

THE NEBRASKA LEGISLATURE'S
WEEKLY NEWS PUBLICATION

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UPDATE

75th Unicameral Legislature convenes

Senators returned to the State Capitol Jan. 4 to begin the second session of the 102nd Nebraska Legislature. The session marks the 75th anniversary of the meeting of the state's first unicameral legislature.

Nebraska Unicameral



1937-2012

Among the major issues expected to dominate this session are several proposals to address recent reforms of the state's child welfare system undertaken

by the state Department of Health and Human Services.

Senators also likely will consider the possible creation of a state-based health insurance exchange and a variety of proposals focusing on job creation.

New bills will be introduced for the first 10 legislative days, or until Jan. 19. Senators will begin floor debate on bills carried over from 2011 on Jan. 10.

Live coverage of the legislative session is provided at www.NebraskaLegislature.gov, where citizens also may find information about bills, the legislative calendar and Nebraska state senators.

Gov. Dave Heineman's State of the State address is scheduled for Jan. 12. Committee hearings are scheduled to begin on Jan. 17 and will continue through February.

The session will last 60 legislative days and is tentatively scheduled to adjourn April 12. ■

Sen. Utter of Hastings dies

Sen. Dennis Utter of Hastings died Dec. 27 due to health complications.

Elected in 2008 to serve District 33, Utter was a former city council member and mayor of McCook. He served on the Banking, Commerce and Insurance Committee and as vice chairperson of the Revenue Committee.

Utter played a key role in the Commission of Industrial Relations reform efforts undertaken by the Legislature in 2011. A retired banker, Utter also focused on rural economic development issues and sponsored an attempt to abolish the state treasurer's office in 2010.

Speaker Mike Flood of Norfolk said Utter would be missed by his fellow senators.

"Sen. Utter was a true gentleman, a man who cared about his family, his community and our state," Flood said.

Kearney Sen. Galen Hadley also spoke in remembrance of his colleague on the opening day of the legislative session, noting the empty seat in the chamber.

"[Utter] was someone with a gruff exterior, but also someone with a heart of gold," Hadley said. "He gave us a compass that we followed along the last few years. We'll miss him greatly."

Utter, 72, is survived by his wife, Kathryn and three children: Mark, Ward and Denise.

The senator's staff will remain in the office until a new senator is appointed by the governor. ■



Sen. Dennis Utter

OPENING DAY PHOTOS



Clockwise from top-left: Presentation of colors during the opening day ceremonies; Sen. Beau McCoy introduces his daughter to Sen. Louden; Sens. McCoy, Deb Fischer, and Abbie Cornett (from left); Legislative pages; Clerk's Office staff accept a new bill proposal from Sen. Ken Schilz; Blake Flood observes the activity in the Norris Chamber from his father's desk.

NEW BILLS

Jan. 4, 2012

Bill	Introducer	One-line description
LB705	Executive Board	Revisor bill to repeal obsolete statutes relating to computer date failure actions
LB706	Executive Board	Revisor bill to repeal an obsolete statute relating to an interim study
LB707	Executive Board	Revisor bill to repeal an obsolete statute relating to Joslyn Castle
LB708	Executive Board	Revisor bill to repeal an obsolete statute relating to the School Weatherization Fund
LB709	Executive Board	Revisor bill to repeal obsolete statutes relating to temporary zoning regulations that expired July 1, 2001
LB710	Executive Board	Revisor bill to repeal the University Buildings Renovation and Land Acquisition Fund that is no longer needed
LB711	Wightman	Change provisions relating to membership on the Executive Board of the Legislative Council
LB712	Haar	Change permitted practice provisions under the Certified Nurse Midwifery Practice Act
LB713	Haar	Provide requirements for and prevent the prohibition of the installation of solar energy systems
LB714	McCoy	Update references and change provisions in the Real Property Appraiser Act
LB715	Fischer	Change regulation of boundaries for telecommunications services
LB716	McCoy	Change municipal powers within extraterritorial jurisdiction
LB717	Council	Change school board election and membership provisions
LB718	Fischer	Change provisions relating to certificates of title, the distribution of titling fees, and registration fees for fleet vehicles
LB719	Price	Change and eliminate provisions of the Records Management Act, transmission of reports, and certain surcharge and convenience fees
LB720	Lautenbaugh	Change membership provisions and provide salaries for Class V school boards
LB721	Larson	Redefine the term police animal
LB722	Coash	Authorize fines or costs to be deducted from a defendant's cash bond
LB723	Bloomfield	Change provisions relating to small systems under the Nebraska Safe Drinking Water Act
LB724	Fischer	Change commercial driver medical examination provisions and prohibit texting while driving a commercial motor vehicle
LB725	Cornett	Update references to the Internal Revenue Code of 1986
LB726	Fischer	Eliminate certain certified and registered mail requirements of the Department of Motor Vehicles
LB727	Cornett	Change various tax provisions
LB728	Mello	Provide for the distribution of money received by the state due to a settlement or court order or judgment
LB729	Mello	Provide powers to an authority and change bond provisions under the Community Development Law
LB730	Mello	Change provisions relating to theft of services
LB731	Mello	Adopt the Remanufacturing Pilot Project Act and provide an income tax credit
LB732	Mello	Provide procedures for the use of eminent domain by cities and villages for trails
LB733	Pirsch	Provide for electronic transmission and filing of documents under the Nebraska Uniform Limited Liability Company Act
LB734	Schumacher	Change provisions relating to replevin
LB735	Schumacher	Provide for public meetings of a community college board of governors to be held by videoconference or telephone conference
LB736	Schumacher	Require provision of secret-ballot envelopes for elections
LB737	Gloor	Provide procedures for submitting national criminal history record information checks with respect to home studies for adoptions
LB738	Gloor	Change burial expense benefits under the Nebraska Workers' Compensation Act
LB739	Christensen	Authorize Game and Parks Commission to transfer property to Sherman County
LB740	Schilz	Change provisions relating to farmers hauling hay and livestock forage vehicles
LB741	Schilz	Change application provisions relating to electric generation facilities
LB742	Schilz	Change application provisions relating to development of renewable energy resources
LB743	Schilz	Provide for a fee relating to consideration of a variance under the Nebraska Ground Water Management and Protection Act
LB744	Schilz	Change provisions relating to court fees
LB745	Fischer	Provide requirements for imposition of municipal occupation taxes
LB746	Hadley	Change school permit provisions
LB747	Hadley	Withdraw from and repeal the Midwest Interstate Passenger Rail Compact
LB748	Fischer	Eliminate provisions relating to denial of motor vehicle registration or operator's license to a person with outstanding arrest warrants
LB749	Cornett	Exempt indoor tanning services from sales and use taxes
LB750	Cornett	Change provisions relating to comparable sales used for tax assessment
LB751	Fischer	Update state motor carrier laws with federal law, change provisions relating to enforcement of such laws, and change provisions relating to ignition interlocks
LB752	Avery	Provide an income tax credit relating to grape growing and wine producing
LB753	Avery	Create funds and provide funding for childhood obesity prevention measures through sales taxation of soft drinks
LB754	Avery	Require reporting of electioneering communication

NEW BILLS

Bill	Introducer	One-line description
LB755	Avery	Require the Nebraska Accountability and Disclosure Commission to file reports regarding legislative conflicts of interest
LB756	Avery	Provide public access to documents related to major oil pipelines
LB757	Avery	Change political party provisions
LB758	Avery	Change provisions relating to gifts given by a lobbyist or principal
LB759	Avery	Require petition sponsors to provide identification for petition circulators and change petition circulation requirements
LB760	Schilz	Change provisions relating to meetings of the Environmental Quality Council and grants made to political subdivisions
LB761	Heidemann	Change requirements for acquisitions of certain real property by the state
LB762	Louden	Change provisions relating to comparable sales for tax assessment
LB763	Louden	Change provisions relating to freeholder petitions and elementary sites
LB764	Louden	Change provisions relating to vehicle overload exceptions
LB765	Krist	Change bidding requirements relating to contracts with providers of certain health and social services as prescribed
LB766	Price	Authorize the Adjutant General to make certain emergency expenditures
LB767	Howard	Require records of dates and hours of work for state officers and employees
LB768	Howard	Change provisions relating to access to adoption case files
LB769	Fischer	Change provisions relating to application for and issuance of operators' licenses and state identification cards
LB770	Carlson	Change the Nebraska Seed Law
LB771	Carlson	Change the Nebraska Pure Food Act
LB772	Smith	Change provisions relating to the payment of salaries for county board members
LB773	Smith	Change Uniform Credentialing Act fee provisions
LB774	Howard	Change and add reporting requirements relating to child welfare
LB775	Brasch	Change disclosure provisions relating to the Auditor of Public Accounts
LB776	Karpisek	Prohibit sale of alcoholic beer and liquor for less than the purchase price (Withdrawn)
LB777	Haar	Change provisions relating to distribution of certain supplemental funds
LB778	Coash	Change loan eligibility under the Excellence in Teaching Act
LB779	Lautenbaugh	Provide for rental of vehicles for use by state agencies
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
LB782	McCoy	Require that reports submitted to the Legislature be submitted electronically
LR356	Langemeier	Congratulate the Aquinas High School football team for winning the 2011 Class C-2 state championship
LR357	Karpisek	Recognize B. J. Lawrence for his outstanding accomplishments in track and field
LR358CA	Carlson	Constitutional amendment to change legislative term limits to three terms

Jan. 5, 2012

LB783	Wightman	Change provisions relating to powers of personal representatives
LB784	Wightman	Change Nebraska Uniform Trust Code provisions relating to testamentary powers
LB785	Christensen	Authorize possession of firearms as prescribed
LB786	Christensen	Change forfeiture of office provisions for city council members in cities with a city manager
LB787	McGill	Authorize inspection and regulation of staff secure facilities by the Jail Standards Board
LB788	Campbell	Change respiratory care practice requirements
LB789	Haar	Change the State Electrical Act relating to electrical inspections
LB790	Coash	Transfer a county court judgeship to another district
LB791	Mello	Adopt the Shared Work Unemployment Compensation Program
LB792	Mello	Change provisions relating to personal services contract review and approval duties of the Director of Administrative Services
LB793	Lautenbaugh	Limit frivolous civil actions filed by prisoners
LB794	Lambert	Redefine "byproduct material" under the Radiation Control Act
LB795	Avery	Change provisions relating to applying for membership in veterans homes
LB796	Avery	Adopt the Outdoor Outfitters and Guides Registration Act
LB797	Avery	Define sexual contact to include kissing without consent
LB798	Urban Affairs	Provide that certain assessments are levied and collected as special assessments
LB799	Cornett	Change penalties for child abuse
LB800	Louden	Change provisions relating to appraised value of school lands
LB801	Fischer	Eliminate obsolete references to designated county officials
LB802	Lautenbaugh	Authorize carrying of concealed handguns by certain authorities within the scope of their employment
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
LB804	Lautenbaugh	Change provisions relating to justification for use of force
LB805	Lautenbaugh	Remove the social security number requirement from certain firework permit and license applications
LB806	Lautenbaugh	Authorize the State Racing Commission to regulate wagering on historic horseraces
LB807	Lautenbaugh	Change Concealed Handgun Permit Act application provisions
LB808	Lautenbaugh	Appropriate funds for an environmental study of a hydroelectric dam project

NEW BILLS

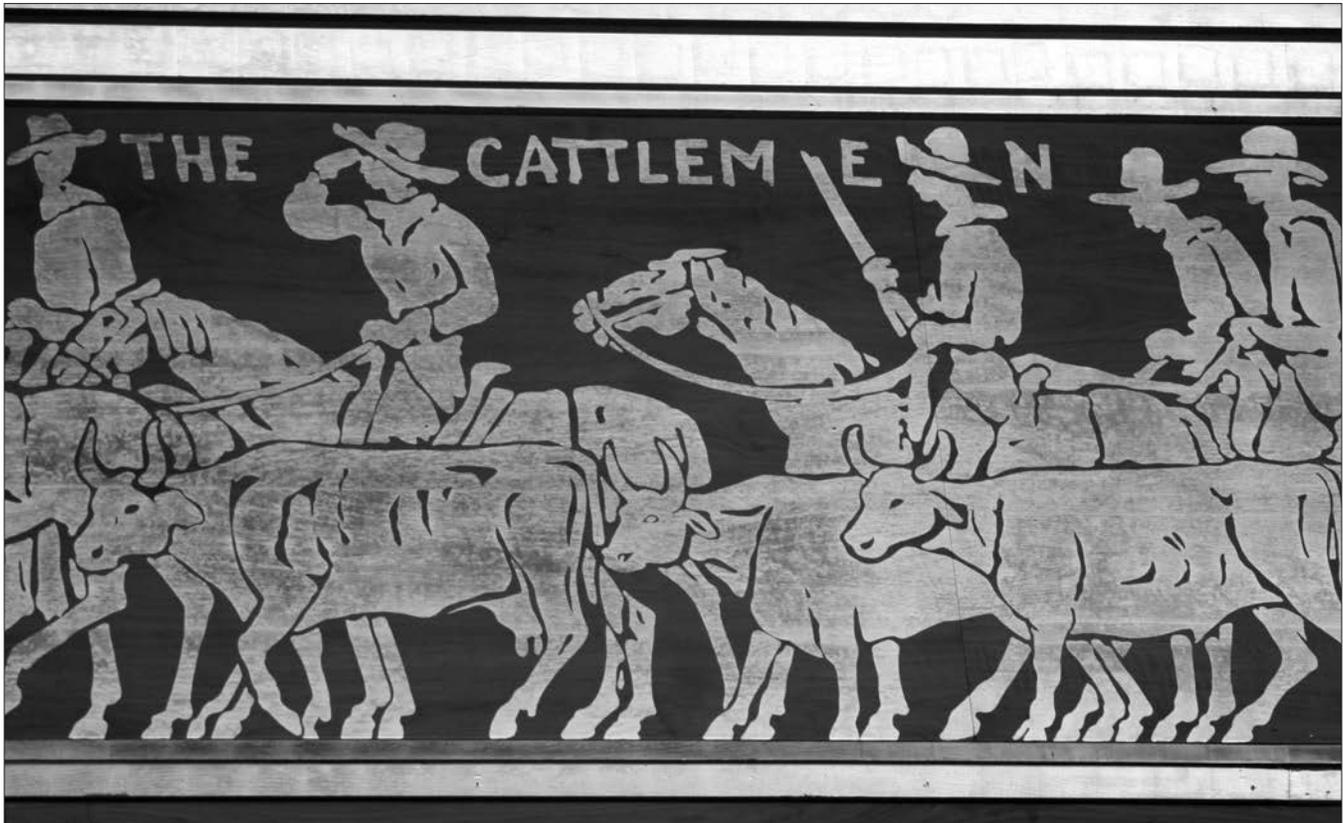
Bill	Introducer	One-line description
LB809	Lautenbaugh	Change provisions relating to evaluation of certificated employees of schools
LB810	Gloor	Prohibit insurance policy provisions relating to fees for dental services
LB811	Harr	Change provisions relating to disclosure of confidential business or financial information
LB812	Harr	Change garnishment provisions
LB813	Karpisek	Prohibit counties, cities, and villages from imposing credentialing requirements on state-credentialed persons
LB814	Schilz	Include additional substances in the schedule of controlled substances under the Uniform Controlled Substances Act
LB815	Fulton	Change penalty and statute of limitations regarding concealing the death of another person
LB816	Pirsch	Change provisions relating to evidentiary use of set-aside convictions
LB817	Pirsch	Change duties of the Community Corrections Division of the Nebraska Commission on Law Enforcement and Criminal Justice
LB818	Harr	Exempt certain deeds from the documentary stamp tax
LB819	Price	Provide for the treatment of military medals as unclaimed property
LB820	Health & Human Services	Provide for a foster care demonstration project
LB821	Health and Human Services	Create the Nebraska Children's Commission and require legislation to create the Department of Children's Services
LB822	Adams	Change notice provisions relating to changes in real property valuations
LB823	Adams	Change duties of county treasurers
LB824	Karpisek	Define "flavored malt beverage" under the Nebraska Liquor Control Act
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
LB827	Dubas	Require mediation for budget disputes between a county board and a county officer
LB828	Dubas	Change provisions relating to wind and solar energy agreements
LB829	Louden	Create alcohol impact zones
LB830	Hadley	Provide a sales and use tax exemption for biochips
LB831	Howard	Adopt the Genetic Counseling Practice Act
LB832	Howard	Require a report on qualifications by proposed appointee as chief executive officer of the Department of Health and Human Services
LB833	Krist	Change provisions relating to surcharges for 911 services
LB834	Gloor	Change the Nebraska Regulation of Health Professions Act
LB835	Nordquist	Adopt the Nebraska Health Benefit Exchange Act
LB836	Pahls	Change provisions relating to deposit and investment of public funds in certificates of deposit and time deposits
LB837	Howard	Create a task force to review use of certain drugs by wards of the state
LB838	Pahls	Adopt the Nebraska Health Benefit Exchange Act
LR359	Wightman	Recognize Bill Kloeping for his seventy years of service to 4-H clubs in Dawson County
LR360	Wightman	Congratulate the Sargent High School football team for winning the Class D-2 state championship
LR361	Larson	Congratulate the Hartington one-act play production team for winning the 2011 Class C-2 state play production championship
LR362	Avery	Recognize January 5, 2012, as the seventy-fifth anniversary of the Nebraska Unicameral Legislature and honor the lifetime achievements of George W. Norris
LR363	Flood	Congratulate the Norfolk Catholic High School football team for winning the 2011 Class C-1 state championship

Jan. 6, 2012

LB839	Council	Require reporting of sexual misconduct by a school employee
LB840	Council	Provide powers and duties relating to inmate mail
LB841	Harms	Change provisions relating to permits for exceeding vehicle size and weight limitations
LB842	Harms	Change the termination date relating to self-sufficiency activities under the Welfare Reform Act
LB843	Schumacher	Authorize a cause of action relating to no-reserve auctions
LB844	Hadley	Change child support, medical support, and parenting time provisions
LB845	Sullivan	Provide reclamation requirements under the Oil Pipeline Reclamation Act
LB846	Sullivan	Require employers to maintain employee emergency contact information
LB847	Sullivan	Change the Enhanced Wireless 911 Services Act
LB848	Sullivan	Change the Funeral Directing and Embalming Practice Act
LB849	Sullivan	Authorize the Game and Parks Commission to transfer Pibel Lake State Recreation Area to the Lower Loup Natural Resources District
LB850	Hadley	Create the incentive area tax credit program and authorize tax credits
LB851	Fischer	Change provisions relating to tax receipts
LB852	McCoy	Change provisions relating to corporations and professional corporations
LB853	McCoy	Change provisions relating to secured transactions filing information
LB854	McCoy	Change provisions relating to business entity dissolution and reinstatement

NEW BILLS

Bill	Introducer	One-line description
LB855	Fulton	Change sales and use tax collection fees
LB856	Larson	Change provisions relating to reporting of cruelty to animals and create the offense of obtaining employment at an animal facility with intent to disrupt operations
LB857	Larson	Provide for repayment of certain grants from the Nebraska Environmental Trust Fund as prescribed
LB858	Avery	Change requirements and exceptions for certain state contracts for services
LB859	Avery	Provide funding for renovation of Centennial Mall
LB860	Hansen	Change qualification and training requirements for truth and deception examiners
LB861	Cornett	Change hours of sale provisions under the Nebraska Liquor Control Act
LB862	Coash	Change the salary of Supreme Court judges
LB863	Coash	Include film production under the Local Option Municipal Economic Development Act
LB864	McGill	Change bond recording duties of city clerks and city treasurers
LB865	McGill	Authorize the voluntary waiver of compensation by jurors
LB866	Haar	Adopt the Nebraska Fair Employment Opportunity Act
LB867	Karpisek	Change employer contribution provisions under certain county retirement plans
LB868	Urban Affairs	Authorize a city of the first class to adopt a biennial budget
LB869	Janssen	Change provisions relating to the State Athletic Commissioner and change membership of the Athletic Advisory Committee
LB870	Adams	Provide for an accountability system to measure school performance under the Quality Education Accountability Act
LB871	Gloor	Provide for policies relating to fees and copays relating to the Behavioral Health Services Act
LB872	Hadley	Change provisions relating to apportionment of income between states
LB873	Schilz	Extend sunset of the petroleum release remedial action fund
LB874	Howard	Change foster care licensure provisions
LB875	Howard	Prohibit driving while using wireless communication devices in school crossing zones and construction zones
LB876	Wallman	Change insurance policy, subscriber contract, and other policy provisions relating to mammography
LB877	Wallman	Require disclosure of hydraulic fracturing treatment information
LB878	Wallman	Change election calendar, vacancy, ballot, and counting machine provisions
LR364	McCoy	Congratulate the Elkhorn High School football team for winning the 2011 Class B state championship



Gilt decoration adorns the wooden ceiling beams of the George W. Norris Legislative Chamber.

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. Loudon Ellsworth, District 49 Room 1016 (402) 471-2725 lloudon@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. Jim Smith Papillion, District 14 Room 1115 (402) 471-2730 jsmith@leg.ne.gov news.legislature.ne.gov/dist14
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. Kate Sullivan Cedar Rapids, District 41 Room 1118 (402) 471-2631 ksullivan@leg.ne.gov news.legislature.ne.gov/dist41
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	Vacant District 33 Room 2015 (402) 471-2712 news.legislature.ne.gov/dist33
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 1523 (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	

Unicameral Information Office
Nebraska Legislature
P.O. Box 94604
Lincoln, NE 68509
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Clerk of the Legislature: Patrick J. O'Donnell

Editor: Heidi Uhing

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

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SENATORS' MAILING ADDRESS

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

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