

- the Nebraska Legislature's news source since 1977
- stories published daily at update.legislature.ne.gov

UPDATE

Foster care reimbursement change proposed

The Health and Human Services Committee heard testimony Feb. 13 on a bill intended to overhaul Nebraska's foster care reimbursement rate system.

Fullerton Sen. Annette Dubas said LB530 is a continuation of work begun last year to develop foster care reimbursement rates for the state that better reflect the actual cost of caring for children.

A temporary committee was established through legislation passed in 2012 to study foster care reimbursement rates, Dubas said, and LB530 is based on the recommendations made by that committee.

The bill would require the state Department of Health and Human Services (DHHS) to implement by July 1, 2013, the reimbursement rates recommended by the committee.

DHHS also would be required to develop a pilot project to implement the standardized level of care assessment tools recommended by the committee. The department would be required to review the pilot program by April 1, 2014, and report to the Legislature.

The bill also would reauthorize the Foster Care Reimbursement Committee, which would make recommendations to DHHS regarding:

- the statewide foster care reimbursement rate structure;

(continued on page 2)

Historic horse racing, race day measures considered

The General Affairs Committee heard joint testimony Feb. 11 on two measures intended to pave the way for wagering on historic horse racing in Nebraska.

LB590, introduced by Omaha Sen. Scott Lautenbaugh, would authorize the state Racing Commission to license and regulate pari-mutuel wagering on historic horse races.

An historic horse race creates a pari-mutuel pool via instant racing terminals from wagers placed on a previously held race at a licensed racetrack.

The bill would establish a Historic Horse Racing Distribution Fund comprising taxes collected from the races and licensing fees, which would be \$1,000 per machine.

Half of the fund's proceeds would be credited to the Racing Commission Cash Fund to be used for programs that facilitate equine therapy for youth and veterans and the other half would be directed to the Compulsive Gambler's Assistance Fund.



Sen. Scott Lautenbaugh describes his bill to the General Affairs Committee Feb. 11.

Under the bill, historic horse racing would end if it were found by a court to allow any additional Class III gaming as defined in the federal Indian Gaming Regulatory Act.

Authority to license and regulate historic horse racing also would terminate if specific criteria were not met within four years of continuous use of instant racing terminals, including:

- construction of a race track enclosure in a county that contains a city of the primary class;

(continued on page 2)

Historic horse racing, race day measures considered

(continued from front page)

- a 25 percent increase in purses compared to 2011; and
- a 30 percent increase in the number of live horse racing days at tracks with instant racing terminals in counties other than Douglas, or a 40 percent increase in Douglas County.

LR41CA, also introduced by Lautenbaugh, would place a proposed constitutional amendment on the November 2014 general election ballot regarding historic horse racing. If approved by voters, the amendment would allow wagering on the results of live, replayed and delayed horse races at licensed racetracks where live racing occurs by a pari-mutuel method.

Lautenbaugh said he believes wagering on historic horse races to be legal under current Nebraska law, but introduced both measures to provide statutory protection and constitutional clarification for the horse racing industry.

He said the inability to utilize machines for wagering on historic races is hindering the survival of the horse racing industry in the state.

“This is about agriculture and the traditions of our state,” he said. “We’re talking about thousands of jobs here.”

Gregory Hosch, general manager of Horseman’s Park in Omaha, testified in support, saying betting on historic races is a form of pari-mutuel wagering, which is allowed under the current constitution, and would not be an expansion of gambling in the state.

“We believe that this is legal already,” Hosch said, but added that tracks are reluctant to install the machines without legal and constitutional clarification.

Lynne Schuller of the Horseman’s Benevolent and Protective Association also supported the measures, saying current laws regulating horse racing in Nebraska were written in the 1920s and 1930s and need to be updated.

“These types of technological advances would have never been envisioned when these statutes were written,” she said. “We would like to update our games if at all possible.”

Pat Loontjer of Gambling with the Good Life testified in opposition, saying historic racing machines would be an unconstitutional expansion of gambling and would create more problem gamblers in Nebraska.

“This is not a win-win situation,” she said. “There are winners and losers and I think we need to think about the losers.”

The committee also considered LB73, introduced by Omaha Sen. Beau McCoy, which would remove the current formula used to determine the number of required live race days at tracks across the state to qualify for interstate simulcasting.

The bill instead would require a statewide total of 49 live race days, with at least one live race day scheduled at each track.

The bill would require each track to have at least one live race day.

“With LB73 in place, all racetracks are treated equally,” McCoy said.

The committee voted Feb. 13 to advance LB590 to general file on a 6-2 vote and voted 6-1 to advance LR41CA. The committee has not taken action on LB73. ■

Changes to foster care reimbursements proposed

(continued from front page)

- adoption assistance payments; and
- the statewide standardized level of care assessment.

The committee would report to the Legislature by July 1, 2016, and would re-evaluate the foster care payment system ever four years.

Dubas said Nebraska lags behind other states in the rates that it pays foster families and needs to systematically examine all aspects of the payment

structure.

“We have a real opportunity through this bill to create a strong and workable relationship between DHHA and the provider agencies,” she said. “We can capitalize on each others’ strengths and create a foster care system that is truly supportive of caregivers.”

Boys Town director Lana Temple-Plotz, testifying in support of the bill on behalf of the Nebraska Chapter

of the Foster Family-Based Treatment Association, agreed. She said recent studies identified Nebraska as one of the states most in need of foster payment rate increases.

“Increasing foster parent reimbursement rates and assessing them on an ongoing basis is essential,” she said.

No opposition testimony was given and the committee took no immediate action on LB530. ■

MEET THE SENATOR

Planting the seeds for a good session

As a farmer, Syracuse Sen. Dan Watermeier would have been a natural fit for committees on agriculture or natural resources. But Watermeier knew his eagerness to learn about and help develop legislation addressing some of the most pressing issues facing Nebraskans meant entering uncharted territory.

That is why he wanted to serve on the Health and Human Services and Transportation and Telecommunications committees.

“I wanted to be on committees that don’t necessarily fall into my areas of experience,” he said. “I want to learn as much as I can during committee and be better prepared for discussion on the floor.”

While he acknowledges the steep learning curve that lies ahead, he said he is excited for the challenge. Watermeier sees the Legislature as a living organism – always growing and changing, and he expects to enjoy being a part of it.

Watermeier grew up in southeast Nebraska, where his father was active in civic boards. He instilled in a young Watermeier the goal to always do better.

“We need to make sure we’re providing services for those who need it most,” he said. “We need to make sure we’re building broader communication access for rural Nebraskans. We can do that if we make sure our state agencies are communicating and working together efficiently.”

Watermeier graduated with a bachelor’s degree in agriculture from the University of Nebraska at Lincoln and began farming soon after. He worked as a grain logistician for Cargill, Inc. and served as chairman on both the Nemaha Natural Resources District and Nebraska Natural Resources Commission.

Watermeier credits wife Jean

Ann and his three daughters – Leslie, Rachel and Kaitlyn – with making the transition to state senator a seamless one. He admits that adapting to Lincoln’s commuter traffic has been one of his biggest adjustments since being sworn in.

“I like to be here by 7 a.m. every morning,” he says, laughing. “It’s just so much easier than sitting in traffic.”

Watermeier says his entry into state government has been nothing but welcoming and encouraging. He identifies former Sen. Mike Flood as someone he looks to as an example of quiet leadership.

“I’ve really been impressed by the amount of passion everyone here – from all the staff to returning senators – has for the institution,” he said.

The balancing act of being a citizen legislator schedules out nicely for Watermeier. It certainly helps that the busy legislative session will begin to wind down right as the peak of farming season begins, he said. He hopes to still have plenty of time to pursue his hobbies: golf, aviation, international travel and of course, spoiling granddaughter Reagan. ■



Sen. Watermeier enjoys a family trip to Jordan with daughter Rachel in 2009.

Banking, Commerce & Insurance

ATM fee disclosure change approved

Lawmakers passed a bill Feb. 11 that brings state law into conformity with federal law relating to automatic teller machine (ATM) fee disclosure requirements.

LB100, introduced by Syracuse Sen. Dan Watermeier, eliminates a requirement that an ATM fee notice be affixed to or displayed on an ATM.



Sen. Dan Watermeier

Currently, fee notices are required to be affixed to or displayed on ATMs as well as displayed on the ATM screen or on a paper notice issued from the machine after a transaction is initiated and before the consumer is irrevocably committed to complete the transaction.

LB100 passed on a 47-0 vote.

Bill clarifying qualified securities for public funds approved

A bill that clarifies the types of financial instruments authorized as securities for public funds under state law was given final approval Feb. 11.

Introduced by Grand Island Sen. Mike Gloor, LB155 clarifies that both mortgage-backed securities and collateralized mortgage obligations qualify to be pledged for purposes of securing public funds as mortgage-backed



Sen. Mike Gloor

obligations.

The bill also allows the pledging for public funds requirements to be satisfied by letters of credit issued by any Federal Home Loan Bank.

The bill passed 48-0.

Extension of small business pilot program advanced

Senators gave first-round approval Feb. 12 to a bill that would alter and extend the Small Business Innovation Act pilot program.

LB628, introduced by Lincoln Sen. Danielle Conrad, would reduce the number of full-time equivalent employees required to qualify for the pilot program from five to two. The bill also would extend the sunset date for one year to Dec. 31, 2014.



Sen. Danielle Conrad

Conrad said the bill would make a good program more user friendly.

“Small businesses are the engine in a vibrant economy,” she said.

The bill advanced to select file on a 32-0 vote.

Education

Changes to education funding formula proposed

The Education Committee heard testimony Feb. 11 on a bill that would amend the Tax Equity and Educational Opportunities Support Act (TEEOSA).

LB407, introduced by Cedar Rapids Sen. Kate Sullivan, would make both permanent and temporary changes to the act. Sullivan said properly funded schools always have been a priority for Nebraska.

“Even before Nebraska was a state,

the responsibility to fund education has been shared between state and local sources,” she said. “Just as school funding has been continually revised, we continue to study the formula to improve it and make it fit in current circumstances.”



Sen. Kate Sullivan

Permanent modifications proposed in the bill include:

- including tuition paid and transportation fees paid to other districts in general fund operating expenditures;
- removing the teacher education allowance, instructional time allowance, averaging adjustment and local choice adjustment;
- limiting the summer school allowance to reported summer school expenditures that are not included in other allowances; and
- allowing additional budget authority for early childhood education when programs move from grant funding to being included in the calculation of TEEOSA aid.

The bill also would adjust the basic allowable growth rate and local effort rate for school districts. For the 2012-13 school year, the basic allowable growth rate was 0.5 percent and the local effort rate was \$1.0395. LB407 would adjust rates according to the following schedule:

- a basic allowable growth rate of 1.5 percent and local effort rate of \$1.03 for 2013-14;
- a basic allowable growth rate of 2.5 percent and local effort rate of \$1.03 for 2014-15; and
- a basic allowable growth rate of 2.5 percent and local effort rate of \$1.00 for 2015-16.

Hastings Public Schools superintendent

dent Craig Kautz supported the bill, saying it was not a perfect solution for his district but the best proposal for the state.

“This bill falls short on about everything my district would like it to address,” he said, “It represents a collaborative effort to provide adequate funding for all districts in the state.”

Linda Richards, Ralston Public Schools Board of Education president, opposed the bill. She said her district constantly has had to adjust and make sacrifices to accommodate a continually evolving aid formula.

“To change the formula once again will drastically impact the educational opportunities for the students of Ralston,” Richards said.

The committee also heard testimony on LB416, introduced by Omaha Sen. Rick Kolowski, which would put a sunset date on the teacher education allowance provided under TEEOSA. Kolowski said the current formula only measures degree attainment and not other forms of professional development.



Sen. Rick Kolowski

“Teachers have the greatest impact on student achievement,” he said. “We need to hire qualified teachers who are able to teach to the diverse needs of our students.”

Kolowski said he intends to introduce an interim study to analyze how best to address teacher development. The current teacher education allowance would remain in effect until a new solution is adopted.

Megan Brown, president of the Student Education Association of Nebraska, supported the bill, saying that continuing education is important in preventing teachers from leaving the workforce within the first five years of teaching.

“I’m the daughter of teachers and

have witnessed the importance of continuing education,” Brown said. “Any measure legislators take to incentivize school districts is crucial to maintaining and attracting high-quality candidates.”

No one testified in opposition to LB416 and the committee took no immediate action on either bill.

Expansion of elementary class size allowance proposed

The Education Committee heard testimony Feb. 12 on a bill that would allow increased class sizes for early elementary classrooms.

The current elementary class size allowance limits the number of students per certified teacher in kindergarten through third grade classrooms to between 10 and 20 students.

LB506, introduced by Lincoln Sen. Kate Bolz, would change the class size allowance for elementary classrooms with one certified teacher and one paraprofessional to a minimum of 21 students and a maximum of 28.



Sen. Kate Bolz

Bolz said recent demographic shifts have placed new pressures on elementary schools.

“Many schools with the will to provide smaller class sizes are limited by physical facility space,” she said. “This is a strategy that targets resources to educators of young students who benefit the most from highly trained teachers.”

Larry Scherer, representing the Nebraska State Educational Association, supported the bill, saying small class size benefits everyone.

“Smaller class sizes make a difference, especially for students with diverse needs,” Scherer said.

No one testified in opposition to

the bill and the committee took no immediate action on it.

Executive Board

Children’s behavioral health committee reauthorized

Senators adopted a resolution Feb. 12 that allows the Children’s Behavioral Health Oversight Committee (also known as the LB603 Committee) to continue its work through the current calendar year.

Introduced by Lincoln Sen. Kathy Campbell, LR31 reauthorizes the committee until the beginning of the 103rd Legislature, Second



Sen. Kathy Campbell

Session. The committee was created in 2009 to provide oversight of programs created in the wake of the state’s safe haven crisis to assist families and children in need of behavioral health services.

The Legislature has since created the Nebraska Children’s Commission, Campbell said, which will take up the current committee’s work. She said the extension will allow time for an orderly transition of oversight duties.

“It is most fitting that we complete the work and oversight of the LB603 Committee and hand it over to the Children’s Commission,” she said.

Fullerton Sen. Annette Dubas supported the resolution, saying that some issues are so complex and pressing that the Legislature’s standing committees need assistance in addressing them.

“In light of term limits it’s even more important that we have the information that we need at our fingertips ... [and] with these special committees, we’re able to generate that information,” Dubas said.

The resolution was adopted on a 39-0 vote.

Government, Military & Veterans Affairs

OPS restructuring bill passes

The size and structure of the Omaha Public School (OPS) board will change under a bill passed by the Legislature Feb. 11.

LB125, introduced by Omaha Sen. Scott Lautenbaugh, reduces board membership from 12 to nine mem-

bers. A special election – coinciding with the Omaha citywide election this spring –will fill all nine board member positions.

Going forward, the elections will be staggered. Board members from even-numbered districts will be up for election in Fall 2014; members from odd-numbered districts will be up for election in Fall 2016.



Sen. Scott Lautenbaugh

Senators passed the bill on a 44-4 vote.

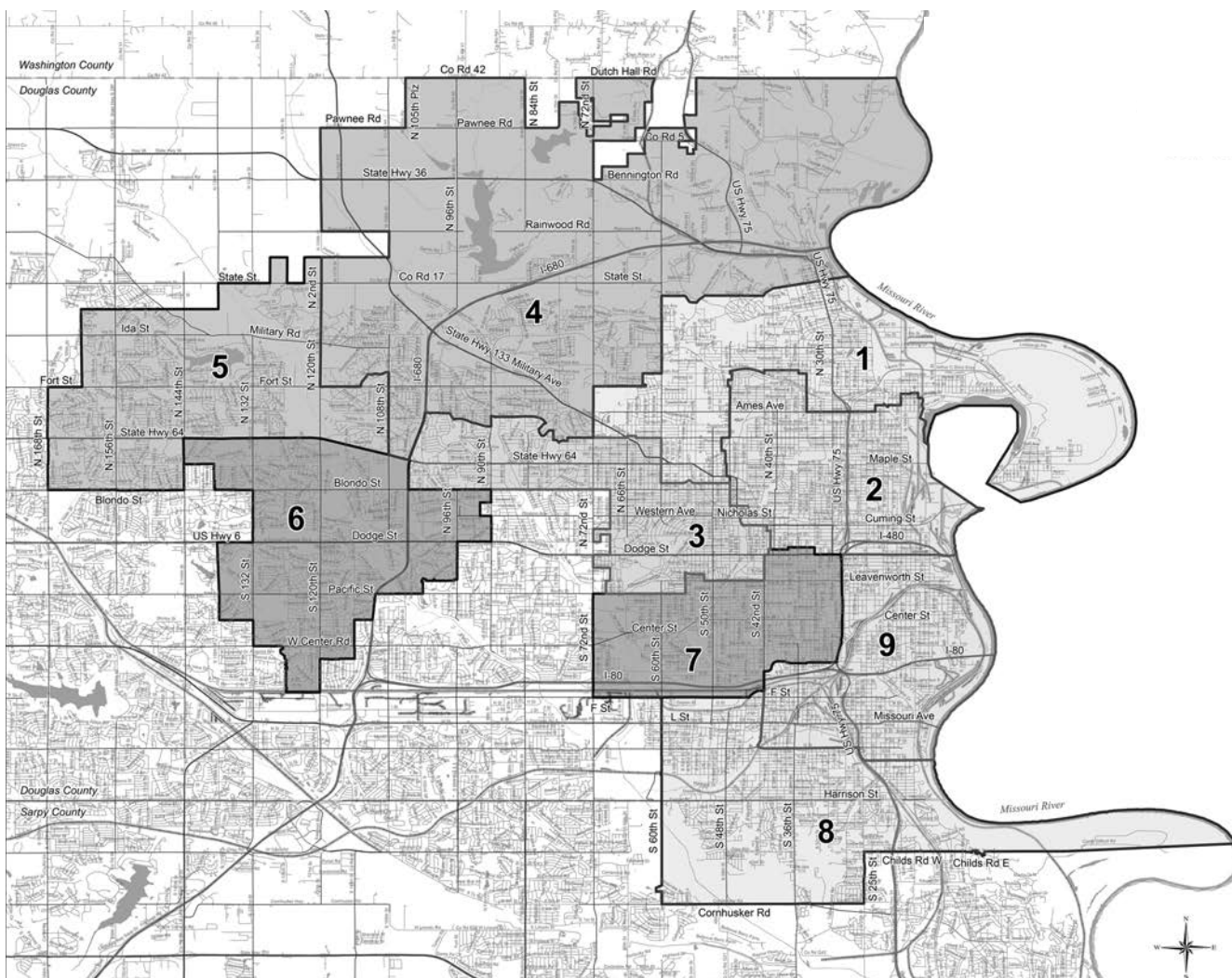
Constitutional officer salary increases proposed

The Government, Military and Veterans Affairs Committee heard testimony Feb. 13 on a bill that would increase salaries for the state’s constitutional officers.

LB217, introduced by Lincoln Sen. Bill Avery, proposes salary increases:

- from \$105,000 to \$126,000 for governor;

OMAHA SCHOOL BOARD DISTRICTS PROPOSED IN LB125



- from \$95,000 to \$114,000 for attorney general;
- from \$85,000 to \$102,000 for secretary of state;
- from \$85,000 to \$102,000 for state treasurer;
- from \$85,000 to \$102,000 for auditor of public accounts;
- from \$75,000 to \$90,000 for lieutenant governor; and
- from \$75,000 to \$90,000 for members of the Public Service Commission.

Avery said the proposed increases would mean a 20 percent pay raise for constitutional officers.



Sen. Bill Avery

“This [raise] might seem large,” he said, “but I would remind you that eight years is a long time to go without a pay increase.”

No testimony was offered on the bill and the committee took no immediate action on it.

Election advisory committees proposed

The Government, Military and Veterans Affairs Committee heard testimony Feb. 14 on a bill that would increase public involvement in the election process.

LB235, introduced by Omaha Sen. Sara Howard, would create an election advisory committee in any county of more than 100,000 residents. The committee would directly advise the county election commissioner on issues including voter registration and elections.



Sen. Sara Howard

Howard said public input in the election process is important.

“This would ensure a transparent election process with adequate public input,” Howard said. “This would be a big step in restoring voter trust.”

Each advisory committee would comprise six members. Two members each would be appointed by:

- the political party with the highest number of votes at the last general election for governor;
- the political party with the second highest number of votes at the last general election for governor; and
- the election commissioner.

The members appointed by the election commissioner must have no affiliation with either of the two highest vote-getting political parties.

The bill would establish a public hearing process for any proposed changes to election precincts. The election commissioner would be required to give at least one week’s notice in a newspaper of general circulation prior to the public hearing.

The size of election precincts also would be reduced from 1,750 voters to 1,000. Howard said increased precinct sizes led to decreased polling places, making it more difficult for certain groups of people to vote in recent elections.

Nebraskans for Civic Reform executive director Adam Morfeld supported the bill, saying a lack of communication has led to decreased public faith in the election process.

“It’s time we put in place permanent mechanisms to ensure maximum communications between election commissioners and the public they serve,” he said.

Wayne Bena, Sarpy County election commissioner, opposed changing the size of precincts, saying it was targeted at Douglas County.

“This is a knee-jerk reaction to perceived problems with the 2012 general election in Douglas County,” he said.

“What might apply in one county won’t work in every county.”

The committee took no immediate action on the bill.

Health & Human Services

Bill to allow hygienists to provide on-site services advances

Senators advanced a bill Feb. 11 that would allow dental hygienists to provide certain services in health care facilities.



Sen. Russ Karpisek

LB484, introduced by Wilber Sen. Russ Karpisek, would allow dental hygienists to treat children in a public health setting. The treatment is limited to include:

- oral prophylaxis;
- pulp vitality testing; and
- preventive measures, including the application of fluoride, sealants and other agents that prevent oral disease.

A dental hygienist currently must have 3,000 hours of clinical experience in at least four of the five preceding years to provide such treatment.

The bill also would allow a licensed dental hygienist with 3,000 hours of clinical experience to provide such treatments to adults in a health care facility.

“The bill will broaden and extend badly needed dental care to thousands of Nebraskans who do not receive it on a regular basis, and would do so at a modest cost,” Karpisek said.

The bill advanced from general file on a 37-0 vote.

Judiciary

Bill would increase damage caps, deadline to file tort claims

The Judiciary Committee heard testimony Feb. 13 on a bill that would modify provisions of the Political Subdivisions Tort Claims Act.

Under LB284, introduced by Lincoln Sen. Danielle Conrad, damages from a single claim would be capped at \$3 million and damages from all claims arising from a single occurrence would be capped at \$12 million.



Sen. Danielle Conrad

The bill also would extend the one-year deadline to file a claim to two years.

Conrad said the damage cap has not increased since it was enacted in 1985.

John Lindsay, representing the Nebraska Association of Trial Attorneys, testified in support of the bill, saying an injury often causes a person to lose their job or some income. The cost of living is much higher than it was in 1985, he said, so the bill would adjust the damages cap to account for inflation rates.

Deputy City Attorney of Omaha Tom Mumgaard testified in opposition to the bill. Only one-third of annual tort claims filed in Omaha do not settle and result in lawsuits, he said, so the current \$1 million cap is sufficient.

Brian Doyle, representing the Eastern Nebraska Development Council, also testified in opposition to the bill, saying it would significantly increase insurance premiums for Sanitary Improvement Districts (SIDs). SIDs must carry liability insurance up to the maximum amount of damages

available under the act, he said.

The committee took no immediate action on the bill.

Police use of drones discussed

The Judiciary Committee heard testimony Feb. 14 on a bill that would prohibit state and local law enforcement agencies from using drones—airial vehicles that are piloted remotely—to gather evidence or collect other information.

Under LB412, introduced by Columbus Sen. Paul Schumacher, a civil action could be brought against a law enforcement agency in violation and any evidence gathered would be inadmissible in court.



Sen. Paul Schumacher

Schumacher said the federal Environmental Protection Agency has conducted drone surveillance on Nebraska farmers. The invasion of privacy is a significant concern for Americans, he said, and the government should not be allowed to spy on law-abiding citizens.

Drones are inexpensive and easy to operate, he said, so nothing is preventing law enforcement from using them. The bill would prohibit the use of surveillance by local law enforcement and protect citizens' privacy rights, he said.

Amy Miller, representing ACLU Nebraska, testified in support of the bill, saying there have been several drone flights over Nebraska to monitor farmers' water usage.

"Drones are fine to monitor high security areas in battlefields," she said. "They do not need to be used in Nebraskans' backyards."

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

Liability exemption proposed for landowners

The Judiciary Committee heard testimony Feb. 13 on a bill that would exempt landowners from recreational liability.

Under LB551, introduced by Ogalala Sen. Ken Schilz, the recreational use of private land would be considered an inherent risk for the participants and would exempt the landowners from liability of any injuries or death of the participant occurring on their property.



Sen. Ken Schilz

Landowners who are aware of dangerous conditions must post warning signs on their property or they would remain liable for any injuries to or death of the participant.

Schilz said 97 percent of Nebraska land is privately owned. The bill would encourage landowners to grant others access to their land for recreation without fear of being held liable for accidents, he said.

Deb Loseke, representing the Nebraska Travel Association, testified in support of the bill, saying that tourism is Nebraska's third largest industry. Farmers and ranchers should be encouraged to grant public access to their land, she said, but lawyers and insurance companies discourage agritourism because of its liability risks.

"Farmers and ranchers need an opportunity to share what they love with those who want to experience it," Loseke said.

Amy Sandeen, the executive director of Prairie Loft Center for Outdoor and Agricultural Learning, also testified in support of the bill. Less than 2 percent of the state's population lives on farms, she said, so agrarian settings

are needed to provide better educational opportunities to the public.

John Lindsay, representing the Nebraska Association of Trial Attorneys, testified in opposition to the bill, saying that liability takes effect only when someone has been careless.

“This bill, to some extent, allows people to be negligent,” he said.

The committee took no immediate action on the bill.

Natural Resources

New licensure requirements for geologists passed

Lawmakers passed a bill Feb. 11 that establishes stronger licensure requirements for geologists practicing in the state.

Under LB91, introduced by Malcolm Sen. Ken Haar, the state Board of Geologists can:



Sen. Ken Haar

- deny a license to any applicant deemed to have an issue of moral turpitude, a felony conviction, or suspension or revocation of an existing license;
- grant licensure to any out of state geologist with at least 15 years of relevant experience under a reciprocity agreement;
- require continuing education of all license-holders; and
- admit members to the board from any Nebraska college or university.

Senators passed the bill on a 49-0 vote.

Water sustainability task force proposed

The Natural Resources Committee heard testimony Feb. 13 on a bill that

would create a task force to address the long-term sustainability of state water resources.

LB517, introduced by Holdrege Sen. Tom Carlson, would create a 15-member Water Sustainability Project Task Force. The task force would include four members from each congressional district and three at-large members. The director of the state Department of Natural Resources, the chairperson of the state Natural Resources Commission and the secretary of the Game and Parks Commission would serve as non-voting members.



Sen. Tom Carlson

Carlson said water is the most important natural resource in the state and proper management is necessary.

“We now know that our water supply is not unlimited,” he said. “We need sound management for water sustainability. If we don’t have that, we will have no economic sustainability.”

The bill would allocate \$3 million for research, data collection and production of the final report, which the task force would submit to the Legislature by Jan. 31, 2014. The report would identify water resources programs, projects and activities in need of funding to meet the long-term statewide goals of water sustainability, efficiency and productivity including:

- research, data and modeling needed to assist the state in meeting its water management goals;
- rehabilitation or restoration of existing and new water supply infrastructure;
- conjunctive management, storage and integrated management of ground and surface water; and

- compliance with interstate compacts or agreements.

Michael Drain, representing the Central Nebraska Public Power and Irrigation District, supported the bill, saying the issue of water management is not a one-time problem.

“We have come to realize that we do not have a water problem to fix but a permanent water issue that always needs attention,” Drain said. “We need permanent funding from the state to continue to address these issues.”

Nebraska Farm Bureau vice president of government relations Jay Rempe also supported the bill. He said the 2012 drought was a perfect example of the necessity for water sustainability and management.

“If farmers had not been able to irrigate in Nebraska in 2012, it would have resulted in a loss of \$11 billion in outputs and over 30,000 jobs,” he said.

Ron Yoder, associate vice chancellor of the Institute of Agriculture and Natural Resources at the University of Nebraska at Lincoln, testified in a neutral capacity. He offered his assistance in collecting relevant data and educating the public on the importance of water as a natural resource in the state.

The Water Sustainability Project Task Force would be terminated on Feb. 1, 2014.

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

Revenue

Possible termination of tax incentive programs proposed

The Revenue Committee heard testimony Feb. 14 on a bill that would require lawmakers either to extend or terminate two tax incentive programs

on a five-year basis.

Under LB627, introduced by Lincoln Sen. Danielle Conrad, the Nebraska Advantage Rural Development Act and Nebraska Advantage Act would terminate on July 1, 2018, unless extended by the Legislature.



Sen. Danielle Conrad

The programs then would be up for termination every five years thereafter unless extended by the Legislature. Termination would not affect any agreements existing on the date of termination.

Approximately 39 cents of every \$1 of Nebraska's state budget goes to tax incentives, Conrad said, so lawmakers should examine more closely how well those dollars are being used.

"We've always moved towards improvement in terms of transparency and accountability to ensure good value for the taxpayers," she said.

Renee Fry, executive director of the Open Sky Institute, testified in support of the bill. The state's biennial budget process ensures that lawmakers carefully examine expenditure of state funds, Fry said, and revenue programs should receive the same level of routine scrutiny.

"To the extent that we're appropriating money, you already see that sort of rigorous review," she said.

Richard Baier of the Nebraska Chamber of Commerce testified in opposition, saying the programs are performance based and businesses already must meet strict requirements in order to receive tax incentives.

Baier said potential termination of either program could negatively impact the state's ability to attract investment.

"The last thing we want to do is

insert more uncertainty for businesses into this process," Baier said.

The committee took no immediate action on the bill.

Transportation & Telecommunications

Bills would require use of seatbelts

The Transportation and Telecommunications Committee heard testimony Feb. 11 on two bills that would require all vehicle passengers to wear seatbelts.

The bills also would make enforcement of wearing a seatbelt a primary action, allowing law enforcement to stop drivers solely for being in violation. Enforcement of the law currently is a secondary action, meaning the driver must first be cited or charged with some other violation.

Under LB10, introduced by Omaha Sen. Bob Krist, all occupants of a vehicle would be required to wear a seatbelt. Violations would be an infraction with a \$25 fine.



Sen. Bob Krist

Krist said deployed airbags sometimes cause the most injury to passengers who are involved in car accidents. Some vehicles have backseat airbags, he said, so those passengers should be seated properly to reduce such injuries.

Under the second bill, vehicle passengers who are not wearing seatbelts would be assessed one point on their operator's license and would be fined \$100 per violation.

Scottsbluff Sen. John Harms, sponsor of LB189, said that requiring passengers to wear seatbelts would decrease fatalities and emergency room

costs resulting from car accidents.

Harms said data collected by the state Department of Health and Human Services on emergency room costs associated with a lack of seatbelt usage was "staggering." The costs for patients who were not wearing seatbelts during an accident averaged \$5,000, as opposed to \$2,000 for those who were, he said.

Joseph Stothert, trauma medical director at the University of Nebraska Medical Center, testified in support of the bill, saying that over 75 percent of crash victims who were declared dead at the scene were not wearing seatbelts.

"The most effective way to prevent the misery caused by trauma is to prevent the trauma," he said. "[Seatbelts] save lives. The more restrained you are, the more protected you are."

Bev Reicks, chief executive officer of the National Safety Council of Nebraska, testified in support, saying the number of passengers who wear seatbelts in Nebraska has not increased since 2004. States that have primary enforcement seatbelt laws have had an increase in usage among high-risk drivers, she said.

Andrea Frazier, state project specialist for Mother's Against Drunk Driving, also testified in support, saying Nebraska had 90 fatalities in 2012 resulting from drunk drivers.

"Drunk drivers are the least likely to buckle up," Frazier said. "Therefore, being able to stop them for not wearing a seatbelt may reduce the number of drunk drivers."

No one testified in opposition to either LB10 or LB189 and the committee took no immediate action on the bills.

Stop light laws could change for lightweight vehicles

The Transportation and Telecommunications Committee heard tes-

timony Feb. 12 on a bill that would allow lightweight vehicles to proceed through red traffic lights.

Under LB85, introduced by Columbus Sen. Paul Schumacher, a vehicle weighing less than 2,000 pounds would be allowed to proceed through an empty intersection or turn either direction after being stopped for two minutes at a traffic light.



Sen. Paul Schumacher

Many traffic lights are equipped with roadway sensors that detect the presence of metal on a motor vehicle before the light will switch to green, Schumacher said. These sensors often do not detect enough metal on the motorcycle to trigger traffic lights to switch to green, he said, forcing motorcyclists to proceed illegally through them.

The bill would provide a solution by permitting motorcyclists to proceed through the intersection if the light remains unchanged for two minutes and it is clear of other vehicles, Schumacher said.

John Lippert, a motorcyclist from Columbus, testified in support of the bill. He said many traffic control light sensors do not detect his 900-pound motorcycle.

“I must decide whether to violate the red light or turn right at every intersection,” Lippert said.

Todd Miller, state coordinator for American Bikers Aimed Toward Education of Nebraska, also testified in support. Sometimes sensors can be triggered by the vehicle following the motorcycle, he said, which forces the motorcyclists to move forward into crosswalks and oncoming traffic.

“This is a huge safety issue for a lot of these smaller vehicles,” Miller said.

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

Bill would make texting while driving a primary offense

The Transportation and Telecommunications Committee heard testimony Feb. 11 on a bill that would make enforcement of texting while driving a primary action, allowing law enforcement to stop drivers solely for engaging in such activity.

Enforcement of the law currently is a secondary action, meaning the driver must first be cited or charged with some other violation.

Under LB118, introduced by Scottsbluff Sen. John Harms, a person in violation would be issued an infraction with a fine between \$200 and \$500, depending on the number of previous offenses.



Sen. John Harms

The U.S. Department of Transportation noted that over 3,000 people were killed in distracted driving accidents in 2010, Harms said. Most people agree that texting while driving is a problem, he said, yet they continually engage in such behavior because the current law is enforceable only if they are violating another law.

“If it already is against the law, why don’t we give law enforcement the tools to enforce it?” Harms said.

Nance Harris, representing the Nebraska Trucking Association, testified in support of the bill, saying that commercial drivers are 23 times more likely to experience a crash as a result of texting.

Erin Smith, a student at Central Community College in Hastings, also testified in support of the bill, saying that her car overturned after she sent a text message to her boyfriend while she was driving. She broke her back and collarbone, experienced brain hemorrhaging and had to have three

surgeries as a result of the accident.

“Today I still suffer from the accident,” Smith said. “Every day I ask myself if that one text was really worth everything I went through, and the answer is ‘no’.”

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

Bill would permit use of amber lights

The Transportation and Telecommunications Committee heard testimony Feb. 12 on a bill that would allow the display of rotating or flashing amber lights on vehicles operated by public safety volunteers and crime prevention organizations.

Under LB399, introduced by Omaha Sen. Scott Lautenbaugh, the use of such lights must be approved by a sheriff, police department or other law enforcement agency and used only within a designated area.

Lautenbaugh said Omaha has over 30 citizen patrols that use flashing amber lights to make residents aware of their presence and to deter people from committing crimes. However, he said, they currently are prohibited by law from using such devices.



Sen. Scott Lautenbaugh

Chris Costantakos, the vice president of the Omaha Coalition Of Citizen Patrols, testified in support of the bill, saying that amber lights make public safety volunteers more identifiable to citizens. Citizen patrols must be easily identified so neighbors can distinguish them from someone who may be acting suspiciously, she said.

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

Urban Affairs

Housing authority consolidation plan stalls

Lawmakers voted Feb. 11 to strike the enacting clause of a bill that would have required development of a regional housing authority plan for the Omaha area.

Introduced by Omaha Sen. Brad Ashford, LB49 would have created a joint committee to develop a plan for the creation of a single housing authority in a county with a metropolitan class city. Currently, Omaha is the only metropolitan class city in Nebraska.



Sen. Brad Ashford

The committee would consist of two members each from the Omaha Metropolitan Housing Authority and the Douglas County Housing Authority. The original four members of the committee then would select three additional members.

The committee would be required to report to the Urban Affairs Committee by Jan. 1, 2014.

Omaha Sen. Ernie Chambers filed a motion to return LB49 from final reading for consideration of an amendment to strike the enacting clause.

Chambers said the bill would be ineffective because it contained no consequences for the newly created committee should they choose not to meet or develop a plan.

“If the Legislature is going to act in this area, they should do so decisively,” he said.

“I take our lawmaking very seriously and I think a law should be enacted only if a persuasive reason can be given for its enactment.”

After initially opposing the motion, Ashford said LB49’s provisions

could be strengthened and amended into another bill that he introduced regarding housing authorities.

“I agree with Sen. Chambers,” he said. “I’m going to give him his point.”

Senators voted 43-0 to return the bill for consideration of the Chambers amendment. The amendment was adopted 39-0, effectively killing the bill.

Appointment terms, bond records, biennial budgets pass

Senators gave final round approval to four bills Feb. 11 that modify provisions for primary, first and second class cities and villages. All were introduced by Lincoln Sen. Amanda McGill.

LB87 provides that an appointee filling a vacancy on an airport authority board may serve the unexpired term of the vacated board member.



Sen. Amanda McGill

The bill passed on a 49-0 vote.

LB111 allows cities of the first and second class and villages to file biennial budgets with the state auditor’s office and county clerk.

State law classifies incorporated cities, villages and municipalities by their population. The city is classified as:

- first if its population is 5,001 to 100,000;
- second if its population is 801 to 5,000; and
- a village if its population is 100 to 800.

The bill passed with an emergency clause on a 49-0 vote.

LB112 transfers record keeping and reporting on bonds from the city clerk to the city treasurer in first and second class cities and villages. The bill also requires the treasurer to prepare lists of and collect all special assessments.

The bill passed on a 49-0 vote.

Finally, LB113 authorizes the mayor of a second class city to vote when it creates a number equal to a majority of the members elected to the council.

Senators passed the bill on a 47-0 vote.

Metropolitan utilities district changes proposed

The Urban Affairs Committee heard testimony Feb. 12 on a bill that would make several technical changes to state law governing metropolitan utilities districts.

LB208, introduced by Omaha Sen. Burke Harr, would make the following changes:



Sen. Burke Harr

- allow the board to decrease the president’s salary;
- eliminate a requirement that the district obtain a bond of not less than \$10,000 on the president’s performance;
- allow the board to establish its own standards for fire hydrant placement, as long as such standards do not violate any state Department of Health and Human Services regulations; and
- remove a requirement that an employee must first have been made a permanent employee by a unanimous vote of the full board of directors in order to be removed from his or her position.

The board still would be able to remove an employee for cause by a two-thirds vote.

Harr said he would offer an amendment to remove another provision from the bill that would increase the employee salary cap from \$10,000 to \$75,000 per year.

Representing MUD, the metropolitan utilities district that supplies water and natural gas to the Omaha area, Rick

Kubat testified in support of LB208. He said the bill would bring state law governing MUD in line with regulations that apply to other public utilities in the state.

“The purpose of LB208 is really to update and remove some obsolete language,” he said, “some of which is roughly 100 years old.”

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

Proposal would change redevelopment program terms

The Urban Affairs Committee heard testimony Feb. 12 on a measure intended to facilitate the use of tax increment financing (TIF) in Nebraska cities and villages.

LR29CA, introduced by York Sen. Greg Adams, would place a proposed constitutional amendment on the No-



Sen. Greg Adams

vember 2014 general election ballot. If approved by voters, the amendment would make two changes to how cities and villages are able to use TIF to rehabilitate substandard properties.

The amendment would replace a current requirement that property be designated “substandard and blighted” with a requirement that it be “in need of rehabilitation and redevelopment.” It also would extend from 15 to 20 years the maximum length of time to repay a TIF bond.

Adams said TIF projects sometimes are hindered when owners of neighboring properties balk at the designation of the property to be redeveloped as substandard and blighted. Often they believe that the designation will reflect poorly on their own property, Adams said, adding that replacing the language may help.

“It’s just a label,” he said. “I think that if we remove that label, we remove some of the mystery and the angst that goes along with TIF.”

Lynn Rex of the League of Nebraska Municipalities testified in favor of the proposal, saying most states

already authorize longer bond terms than are allowed under Nebraska’s current TIF program.

“Only three states still have 15 years as a payback period,” she said.

Omaha planning director Ricky Cunningham also supported the measure, saying the city has “run into the buzz saw of community outcry” when attempting to designate areas as substandard and blighted in order to qualify for TIF.

Owners of neighboring property often falsely believe that the designation will negatively impact their own property values, Cunningham said.

Coby Mach of the Lincoln Independent Business Association testified in opposition. TIF is an effective redevelopment tool, he said, but lawmakers should keep in mind that funds are diverted from schools during the time it takes to pay back a bond.

“TIF also requires a balance,” he said, “a balance between development and the needs of the entire community.”

The committee took no immediate action on the measure. ■

UNICAMERAL YOUTH LEGISLATURE



High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2013 Unicameral Youth Legislature, which will convene June 9-12.

The Unicameral Youth Legislature is a four-day legislative simulation conducted at the State Capitol Building and coordinated by the Clerk’s Office of the Nebraska Legislature. Student senators will sponsor bills, conduct committee hearings, debate legislation and discover the unique process of the nation’s only unicameral.

Students will learn about the inner workings of the Legislature directly from senators, staff and lobbyists. Bills will be based on legislation considered during the current legislative session.

Early-bird registration is available until April 1. Registration forms can be obtained from the Legislature’s Unicameral Youth Legislature page: www.nebraskalegislature.gov/education/unicamyouth.php and the UNL Big Red Summer Academic Camps website: liferaydemo.unl.edu/web/4hcamps/bigredcamps.

The registration deadline is May 15.

COMMITTEE HEARINGS

Tuesday, February 19

Agriculture

Room 1524 - 1:30 p.m.

LB654 (Davis) Change the brand inspection area under the Livestock Brand Act
LB647 (Davis) Change cattle identification provisions of the Animal Importation Act
LB435 (Hansen) Provide for out-of-state brand permits under the Livestock Brand Act
LB587 (Schilz) Change provisions of the Livestock Brand Act

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB384 (Nordquist) Adopt the Nebraska Exchange Transparency Act
LB568 (B. Harr) Provide for licensure of insurance navigators
LB59 (Larson) Change a presumption relating to rebates to insurance agents

Education

Room 1525 - 1:30 p.m.

LB301 (Carlson) Change provisions relating to transfer of property between school districts
LB401 (Lautenbaugh) Adopt the School Purchasing Act
LB409 (Sullivan) Change distribution provisions for core services and educational technology funds
LB201 (K. Haar) Authorize emergency expenditures by school districts and educational service units
LB323 (K. Haar) Create the School Finance Review Committee

Executive Board

Room 2102 - 12:00 p.m.

LB609 (Pirsch) Create the Nebraska's Emerging Future Subcommittee of the Legislature's Planning Committee
LB612 (Schumacher) Require the Department of Revenue to present reports to legislative committees
LB613 (Schumacher) Create the Tax Modernization Commission

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB158 (Seiler) Change provisions relating to eligibility for and use of ignition interlock devices
LB386 (Christensen) Require notice

of road maintenance by counties as prescribed

LB387 (Christensen) Eliminate provisions relating to constructing drainage facilities and taking other control measures on public roads
LB623 (Price) Change provisions relating to bridge construction and road improvements

Wednesday, February 20

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB278 (Pirsch) Change provisions relating to fees charged by the Secretary of State
LB504 (Coash) Change Commission on Indian Affairs state assistance for political subdivisions provisions
LB303 (Wallman) Change registration requirements for land surveyors
LB637 (Wallman) Require an economic analysis of rules and regulations proposed by the Dept. of Environmental Quality

Health & Human Services

Room 1510 - 1:30 p.m.

LB343 (Coash) Change terminology related to mental retardation
LB220 (Avery) Change children's eligibility provisions relating to the Medical Assistance Act
LB8 (Krist) Provide for coverage of children's day services under medicaid and social services
LB507 (Campbell) Adopt the Step Up to Quality Child Care Act

Judiciary

Room 1113 - 1:30 p.m.

LB329 (Howard) Change provisions relating to criminal offenses against animals
LB314 (Christensen) Adopt the Escort Services Accountability and Permit Act
LB255 (McGill) Change provisions relating to hearsay, child abuse, and offenses relating to morals
LB256 (McGill) Eliminate criminal forfeiture and provide for civil forfeiture as prescribed

Natural Resources

Room 1525 - 1:30 p.m.

LB272 (Carlson) Change provisions relating to chemigation permits and fees

LB493 (Davis) Authorize transfer of portions of the Cowboy Trail

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

LB321 (Crawford) Change a provision relating to disability retirement payments
LB263 (Retirement) Change provisions relating to government retirement systems

Revenue

Room 1524 - 1:30 p.m.

LB457 (Krist) Change provisions relating to deductions for net operating losses and capital losses
LB81 (Schumacher) Provide an income tax deduction for corporate dividends
LB328 (Pirsch) Change corporate income tax rates
LB281 (Pirsch) Change the amount of tax credits allowed under the Angel Investment Tax Credit Act

Thursday, February 21

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB417 (Kolowski) Provide for guidelines for election workers
LB292 (Karpisek) Change population restrictions for conducting elections by mail
LB299 (Seiler) Change political subdivision election provisions
LB349 (Murante) Change ballot status and write-in provisions for presidential and vice-presidential candidates

Health & Human Services

Room 1510 - 1:30 p.m.

LB508 (Campbell) Change provisions relating to the aid to dependent children program
LB487 (Wightman) Change health care certificate of need provisions
LB430 (Crawford) Change asset limitation for the aid to dependent children program, child care subsidy, and the Welfare Reform Act
LB368 (Crawford) Create a subsidized employment pilot program within the Dept. of Health & Human Services

Judiciary

Room 1113 - 1:30 p.m.

LB631 (B. Harr) Change provisions

COMMITTEE HEARINGS

relating to garnishment

LB415 (Seiler) Change provisions relating to financial institutions and attachment and garnishment

LB520 (Christensen) Allow land surveyors to enter upon public or private lands or waters as prescribed

LB533 (Avery) Require oil and gas pipeline eminent domain condemnors to provide notice to property owners

Natural Resources

Room 1525 - 1:30 p.m.

LB557 (McGill) Change provisions relating to net metering and authorize community solar gardens

LB598 (Larson) Change provisions relating to net metering

Revenue

Room 1524 - 1:30 p.m.

LB14 (Krist) Adopt the Elementary and Secondary Educational Opportunity Act and provide for income tax credits

LB308 (Schumacher) Change income tax calculations relating to the federal alternative minimum tax

LB475 (Carlson) Change the Angel Investment Tax Credit Act and the Business Innovation Act

LB82 (Schumacher) Adopt the Taxpayer Investment Program

Friday, February 22

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB294 (Seiler) Change provisions relating to use of public resources by public officials and public employees

LB364 (Avery) Permit government bodies to set limits on certain contracts

LB448 (Avery) Prohibit contributions by lobbyists to candidates or members of the Legislature during legislative session

Health & Human Services

Room 1510 - 1:30 p.m.

LB76 (Nordquist) Adopt the Health Care Transparency Act

LB458 (Krist) Require general acute hospitals to offer tetanus-diphtheria-pertussis vaccinations as prescribed

LB459 (Krist) Require certain health care facilities to offer onsite vaccination services

Judiciary

Room 1113 - 1:30 p.m.

LB483 (Bolz) Provide for a reentry planning program in adult correctional facilities

LB538 (Chambers) Change provisions relating to revocation and suspension of law enforcement

training certificates or diplomas

LB541 (Chambers) Prohibit arbitration of claims involving disciplinary actions against peace officers

LB542 (Chambers) Eliminate an aggravating circumstance regarding death penalty sentencing hearings

Natural Resources

Room 1525 - 1:30 p.m.

LB391 (Davis) Change water law provisions relating to water storage

LB634 (Davis) Adopt the Wildfire Control Act of 2013

LR40 (Davis) Request the United States Forest Service to reconsider its original decision not to pay a proportionate share of the replacement costs of fences destroyed by wildfires between private and public lands in certain counties

Revenue

Room 1524 - 1:30 p.m.

LB547 (Kolowski) Provide an income tax credit for payments to school districts for extracurricular activities and character education programs

LB468 (Scheer) Allow an income tax deduction for tuition payments

LB53 (Hadley) Change provisions relating to sales and use tax with respect to the sale of a business or stock of goods

Monday, February 25

Appropriations

Room 1524 - 1:30 p.m.

LB194 (Adams) Provide for deficit appropriations

LB195 (Adams) Appropriate funds for state government expenses

LB196 (Adams) Appropriate funds for salaries of members of the Legislature

LB197 (Adams) Appropriate funds for salaries of constitutional officers

LB198 (Adams) Appropriate funds for capital construction and property acquisition

LB199 (Adams) Provide fund transfers,

create funds, and authorize the sale of land

LB200 (Adams) Provide for transfers from the Cash Reserve Fund

LB130 (Mello) Eliminate Cash Reserve Fund transfers

LB286 (Conrad) Provide for Cash Reserve Fund transfers for affordable housing, homeless shelter assistance, and legal aid

LB629 (Conrad) Provide an additional requirement for the Governor's budget submission

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB92 (Karpisek) Prohibit use of credit information for insurance and repeal a model act

LB312 (Scheer) Designate certain acts as unfair insurance trade practices

LB614 (Schumacher) Provide for withholding insurance proceeds for demolition costs

Business & Labor

Room 2102 - 1:30 p.m.

LB396 (Conrad) Change Neb. Workers' Compensation Court powers

LB302 (Wallman) Change total disability income benefits under the Nebraska Workers' Compensation Act

LB310 (Bolz) Clarify compensation for shoulder injuries under the Nebraska Workers' Compensation Act

Education

Room 1525 - 1:30 p.m.

LB512 (Scheer) Change provisions relating to academic content standards and statewide assessment and reporting

LB593 (Lautenbaugh) Adopt the Charter Schools Act

LB438 (Adams) Provide for priority schools, operating councils, and community schools

LB253 (Adams) Correct references in school statutes

LB410 (Sullivan) Change and eliminate provisions relating to education

General Affairs

Room 1510 - 1:30 p.m.

AM249 to LB230

LB244 (Brasch) Require apprentice electricians to complete continuing education

COMMITTEE HEARINGS

LR34CA (Schumacher) Constitutional amendment authorizing gaming and directing use of the proceeds

Nebraska Retirement Systems Room 1525 - 9:00 a.m.

Appointment: Stuhr, Elaine - Public Employees Retirement Board

Appointment: Conley, John - Neb. Investment Council

Appointment: Fisher, Darrell E. - Public Employees Retirement Board

Transportation & Telecommunications Room 1113 - 1:30 p.m.

LB11 (Krist) Change provisions relating to surcharges for 911 service
LB595 (Price) Provide for a Public Service Commission study of next-generation 911
LB545 (Dubas) Change Public Service Commission appeal procedures

Tuesday, February 26

Agriculture

Room 2102 - 1:30 p.m.

LB544 (Hansen) Require notifications regarding bovine trichomoniasis
LB583 (K. Haar) Change provisions relating to membership on the Climate Assessment Response Committee and provide duties for the committee
LB597 (Larson) Change provisions relating to county agricultural societies

Appropriations

Room 1003 - 1:30 p.m.

Agency 59: Board of Geologists
Agency 45: Board of Barber Examiners
Agency 30: Electrical Board, State
Agency 74: Neb. Power Review Board
Agency 41: State Real Estate Commission
Agency 53: Real Property Appraiser Board
Agency 63: Neb. Board of Public Accountancy
Agency 62: State Board of Examiners for Land Surveyors
Agency 36: Neb. Racing Commission
Agency 58: Board of Engineers and Architects
Agency 66: Abstracters Board of Examiners
Agency 73: State Board of Landscape Architects

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB218 (Avery) Require insurance

coverage for certain food formulas as prescribed

LB397 (Conrad) Require insurance coverage for screening for amino acid-based formulas

LB505 (Coash) Provide requirement for insurance coverage of autism spectrum disorders

LB71 (Karpisek) Require insurance coverage for cochlear implants

Education

Room 1525 - 1:30 p.m.

LB585 (Smith) Provide, change, and eliminate provisions relating to learning councils

LB179 (Kintner) Eliminate learning communities

LB178 (Kintner) Change provisions relating to transportation reimbursement and state aid relative to learning communities

LB9 (Krist) Change provisions relating to transportation for students in learning communities

Wednesday, February 27

Appropriations

Room 1003 - 1:30 p.m.

Agency 57: Neb. Oil and Gas Conservation Commission

Agency 60: Neb. Ethanol Board

Agency 18: Dept. of Agriculture

Agency 39: Neb. Brand Committee

Agency 56: Neb. Wheat Board

Agency 61: Neb. Dairy Industry Development Board

Agency 86: Dry Bean Commission

Agency 88: Corn Development, Utilization & Marketing Board

Agency 92: Neb. Grain Sorghum Board

Health & Human Services

Room 1510 - 1:30 p.m.

LB344 (Sullivan) Change moratorium exceptions for long-term care beds

LB625 (Conrad) Change income eligibility provisions relating to federal child care assistance

LB347 (Gloor) Provide for a moratorium on issuance of licenses under the Health Care Facility Licensure Act

Natural Resources

Room 1525 - 1:30 p.m.

LB514 (Carlson) Provide for new funding mechanisms under the Wastewater

Treatment Facilities Construction Assistance Act

LB549 (Schilz) Change the scrap tire recycling sunset provision and fees

Revenue

Room 1524 - 1:30 p.m.

LB266 (Chambers) Eliminate provisions relating to increases in local option sales tax rates

LB531 (Conrad) Change distribution of sales and use tax revenue and repeal the Build Nebraska Act

LB370 (Lathrop) Create the County Property Tax Assistance Program and the Municipal Property Tax Assistance Program
LB600 (Wightman) Change inheritance tax rates

Thursday, February 28

Appropriations

Room 1003 - 1:30 p.m.

Agency 28: Dept. of Veterans' Affairs

Agency 37: Workers' Compensation Court

Agency 75: Neb. Investment Council

Agency 77: Commission of Industrial Relations

Agency 85: Neb. Public Employees Retirement Board

Health & Human Services

Room 1510 - 1:30 p.m.

LB577 (Campbell) Change provisions relating to the medical assistance program
LB578 (Nordquist) Create a fund to provide funding for medicaid services and change distribution of premium tax revenue

Natural Resources

Room 1525 - 1:30 p.m.

LB454 (K. Haar) Adopt the Electronics Extended Producer Responsibility and Job Creation Act

LB635 (Wallman) Provide powers and duties regarding hydraulic fracturing to the Neb. Oil and Gas Conservation Commission

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

LB138 (Krist) Create the Group Health Trust Fund and provide for investment and provide duties for the State Treasurer

LB77 (Avery) Adopt the Nebraska Iran Divestment Act

COMMITTEE HEARINGS

Revenue

Room 1524 - 1:30 p.m.

LB101 (Watermeier) Change valuation of agricultural land and horticultural land
 LB145 (Brasch) Change valuation of agricultural land and horticultural land
 LB55 (Wightman) Change provisions relating to reassumption of assessment function by counties
 LB574 (B. Harr) Provide that certain assessments are levied and collected as special assessments

Friday, March 1

Health & Human Services

Room 1510 - 1:30 p.m.

LB428 (K. Haar) Change permitted practice provisions for certified nurse midwives
 LB361 (Howard) Name the Child and Maternal Death Review Act and change review procedures
 LB528 (Howard) Provide for partner treatment relating to sexually transmitted diseases

Natural Resources

Room 1525 - 1:30 p.m.

LB402 (Mello) Change power purchase agreement provisions relating to rural

community-based energy development
 LB567 (K. Haar) Change provisions relating to approval of electric generation facilities and transmission lines

Revenue

Room 1524 - 1:30 p.m.

LB237 (Karpisek) Change provisions relating to a property tax exemption
 LB348 (B. Harr) Change provisions relating to the assessment of certain rent-restricted housing projects
 LB43 (Cook) Change provisions relating to a property tax exemption
 LB110 (McGill) Change the eligibility determination for homestead exemptions ■

Newly appointed Lt. Gov. Lavon Heidemann (right) answers questions at a Feb. 13 news conference as Gov. Dave Heineman looks on. Heidemann, who served in the Unicameral from 2005-2012, was elected to the University of Nebraska Board of Regents in November, a position which he resigned to accept the governor's appointment.



LEGISLATIVE GLOSSARY

“A” Bill - see Appropriation Bill.

Amendment On File - an amendment of 10 or more pages, not printed separately or in the Journal, that is available in the Clerk’s Office (Room 2018).

Amendment Printed Separate - an amendment of 10 or more pages, printed separately from the Journal, that is available in the Bill Room (Room 1102).

Appropriation Bill (“A” Bill) - a bill to appropriate funds to finance another bill bearing the same number.

Attorney General’s Opinion - a written analysis of a question of law prepared by the attorney general for the governor, the head of an executive department or any state senator.

Bill - see Legislative Bill.

Bracket - to delay consideration of a bill.

Call of the House - a procedure used to compel attendance of unexcused senators in the chamber.

Carry-over Legislation - bills and resolutions introduced during the regular session in an odd-numbered year and held over for consideration during the regular session in an even-numbered year.

Chair - the presiding officer.

Cloture - a parliamentary action to cease debate on a bill and vote immediately on its advancement. A motion for cloture may be made after eight hours of debate on most bills and after 12 hours on appropriation bills introduced by the Appropriations Committee.

Constitutional Amendment Resolution - a proposal to amend the state constitution, ratify or reject an amendment to the U.S. Constitution, or petition Congress about amending the U.S. Constitution. State CA resolutions have the suffix “CA” by the resolution number, and they must be approved by the voters as well as the Legislature.

Consent Calendar - a portion of the agenda in which relatively noncontroversial bills are considered and quickly advanced to the next legislative stage. Usually, a bill on consent calendar can be debated for no more than 15 minutes.

“E” Clause - see Emergency Clause.

E&R - see Enrollment and Review.

Emergency Clause (“E” Clause) - a provision that allows a bill or a portion of a bill to take effect immediately after the governor signs it or after the Legislature overrides the governor’s veto.

Engrossment - the process of preparing a bill for Final Reading by incorporating all adopted amendments.

Enrollment and Review (E&R) - the process of incorporating adopted amendments into a bill and reviewing the bill for technical and grammatical accuracy.

Executive Session - a closed meeting of a committee to discuss and act on bills and resolutions. An executive session is open only to committee members, committee staff and the media.

Final Reading - the third and last stage at which a bill is considered by the entire Legislature. The clerk reads the entire bill aloud, unless final reading is waived, and senators vote without debate on whether to submit the bill to the governor.

Fiscal Note - a statement prepared by the Legislative Fiscal Office estimating the effect a bill would have on state and/or local expenditures and revenue.

Floor - the area of the legislative chamber where the senators sit. When a committee advances a bill “to the floor,” that means the bill is being sent to the full Legislature for consideration.

General File - the first stage at which a bill is considered by the full Legislature. Bills on General File may be amended, returned to committee, indefinitely postponed or advanced to Select File.

Hearing - a regularly scheduled committee meeting to receive public comment on proposed bills and resolutions.

House Under Call - the term used when all unexcused senators are required to be in their seats in the chamber and unauthorized personnel must leave the floor.

Indefinitely Postpone (IPP) - to kill a bill.

Interim - the period between regular legislative sessions.

Interim Study Resolution - a resolution authorizing a committee to study an issue following adjournment of a legislative session.

IPP - see Indefinitely Postpone.

Journal - see Legislative Journal.

Laws of Nebraska (Session Laws) - bound compilation of all laws and constitutional amendment resolutions passed in a legislative session, the state Constitution, and subject and section indexes.

Legislative Bill (LB) - a proposal to create, change or delete one or more laws.



Legislative History - the committee and floor debate records for any bill. A history includes transcripts of the bill's hearing and all floor debate.

Legislative Journal - official record of legislative floor action, including all motions, the number of yeas and nays on each vote, etc.

Legislative Resolution (LR) - a proposal to make a formal expression of opinion, intent or recognition; amend the state or federal constitution; or authorize a study of an issue during the interim. See also Constitutional Amendment Resolution, Interim Study Resolution.

Line-Item Veto - the power of the governor to make specific reductions in any part of a budget bill passed by the Legislature.

Machine Vote - a vote taken by electronic voting system. The voting board shows how each senator voted, but only vote totals are entered in the Legislative Journal.

Major Proposal - a bill or constitutional amendment resolution that the speaker designates as important enough for scheduling priority. Each session, up to five bills may be chosen as major proposals, all of which must be senator priority bills and must get the approval of two-thirds of the Executive Board.

One-liner - a one-line description of a bill or resolution.

Override a Veto - see Veto Override.

President of the Legislature - the lieutenant governor. While senators address whomever is in the chair as Mr. or Madame President, the lieutenant governor alone holds that official title.

Presiding Officer - the senator currently presiding over legislative proceedings.

Priority Bill - a bill that has priority status and generally is considered ahead of other bills in debate. Each senator may select one priority bill, each committee may select two priority bills, and the speaker may select up to 25 priority bills.

Record Vote - a vote on which a record is kept of how each senator voted. The vote is taken by electronic voting system, and the senators' names and corresponding votes are then printed in the Legislative Journal.

Regular Session - the annual session that begins the first Wednesday after the first Monday in January.

Resolution - see Legislative Resolution.

Revisor Bill - a bill, prepared by the Office of the Revisor of Statutes, proposing a technical correction or the repeal of an obsolete statute.

Roll Call Vote - a vote during which the senators vote one at a time as the clerk reads their names. Senators cast their votes verbally, and their names and corresponding votes

may be printed in the Legislative Journal.

Select Committee - a permanent committee with a subject-matter jurisdiction related to the administration of the Legislature.

Select File - the second stage at which a bill is considered by the entire Legislature. Bills on Select File may be amended, returned to committee, indefinitely postponed or advanced to Final Reading.

Session - a period of time, usually a number of days, during which the Legislature meets and transacts business.

Session Laws - compilation of all laws and constitutional amendment resolutions passed in a session.

Sine Die - without setting a future date for reconvening. When the Legislature adjourns sine die, the legislative session is finished for the year.

Slip Law - a bill or constitutional amendment resolution printed individually in its approved form after being enacted into law or submitted to voters.

Speaker of the Legislature - the officer of the Legislature, elected from among the senators, who prepares the daily agenda and the session calendar and who presides in the absence of the lieutenant governor.

Special Committee - a committee created by law for a specific reason. Except for the Executive Board, special committees have no jurisdiction over bills or resolutions.

Special Session - a limited legislative session called for a specific purpose by the governor or two-thirds (33 members) of the Legislature.

Standing Committee - a permanent committee with a subject-matter jurisdiction related to an area of public policy. Almost all bills and resolutions are referred to one of the 14 standing committees.

Summary Sheet - a daily list of all legislative activity that has taken place in one legislative day, including action taken on bills and resolutions.

Veto - the power of the governor to reject bills passed by the Legislature. The governor has five days, excluding Sundays, to either sign or veto a bill. The Legislature then has an opportunity to override the veto.

Veto Override - the power of the Legislature to pass a bill over the governor's veto. A veto override requires the approval of three-fifths (30 members) of the Legislature.

Voice Vote - a vote in which senators cast their votes orally and no totals are recorded.

Worksheet - a list, prepared daily, that indicates the status of all bills and resolutions at the end of that legislative day.



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 email uio@leg.ne.gov.



On Twitter at
twitter.com/UnicamUpdate



By RSS feed at
update.legislature.ne.gov



Online at
update.legislature.ne.gov

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)