

Electoral winner-take-all bill debated, amended

Lawmakers began three days of debate Feb. 23 on a bill that would reinstate a winner-take-all system for allocating Nebraska's presidential electoral votes.

Currently, the winner of Nebraska's statewide popular vote receives two Electoral College votes. The state's three congressional districts also award one electoral vote each based on the popular vote winner in each district. Maine is the only other state to use this system.

LB10, introduced by Omaha Sen. Beau McCoy, would reinstate a winner-take-all system and award all five electoral votes to the winner of the state's popular vote.

McCoy said the district plan has led presidential campaigns—when they focus attention on Nebraska at all—to limit their focus to the 2nd Congressional District, which was won by President Barack Obama in 2008.

"I think that a presidential candidate that wants to get one electoral vote in Nebraska ought to have to work for all five," McCoy said.

O'Neill Sen. Tyson Larson supported the bill, saying that if other states adopted the district system it would result in a handful of powerful "swing districts," rather than the current powerful "swing states."

"Do we want to be that example for the rest of the country?" Larson said.

(continued page 3)

Women's health service bill fails to advance



Sen. Jeremy Nordquist

A bill from that would expand eligibility for the state's publicly funded family planning services and increase funding for a cancer-screening program failed to advance from general file Feb. 26.

LB77, sponsored by Omaha Sen. Jeremy Nordquist, would require the state Department of Health and Human Services (DHHS) to submit a state plan amendment to the federal Centers for Medicare and Medicaid Services no later than Sept. 1, 2015, to provide medical assistance for family planning services to individuals with

a family earned income at or below 185 percent of the federal poverty level.

Nordquist said the bill would expand the state's existing family planning services to reach a broader population in need of access, while saving the state an estimated \$13 million per year. The new income level would make a family of three with an income of approximately \$36,000 or less eligible for the services.

Nordquist said 62 percent of pregnancies in Nebraska are unintended and that unintended pregnancies account for 90 percent of abortions.

"[The bill] will help reduce the number of unintended pregnancies and the number of abortions in our state," he said.

The bill also would appropriate \$500,000 in general funds in fiscal year 2015-16 and FY2016-17 to DHHS. The funds would be directed to the Every Woman Matters program for services including preventive health and family planning services, education, outreach and reimbursement for:

- mammograms;

(continued page 2)

Women's health service bill fails to advance

(continued from front page)

- breast examinations;
- Pap smears;
- colposcopy; and
- associated laboratory costs.

A Health and Human Services Committee amendment, adopted 32-0, removed preventive health and family planning services from the funding for the Every Woman Matters program.

Lincoln Sen. Kathy Campbell, chairperson of the committee, said the Every Woman Matters program currently does not provide family planning services and the bill does not intend to expand the program to include them.

Sen. Mark Kolterman of Seward spoke in opposition to



Sen. Mark Kolterman opposed the bill, saying it would expand Medicaid.

the bill's provisions regarding expansion of the Medicaid family planning program, saying state and federal government should not be involved in providing contraception.

"I just don't see why we as citizens should be asked to fund contraception for anybody," he said.

Bellevue Sen. Sue Crawford said philosophical opposition to contraception shouldn't factor into lawmakers' consideration of LB77. Natural family planning consultations are covered under the current program, she said, and other forms of contraception have been part of the Medicaid family planning program since its inception in the 1990s.

"That decision was made long ago," Crawford said.

Sen. Paul Schumacher of Columbus spoke in favor of the bill, saying taxpayer dollars not spent on education for young women regarding family planning will be spent later on child care subsidies, early childhood education and other public assistance programs.

"This bill is no magic bullet, but it is a counterbalance to the spending that we would otherwise incur," Schumacher said.

Sen. Kate Bolz of Lincoln offered an amendment, adopted 31-1, specifying that no state funds could be utilized to pay for or promote elective abortion services under the bill.

"I think we can all agree that healthy moms and healthy babies are an ideal that we should strive for in this state," she said.

Following adoption of the Bolz amendment, senators voted 21-23 on advancement of the bill to select file—four votes short of the number required. ■

UNICAMERAL UPDATE

The Unicameral Update is a free, weekly newsletter published 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. Visit us online at Update.Legislature.ne.gov and follow us on [Twitter.com/UnicamUpdate](https://twitter.com/UnicamUpdate).

Clerk of the Legislature: Patrick J. O'Donnell

Editor: Heidi Uhing; Writers: Kate Heltzel, Ami Johnson, Jon Taylor; Photographer: Bess Ghormley

Printed copies of bills, resolutions and the Legislative Journal are available by calling the 24-Hour Request Line at 402-471-2877.

Subscriptions are available by calling 402-471-2271 or visiting Room 2108 in the State Capitol. For status of bills and resolutions, visit NebraskaLegislature.gov/bills or call the Legislative Hotline (during session) at 402-471-2709 or 800-742-7456.

Live video of hearings and floor debate can be viewed on NET2 and at NetNebraska.org/capitol.

Senators may be contacted by mail at this address:

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

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.

THE NEBRASKA LEGISLATURE'S OFFICIAL NEWS SOURCE SINCE 1977

Electoral winner-take-all bill debated, amended

(continued from front page)

Sen. Sue Crawford of Bellevue spoke in opposition to the bill, noting that the U.S. Constitution leaves the method of distributing electoral votes to each state to decide.

“So our question is what is best for the state of Nebraska?” she said. “I do not feel that LB10 is what is best for the state of Nebraska.”

Crawford said a return to the winner-take-all system would result in the state being taken for granted by one party and ignored by the other. Having a competitive congressional district makes it more likely that presidential campaigns will pay attention to Nebraska, she said.



Sen. Beau McCoy said Nebraska’s Electoral College allocation system puts the state at a disadvantage in presidential campaigns.

“I don’t see any possible state interest in giving that advantage away,” Crawford said.

Omaha Sen. Ernie Chambers offered a motion during the first day of debate to bracket LB10 until June 5, calling the bill an attempt to disenfranchise voters in the 2nd Congressional District.

“You can mark a piece of paper, but you are voting for nobody,” Chambers said. “That is not a vote—if it has no meaning, that is not a vote.”

When debate resumed Feb. 24, the motion failed on a vote of 12-30. A motion by Chambers to reconsider that vote was unsuccessful.

Omaha Sen. Tanya Cook offered an amendment, adopted 34-4, which would remove an existing statutory requirement that a political party formulate and promulgate a platform at its state convention.

“An adoption of [the amendment] merely removes the requirement from state law,” she said, calling it an unnecessary state mandate.



Sen. Tanya Cook said Nebraska’s current system reflects the state’s diversity.

Sen. John Murante, chairperson of the Government, Military and Veterans Affairs Committee, supported the amendment. He said the change would continue an effort begun by the Legislature last year to curtail state law when it imposes on the functioning of political parties.

“I think [the amendment] is consistent with that logic,” Murante said.

The Legislature adjourned during the third day of debate without taking additional action on the bill. Several motions and a Chambers amendment are pending. ■

Economic forecasting board adjusts projections slightly

The Nebraska Economic Forecasting Advisory Board voted to make relatively minor adjustments to revenue projections during a Feb. 27 meeting at the Capitol.

The board provides an advisory forecast of general fund receipts used by the Legislature to craft the state’s budget.

Revenue projections for the current fiscal year were raised to \$4.4 billion, a net increase of \$1 million. Total projected revenue receipts were set at \$4.6 billion for FY2016-17.

The next board meeting is scheduled for April 30. ■

MEET THE SENATOR

Schnoor jumps into new role at Legislature

Sen. David Schnoor's time in the military was supposed to be short. He told himself that he would serve one tour and be done. But four enlistments and 20 years later, the farmer and cattle feeder from Scribner can look back on an Air Force career that took him around the world.

"I just found that I was doing something I loved," he said.

Schnoor enlisted right out of high school and worked as a combat controller—directing air traffic and close air support in remote and sometimes hostile areas, including Somalia, Haiti and the Persian Gulf. One skill required for the job was precision parachute jumping, which he sometimes did into stadiums at U.S. sporting events as demonstrations.

"That was incredibly challenging," he said, adding with a laugh, "It also had the potential to be extremely embarrassing."

Among the places Schnoor called home during his time in the military were Kansas, North Carolina and Washington state.

"We could see Mt. Rainier and the Cascade Mountain Range out the back door of our house in Washington," he said. "It was incredibly beautiful."

But as appealing as the scenery in other states may have been, Nebraska was always home. Schnoor came back to the family farm near Scribner, which he and his brother took over in 2000 when their father retired.

"I always knew that I'd be back," he said. "It's about the quality of life—knowing your neighbors and not having to lock your doors—you can't put a price on that."

Despite being busy on the farm, Schnoor found time to serve on the Scribner-Snyder School Board and discovered an aptitude for public service. With eight children of his

own, Schnoor knows the value of a quality public school system.

"In a small town, kids are a name, not a number," he said.

So, when Sen. Charlie Janssen resigned to become state auditor, Schnoor decided to throw his hat in the ring to be appointed to the District 15 seat.

With his two oldest sons agreeing to step up and take on more responsibility with the family farm, only one problem remained. There was an unexpected drawback to a 20-year military career and a life of farming: "I'd never filled out a job application in my life," he said, laughing.

Despite that hurdle, he got the job and was sworn into office Dec. 12, 2014.

Schnoor said he's eager to get to work on reducing property taxes, particularly on agricultural land. The new senator has found, however, that public policy operates at a different speed than his two previous professions.

"Sometimes you have to take a deep breath and remind yourself that the process works like it does for a reason," he said. ■



Four generations of family farmers take time to smile for the camera with Sen. Schnoor (second from left). With the senator are his father, Dale, brother Bryan holding his son Owen and son Tony.

AGRICULTURE

Expansion of community gardens discussed

Members of the Agriculture Committee heard testimony Feb. 24 on a bill that would allow community groups to use vacant public land for community gardening.

A community garden is any public or private land upon which individuals have the opportunity to raise a garden and that they do not themselves own.

Under LB544, introduced by Omaha Sen. Burke Harr, state agencies and municipalities could permit community organizations to establish gardens on vacant public land. Harr said the bill would help address food insecurity in communities across the state.



Sen. Burke Harr

“We discussed the benefit and need to encourage community gardens extensively [during the interim],” he said. “We should look at the ways the state and municipalities can encourage the development of these gardens.”

The state director of agriculture would establish a community gardens task force comprising no more than nine members, three of whom would represent nonprofit organizations involved with community gardens. The task force would identify and develop ways to encourage the expansion of community gardens.

The bill also would define seed libraries under the Nebraska Seed Law to include any nonprofit, governmental or cooperative organization that donates and receives donations of seeds with the promise of promoting seed saving,

educating the public about seeds and providing access to free seeds.

Tim Rinne, state coordinator for Nebraskans for Peace, spoke in favor of the bill, saying the state should encourage citizens to grow more food locally.

“The farther we get away from our food supply, the more food insecure we are,” he said. “Not everyone will be interested in community gardening, but for those that are, we should give them the opportunity to do it.”

Community Crops Executive Director Ingrid Kirst also testified in favor of LB544, saying that available land can be difficult to come by.

“Studies have shown that community gardeners improve their health by increasing their intake of vegetables and engaging in low impact exercise,” she said. “There is a limit to how long private landowners will allow us to use the land for community gardens. That’s why [LB544] would be such a great opportunity for communities across the state.”

The committee took no immediate action on the bill.

APPROPRIATIONS

Property tax relief bills proposed

The Appropriations Committee heard several proposals Feb. 27 to provide property tax relief to Nebraskans.

Three of the bills would make transfers from the General Fund to the Property Tax Credit Cash Fund in the following amounts in fiscal years 2015-16 and 2016-17:



Sen. Al Davis

- LB309, introduced by Hyannis Sen. Al Davis, would transfer

- \$25 million each fiscal year;
- LB364, introduced by Syracuse Sen. Dan Watermeier, would transfer \$60 million each fiscal year; and
- LB442, introduced by Lincoln Sen. Kate Bolz, would transfer \$20 million each fiscal year.



Sen. Kate Bolz

LB387, introduced by Scribner Sen.

David Schnoor, would authorize a one-time transfer of \$60 million from the state’s Cash Reserve Fund by Dec. 15, 2015.



Sen. David Schnoor

Schnoor said bolstering the property tax fund with cash reserve dollars would provide tax relief to property owners across the state by returning their money to them.

“That is money that’s already been paid,” he said. “It’s sitting in the savings account, so to speak.”

Watermeier acknowledged that the Appropriations Committee’s preliminary budget proposal includes \$45 million in general funds per year for the property tax relief fund, but urged committee members to consider increasing the amount to \$60 million.



Sen. Dan Watermeier

Property taxes carry too much of the burden of the state’s taxation system, Watermeier said, and a \$60 million increase to the fund would result in an annual property tax credit of approximately \$100 per \$100,000 valuation.

“[This bill] provides immediate and

direct relief to all Nebraskans who pay property taxes," he said.

Lavon Heidemann, representing the Nebraska Farm Bureau and several agricultural organizations, testified in support of LB364. He said rural landowners anticipate double-digit growth in agricultural land valuations in 2016.

"The cry for property tax reduction is loud and growing," Heidemann said. "For the state's farmers and ranchers, the need for property tax relief is real."

Renee Fry of OpenSky Policy Institute testified in opposition to all four bills. Calling her organization's opposition to LB309, LB364 and LB442 "reluctant," Fry agreed that property tax relief is needed.

"Our state's three-legged stool is out of balance and we rely too heavily on property taxes," she said.

However, Fry said, providing property tax relief through general fund transfers would remove the incentive to engage in systemic reform of the state's tax system.

Fry also testified in opposition to LB387, saying the bill would reduce the state's cash reserve to an amount below the recommended 16 percent of the General Fund—or two months of state expenditures. It is important that the state maintain the cash reserve to guard against economic volatility, she said.

"Our cash reserve needs to be at least that size to deal with the rainy days that are sure to come," Fry said.

The committee took no immediate action on the bills.

DHHS fund transfers approved

Senators passed a bill Feb. 24 that corrects an error in appropriation for the Nebraska Children's Commission and allows a transfer within the state Department of Health and Human Services (DHHS).

In 2013, the Legislature moved the

Nebraska Children's Commission from DHHS to the Foster Care Review Office. However, \$94,000 of the commission's appropriation was inadvertently left in the DHHS budget.

LB430, introduced by Omaha Sen. Heath Mello, moves that amount to the Foster Care Review Office.

The bill was amended on select file to transfer \$7 million of unexpended general funds from the DHHS public assistance program to the child welfare program. Mello said the transfer was necessary to cover a funding shortfall in the state's child welfare program and will be revenue neutral.

The bill passed 43-0.



Sen. Heath Mello

BANKING, COMMERCE & INSURANCE



Abstracter board roster changes passed

Lawmakers passed a bill Feb. 27 that changes requirements related to the roster of abstracters maintained by the state's Abstracters Board of Examiners.

LB269, introduced by Venango Sen. Dan Hughes, requires the board to update the roster annually on their website in a printable format. The bill also removes a requirement that a copy of the roster be sent to all registered abstracters and furnished to the public upon request at the cost of production.

The bill passed 47-0.



Sen. Dan Hughes

BUSINESS & LABOR



Workers' comp change proposed for willful negligence

Employees injured at work would be able to sue for damages under a bill heard by the Business and Labor Committee Feb. 23.

LB556, introduced by Omaha Sen. Rick Kolowski, would allow an employee filing a petition under the Nebraska Workers' Compensation Act to bring a lawsuit against their employer for damages if the injury is ruled to have been caused by the employer's willful negligence.



Sen. Rick Kolowski

Darcy Tromanhauser, representing Nebraska Appleseed, testified in favor of the bill. She said that employees should be protected from employers who knowingly put people's safety at risk.

"[LB556] would provide additional support to workers that have suffered injuries due to willfully negligent and recklessly indifferent actions of their employers," she said. "It could serve as a further deterrent for those who would continue to operate under unsafe conditions."

Also speaking in favor of the bill was Julie Baszler of Scottsbluff. Baszler's daughter, Amanda Baker, was strangled to death last year by an inmate while working as a corrections officer at the Scotts Bluff County Detention Center.

Baszler said that Amanda's employer made significant cuts to staffing and security measures, knowing staff might not be protected if something

were to happen.

“Her employer has not been brought to justice for its shameful indifference to the safety of its employees,” she said. “Some employers will not protect their trusting and loyal employees as long as the workers’ comp system provides for no accountability.”

Richard Reiser, representing the Nebraska Trucking Association, opposed the bill, saying that employers gave up certain defenses in court when the Workers’ Compensation Act was first implemented.

“If a plaintiff doesn’t get a willful negligence decision, they can still get worker’s comp benefits. There is no loss to the plaintiff for trying,” he said. “A bargain was made that certain defenses were given up for absolute coverage and that bargain should be honored.”

The committee took no immediate action on the bill.

EDUCATION

Funding for GED programs proposed

Members of the Education Committee heard testimony Feb. 24 on a bill that would allocate funding to private entities offering high school equivalency programs.

LB382, introduced by Omaha Sen. Tanya Cook, would provide grant funding to any entity, other than an educational institution, that runs a qualified high school equivalency training program. Cook said that it is important to continue providing easy access to educational opportunities across the



Sen. Tanya Cook

state.

“Studies have shown that workers with a high school diploma or GED have greater employment opportunities and earning potential than those who do not,” she said. “We need to recognize the vital challenge in preparing an adult workforce in which all individuals are competent in reading, writing, mathematics and computer skills.”

Literacy Center of the Midlands in Omaha currently is the only program that would qualify for funding under the bill. The amount of the grant funding would depend on the number of enrolled students.

Stephanie Hansen, president of the Literacy Center’s board of directors, spoke in favor of the bill. She said her experience as a deputy county attorney in Sarpy County reinforced her belief in the importance of education.

“One of the things I’ve seen in my practice is watching judges ask ‘What’s your highest level of education?’ when sentencing someone,” she said. “Judges frequently make obtaining a GED a condition of probation. [This program] is a small investment that can pay huge dividends later.”

A Literacy Center graduate, Rico Campbell, also supported the bill. He said that obtaining his GED has completely changed his life.

“I dropped out of school at a young age to get a job and support my children,” he said. “Going back to school at 58 was very hard; a lot of times I wanted to give up. Now I’m a volunteer at the center and I’m working on my second goal—to go to college.”

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

EXECUTIVE BOARD

Independent redistricting commission proposed

The Legislature’s redistricting process would include the help of an independent commission under a bill heard by the Executive Board Feb. 27.

Currently, the Legislature is responsible for drawing new governmental boundaries every 10 years after the decennial census for districts pertaining to the U.S. House of Representatives, the Legislature, Public Service Commission, University of Nebraska Board of Regents and the state Board of Education.

LB580, introduced by Gretna Sen. John Murante, would create the Independent Redistricting Citizen’s Advisory Commission to assist in the process beginning in 2021.



Sen. John Murante

Murante said the bill is the result of a year’s worth of research into how to effectively draw Nebraska’s districts.

“This is the first step in a very complicated process,” he said. “At the end of the day, the creation of an independent redistricting commission is the goal.”

The commission would be established by Jan. 30 of each redistricting year. Each of the three legislative caucuses would appoint three people to serve on the commission, with no more than two with the same political party affiliation from each caucus.

To be eligible for service on the commission, a person must be a Nebraska resident and a registered voter who, at the time of appointment, had not changed political party affiliation

within the previous 12 months.

Residents registered as lobbyists within the previous 12 months, public officials, candidates for elective office and those holding a political party office in Nebraska or the United States would not be eligible.

The commission would develop and adopt redistricting maps according to guidelines adopted upon creation of the commission. Legislative bills containing the commission's recommendations would be delivered to the Executive Board no later than March 10, after which at least four public hearings in different geographic regions would be scheduled.

Omaha Sen. Heath Mello spoke in favor of the bill, saying it would be a fair and representative solution.

"We're trying to create a process and system that will yield results that the Legislature and the state can be proud of," he said. "This is a very good start, a good foundation, to come to a consensus from a bipartisan perspective."

Gavin Geis, executive director of Common Cause, also spoke in favor of the bill. He said research shows that states with an independent redistricting commission inspire more trust in the state's citizens.

"Forty-five percent of people in those states [with an independent redistricting commission] trusted the results of the process," Geis said. "In states without an independent commission, only 25 percent felt that they could trust the process."

The committee took no immediate action on the bill.

Longer legislative terms proposed

State senators could serve up to 12 years under a proposed constitutional amendment heard by members of the

Executive Board Feb. 23.

Currently, a state senator can serve two consecutive four-year terms. LR7CA, introduced by Columbus Sen. Paul Schumacher, would extend this to two six-year terms.

Schumacher said that term limits have been both good and bad for the state.

"Those of us who have served here understand that there is a distinct downside [to term limits]," he said. "There is a lack of institutional memory and lack of experience, particularly at the committee level. The people got it right on two terms, but the impact of four-year terms is problematic."

Six-year terms would begin for odd-numbered districts with the 2020 general election and even-numbered districts in 2022. No currently serving state senator would benefit from the extension of legislative terms.

A term-limited senator would be eligible to run for office again after sitting out one six-year term.

Omaha Sen. Ernie Chambers spoke in favor of the proposal, saying that term limits has made it more difficult for new senators to process all of the information necessary to work effectively.

"I think some of the senators who come in here and think term limits are a good thing quickly realize that two terms is not enough to really learn and be able to make use of [that knowledge]," he said. "Just about the time that people realize that this institution must be respected and protected, it's time for them to leave."

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



Sen. Paul Schumacher

Three investigative committees reauthorized

Senators passed three resolutions Feb. 27 that continue the work of three special investigative committees. The resolutions were introduced by Omaha Sen. Bob Krist, chairperson of the Executive Board.

LR32 provides for continuation of the Developmental Disabilities Special Investigative Committee. The committee has been providing ongoing oversight of the placement and care of the developmentally disabled in Nebraska since 2008.



Sen. Bob Krist

Krist said continuation of the committee is needed to ensure compliance with the terms of a U.S. Department of Justice consent decree regarding care at the Beatrice State Developmental Center and to implement recommendations from the committee's most recent report.

"The oversight of the special investigative committee needs to continue because the decree has not been lifted," he said.

Senators adopted the resolution on a 38-0 vote.

LR33 provides for continuation of the ACCESSNebraska Special Investigative Committee. ACCESSNebraska is an online and call center system developed and implemented by the state Department of Health and Human Services to determine public benefit eligibility and deliver benefits to clients.

The committee originally was established in 2014 to investigate an array of problems including long wait times for callers, high worker turnover and lost paperwork. The resolution will authorize continuation of the committee's

oversight of the ACCESSNebraska system.

The resolution was adopted on a 33-0 vote.

Finally, LR34 provides for the continuation of the Department of Correctional Services Special Investigative Committee. The committee was established in 2014 and was authorized to study the administration of good time laws, policies relating to inmate segregation and the availability of rehabilitative and mental health programs.

In its report to the Legislature, Krist said the committee identified additional problems within the state Department of Correctional Services. Continuation of the committee will allow for further study and oversight of the department, he said, including whether an office of inspector general for the correctional system is warranted.

Senators adopted the resolution on a 35-0 vote.

GOVERNMENT, MILITARY & VETERANS AFFAIRS

Additional funeral expenses for veterans passed

Lawmakers passed a bill Feb. 27 that expands the costs covered for veterans' funerals.

LB305, introduced by Scribner Sen. David Schnoor, adds transportation costs to the list of veterans' funeral expenses furnished by the director of veterans' affairs. Currently, food, shelter, fuel, apparel and medical or surgical aid are provided



Sen. David Schnoor

to veterans, their families and recognized veteran representatives to cover funeral expenses.

To be eligible for the benefits, the veteran must have served on active duty, been discharged under honorable or general conditions, died while in or as a direct result of service, or have been a U.S. citizen at the time of enlistment and served with an ally of the United States.

The bill passed with an emergency clause on a 47-0 vote.

Tourism signage requested

Members of the Government, Military and Veterans Affairs Committee heard testimony Feb. 26 on a bill that would encourage tourists to visit more of the state.

LB571, introduced by Bancroft Sen. Lydia Brasch, would authorize the Nebraska Tourism Commission to install highway tourism markers for attractions the commission deems important to the state.



Sen. Lydia Brasch

"[LB571] recognizes the importance of significant tourism attractions throughout the state and the need to establish markers that bring tourists and citizens to them," she said. "This will allow us to enhance our efforts in increasing tourism, which provides an important component for our state's economic base."

The cost to the state Department of Roads for a highway marker currently is \$300 for two markers, not including the cost of installation.

Former state senator LeRoy Louden spoke in favor of the bill, saying that it is in all citizens' best interests to encourage tourism.

"There are attractions in Nebraska

that require signage that encourage tourists to visit and stay in the area longer," he said. "Money and time spent in the state is a benefit not only to the communities but the state's economy as well. [LB571] is an economical way of accomplishing [these goals]."

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

HEALTH & HUMAN SERVICES

Nurse practitioner changes approved

Lawmakers gave final approval Feb. 27 to a bill intended to address the shortage of primary care providers in rural Nebraska.

LB107, introduced by Bellevue Sen. Sue Crawford, removes the requirement for an integrated practice agreement between a nurse practitioner and a collaborating physician and replaces it with a transition to practice agreement.



Sen. Sue Crawford

The agreement provides that the nurse practitioner and the supervising provider practice collaboratively within the framework of their respective scopes of practice.

A supervising provider is defined as a physician, osteopathic physician or nurse practitioner licensed and practicing in the same practice specialty, related specialty or field of practice. A nurse practitioner will be required to have 10,000 hours of practice to qualify as a supervising provider.

LB107 passed on a 46-0 vote.

Plan for disposition of veterans' remains advances

Veterans whose remains go unclaimed could be buried in a veteran cemetery under a bill advanced from general file Feb. 27.

LB146, introduced by Bellevue Sen. Sue Crawford, would authorize crematoriums and funeral establishments to relinquish control of unclaimed remains to veterans service organizations, who then would provide a burial in a veteran cemetery.

Crawford said the bill would ensure that veterans receive the dignified burial they deserve.

"Funeral directors work tirelessly with grieving families every day to ensure loved ones are treated with care and respect," she said. "This is an additional tool in cases when family members cannot be found or have lost touch with a veteran."

A crematorium or funeral establishment could, upon receiving unclaimed remains, provide information to the U.S. Department of Veterans Affairs, Nebraska Department of Veterans' Affairs or a veterans service organization to determine whether the remains are those of a veteran and the veteran's eligibility for burial in a veteran cemetery.

Once the organization has been in possession of the remains for one year and made a reasonable effort to locate the appropriate authorizing agent for such remains, but no attempt has been made to claim them, the organization could provide for disposition of the remains at a veteran cemetery.

A crematorium, funeral establishment or veterans service organization

would not be liable for the disposition of cremated remains unless there is willful negligence or misconduct.

Hoskins Sen. Dave Bloomfield supported the bill.

"Too many of my brothers from the Vietnam War are in this category. We owe them, at the very least, the honor of a decent burial," he said.

Senators advanced the bill to select file on a 36-0 vote.

Medicaid redesign proposed

The Health and Human Services Committee heard testimony Feb. 25 on a bill that would initiate a redesign of the state's Medicaid program.

Lincoln Sen. Kathy Campbell, sponsor of LB472, said the proposal would increase economic efficiencies in the Medicaid program and better serve all Nebraskans. The bill would create a 16-member Medicaid Redesign Task Force composed of representatives from the Legislature, the state departments of Health and Human Services (DHHS) and Insurance and experts in health care delivery, work force, insurance, education and advocacy.

The task force would perform a review of the Medicaid program and make recommendations on cost effectiveness and quality improvement, reporting annually to the Legislature and governor.

LB472 also would require DHHS to submit a state plan amendment to the Centers for Medicare and Medicaid Services to provide coverage to a newly eligible population of adults ages 19 to 65 with incomes below 133 percent of the federal poverty level (FPL) and individuals who currently

fall in a coverage gap because their income falls between 50 and 100 percent FPL, making them ineligible for federal premium assistance subsidies.

Campbell said the bill would provide access to health care on the private insurance market for approximately 54,000 Nebraskans, with costs covered by Medicaid with matching dollars starting at 100 percent in 2015 and gradually dropping to 90 percent after 2020. LB472 includes a termination clause if federal matching dollars fall below 90 percent.

"These are dollars that Nebraskans are paying to the federal government and [currently] not getting back," she said.

Within 12 months of the bill's passage, DHHS would be required to develop a Medicaid demonstration waiver that would coordinate health care delivery to the newly eligible population. The waiver would include:

- premium contributions up to 2 percent of income;
- a co-pay for overuse of the emergency room; and
- wellness incentives for preventive care.

Campbell said the bill incorporates lessons learned from the two previous attempts at Medicaid expansion that she has introduced—both of which stalled during floor debate.

"LB472 represents several years and months of work to understand the Affordable Care Act and the possibilities it creates for Nebraska and our economy," Campbell said.

Marty Fattig of the Nebraska Hospital Association spoke in favor of the bill, saying 28 states have expanded their Medicaid programs and are benefitting from federal tax dollars. Failure to expand Medicaid in Nebraska would result in a loss of more than \$2 billion in federal funds through 2020, he said.



Sen. Sue Crawford



Sen. Kathy Campbell

Fattig said the bill incorporates innovative approaches from around the country and tailors them to Nebraska's needs.

"LB472 is a patient-centered comprehensive plan to deliver quality care in a cost-conscious manner," he said.

Deb Schorr, representing the Lancaster County Board of Commissioners, also testified in support, saying the bill would close the coverage gap for individuals with no means of support—whose health care costs currently fall to county governments.

"In the last four fiscal years, Lancaster County spent approximately \$10 million on the medical needs of our general assistance clients," Schorr said. "Reforming Medicaid provides an opportunity to lower property taxes by maximizing the use of federal funds."

Courtney Miller, deputy director of Medicaid and Long-term Care at DHHS, testified in opposition to the bill. LB472 would require coverage for a new category of individuals, she said, which would increase administrative costs and place a burden on Nebraska taxpayers.

"Under this bill, nearly one in five Nebraskans would be enrolled in Medicaid," Miller said.

Omaha pediatrician Edward Truemper also testified in opposition, saying the bill would create two populations of Medicaid eligible individuals in different programs with different rules. The result would be chaotic and place vulnerable people at risk, he said, in part due to a shortage of providers willing to accept Medicaid patients.

"Patients will also have to learn to comply with a new health care delivery model," Truemper said. "The doctors and the patients are going to serve as guinea pigs."

The committee took no immediate action on the bill.

JUDICIARY



Law practice fund passed

A fund is created for the state's highest court by a bill passed Feb. 27.

LB194, introduced by Hastings Sen. Les Seiler, creates the Nebraska Supreme Court attorney services cash fund. The fund will consist of mandatory assessments, fees, grants, donations and gifts. It will be used for expenses related to regulation of the practice of law and administered by the state court administrator.



Sen. Les Seiler

Money approved for investment will be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Interest earned shall be credited back to the fund.

The bill passed on a 47-0 vote.

Stricter domestic violence penalties proposed

The Judiciary Committee heard a bill Feb. 27 that would change penalties and definitions regarding domestic violence and stalking.

Introduced by Omaha Sen. Rick Kolowski, LB307 would update statutes relating to stalking and domestic violence to:



Sen. Rick Kolowski

- increase the penalty from a Class III to a Class II felony for a first degree assault against an intimate partner;

- redefine certain injuries as a second-degree assault;
- require courts to make penalties consistent with the number of prior convictions;
- insert a venue description that allows prosecution in either county where an offense occurred or where the victim resides; and
- specify that communication by electronic means is a form of stalking.

Kolowski said the bill is designed to hold domestic violence offenders more strictly accountable for their crimes. In 2014, he said, 15,000 calls were made to 911 in Douglas County for domestic abuse. New technology creates new ways for people to harass one another, he said, and current statute needs to be updated to keep up with those rapid changes.

"We need to be able to prosecute crimes to fit the damage done," he said.

Latasha Edwards, a stalking victim, testified in support of the bill. In addition to leaving multiple and threatening messages, Edwards said her stalker hacked into her daughter's phone account to impersonate her and sent messages that made it appear her daughter was in danger. The threatening tone of the messages continued to increase, even after her stalker was in jail, Edwards said.

"With a law like this my situation would not have escalated," she said.

Julie Medina, Douglas County deputy attorney, also spoke in favor of the bill. Nationwide, she said, 76 percent of victims of intimate partner homicides were being stalked prior to their deaths. Technology has allowed stalkers to take identity theft to new levels, she said, such as having utilities and mail service discontinued.

"Stalking is the epitome of power

and control and these victims live in constant fear,” Medina said. “It’s necessary to change the statute to fit the 21st century stalker.”

Ted Lohrberg of the Nebraska Criminal Defense Attorneys Association testified in opposition to the bill. Enhancing penalties may impact the ability to prosecute offenders effectively, he said, because it can lead to plea bargaining.

The committee took no immediate action on the bill.

County court jurisdiction clarified

Jurisdictions of county courts in Nebraska are more clearly defined by a bill passed Feb. 27.

LB314, introduced by Lincoln Sen. Matt Hansen, clarifies several different areas of jurisdiction for county courts that are consistent with



Sen. Matt Hansen

the court’s existing jurisdiction regarding probate, guardianship and conservatorship.

The law establishes the county court’s exclusive original jurisdiction in any action involving the power of attorney for certain health care cases and certain cases arising under the Nebraska Uniform Custodial Trust Act and the Nebraska Uniform Transfers to Minors Act.

LB314 also establishes the county court’s concurrent original jurisdiction involving any matter relating to a power of attorney and the inaction of any agent acting under a power of attorney and certain cases arising under the Uniform Principal and Income Act and the Uniform Testamentary Additions to Trusts Act.

The bill passed on a 47-0 vote.

Juvenile justice oversight changes considered

A bill seeking changes to the oversight of the state’s juvenile justice system was heard by the Judiciary Committee Feb. 26.

The Office of the Inspector General of Nebraska Child Welfare (OIG) currently conducts audits, inspections and other reviews of the state’s child welfare system. LB347, introduced by Sen. Bob Krist of Omaha, would expand the



Sen. Bob Krist

OIG’s duties to also oversee the juvenile justice system.

Krist said Nebraska’s child welfare system has benefitted from the improved accountability and transparency provided by the OIG. The state’s juvenile justice system also should be subject to the same oversight, he said. Strong mandates alone are insufficient to ensure that youth are treated fairly and that the law is followed, he added.

Julie Rogers, inspector general of Nebraska child welfare, testified in support of the bill, saying the state’s juvenile justice system represents a large population of youth that would benefit from additional oversight. Barriers exist that prevent her office from conducting a thorough investigation if a juvenile probationer dies while in out-of-home placement, she said.

“Since we don’t have purview of the entirety of the juvenile justice system, it is difficult to understand the system as a whole and make system-wide recommendations,” Rogers said.

Juliet Summers, juvenile justice policy coordinator for Voices for Children in Nebraska, also spoke in favor of the bill. Youth who enter Nebraska’s child welfare system through the juvenile justice process should be

entitled to the same protections as all of the state’s children, she said. An OIG would provide needed oversight in cases where juvenile probationers are housed in facilities not currently subject to Nebraska licensing and review, she said.

“We know that external review is always beneficial ... and that it increases public trust in the system,” Summers said.

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

Senators consider native foster children placements

Native foster children would have more culturally appropriate placement opportunities under a bill heard by the Judiciary Committee Feb. 26.

Introduced by Lincoln Sen. Colby Coash, LB566 would change provisions of the federal Indian Child Welfare Act (ICWA) to clarify the responsibilities of Nebraska child welfare providers by strengthening state law and



Sen. Colby Coash

defining key areas of the law. The bill also would ensure Native American tribes have a voice in judicial hearings involving native children.

Coash said Nebraska has not changed the law since it was adopted in 1985. Native American children are overrepresented in Nebraska’s child welfare system, he said, accounting for 7 percent of those available for adoption. The clarifications proposed in the bill would allow ICWA to better address local needs, he said.

“We want to pass a bill to help keep native children out of foster care and reunite them with their culture,” Coash said.

Jill Holt, representing the Nebraska ICWA Coalition, testified in support of the bill, calling it the “gold standard,” for child welfare practices. Maintaining native children’s ties to their culture and tradition are critical for the survival of native families, she said.

“The bill provides much needed protection for tribal children,” Holt said. “It is instrumental in reducing the highly disproportionate number of native children in the Nebraska child welfare system.”

Kim Hawekotte, executive director of the State Foster Care Review Office, also spoke in favor of the bill. While native children make up 2 percent of the state’s juvenile population, she said, they represent 6 percent of Nebraska foster children who have been in out-of-home care for more than three years.

Darla LaPointe, representing the Winnebago Tribe of Nebraska, also testified in support of the bill. Federal standards contained in ICWA are vague, she said, and the bill would provide much needed clarification of standards needed to place Nebraska’s native children with families.

“The importance of the tribe having a say in placement of children cannot be overstated,” LaPointe said.

Susan Sapp, a Lincoln adoption attorney, testified in opposition to the bill, saying that ICWA places strict limitations on options for parents who voluntarily place their native children for adoption. Language in the bill may make direct placement adoptions even more difficult, she said.

The committee took no immediate action on the bill.

NATURAL RESOURCES

Fee to control aquatic invasive species approved

Senators passed a bill Feb. 27 that addresses the potential impact of aquatic invasive species on local ecosystems and surface water.

LB142, introduced by Ogallala Sen. Ken Schilz, creates the Nebraska Aquatic Invasive Species Program to prevent and mitigate the damage caused by species such as the zebra mussel and silver carp.



Sen. Ken Schilz

The bill imposes a fee every three years on motorboat registrations, both new and renewal, of between \$5 and \$10. The collected fees will be used to:

- monitor and sample waters for aquatic invasive species;
- hire personnel;
- purchase equipment to inspect and decontaminate water;
- provide additional enforcement, education and research relating to aquatic invasive species; and
- conduct aquatic invasive species projects as needed.

Owners of motorboats registered outside Nebraska will be required to purchase an annual aquatic invasive species stamp costing between \$10 and \$15. These fees will be remitted to the State Game Fund.

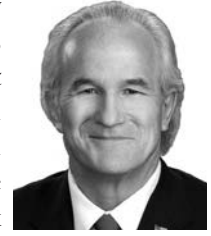
The bill passed on a 46-1 vote.

REVENUE

Tax exemption proposed for disabled veterans

Disabled veterans would be exempt from paying motor vehicle taxes under a bill heard by the Revenue Committee Feb. 27.

Under LB428, introduced by Bellevue Sen. Tommy Garrett, veterans with a 100 percent service-connected disability would be eligible for the motor vehicle tax exemption for one vehicle owned and used for their personal transportation.



Sen. Tommy Garrett

Garrett said that paying taxes on vehicle registration can be one more obstacle for disabled veterans living on fixed incomes.

“There are 100 percent service-connected disabled veterans with significant medical costs that cannot pay for the licensing and registration of motor vehicles, yet they have medical appointments they must attend, which is difficult without that vehicle,” he said.

An unmarried surviving spouse of a qualified veteran also would be eligible for the exemption under LB428.

Edward Sewell, representing Operation Veterans Encouraging Recovery, spoke in favor of the bill. He said that many veterans must deal with lifelong mental and physical injuries.

“If it’s wartime, then we’re visible and people recognize that, but normally we’re overlooked,” he said. “There are few opportunities to do something for the men and women who have risked their lives for their country. You’d be surprised at the

little things that make a difference in their lives.”

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

Ongoing tax incentive evaluations recommended

Members of the Revenue Committee heard testimony Feb. 25 on a bill that would require regular evaluation of the state’s tax incentive programs.

LB538, introduced by the Performance Audit Committee, would create an ongoing evaluation process for all current and future tax incentive programs enacted for the purpose of recruiting or retaining businesses in Nebraska.

Syracuse Sen. Dan Watermeier, chairperson of the committee, said it found that many of the performance audit goals were too broad to achieve meaningful audits of tax incentive programs.



Sen. Dan Watermeier

“Over the interim, we worked with citizens, stakeholders and the Pew Charitable Trusts to craft recommendations for the tax audit process,” he said. “[LB538] will help us draw clear conclusions about how well tax incentives are benefitting Nebraska’s economy and meeting its goals.”

The Legislature’s Performance Audit Office would develop and publish a schedule for conducting the evaluations, ensuring that each program is reviewed at least once every three years.

Each evaluation of a tax incentive program would include analyzing program-specific goals, economic and fiscal impacts of the program and recommendations for changes to evalua-

tion procedures that would allow for easier evaluation in the future.

In addition to future tax incentive programs, eight current programs would be evaluated under LB538, including the:

- Angel Investment Tax Credit Act;
- Beginning Farmer Tax Credit Act;
- Nebraska Advantage Act;
- Nebraska Advantage Microenterprise Tax Credit Act;
- Nebraska Advantage Research and Development Act;
- Nebraska Advantage Rural Development Act;
- Nebraska Job Creation and Mainstreet Revitalization Act; and
- New Markets Job Growth Investment Act.

Robert Zahradnik, representing the Pew Charitable Trusts, spoke in favor of the bill, saying that states need to regularly review tax incentive programs and make adjustments as needed.

“Despite the importance of tax incentive programs, they have rarely been studied on a continual basis [in most states],” he said. “Incentive program evaluation can help support economic development for the state and also point out ways that incentives can work better.”

Platte Institute Director of Research Dick Clark also supported the bill.

“This bill would help policymakers and the public understand the return on investment Nebraska gets from these incentive programs,” he said.

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

TRANSPORTATION & TELECOMMUNICATIONS

Bill would require two-person train crews

Freight trains crossing the state could be operated by no fewer than two people under legislation heard by the Transportation and Telecommunications Committee Feb. 24.

LB192, introduced by Hyannis Sen. Al Davis, would require that any train or light engine used to move freight be operated by at least two crew members. The restriction would not include trains used for hostler service or by utility employees.



Sen. Al Davis

Violations would incur fines of \$100 to \$500, depending on the number of previous offenses.

Davis said technological developments that allow trains to be partially controlled remotely are prompting railroad companies to develop plans to reduce crews to one person.

This would create a public safety issue, Davis said, because many Nebraska communities have only a single railroad crossing. In the case of a stopped train, he said, emergency responders would be forced to wait for a second crew member to arrive to clear the crossing.

In 2012, Davis added, 511 million tons of railway freight originated, terminated or passed through Nebraska. That congestion, he said, combined with understaffed trains, makes for a potentially dangerous situation.

“Derailments happen every day in this country,” Davis said. “I don’t think Nebraska wants to take that

kind of risk.”

Pat Pfeifer, chairman of the legislative board for the Brotherhood of Locomotive Engineers and Trainmen, testified in support of the bill. Each member of a two-person crew—an engineer and a conductor—has specialized tasks, he said, and one person cannot perform all of the duties safely. Trains encounter too many unpredictable situations to rely on automation to replace people, he added.

“No matter how good the technology is, it still takes a person to control it,” Pfeifer said.

Jeff Vogt, an engineer for Burlington Northern Sante Fe Railway, also spoke in favor of the bill. He said that the long and irregular hours worked by railroad employees can contribute to fatigue, which causes accidents. In addition to helping him stay awake, Vogt said, his conductor can see areas of the train not seen by the engineer.

“I know that having another crew member has made my job safer,” he said.

BNSF Railway engineer Jason Meyers agreed, saying that the engineer and conductor provide a “check and balance” system for train operation. In his testimony supporting the bill, Meyers said that increased transportation of hazardous materials by rail has made it critical for two people to monitor the tracks. Citing the 307 railway crossings on his route between McCook and Lincoln, Meyer said he and his conductor have a great responsibility to keep the public safe.

“Ninety percent of those crossings have no protection besides a stop sign and our eyes,” Meyers said.

Jeff Davis, director of state government affairs for BNSF Railway, testified in opposition to the bill, saying railroads have never been safer in the history of the industry. Technology has helped make trains with two-person

crews much safer than when trains routinely used five- and six-person crews, he said.

“We have 99.999 percent of our trains carrying hazardous materials arrive safely without accident,” he said.

Mike Phillips, general director of labor relations for Union Pacific Railroad, also spoke in opposition to the bill. He said LB192 could interfere with negotiations between unions and railroad companies. Appropriate crew sizes should be determined by the railroads, not state government, he said.

“We’re not asking for one-person crews,” Phillips said. “We need to be able to remain flexible.”

The committee took no immediate action on the bill.

Seat belts for school buses considered

All newly-purchased school buses in Nebraska would be equipped with seat belts under a bill heard by the Transportation and Telecommunications Committee Feb. 23.

LB373, introduced by Omaha Sen. Robert Hilkemann, would require that buses manufactured and purchased after Jan. 1, 2016, be equipped with lap-shoulder belts if they will be used to transport public school students. The bill also would make seat belt use on school buses mandatory and would require that students be trained on belt use at least twice during the school year.

The measure would not hold school districts liable for injuries sustained from the misuse of, or failure to use, seat belts. School districts still would be permitted to use buses pur-

chased prior to the enactment of the measure that are not equipped with seat belts.

Although studies show that large school buses are the safest way to transport students, about 17,000 children are injured in school bus accidents each year, Hilkemann said. Lap- and shoulder-belt use would eliminate half of injuries sustained by children in bus accidents, he said.

“I’m not saying our buses are unsafe,” Hilkemann said. “I believe we can make them even safer if we add the lap and shoulder belts.”

Dawn Prescott of Fremont, whose son died in a 2001 school bus accident, testified in support of the bill. As a passenger in the bus in which her son died, she recounted that while children were flung throughout the vehicle, only the seat-belted driver remained in his seat.

Improved seat belt technology has made the safety feature so much more affordable and widely available, she said, that school districts should take advantage of it immediately.

“It is not a matter of if another school bus accident will occur, but when,” Prescott said. “As parents, we have a responsibility to place our children in the safest environments possible.”

Mark Richardson of the Nebraska Association of Trial Attorneys also spoke in favor of the bill, saying that the compartmentalization-style protection of buses, featuring high-backed, padded seats, works only in cases of front and rear collisions. In more catastrophic accidents, seat belts protect children better and increase their ability to exit the vehicle quickly.

“An uninjured child has a better chance of getting off of a bus than an injured child,” he said.

John Bonaiuto, executive director of the Nebraska Association of School



Sen. Robert Hilkemann

Boards, testified in opposition to the bill. Large buses have such outstanding safety records, he said, that organizations such as the National Transportation Safety Board do not recommend installing seat belts.

“Research by experts does not support seat belts on school buses,” Bonaiuto said. “We don’t have the data that seat belts will make these buses any safer.”

Rich Casey, director of transportation for Bellevue Public Schools, agreed, saying that a 2014 fire on one of his district’s buses engulfed the rear of the vehicle in four minutes. In his testimony opposing the bill, he said that had kindergarten or elementary children been aboard and in seat belts, they might not have been able to evacuate soon enough to avoid injury.

“Compartmentalization provides the safest means of transporting children on school buses,” he said.

Casey added that installing seat belts can increase the cost of an 84-passenger bus by \$16,000 to \$18,000, with another \$500 per bus needed annually for maintenance.

The committee took no immediate action on the bill.

Primary offense proposed for phone use while driving

It would be illegal to hold a phone while driving in Nebraska under a bill heard by the Transportation and Telecommunications Committee Feb. 23.

Introduced by Ralston Sen. Merv Riepe, LB517 would prohibit those operating a motor vehicle from holding an interactive wireless communication device to talk, listen, view, record, transmit images, text, play



Sen. Merv Riepe

games or access any data.

The bill would not apply to physicians, law enforcement officers, firefighters, emergency medical technicians or emergency response operators when using communication devices in emergency situations. Also exempt would be law enforcement personnel, firefighters and operators of emergency vehicles using devices while performing official duties and drivers stopped on roadsides or off of roadways.

LB517 would make enforcement of the measure a primary offense, allowing law enforcement to stop drivers solely for engaging in such activity. Currently, using a wireless device is a secondary offense, which can be enforced in Nebraska only when a driver has been cited or charged with a traffic violation or some other offense.

A driver in violation would incur a three-point penalty on their driver’s license and be fined between \$200 and \$500, depending on the number of previous offenses.

Riepe said that since 2010, 584 drivers have been charged with texting while driving in Nebraska, resulting in 521 convictions. As mobile phone technology advances, growing numbers of people are using the devices for more tasks, Riepe said, increasing the risk for distracted driving. Enforcing the law as a secondary offense is no longer a strong deterrent, he said.

“It is my hope we will save lives with this legislation,” Riepe said. “This bill gives the tools to law enforcement to enforce a primary offense for this type of distracted driving.”

Laurie Klosterboer, executive director of the Nebraska Safety Council, testified in support of the bill. Texting or having a conversation while driving is a cognitive distraction that is much more dangerous than eating while driving, she said.

“Folks are doing more and more behind the wheel,” Klosterboer said. “The bill is a good start because [phone use] is so prevalent in our society.”

Patty Wood, vice president of the Nebraska Trucking Association, also spoke in favor of the bill, saying that commercial drivers in Nebraska already are prohibited from using phones while driving. Citing U.S. Department of Transportation statistics, she said drivers are 23 times more likely to have an accident as a result of texting.

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

Bill would study public transportation options

A council would be created to study public transportation options in Nebraska by a bill heard by the Transportation and Telecommunications Committee Feb. 24.

LB644, introduced by Omaha Sen. Jeremy Nordquist, would create the Nebraska Transit and Rail Advisory Council to study the feasibility of building and operating passenger rail and other public transportation options in the state. The governor would appoint the group’s 11 members, who would include state and local government representatives, Nebraska citizens and private railroad company representatives.



Sen. Jeremy Nordquist

The council would be required to submit its findings to the committee by Jan. 1 2017, and would be terminated on June 30, 2018.

Nordquist said Nebraska’s public

transportation systems have not been examined since the Legislature commissioned a study in 1999. Since then, he said, transportation technology, populations and travel patterns have changed substantially enough to necessitate a new review of the state's transportation needs.

"This is just us taking a step to revise the previous study and find the best [public transportation] options to suit Nebraska now and for the next 40 to 50 years," he said.

Milo Mumgaard, senior policy aide for sustainability in the Lincoln Mayor's Office, testified in support of the bill. Lincoln is a "railroad town," he said, with more than 3,500 employees working for local railway companies and manufacturers. Increased interaction between the labor markets of Omaha and Lincoln, combined with population growth, will create transportation challenges that must be addressed now, he said.

"This is a game-changing moment in respect to public transit," Mumgaard said. "This bill is a strong policy move in right direction."

Mike Davis, transit manager for Lincoln's StarTran division, also spoke in favor of the bill. He said that Oregon, which is routinely the nation's top state that people relocate to, chose to develop a light rail system decades ago. Now is the time for Nebraska to make the same kind of decisions, he said.

"It's good practice to plan for the future, to plan for a quality of life for future generations," Davis said.

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

URBAN AFFAIRS

TIF oversight proposed

The Urban Affairs Committee heard testimony Feb. 24 on a bill that would make several changes to Nebraska's tax increment financing (TIF) laws.

Hyannis Sen. Al Davis, sponsor of LB596, said the bill would increase transparency and accountability for TIF projects. Davis said TIF was created in the 1990s as a tool for cities to encourage redevelopment of blighted areas, but instead has become an economic development tool. For example, he said, the standards for declaring an area substandard and blighted—in order to qualify for TIF—are not uniformly interpreted or applied.

"We need to make sure that these TIF projects are in compliance and are delivering on their promises," Davis said.

LB596 would create the Tax-Increment Financing Division of the Auditor of Public Accounts, whose primary responsibility would be to provide state-level assistance for TIF projects. The division would establish a fee structure to be paid by TIF project developers to cover the costs of the division.

Cities would be required to report to the property tax administrator and the division regarding strategies and priorities for TIF use and a summary of TIF project contributions to the community. These reports would be displayed on a public website created by the division.



Sen. Al Davis

The division also would have the authority to audit redevelopment projects and proposals to ensure compliance with state law.

Cities using TIF would be required to conduct an annual review of each redevelopment plan to determine whether the stated goals and objectives of the project have been met. If a project fails to meet its stated goals, TIF funding could be recaptured by the city.

Finally, the bill would require that each community redevelopment authority include a member approved by the school board of the local school district, a member approved by the county board and a member approved by the local community college board of governors.

Davis said schools and counties are impacted by TIF when money is diverted from the tax base on which they rely, but they do not always have a seat at the table when decisions are made.

Renee Fry of OpenSky Policy Institute testified in support of the bill. TIF projects reduced taxable property in Nebraska by \$2.6 billion in 2013, she said, and reduced property tax revenues by more than \$55 million.

Those reductions in the tax base ultimately fall to all Nebraska taxpayers, she said, which justifies statewide oversight of TIF usage.

"We believe that TIF should be as transparent as possible," Fry said. "Communities vary drastically in their applications of TIF despite the statewide implications."

Russ Karpisek, legislative liaison for the state auditor's office, testified in support of creating a new division to provide statewide oversight for TIF.

"The auditor would be very willing to take on this responsibility," he said, "with the caveat that we would need more funding to do this."

Lincoln Mayor Chris Beutler testified in opposition to the bill, saying it is unnecessary.

Nebraska does not need a new state office to oversee the use of TIF, he said, and lawmakers should be wary of placing unnecessary constraints on a city's ability to use it as a redevelopment tool. For example, he said, TIF has been responsible for \$500 million

of private development in Lincoln.

"TIF has been an extremely valuable tool in revitalizing some of the more challenging sectors of the Lincoln community," Beutler said. "It has literally reshaped the city."

Rick Sanders, a developer from Bellevue who used TIF to build a senior living facility, also opposed the bill. Cities have very few economic incen-

tive options, he said, and adding layers of bureaucracy to the process might discourage developers.

"If TIF weren't available, I could not have afforded to do the things that needed to be done on that property," Sanders.

The committee took no immediate action on the bill. ■

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Monday, March 2

Appropriations

Room 1524 - 1:30 p.m.

LB565 (Kuehn) State intent relating to appropriations for education and training in high-need fields
 LB584 (Schilz) Transfer funds of the Cash Reserve Fund for a dental clinic and oral health training facility
 Agency 47: Neb. Educational Telecommunications Commission
 Agency 48: Coordinating Commission for Postsecondary Education
 Agency 50: Neb. State College System
 Agency 83: Community College Aid

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB11 (Krist) Change participation and reimbursement provisions under the Managed Care Plan Network Adequacy Act
 LB79 (Gloor) Require insurance coverage for renewals of prescription eye drops
 LB124 (Nordquist) Provide requirements relating to copayments, coinsurance, and deductibles

Business & Labor

Room 2102 - 1:30 p.m.

LB363 (Nordquist) Provide time limits and penalties for late medical payments under the Nebraska Workers' Compensation Act
 LB388 (Hansen) Provide annual adjustments for total disability income benefits under the Nebraska Workers' Compensation Act
 LB158 (McCollister) Deny compensation under the Nebraska Workers' Compensation Act in

situations of false representation
 LB600 (Ebke) Change provisions relating to the investment of trust funds for selfinsurers under the Nebraska Workers' Compensation Act

Education

Room 1525 - 1:30 p.m.

LB227 (Hansen) Change provisions relating to educational bridge programs
 LB402 (Baker) Change and eliminate provisions relating to distance education incentives
 LB589 (Pansing Brooks) Provide for allocation of the Nebraska Education Improvement Fund as prescribed
 LB355 (Morfeld) Change provisions relating to certain education funding as prescribed
 LB520 (Sullivan) Change provisions relating to transfers to certain education-related funds
 LB519 (Sullivan) Provide for school and student aid, grants, and assistance as prescribed

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB629 (Mello) Provide for regulation of transportation network companies
 LB399 (Smith) Provide Public Service Commission powers regarding transportation network service

Tuesday, March 3

Agriculture

Room 2102 - 1:30 p.m.

LB618 (Larson) Provide for redesignation of districts and changing at-large membership for certain commodities boards and commissions

Appropriations

Room 1524 - 1:30 p.m.

Agency 51: University of Nebraska System
 LB108 (Crawford) Appropriate funds to the University of Nebraska to fund behavioral health internships
 LB110 (Larson) Appropriate funds for pediatric cancer specialists
 LB154 (Hadley) Appropriate funds to the Board of Regents of the University of Nebraska
 LB417 (Nordquist) Appropriate funds to the University of Nebraska for pediatric cancer research
 LB436 (Cook) State intent relating to appropriations for pediatric oral health services
 LB496 (Kuehn) Appropriate funds for the Yeutter Institute for International Trade and Finance
 LB532 (Hilkemann) Appropriate funds to the University of Nebraska
 LB533 (Stinner) Appropriate funds to the University of Nebraska
 LB560 (Williams) Appropriate funds to the University of Nebraska and create a fund
 LB593 (Nordquist) Appropriate funds to the University of Nebraska to study current health data systems

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB67 (Schumacher) Provide for governmental unit bond priority
 LB223 (B. Harr) Change provisions of the Insured Homeowners Protection Act relating to contractor duties and prohibited acts and provide for a required notice
 LB336 (B. Harr) Change provisions

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

relating to the Nebraska Condominium Act

Education

Room 1525 - 1:30 p.m.

LB102 (Sullivan) Change provisions relating to the Access College Early Scholarship Program

LB410 (Sullivan) Change eligibility provisions relating to the Access College Early Scholarship Program Act
 LB36 (Bolz) Adopt the Community College Gap Assistance Program Act
 LB232 (Nordquist) Adopt the College Choice Grant Program Act
 LB401 (Kolterman) Adopt the College Tuition Equalization Grant Program Act
 LB380 (Morfeld) Create and provide duties for the Higher Education Affordability Commission

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB639 (Garrett) Provide authority for the Department of Roads to issue permits to control roadside vegetation as prescribed
 LB564 (Lindstrom) Change duties and obligations relating to the mowing of weeds along county roads
 LB623 (Nordquist) Provide for issuance of motor vehicle operators' licenses and state ID cards to persons with lawful status

Wednesday, March 4

Appropriations

Room 1003 - 1:30 p.m.

Agency 21: State Fire Marshal
Agency 35: Neb. Liquor Control Commission
Agency 64: Neb. State Patrol
Agency 78: Neb. Commission on Law Enforcement and Criminal Justice
Agency 24: Dept. of Motor Vehicles

Health & Human Services

Room 1510 - 1:30 p.m.

LB500 (Howard) Require application for Medicaid state plan amendment for multisystemic therapy and functional family therapy
 LB21 (Krist) Provide requirements for rate increases for providers of behavioral health services as

prescribed

LB499 (Krist) Provide duties for the Department of Health & Human Services relating to behavioral and mental health services
 LB240 (Hansen) Change provisions relating to a behavioral health pilot program

Judiciary

Room 1113 - 1:30 p.m.

LB354 (McCollister) Change provisions relating to crime victims and witnesses
 LB459 (Crawford) Change provisions relating to a deposition of a child victim or child witness
 LB294 (Scheer) Adopt the Human Trafficking Victims Civil Remedy Act and change and adopt provisions relating to service of process, sexual assault, crimes relating to morals, human trafficking, search warrants, juveniles, intercepted communications, and forfeiture of assets
 LB268 (Chambers) Change a penalty from death to life imprisonment without parole, eliminate a homicide report, and change provisions relating to murder in the first degree and restitution

Natural Resources

Room 1525 - 1:30 p.m.

LB117 (K. Haar) Change provisions relating to energy financing contracts
 LB407 (K. Haar) Change and eliminate provisions relating to certified renewable export facilities as prescribed

Revenue

Room 1524 - 1:30 p.m.

LB470 (Hansen) Provide an income tax credit for caregivers
 LB495 (Pansing Brooks) Increase the earned income tax credit
 LB559 (Schumacher) Change provisions relating to the treatment of tax credits under the New Markets Job Growth Investment Act
 LB608 (Mello) Change revenue and taxation provisions
 LB26 (Krist) Adopt the Choice for the Advancement of Nebraska Children in Education Act and provide for tax credits

Thursday, March 5

Appropriations

Room 1003 - 1:30 p.m.

Agency 82: Commission for the Deaf and Hard of Hearing
Agency 81: Commission for the Blind and Visually Impaired
Agency 67: Equal Opportunity Commission
Agency 68: Latino-American Commission
Agency 70: Foster Care Review Board
Agency 76: Neb. Indian Commission

Health & Human Services

Room 1510 - 1:30 p.m.

LR41 (Campbell) Urge the Nebraska congressional delegation to support efforts in Congress to establish a national training center in highly infectious diseases at the University of Nebraska Medical Center
 LB258 (Nordquist) Adopt the Interstate Medical Licensure Compact
 LB264 (Morfeld) Provide for issuance of credentials under the Uniform Credentialing Act based on military education, training, or experience
 LB369 (Riepe) Change provisions relating to impaired credential holders under the Uniform Credentialing Act

Judiciary

Room 1113 - 1:30 p.m.

LB195 (Seiler) Change provisions relating to summons and orders of garnishment on financial institutions
 LB254 (Morfeld) Adopt the Uniform Unsworn Foreign Declarations Act
 LB327 (Williams) Change provisions relating to garnishment
 LB620 (Larson) Change provisions relating to lawsuits against public participation

Natural Resources

Room 1525 - 1:30 p.m.

LB329 (Schilz) Adopt the Neb. Agritourism Promotion Act
Appointment: Marshall, Norris - Neb. Game and Parks Commission

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

Presentation of Omaha School

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Employees Retirement System Actuarial Valuation Report as required by §79-987
LB448 (Nordquist) Make current and new Class V school employees members of the School Employees Retirement System of the State of Nebraska
LB447 (Nordquist) Change provisions relating to the Class V School Employees Retirement Act

Revenue

Room 1524 - 1:30 p.m.

LB398 (B. Harr) Exempt all tangible personal property from property tax
LB414 (B. Harr) Provide a property tax exemption for fraternal benefit societies
LB424 (Davis) Change provisions relating to the nameplate capacity tax
LB476 (Davis) Provide duties for county assessors and the Property Tax Administrator relating to tax-exempt real property

Friday, March 6

Appropriations

Room 1003 - 1:30 p.m.

LB57 (Scheer) Appropriate funds to the Department of Administrative Services to demolish certain buildings
Agency 19: Dept. of Banking
Agency 22: Dept. of Insurance
Agency 87: Accountability and Disclosure Commission
Agency 93: Tax Equalization and Review Commission
Agency 65: Dept. of Administrative Services

Health & Human Services

Room 1510 - 1:30 p.m.

LB287 (K. Haar) Change provisions relating to licensure of interpreters for the deaf and hard of hearing
LB211 (Kolowski) Authorize chiropractors to provide school entrance physical examinations and visual evaluations
LB235 (Howard) Adopt the Consumer Protection in Eye Care Act

Judiciary

Room 1113 - 1:30 p.m.

LB643 (Garrett) Adopt the Cannabis Compassion and Care Act
LB390 (Crawford) Provide for the use of medical marijuana as prescribed

LB546 (Morfeld) Authorize administration of naloxone as prescribed
LB326 (Williams) Change provisions relating to marijuana, amphetamine, and methamphetamine

Natural Resources

Room 1525 - 1:30 p.m.

LB344 (Kolowski) Provide natural resources districts with the power to issue general obligation bonds

Revenue

Room 1524 - 1:30 p.m.

LB438 (Morfeld) Change distribution of sales and use tax revenue and create and provide for a fund
LB542 (B. Harr) Provide a sales tax exemption for purchases by county agricultural societies
LB610 (Smith) Change motor fuel excise taxes
LB653 (Johnson) Exempt certain purchases of energy star qualified products from sales and use taxes

Monday, March 9

Appropriations

Room 1524 - 1:30 p.m.

Agency 69: Neb. Arts Council
Agency 13: Dept. of Education
Agency 32: Board of Educational Lands and Funds
Agency 34: Neb. Library Commission
LB185 (Bolz) Appropriate funds to implement the Master Teacher Program Act
LB274 (Hansen) Appropriate funds to the State Department of Education for mentor teacher programs

Banking, Commerce & Insurance

1507 - 1:30 p.m.

Appointment: Hicks-Sorensen, Brenda L. - Dept. of Economic Development
LB341 (Howard) Provide requirements relating to health benefit plan coverage for insureds in jail custody
LB488 (Scheer) Adopt the Transportation Network Insurance Act

Business & Labor

Room 2102 - 1:30 p.m.

LB429 (Smith) Provide for medical utilization and treatment guidelines

under the Neb. Workers' Compensation Act

LB288 (Ebke) Prohibit public employers from making certain deductions from wages

LB554 (Business & Labor) Provide for payment of claims against the state

LB555 (B. Harr) Deny claims made against the state

LB480 (B. Harr) Change provisions relating to computing compensation under the Neb. Workers' Compensation Act

Education

Room 1525 - 1:30 p.m.

LB443 (Bolz) Redefine support services for purposes of the Special Education Act

LB507 (Cook) Require certain examinations for special education teachers

LB508 (Cook) Provide minimum requirements for acceptance to teacher education programs

LB489 (Sullivan) Change provisions relating to grants for early childhood education as prescribed

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB609 (Smith) Adopt the Nebraska Bridge Repair Act

LB626 (Campbell) Create a fund and change motor vehicle fees and taxes and their Distribution

Tuesday, March 10

Appropriations

Room 1524 - 1:30 p.m.

Agency 5: Supreme Court

Agency 11: Attorney General

Agency 94: Commission on Public Advocacy

Agency 15: Neb. Board of Parole

Agency 46: Dept. of Correctional Services

LB229 (Watermeier) Appropriate funds to the Supreme Court for court appointed special advocate state aid
LB237 (Coash) Appropriate funds for correctional facilities

LB654 (Seiler) Appropriate funds to the Department of Correctional Services

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB193 (Nordquist) Prohibit the collection of interchange fees on specified taxes and provide penalties
 LB348 (Krist) Change provisions relating to automatic teller machines and point-of-sale terminals
 LB395 (Schilz) Adopt the Nebraska Enterprise Act and authorize grants for economic development

Education

Room 1525 - 1:30 p.m.

LB572 (Davis) Provide duties for the state school security director relating to cyberbullying and digital citizenship issues
 LB29 (McCoy) Change provisions relating to school health inspections
 LB511 (Cook) Provide for return-to-learn protocols for pediatric cancer survivors

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB535 (Smith) Provide the Public Service Commission with exclusive jurisdiction over depth requirements for underground oil and natural gas pipelines
 LB652 (Transportation & Telecommunications) Adopt the 911 Emergency Services Communications Act

Wednesday, March 11

Appropriations

Room 1003 - 1:30 p.m.

Agency 23: Dept. of Labor
 Agency 54: Neb. State Historical Society
 Agency 52: State Fair Board
 Agency 91: Neb. Tourism Commission
 Agency 72: Dept. of Economic Development
 LB161 (Schumacher) Adopt the Pairing Equity to Enterprises Act and provide for a transfer from the Cash Reserve Fund
 LB263 (Johnson) Appropriate funds to the Nebraska State Historical Society
 LB318 (Kuehn) State intent to fund planning and development regions
 LB449 (Mello) Change provisions relating to funding for microloans
 LB450 (Mello) Authorize grants to aid tourism, create a fund, and change

funding provisions

LB569 (Brasch) Change the Business Innovation Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB333 (Gloor) Adopt the Health Care Services Transformation Act
 LB516 (Bolz) Create the Brain Injury Council and the Brain Injury Trust Fund and provide powers and duties
 LB411 (Cook) Change provisions relating to the Supplemental Nutrition Assistance Program

Judiciary

Room 1113 - 1:30 p.m.

LB362 (Krist) Change eminent domain provisions relating to school sites
 LB473 (Chambers) Eliminate the power of eminent domain for major pipelines

Natural Resources

Room 1525 - 1:30 p.m.

A portion of the Public Hearing on LB512 will be conducted via video conference

- *Hearing Time: 1:30 p.m. Central Time*
- *Video Conference Site: ESU #13, 4215 Avenue I, Conference Room C, Scottsbluff, NE*

LB512 (Stinner) Provide powers and duties to the Nebraska Oil and Gas Conservation Commission regarding certain wastewater and charge an assessment for certain costs
 LB581 (Nordquist) Adopt the Nebraska Clean-burning Motor Fuel Development Act

Revenue

Room 1524 - 1:30 p.m.

LB645 (Nordquist) Adopt the Early Childhood Workforce Development Opportunity Act and provide tax credits
 LB573 (Davis) Adopt the Health Enterprise Zone Act and provide for tax credits
 LB591 (Bolz) Create the achieve a better life experience program and provide for adjustments to taxable income

Thursday, March 12

Appropriations

Room 1003 - 1:30 p.m.

LB374 (K. Haar) Direct transfers from the State Recreation Road Fund
 LB537 (Watermeier) Appropriate funds relating to natural resources
 LB461 (Pansing Brooks) Change appropriations for the Nebraska Tree Recovery Program
 Agency 31: Military Department
 Agency 29: Dept. of Natural Resources
 Agency 84: Dept. of Environmental Quality
 Agency 33: Game & Parks Commission

Judiciary

Room 1113 - 1:30 p.m.

LB281 (Kolowski) Adopt the Child Support for College Savings Act
 LB437 (Ebke) Change provisions relating to the Parenting Act
 LB497 (Hadley) Change provisions relating to distribution of marital assets
 LB625 (Krist) Adopt the Interstate Placement for Involuntarily Admitted Patients Agreement Act

Natural Resources

Room 1525 - 1:30 p.m.

LB634 (Garrett) Provide for issuance of permits under the Game Law to prisoners of war
 LB636 (Garrett) Provide for a discounted permit under the Game Law for deployed military members and spouses on leave
 LB637 (Garrett) Provide for resident permits under the Game Law for spouses of military personnel as prescribed

Revenue

Room 1524 - 1:30 p.m.

LB574 (Davis) Adopt the Intangible Personal Property Tax Act
 LB466 (B. Harr) Change provisions relating to deductions of municipal sales and use tax refunds
 LB550 (B. Harr) Change provisions relating to the Municipal Equalization Fund ■

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



Students from Omaha South High School visited the Capitol this week to learn about the three branches of government. They observed legislative debate and conducted a mock committee hearing.