Council, Harr, Larson, Lathrop, Lautenbaugh and McGill

Meets: Wed., Thurs., Fri. – Rm. 1113



Sen. Brad Ashford

NATURAL RESOURCES

Chairperson: Sen. Chris Langemeier

Members: Sens. Carlson, Christensen, Dubas, Haar, McCoy, Schilz and Smith

Meets: Wed., Thurs., Fri. – Rm. 1525



Sen. Chris Langemeier

NEBRASKA RETIREMENT SYSTEMS

Chairperson: Sen. Jeremy Nordquist

Members: Sens. Heidemann, Karpisek, Lambert, Loudon and Mello

Meets: at the call of the chairperson – Rm. 1113



Sen. Jeremy Nordquist

REVENUE

Chairperson: Sen. Abbie Cornett

Members: Sens. Adams, Brasch, Fischer, Hadley, Loudon, Pirsch, Schumacher

Meets: Wed., Thurs., Fri. – Rm. 1524



Sen. Abbie Cornett

TRANSPORTATION & TELECOMMUNICATIONS

Chairperson: Sen. Deb Fischer

Members: Sens. Campbell, Dubas, Hadley, Janssen, Lautenbaugh, Loudon and Price

Meets: Mon., Tues. – Rm. 1113



Sen. Deb Fischer

URBAN AFFAIRS

Chairperson: Sen. Amanda McGill

Members: Sens. Ashford, Coash, Cook, Krist, Lambert and Smith

Meets: Tues. – Rm. 1510



Sen. Amanda McGill

EXECUTIVE BOARD (REFERENCE)

Chairperson: Sen. John Wightman

Members: Sens. Christensen, Fischer, Flood, Karpisek, Langemeier, Lathrop, Nelson, Pahls and Heidemann (nonvoting ex officio)



Sen. John Wightman

COMMITTEE ON COMMITTEES

Chairperson: Sen. Tom Hansen

Members: Sens. Adams, Ashford, Campbell, Carlson, Conrad, Cornett, Fischer, Flood, Howard, Langemeier, Lathrop and Loudon



Sen. Tom Hansen

LEGISLATIVE PERFORMANCE AUDIT

Chairperson: Sen. John Harms

Members: Sens. Dubas, Flood, Heidemann, Krist, Mello and Wightman

RULES

Chairperson: Sen. Scott Lautenbaugh

Members: Sens. Brasch, Dubas, Lathrop, Schilz and Flood (nonvoting ex officio)

MIDWESTERN HIGHER EDUCATION COMMISSION

Members: Sens. Adams and Fischer

MIDWEST INTERSTATE PASSENGER RAIL COMPACT

Members: Sens. Cornett and Fischer

STATE TRIBAL RELATIONS

Chairperson: Sen. Scott Price

Members: Sens. Bloomfield, Brasch, Coash, Dubas, Larson, Nordquist

COMMITTEE HEARINGS

Monday, January 23

Appropriations

Room 1524 - 1:30 p.m.

LB808 (Lautenbaugh) Appropriate funds for an environmental study of a hydroelectric dam project
LB859 (Avery) Provide funding for renovation of Centennial Mall

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB876 (Wallman) Change insurance policy, subscriber contract, and other policy provisions relating to mammography
LB879 (Pahls) Change a security requirement for depositories of public funds
LB886 (Schumacher) Change provisions relating to trademarks and trade names
LB890 (Pirsch) Provide for the electronic transmission of notice under the Nebraska Nonprofit Corporation Act

Business & Labor

Room 2102 - 1:30 p.m.

LB846 (Sullivan) Require employers to maintain employee emergency contact information
LB791 (Mello) Adopt the Shared Work Unemployment Compensation Program
LB866 (Haar) Adopt the Nebraska Fair Employment Opportunity Act
LB911 (Lathrop) Clarify use of a fund under the Employment Security Law

Education

Room 1525 - 1:30 p.m.

LB895 (McGill) Provide for teacher certification for military spouses
LB809 (Lautenbaugh) Change provisions relating to evaluation of certificated employees of schools

General Affairs

Room 1510 - 1:30 p.m.

LB780 (Smith) Redefine "brewpub" and "microbrewery" for purposes of the Nebraska Liquor Control Act
LB781 (Smith) Change bond provisions relating to the gallonage tax on alcoholic liquor
LB861 (Cornett) Change hours of sale provisions under the Nebraska Liquor Control Act

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB841 (Harms) Change provisions re-

lating to permits for exceeding vehicle size and weight limitations
LB764 (Louden) Change provisions relating to vehicle overload exceptions
LB740 (Schilz) Change provisions relating to farmers hauling hay and livestock forage vehicles
LB922 (Mello) Change provisions relating to vehicle load contents and spillage

Tuesday, January 24

Appropriations

Room 1524 - 1:30 p.m.

LB968 (Speaker Flood) Provide for deficit appropriations
LB969 (Speaker Flood) Provide for fund transfers and change provisions relating to various funds

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB784 (Wightman) Change Nebraska Uniform Trust Code provisions relating to testamentary powers
LB887 (Pahls) Change provisions relating to insurance
LB942 (McCoy) Change certain notice provisions under the Nebraska Uniform Limited Liability Company Act
LB943 (McCoy) Adopt the Insured Homeowners Protection Act

Education

Room 1525 - 1:30 p.m.

LB946 (Adams) Adopt the Community College Aid Act

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB718 (Fischer) Change provisions relating to certificates of title, the distribution of titling fees, and registration fees for fleet vehicles
LB724 (Fischer) Change commercial driver medical examination provisions and prohibit texting while driving a commercial motor vehicle
LB910 (Lautenbaugh) Define "certified traffic personnel" and authorize their use at special events
LB803 (Lautenbaugh) Require presentment of an operator's license and proof of insurance to a peace officer by a driver involved in an accident and mandate impoundment of the vehicle in certain situations

Urban Affairs

Room 1510 - 1:30 p.m.

LB918 (Cornett) Change provisions of the Community Development Law
LB921 (Harr) Change provisions relating to metropolitan utilities districts
LB932 (Krist) Provide voting rights for residents of sanitary and improvement districts

Wednesday, January 25

Appropriations

Room 1003 - 1:30 p.m.

Agency 10: Auditor of Public Accounts
Agency 24: Dept. of Motor Vehicles
Agency 28: Dept. of Veterans' Affairs
Agency 37: Workers' Compensation Court
Agency 39: Neb. Brand Committee
Agency 60: Neb. Ethanol Board
Agency 78: Neb. Commission on Law Enforcement and Criminal Justice

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB736 (Schumacher) Require provision of secret-ballot envelopes for elections
LB878 (Wallman) Change election calendar, vacancy, ballot, and counting machine provisions
LB759 (Avery) Require petition sponsors to provide identification for petition circulators and change petition circulation requirements

Health & Human Services

Room 1510 - 1:30 p.m.

LB891 (Nordquist) Provide for a medic-aid waiver to provide coverage for certain low-income HIV-infected individuals
LB900 (Lathrop) Require a report concerning individuals in need of multiple division services from the Department of Health and Human Services
LB825 (Dubas) Establish local offices for access to public benefit programs
LB826 (Dubas) Change provisions relating to legislative consideration of proposed rules and regulations under the Medical Assistance Act

Judiciary

Room 1113 - 1:30 p.m.

LB802 (Lautenbaugh) Authorize carrying of concealed handguns by certain authorities within the scope of their employment
LB804 (Lautenbaugh) Change provisions

COMMITTEE HEARINGS

relating to justification for use of force
 LB805 (Lautenbaugh) Remove the social security number requirement from certain firework permit and license applications
 LB839 (Council) Require reporting of sexual misconduct by a school employee
 LB806 (Lautenbaugh) Authorize the State Racing Commission to regulate wagering on historic horseraces

Natural Resources

Room 1525 - 1:30 p.m.

LB739 (Christensen) Authorize Game and Parks Commission to transfer property to Chase County
 LB849 (Sullivan) Authorize the Game and Parks Commission to transfer Pibel Lake State Recreation Area to the Lower Loup Natural Resources District

Revenue

Room 1524 - 1:30 p.m.

LB830 (Hadley) Provide a sales and use tax exemption for biochips
 LB745 (Fischer) Provide requirements for imposition of municipal occupation taxes

Thursday, January 26

Appropriations

Room 1003 - 1:30 p.m.

Agency 14: Public Service Commission
 Agency 31: Military Department
 Agency 77: Commission of Industrial Relations
 Agency 85: Neb. Public Employees Retirement Board

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB767 (Howard) Require records of dates and hours of work for state officers and employees
 LB779 (Lautenbaugh) Provide for rental of vehicles for use by state agencies
 LB885 (Haar) Provide powers and duties to the state building division relating to the energy efficiency of state facilities
 LB923 (Mello) Adopt the Nebraska Buy American Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB874 (Howard) Change foster care licensure provisions
 LB957 (Health and Human Services)

Adopt the Office of Inspector General for Nebraska Child Welfare Act
 LB961 (Health and Human Services) Change provisions relating to case management of child welfare services

Judiciary

Room 1113 - 1:30 p.m.

LB972 (Ashford) Transfer the youth rehabilitation and treatment centers from the Office of Juvenile Services to the Department of Correctional Services
 LB985 (Krist) Provide for a juvenile justice pilot program
 LB920 (McGill) Change harassment protection order and domestic abuse protection order provisions
 LB787 (McGill) Authorize inspection and regulation of staff secure facilities by the Jail Standards Board

Natural Resources

Room 1525 - 1:30 p.m.

LB743 (Schilz) Provide for a fee relating to consideration of a variance under the Nebraska Ground Water Management and Protection Act

Nebraska Retirement Systems

Room 1525 - 12:10 p.m.

LB916 (Nebraska Retirement Systems) Change provisions relating to retirement
 LB1036 (Nordquist) Provide for a cash balance benefit election for certain county and state employees and create county and state retirement funds

Revenue

Room 1524 - 1:30 p.m.

LB970 (Cornett) Terminate the inheritance tax and change income tax rates and calculation

Friday, January 27

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB735 (Schumacher) Provide for public meetings of a community college board of governors to be held by videoconference or telephone conference
 LB766 (Price) Authorize the Adjutant General to make certain emergency expenditures
 LB782 (McCoy) Require that reports submitted to the Legislature be submitted electronically

Health & Human Services

Room 1510 - 1:30 p.m.

LB929 (McGill) Provide a membership requirement for State Foster Care Review Board members
 LB998 (Krist) Create the Foster Care Review Office and eliminate the Foster Care Review Board
 LB988 (Howard) Provide a rate of payment for certain medical services in emergency protective custody situations

Judiciary

Room 1113 - 1:30 p.m.

LB730 (Mello) Change provisions relating to theft of services
 LB840 (Council) Provide powers and duties relating to inmate mail
 LB948 (Lambert) Change provisions and a penalty relating to intimidation by telephone call
 LB881 (Coash) Change medical services payment provisions relating to jails and correctional facilities

Revenue

Room 1524 - 1:30 p.m.

LB850 (Hadley) Create the incentive area tax credit program and authorize tax credits
 LB872 (Hadley) Change provisions relating to apportionment of income between states

Nebraska Unicameral



1937-2012

Unicameral Information Office
Nebraska Legislature
P.O. Box 94604
Lincoln, NE 68509
03-23-05

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

UNICAMERAL UPDATE

The Unicameral Update is a free newsletter offered weekly during the legislative session. It is produced by the Clerk of the Legislature's Office through the Unicameral Information Office. For print subscriptions, call (402) 471-2788 or e-mail uio@leg.ne.gov.



On Twitter at
twitter.com/UnicamUpdate



By RSS feed at
update.legislature.ne.gov



Online at
update.legislature.ne.gov



E-mail unicameralupdate+subscribe@googlegroups.com to subscribe to a weekly summary

Clerk of the Legislature: Patrick J. O'Donnell

Editor: Heidi Uhing

Contributors: Nicole Behmer, Bess Ghormley,
Kate Heltzel and Ami Johnson

Assistance provided by the Clerk of the Legislature's Office, the Legislative Technology Center, committee clerks, legal counsels, journal clerks, pages, transcribers, mail room and bill room staff and the State Print Shop.

LEGISLATIVE RESOURCES

STATUS OF BILLS OR RESOLUTIONS

www.nebraskalegislature.gov/bills
Legislative Hot Line (available during session) —
(402) 471-2709 or (800) 742-7456

BILLS, RESOLUTIONS OR LEGISLATIVE JOURNALS

Subscriptions: State Capitol, Room 2018 or (402) 471-2271
Individual copies: 24-Hour Request Line at (402) 471-2877

LIVE VIDEO STREAM OF THE LEGISLATURE

www.nebraskalegislature.gov

SENATOR WEB PAGES

www.nebraskalegislature.gov/senators

SENATORS' MAILING ADDRESS

Senator Name
District #
State Capitol
P.O. Box 94604
Lincoln, NE 68509-4604

NEBRASKA BLUE BOOK

Nebraska Blue Book Office: (402) 471-2220
www.nebraskalegislature.gov/about/blue-book.php

STUDENT PROGRAMS AT THE LEGISLATURE

Unicameral Information Office: (402) 471-2788
[www.nebraskalegislature.gov/education/
student_programs.php](http://www.nebraskalegislature.gov/education/student_programs.php)