

THE NEBRASKA LEGISLATURE'S  
WEEKLY PUBLICATION

Stories published daily at

[www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov).

# UPDATE



*Sens. John Wightman, Charlie Janssen, and Kent Rogert (from left) watch as Gov. Dave Heineman delivers his annual State of the State address in the Norris Chamber Jan. 14.*

## Governor prioritizes economy, education and gov't efficiency

**F**ocusing on the economy, education and increased state government efficiency, Gov. Dave Heineman delivered his annual State of the State address to lawmakers Jan. 14.

The governor began by thanking senators for their work during last year's special session.

"We resolved this financial challenge by reducing spending, not by raising taxes," Heineman said. "No other state has acted as swiftly or spoken with one voice as Nebraska has."

While the governor touted the economic progress of the state, he listed its economic welfare as the first of his three priorities.

Heineman praised the recent repeal of the estate tax and the marriage pen-

alty as well as a lowered income tax.

"That's progress, but we have more to do. Taxes are still too high," he said. "The key to lowering taxes is to reduce spending."

Strengthening Nebraska's educational system was the governor's second priority.

"The world is changing," Heineman said. "Our task is to prepare our sons and daughters."

He emphasized the need for high-quality teachers in every classroom, as well as a reduction in truancy rates.

Working with the University of Nebraska, Heineman said he's working to develop a virtual high school in order to offer rigorous academic programs

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## Debate resumes on scanning driver's licenses

**A** bill carried over from the 2009 session that would permit the scanning and storage of driver's license information received general file approval Jan. 11.

LB261, introduced by Tekamah Sen. Kent Rogert, would permit retailers selling alcohol, tobacco or lottery tickets to collect and store driver's license numbers and state identification numbers by scanning barcodes on the back of identification cards. The bill also would permit the storage of license and ID card holders' ages.

Information stored would be available for use by law enforcement for the purpose of enforcing restrictions on age-sensitive products. The bill would prohibit retailers from selling scanned information.

Programmers writing software to store information scanned from the barcodes would be required to certify that software is capable of storing only the allowed information. Intentional or grossly negligent programming permitting the storage of more than the age and identification number in connection with sales of alcohol, tobacco and lottery tickets would be a Class IV felony.

Since 2001, Rogert said, every state aside from Nebraska has adopted legislation similar to LB261. He said the bill would stop the sale of age-sensitive products to minors and remove human error from the age validation process.

"If you use this type of technol-

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# A CLOSER LOOK.....

## Debate resumes on scanning driver's licenses

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ogy, the only way the register will be unlocked for the sale is if the barcode says the person is old enough," Rogert said.

Louisville Sen. Dave Pankonin said he was opposed to the bill. He said a breach resulting in stolen data permitted by LB261 could present a liability for the state.

"If we approve this, and there is a data breach here, it's going to come back on us, as the people who approved this," Pankonin said.

Valentine Sen. Deb Fischer said the bill did not present privacy issues. She said information collected using provisions afforded by the bill is already recorded.

"I don't think we should be worried about privacy issues on [LB261]. It has very limited use," Fischer said.

Ellsworth Sen. LeRoy Loudon serves on the Transportation and Telecommunications Committee, which considered LB261. He said the bill would allow private companies to use encoded information on licenses for their own purposes.

"The difficult question before the committee was whether or not — and to what extent — we should allow private entities to harvest people's personal information from a public document to further their private needs," Loudon said.

An amendment offered by the committee and adopted 35-5 would extend Class IV felony charges to anyone who trades or sells machine-readable information from the licenses or IDs. The amendment also removed a section of the bill that would have permitted a retailer to store additional information with the written authorization of the license or identification card holder.

The committee amendment contains a provision that affects those with access to card barcode information. The storage, compilation and preservation of information included on licenses and identification cards would be permitted for:

- providing information to a consumer reporting agency subject to the federal Fair Credit Reporting Act;
- administering and enforcing a transaction requested by the card holder;
- protecting against fraud or unauthorized claims; and
- resolving a dispute or inquiry by the license holder.

Omaha Sen. Steve Lathrop said he was concerned that



*Sen. Kent Rogert explains LB261 Jan. 11.*

the amendment would affect check cashing by permitting the storage of information about the check writer. This could potentially eliminate a person's ability to write checks if he or she is tagged by systems authorized under the bill after writing one bad check, he said.

"I don't have a problem with facilitating an electronic use of the driver's license to accomplish the same purpose," Lathrop said. "It seems like we are permitting more than that."

Lathrop offered an amendment, adopted 40-0, that would allow information scanned during alcohol, tobacco and lottery ticket sales to be used only by law enforcement.

Rogert also introduced an amendment that would prohibit the storage of information scanned from alcohol, tobacco and lottery ticket sales for a period longer than 18 months, unless required by state or federal law. The amendment also affects those with access to card information by allowing Class IV felony charges for those engaged in:

- trading or selling information to a third party;
- using information collected for marketing or sales purposes; or
- reporting to or sharing information with a third party, unless court ordered.

Rogert's amendment was adopted 38-0 and LB261 was advanced on a 33-8 vote. ■

# ISSUES UPFRONT

## Agriculture

### Bill to license aerial pesticide businesses advances

Those providing crop dusting services would need to apply for aerial pesticide business licenses under a bill advanced from general file Jan. 12.

Introduced by Fullerton Sen. Annette Dubas, LB254 would require those applying pesticides via aircraft or aerial spraying to obtain an aerial pesticide applicator business license.



Sen. Annette Dubas

As introduced, the pricing structure for the licenses would have been \$50 to \$100 for applicants whose principal departure locations are within Nebraska and \$250 to \$500 for applicants with out-of-state departure locations, plus \$50 to \$100 for each additional location.

An amendment offered by Holdrege Sen. Tom Carlson and adopted 39-0 removed the out-of-state designation and instituted a flat \$100 fee that could be raised to \$150. His amendment would remit fee proceeds to the Pesticide Administrative Cash Fund instead of the state general fund.

The bill also states that those with a commercial applicator license can apply pesticides via aircraft under the direct supervision of a Nebraska aerial pesticide business license



holder. The bill would hold licensees liable, however, for the actions of persons applying pesticides under their supervision.

Finally, the bill would require licensees to maintain records of pesticide applications.

Dubas said the bill originated with the Nebraska Aviation Trades Association, whose members were concerned with complaints regarding out-of-state aerial applicators. The state Department of Agriculture received a 60 percent increase in aerial applicator complaints in 2008, she said, and inadequate monitoring and tracking of applicators caused problems for both the industry and its customers.

"It's not very often that associations come to us and say, 'We need more regulation,'" Dubas said. "We're just looking for more accountability."

Ellsworth Sen. LeRoy Loudon said he had concerns that the bill could implement burdensome regulations on aerial spraying services, which he said are difficult to obtain in some areas of the state.

"We have to be very careful that we don't put too much encumbrance on an industry in which you have trouble hiring anyway," Loudon said.

Dubas said neighboring states,

such as Kansas, Iowa and Illinois, have adopted similar legislation.

LB254 was advanced on a vote of 42-0.

## Banking, Commerce & Insurance

### Beginning farmer and small business loans advance

A bill that would establish a linked deposit loan program passed the first round of debate Jan. 13.

LB297, introduced by Fullerton Sen. Annette Dubas, would create the Nebraska Beginning Farmer and Small Business Linked Deposit Loan Act, which would offer linked deposit loans not to exceed \$250,000 to eligible borrowers.

Borrowers would receive loans with an interest rate no more than 4 percent greater than the average bond investment yield of a 26-week U.S. Treasury bill. Loan funds would be provided by the state treasurer to the lending institution at an interest rate equal to the Treasury bill rate.

Those eligible for the loans would

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include beginning farmers who:

- have a net worth not exceeding \$500,000;
- provide the majority of the labor and management for their operation;
- possess farming and ranching knowledge and experience;
- demonstrate an ability to turn a profit; and
- show a need for assistance.

Eligible small businesses must employ 10 or fewer people in an area with an unemployment rate exceeding the statewide average, a per capita income below the statewide average or a decrease in population between the two most recent censuses.

As introduced, the bill would cap the aggregate amount of loans made under the program at \$20 million. A Banking, Commerce and Insurance Committee amendment, adopted 41-0, modified the program to offer \$2 million every biennium until \$10 million has been loaned.

Based on similar programs offered in Indiana and Kansas, LB297 would provide financing for beginning farmers and small businesses struggling to obtain credit from lending institutions, Dubas said.

The fiscal note for the bill as introduced includes lost revenues of \$574,000 annually and projected costs of \$83,000 over fiscal years 2010-12.

While the bill does have a cost, Dubas said, it provides a means for stimulating the rural economy by investing in "human capital."

"We must continually look for ways to expand that revenue base to help us weather these challenging times," Dubas said. "I could think of no better way to try to improve our revenue picture than to spend money on the hardworking citizens of Nebraska."

North Platte Sen. Tom Hansen opposed the bill. He said all farmers and ranchers are in need of financing, not just fledgling operations.

"The expansion we have in our existing farms and ranches is where the young people need to be," Hansen said.

Insufficient financing for beginning farming operations, especially those involved in organic foods, warrants the provisions of LB297, said Omaha Sen. Tom White.

"If we do not remove impediments for young people to get into this industry, we will kill our largest industry simply by old age," White said.

LB297 advanced from general file on a 34-2 vote.

## Education

### Senators reject student allergy plan requirements

Senators declined to advance a bill to select file Jan. 11 that would have required schools to develop student allergy plans.

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

The policy would have included annual education and training for school personnel on management of students with life-threatening

allergies, procedures for maintaining a file for each student at risk for anaphylaxis and strategies to reduce the risk of exposure to anaphylactic causative agents in schools.

Anaphylaxis, Cornett explained, is a serious immune response that occurs as a reaction to an allergy.

Acknowledging the current fiscal situation of the state, Cornett said the proposal was worth the \$46,000 cost associated with it.

"If we can save one child's life with that amount," she said, "we are justified."

Under an Education Committee amendment, adopted 29-0, Education Service Units would also be required to adhere to guidelines outlined in the bill. The amendment also removed an indoor air quality requirement.

A provision relating to immunity from civil liability was removed from the committee amendment by a floor amendment, adopted 30-1, offered by Omaha Sen. Steve Lathrop.

Opposition to the bill centered on its fiscal impact. While he acknowledged the importance of the proposal, Omaha Sen. Scott Lautenbaugh cautioned senators to be wary of any additional costs.

"I wish I could tell you that \$40,000 isn't a lot of money," he said. "Every dollar counts."

Papillion Sen. Tim Gay said many school districts already have allergy policies in place. Calling the bill an "unfunded mandate," he also questioned whether schools that didn't have one could afford to enact a policy.

LB72 failed to advance on a vote of 21-27.

### Renewable energy leases for school lands advance

The Board of Educational Lands



Sen. Abbie Cornett

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and Funds would be authorized to lease school lands for the production of wind or solar energy under a bill advanced from general file Jan. 13.

LB235, introduced by York Sen. Greg Adams, would permit the board to issue leases for wind and solar energy production and enter into contracts for the sale of carbon sequestration rights. The bill would provide an additional source of income derived from trust lands that can be apportioned to schools, Adams said.

The primary duty of the Board of Educational Lands and Funds is managing 1.3 million acres of land held in trust for Nebraska's K-12 public schools. The board already issues surface leases permitting the exploration and extraction of oil and gas, minerals and other natural resources on trust land.

An amendment offered by Adams and adopted 33-0 removed the carbon contract portion of the bill. The amendment also would limit the initial term of wind energy leases to no more than 40 years and exempt wind and solar leases from the public bidding process required for agricultural leases.

Lexington Sen. John Wightman said he was supportive of expanding the income base for the board.

"We have a duty in handling the lands owned by the Educational Lands and Funds to maximize the income from them," Wightman said.

In addition to schools receiving more funds from school land revenues, the whole state would benefit from the bill, said Malcolm Sen. Ken Haar.



Sen. Greg Adams

"I think we have a responsibility to work out a method for using the wind and solar potential of school lands, and I think this bill is a good first step," Haar said.

LB235 advanced on a 36-1 vote.

## Government, Military & Veterans Affairs

### Mexican-American Commission name change advances

A measure that would change the name of the state's Mexican-American Commission received first-round approval Jan. 14.

As introduced, LB139, sponsored by Sen. Bill Avery of Lincoln, would have changed the name to the Hispanic-American Commission. A Government, Military and Veterans Affairs Committee amendment, adopted 26-2, would change the name to the Commission on Latino-Americans.

Avery said the term Latino was more acceptable to the commission and that the change would better reflect the individuals the commission serves.

"The current name may be deeply embedded in tradition, but it does not reflect current reality," he said. "It's a commission that reflects many different cultures."

Omaha Sen. Brenda Council, while acknowledging that Latino is a more inclusive term, questioned the

appropriateness of the Legislature initiating the change.

"I'm uncomfortable with this body imposing a name on an entity where the leadership of that entity, and those who carry out its mission, aren't in agreement," Council said.

Lexington Sen. John Wightman said many of his constituents come from a wide range of Latin American countries and that the proposed name change would more accurately reflect their heritage.

LB139 advanced to select file 26-4.

### Senators advance provisional ballot procedures

Senators advanced a bill from general file Jan. 12 that makes changes to the election process.

While LB325, introduced by Omaha Sen. John Nelson, would make mostly technical changes to the election process, debate centered on a section of the bill relating to provisional ballots, which are only counted if voter registration is verified.

An amendment offered by the Government, Military and Veterans Affairs Committee was adopted on a vote of 31-0 and replaced the bill.

As amended, the bill would allow an election commissioner or county clerk to decide whether a voter whose name was inadvertently left off a precinct list would be issued a provisional ballot or a regular ballot. An election commissioner or county clerk also would decide which ballot to issue a registered voter who had moved within a county but failed to



Sen. Bill Avery



Sen. John E. Nelson

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update his or her voter registration. Currently, the voter receives a regular ballot after updating his or her voter registration at the polling place.

Omaha Sen. Tom White said the bill would inhibit citizens who move regularly from receiving a regular ballot. College students and military service members, for example, would be negatively affected, he said.

Sen. Steve Lathrop of Omaha questioned the level of discretion afforded to election commissioners and county clerks under the proposal.

“Ultimately we need to make sure that the provisional ballot process is used only when necessary,” Lathrop said.

Lincoln Sen. Bill Avery, chairperson of the committee, said he would work with concerned parties to craft a compromise before select file debate.

“I am convinced that we can improve this,” he said.

Senators advanced LB325 on a 32-0 vote.

## Senators reach compromise on county comptroller position

Senators advanced a bill Jan. 14 that would require county boards in counties with metropolitan class cities to appoint an auditor for internal audits.

Only counties with a metropolitan class city have a comptroller, who performs audit functions. In those counties the county clerk also serves as the comptroller. Currently, Douglas is the state’s only qualifying county.

Sen. Arnie Stuthman of Platte Center said he in-



Sen. Arnie Stuthman

troduced LB475 because the positions of clerk and comptroller should be separate. The comptroller should be appointed or hired by the county board, he said, because the board is statutorily responsible for audits. As fiscal officers, county clerks should not be responsible for audit functions, he said.

“It only makes sense that the county board should have the sole [budgetary] authority,” Stuthman said.

The Government, Military and Veterans Affairs committee offered an amendment, adopted 28-0, which would have created an elected county comptroller position in any county with a metropolitan class city.

However, Lincoln Sen. Bill Avery, chairperson of the committee, offered an amendment replacing the committee amendment, which would require the county board in a county with a metropolitan class city to provide for an auditor.

With the adoption of Avery’s amendment, the county comptroller position would remain intact, but the county board would appoint an auditor to perform internal audits.

Avery said his amendment, adopted 25-0, provided an appropriate compromise.

“This bill has broad agreement among the interested parties,” he said.

LB475 was advanced on a 27-0 vote.

## Senators advance proposal to simplify airport zoning process

Cities and counties sharing jurisdiction of an airport would no longer be required to form a joint board to set and enforce airport hazard regulations under a bill advanced to select file Jan. 12.

LB512, introduced by Omaha

Sen. Scott Lautenbaugh, would allow cities and counties that adopt minimum zoning regulations prescribed by the state Department of Aeronautics to forego the current requirement to form a joint board to set and enforce such regulations.



Sen. Scott Lautenbaugh

Both cities and counties have zoning authority. In some cases an airport may fall under both the city’s jurisdiction and that of the county. When that happens, city and county officials form a joint board to regulate height restrictions of buildings in that shared zone.

The joint board, as well as the city council or the county, must grant permission to citizens seeking building permits in that shared zone.

LB512 would remove the requirement of the joint board for cities and counties that have adopted the minimum regulations. Lautenbaugh said the elimination of the joint board would simplify the process of seeking a building permit as well as ensure that cities and counties adopt minimum regulations.

“It provides some clarity for the citizens,” he said.

Lautenbaugh offered an amendment, adopted 39-0, clarifying that the bill would not require changes in Omaha or Lincoln.

LB512 advanced 40-0.

## Bill to require statewide election-worker guide fails

A measure that would have required Nebraska’s secretary of state to develop and publish a uniform statewide guide for election workers failed to advance from general file Jan. 12.

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South Sioux City Sen. Robert Giese, sponsor of LB544, said the guide would serve as an important resource for the complicated election process.

Giese said that without a comprehensive guide from the secretary of state, county officials must rely on whatever resources are left by their predecessors.

"In some cases, these materials may be seriously outdated," he said.

But Platte Center Sen. Arnie Stuthman questioned the need for such a guide.

The necessary election information is readily available to election officials, Stuthman said.

"I see no need for any of this," he said. "I think they're doing a wonderful job."

Sen. Kathy Campbell of Lincoln agreed.

The secretary of state's office currently publishes a monthly newsletter and election commissioners meet two or three times a year regarding procedural changes, she said.

"I think that's more than sufficient," Campbell said.

LB544 failed to advance from general file on a 17-27 vote.

## Military Department and National Guard changes advanced

Senators advanced a bill Jan. 13 that would change provisions relating to state Military Department personnel and National Guard member peace officer powers.

Under LB550,



Sen. Robert Giese



Sen. Bill Avery

sponsored by Lincoln Sen. Bill Avery, the state Military Department would consist of:

- an adjutant general with a minimum grade of lieutenant colonel;
- one deputy adjutant general, chief of state or deputy director with a minimum grade of colonel;
- one assistant director for Nebraska Emergency Management Agency affairs; and
- other officers and enlisted personnel in the number and grade as prescribed by U.S. Army and U.S. Air Force personnel documents.

Avery said the current rank structure limits the ability of some personnel to advance in rank.

"This is needed to give the department more flexibility to advance meritorious officers in rank," Avery said.

The bill also would extend law enforcement authority to Nebraska National Guard members serving federal Title 32 U.S. Code status and to National Guard members from other states and territories while in active service to Nebraska.

Avery explained that Title 32 allows the federal government to use National Guard members for large-scale disasters and other emergencies under federal, rather than state, authority. Recent examples of Title 32 actions include assistance missions following hurricanes Katrina and Gustav, he said.

The bill also would require the governor to grant law enforcement authority to Nebraska National Guard members on state active duty orders in a state status, and he or she could limit such authority as necessary.

Currently, law enforcement authority is automatically granted to

Nebraska National Guard members on state active duty status and cannot be modified.

Avery offered a technical amendment, adopted 41-0 and LB550 was advanced on a vote of 42-0.

## Health & Human Services

### Tuberculosis detection and prevention bill stalls

Lawmakers voted down a measure Jan. 12 that would have changed provisions related to tuberculosis detection and prevention in Nebraska.

Omaha Sen. Tanya Cook, sponsor of LB341, said the resurgence of tuberculosis – which is highly contagious and requires six to nine months of treatment – requires an aggressive response from the state.



Sen. Tanya Cook

As introduced, the bill would have permitted nurse practitioners to dispense drugs that are provided through public health agencies and dispensed to a patient at no charge, and would have exempted nurse practitioners from the Pharmacy Practice Act.

An amendment offered by the Health and Human Services Committee and adopted 27-3 narrowed the bill's scope to include only drugs for the treatment and prevention of tuberculosis, and would have exempted nurse practitioners from the Pharmacy Practice Act only in relation to dispensing tuberculosis medications.

Cook said approximately 19 Ne-

# ISSUES UPFRONT.....

braska counties do not have pharmacists available, and that allowing nurse practitioners to dispense tuberculosis drugs at no cost to patients would increase the likelihood that individuals would seek and complete the necessary treatment.

“The reemergence of TB requires public health agencies to develop and apply new tools to address the threat,” she said. “Failure of individuals to receive treatment or finish treatment completely creates a serious public health risk.”

Omaha Sen. Steve Lathrop ex-

pressed concern that the bill’s departure from standard practice for prescribing drugs would remove the safeguard of a pharmacist’s expertise, particularly in regard to potential drug interactions.

“The pharmacist performs an important role,” Lathrop said. “We put the pharmacist between you and that prescription and [this bill] takes the pharmacist out.”

Following approval of a technical amendment offered by Cook, LB341 failed to advance from general file on an 18-25 vote. ■

## Governor gives state of state address

*continued from front page*

beyond the traditional school day and school year.

While the project will hopefully be funded by federal grants, the governor encouraged school districts to divert money from lawyers and lobbyists in order to prioritize classroom expenditures.

“The focus must be on student learning,” Heineman said.

Finally, the governor said state government could be streamlined through the use of technology. A new statewide radio station will provide a more efficient method to broadcast public safety messages, he said. The governor also noted that more than 71 percent of Nebraska’s tax returns were filed online.

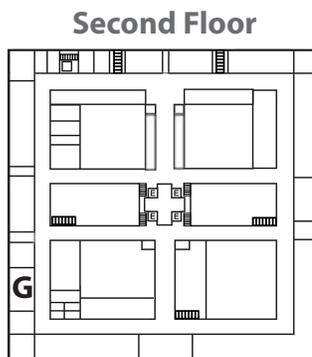
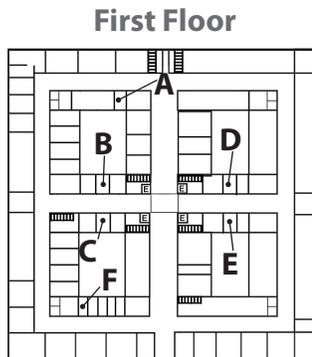
The use of technology will reduce state government cost and increase accessibility, he said.

Overall, the governor said the state is positioned for growth.

“Our roadmap is clear,” Heineman said. “I am confident the year ahead will provide us with new opportunities to move Nebraska forward.” ■

## HEARING ROOMS

Hearing Room	Committee	Meeting Days
Room 1003 (A)	Appropriations	W, Th, F
Room 1524 (B)	Appropriations	M, Tu
	Revenue	W, Th, F
Room 1525 (C)	Education	M, Tu
	Natural Resources	W, Th, F
	Nebraska Retirement Systems	(Meets at noon as scheduled)
Room 1510 (D)	General Affairs	M
	Urban Affairs	Tu
	Health and Human Services	W, Th, F
Room 1507 (E)	Banking, Commerce, and Insurance	M, Tu
	Government, Military and Veterans’ Affairs	W, Th, F
Room 1113 (F)	Transportation and Telecommunications	M, Tu
	Judiciary	W, Th, F
Room 2102 (G)	Business & Labor	M
	Agriculture	Tu



# COMMITTEE HEARINGS

## Tuesday, January 19

### Agriculture

#### Room 2102 - 1:30 p.m.

LB731 (Utter) Change provisions relating to noxious weed control funds  
LB748 (Louden) Change exemption provisions relating to food establishments

### Banking, Commerce & Insurance

#### Room 1507 - 1:30 p.m.

LB690 (Langemeier) Change deadline provisions relating to trade name publication filings  
LB691 (Langemeier) Provide for issuance of cease and desist orders under the Nebraska Real Estate License Act  
LB736 (Pirsch) Provide for liens for assessments and fines by homeowners' associations  
LB751 (Pahls) Change provisions relating to the effect of errors and omissions in financing statements  
LB752 (Pahls) Change provisions relating to securities pledged by trust companies

### Education

#### Room 1525 - 1:30 p.m.

LB713 (Gloor) Change provisions relating to school health inspections  
LB750 (Adams) Provide for gifts of real property to the Board of Educational Lands and Funds  
LB754 (Giese) Adopt the Blind Persons Literacy Rights and Education Act

### Transportation & Telecommunications

#### Room 1113 - 1:30 p.m.

LB688 (Wightman) Change and provide provisions for abandoned vehicles  
LB705 (Haar) Remove a limitation on issuance of disabled veterans license plates  
LB739 (Fischer) Eliminate provisions relating to driver training schools  
LB749 (Louden) Designate certain

roads as state recreation roads  
LB782 (Fischer) Change provisions relating to the issuance of distinctive license plates for governmental units

### Urban Affairs

#### Room 1510 - 1:30 p.m.

LB781 (Lathrop) Change provisions relating to urban growth districts

## Wednesday, January 20

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 p.m.

LB753 (Christensen) Change qualifications for the Superintendent of Law Enforcement and Public Safety  
LB791 (Pirsch) Provide for the electronic filing of certain documents with the Secretary of State  
LB721 (Avery) Change qualification requirements for the State Building Administrator  
LB722 (Avery) Change provisions relating to a state bonding requirement, sale of state real property, and state-owned motor vehicles

### Health & Human Services

#### Room 1510 - 1:30 p.m.

LB701 (Hadley) Change distribution of ICF/MR Reimbursement Protection Fund  
LB726 (Karpisek) Provide requirements for staff training under the Alzheimer's Special Care Disclosure Act  
LB706 (Haar) Provide fees for competency assessments of hearing interpreters  
LB702 (Gloor) Change provisions relating to a patient's access to medical records  
LB766 (Gloor) Repeal the termination date for the Nebraska Center for Nursing Act

### Judiciary

#### Room 1113 - 1:30 p.m.

LB853 (Wightman) Change criminal

law statutes to reflect Nebraska Supreme Court opinion State v. Conover, 270 Neb. 446; 703 N.W.2d 898 (2005)  
LB687 (Wightman) Change amounts of homestead allowance, exempt property, and family allowance for decedents' estates  
LB703 (Wightman) Change provisions relating to powers of attorney  
LB707 (Haar) Change provisions and penalties relating to unlawful intrusion  
LB712 (Rogert) Change the Disposition of Personal Property Landlord and Tenant Act

### Natural Resources

#### Room 1525 - 1:30 p.m.

LB797 (Langemeier) Change duties of the Nebraska Power Review Board  
LB798 (Langemeier) Extend the termination date of the Nebraska Litter Reduction and Recycling Act  
LB911 (Langemeier) Change a date relating to development of a statewide biotechnology strategic plan

### Revenue

#### Room 1524 - 1:30 p.m.

LB698 (Louden) Eliminate certain insurance premium tax provisions  
LB724 (Coash) Change provisions relating to use of tax proceeds for tourism promotion  
LB804 (Flood) Provide an exemption from the documentary stamp tax

## Thursday, January 21

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 p.m.

LB742 (McCoy) Provide requirements for settlement agreements involving public entities and provide that such agreements are public records  
LB714 (Avery) Change requirements for disclaimers on political material

# COMMITTEE HEARINGS

LB737 (Karpisek) Provide an exemption from the State Personnel System

## Health & Human Services

### Room 1510 - 1:30 p.m.

LB710 (Dierks) Prohibit performance of chiropractic adjustments as prescribed  
LB803 (Nordquist) Exclude licensed physical therapists from the Chiropractic Practice Act  
LB790 (Nordquist) Require a report relating to employed recipients of benefits under the medical assistance program

## Judiciary

### Room 1113 - 1:30 p.m.

LB694 (Price) Provide restrictions for sexual predators and penalties  
LB695 (Price) Change the jurisdictional amount of the Small Claims Court  
LB746 (Giese) Change provisions relating to racial profiling  
LB784 (Louden) Change admission provisions relating to law enforcement training  
LB844 (Lautenbaugh) Change provisions relating to Nebraska Law Enforcement Training Center tuition, fees, and expenses

## Natural Resources

### Room 1525 - 1:30 p.m.

LB743 (Fischer) Authorize conveyance of certain real property by the Game and Parks Commission  
LB871 (Fischer) Change provisions relating to persons accompanying apprentice hunters

## Revenue

### Room 1524 - 1:30 p.m.

LB877 (Cornett) Change property assessment and tax provisions  
LB878 (Cornett) Change and eliminate tax provisions relating to electronic fund transfers, withholding, and overpayments  
LB879 (Cornett) Change revenue and taxation provisions

## Friday, January 22

## Government, Military & Veterans Affairs

### Room 1507 - 1:30 p.m.

LB686 (Wightman) Change fees received by clerks and registers of deeds  
LB768 (Stuthman) Provide for the termination of township boards as prescribed  
LB826 (Pahls) Adopt the County Consolidation Act

## Judiciary

### Room 1113 - 1:30 p.m.

LB769 (Stuthman) Provide for immunity from liability for county clerks regarding incorrect or false marriage license application information  
LB824 (Fischer) Change provisions relating to master jury lists  
LB915 (McGill) Provide for use of motor vehicle operator license numbers and state identification card numbers in compiling jury lists  
LB728 (Lautenbaugh) Adopt the Exploited Children's Civil Remedy Act and redefine a term with respect to pleas

## Natural Resources

### Room 1525 - 1:30 p.m.

LB832 (Fischer) Eliminate a private insurance requirement relating to petroleum release remedial action

## Revenue

### Room 1524 - 1:30 p.m.

Appointment: Hotz, Robert W. - Tax Equalization and Review Commission  
LB823 (Janssen) Provide for appointment of county assessors

## Monday, January 25

## Appropriations

### Room 1524 - 1:30 p.m.

LB740 (Agriculture) Committee Eliminate transfer provisions from certain agricultural funds

LB776 (Hansen) State findings and intent relating to respite care appropriations

LB793 (Dubas) Prohibit cash fund transfers without authorization

## Banking, Commerce & Insurance

### Room 1507 - 1:30 p.m.

LB738 (McCoy) Change provisions relating to the substitution of trustee under the Nebraska Trust Deeds Act  
LB762 (Pahls) Change provisions relating to the unauthorized use of the word bank  
LB814 (Gloor) Change provisions relating to transactions exempt from securities registration

## Business & Labor

### Room 2102 - 1:30 p.m.

LB709 (White) Adopt the Small Business Regulatory Flexibility Act  
LB729 (Lautenbaugh) Repeal the Conveyance Safety Act  
LB884 (McGill) Require employers to provide employees with wage and deduction information as prescribed  
LB913 (Council) Adopt the Criminal Offender Employment Act

## Education

### Room 1525 - 1:30 p.m.

LB741 (Avery) Exclude lobbying expenses as a general fund operating expenditure for purposes of the Tax Equity and Educational Opportunities Support Act  
LB711 (Dierks) Change interlocal agreement provisions relating to unified school systems  
LB916 (Heidemann) Authorize leases on school lands for solar and wind energy production

## General Affairs

### Room 1510 - 1:30 p.m.

LB788 (Karpisek) Change provisions relating to managers under the Nebraska Liquor Control Act

# COMMITTEE HEARINGS

LB861 (General Affairs) Transfer, re-organize, and remove unconstitutional provisions of the Nebraska Liquor Control Act

LB867 (Karpisek) Change shipping license fees for alcohol

LB825 (Karpisek) Provide for parimutuel wagering on horseraces at satellite wagering facilities

LR277CA (Karpisek) Constitutional amendment to allow for parimutuel wagering on horseraces at a satellite wagering facility

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

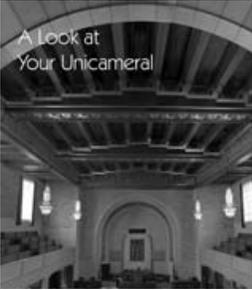
LB816 (Fischer) Change motor vehicle

industry regulation provisions  
LB719 (Avery) Change provisions relating to use of a rotating or flashing amber light on a motor vehicle  
LB831 (Utter) Change Motor Vehicle Operator's License Act provisions relating to school permits  
LB856 (Janssen) Provide for requirements for memorials in the highway right-of-way  
LB725 (Fischer) Define fertilizer and agricultural chemical application and distribution equipment and change applicability of certain federal motor carrier rules

### Tuesday, January 26

### Banking, Commerce & Insurance Room 1507 - 1:30 p.m.

LB890 (Pahls) Change banking and finance provisions  
LB891 (Pahls) Provide for conditional bank charters  
LB892 (Pahls) Change provisions relating to federal deposit insurance requirements, residential mortgage licensing, installment loans, and reverse mortgages



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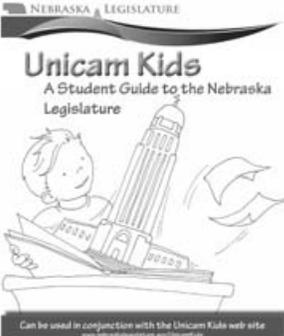
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# NEW BILLS.....

## Jan. 11, 2010

Bill	Introducer	One-line description
LB847	Council	Change Small Claims Court powers and provide for use of attorneys as prescribed
LB848	Cornett	Change provisions relating to board of equalization meetings for cities of the first class
LB849	Gay	Change provisions relating to the Department of Health and Human Services
LB850	Avery	Require public postsecondary educational institutions to provide information on early voting to students
LB851	Avery	Change the Convention Center Facility Financing Assistance Act and the Local Civic, Cultural, and Convention Center Financing Act
LB852	Avery	Provide for write-in space on official ballots for certain offices
LB853	Wightman	Change criminal law statutes to reflect Nebraska Supreme Court opinion State v. Conover, 270 Neb. 446; 703 N.W.2d 898 (2005)
LB854	Howard	Change requirements for licensure under the Nebraska Liquor Control Act
LB855	Fischer	Adopt the Remote Pharmacy Act
LB856	Janssen	Provide for requirements for memorials in the highway right-of-way
LB857	Gay	Change fee provisions relating to modular housing units, manufactured homes, and recreational vehicles
LB858	Sullivan	Change provisions relating to service animals and mobility-impaired or otherwise disabled persons
LB859	Lautenbaugh	Change provisions relating to trial by jury
LB860	Lautenbaugh	Change concealed handgun permit application provisions relating to misdemeanor crimes of violence
LB861	General Affairs Committee	Transfer, reorganize, and remove unconstitutional provisions of the Nebraska Liquor Control Act
LB862	Christensen	Change provisions relating to issuance and repayment of river-flow enhancement bonds
LB863	Cornett	Change annexation procedures affecting certain cities of the first class and sanitary and improvement districts
LB864	Pirsch	Provide duties for the Community Corrections Council
LB865	Fischer	Adopt the Livestock Animal Welfare Act
LB866	Howard	Provide for a dispensing practitioner permit and change other provisions relating to pharmacy
LB867	Karpisek	Change shipping license fees for alcohol
LB868	Flood	Change probation administrative sanctions, community service sentencing, and minors with alcohol-related criminal provisions and exempt community service offenders and probationers from workers' compensation coverage
LB869	Karpisek	Provide for and change fees relating to licensure under the Nebraska Liquor Control Act
LB870	Karpisek	Provide for a temporary operating permit under the Nebraska Liquor Control Act
LB871	Fischer	Change provisions relating to persons accompanying apprentice hunters
LB872	Lathrop	Change applicability of a medical fee schedule relating to workers' compensation
LB873	Giese	Eliminate provision relating to notification of delinquent property taxes
LB874	Giese	Change provisions relating to probation office expenses
LB875	Giese	Provide for voter registration on the Secretary of State's web site
LB876	Howard	Change recovery amounts under the Nebraska Hospital-Medical Liability Act
LB877	Cornett	Change property assessment and tax provisions
LB878	Cornett	Change and eliminate tax provisions relating to electronic fund transfers, withholding, and overpayments
LB879	Cornett	Change revenue and taxation provisions
LB880	Rogert	Change provisions relating to fireworks
LB881	Rogert	Change and eliminate provisions relating to fireworks
LB882	Rogert	Change provisions relating to disposal of dead animals
LB883	Coash	Provide for offsite storage facilities and change reporting and payment requirements for farm wineries
LB884	McGill	Require employers to provide employees with wage and deduction information as prescribed
LB885	Nordquist	Transfer the responsibilities of the Nebraska Oil and Gas Conservation Commission and the State Energy Office to the newly created Nebraska Energy Commission
LB886	Stuthman	Change and provide penalties for minors purchasing or possessing tobacco
LB887	Stuthman	Change provisions for interstate simulcast facility licenses
LB888	Conrad	Adopt the Nebraska Uniform Limited Liability Company Act
LB889	Christensen	Change provisions relating to the justification for the use of force
LB890	Pahls	Change banking and finance provisions

# NEW BILLS.....

LB891	Pahls	Provide for conditional bank charters
LB892	Pahls	Change provisions relating to federal deposit insurance requirements, residential mortgage licensing, installment loans, and reverse mortgages
LR279CA	Avery	Constitutional amendment to change the number of signatures required on initiative petitions
LR284CA	Utter	Constitutional amendment to abolish the office of the State Treasurer

## Jan. 12, 2010

Bill	Introducer	One-line description
LB893	Christensen	Provide refund procedures for unconstitutional taxes and assessments
LB894	Pirsch	Change provisions relating to shoplifting and prohibit possession of any store security device counter-measure
LB895	Janssen	Change procedures for filling vacancies on a natural resources district board
LB896	Christensen	Provide a permit for exceeding weight limits for vehicles transporting livestock
LB897	Howard	Change income limits for homestead tax exemption purposes
LB898	Haar	Adopt the Student Expression Act
LB899	Nordquist	Change retirement benefit adjustment provisions
LB900	Karpisek	Change retail license fees for sales of alcohol
LB901	Wightman	Change child custody determination provisions
LB902	Howard	Provide for an information form for assisted-living facilities
LB903	Howard	Require the Department of Health and Human Services to establish criteria to evaluate the adequacy of Alzheimer's special care units
LB904	Howard	Provide for enhanced assisted-living certificates for certain assisted-living facilities
LB905	Dubas	Change provisions relating to discharge of firearms
LB906	Karpisek	Eliminate restrictions on sales of alcohol near certain places
LB907	Conrad	Change provisions relating to homestead property exempt from execution
LB908	Conrad	Change workers' compensation provisions relating to claims for legal services or disbursements
LB909	Carlson	Change provisions relating to division fences
LB910	Carlson	Change the Commercial Dog and Cat Operator Inspection Act
LB911	Langemeier	Change a date relating to development of a statewide biotechnology strategic plan
LB912	Pahls	Prohibit occupant recovery limits in uninsured and underinsured motorist coverage
LB913	Council	Adopt the Criminal Offender Employment Act
LB914	Sullivan	Change a provision relating to the duty to stop after a motor vehicle accident
LB915	McGill	Provide for use of motor vehicle operator license numbers and state identification card numbers in compiling jury lists
LB916	Heidemann	Authorize leases on school lands for solar and wind energy production
LB917	Rogert	Exempt municipal water from sales and use taxes
LB918	Hadley	Redefine certain terms and provide certain tax incentives under the Nebraska Advantage Act
LR286CA	Fischer	Constitutional amendment to create the Highway Trust Fund, designate revenue sources, and provide for uses

## Jan. 13, 2010

Bill	Introducer	One-line description
LB919	Schilz	Permit a city of the first class to remain as such despite a population decrease
LB920	Haar	Provide for school transportation safety committees
LB921	Campbell	Provide time limits for payment of claims under the medical assistance program
LB922	Coash	Change registration renewal provisions relating to medication aides
LB923	Ashford	Change provisions relating to sealing of juvenile criminal justice records
LB924	Fischer	Change provisions relating to ignition interlock orders
LB925	Conrad	Require employment of Nebraska laborers for public works projects during excessive unemployment
LB926	Rogert	Change provisions for information signs along highways

# NEW BILLS.....

LB927	Retirement Committee	Change employee deposit requirements under the School Employees Retirement Act
LB928	Retirement Committee	Change contribution rates under the Nebraska State Patrol Retirement Act
LB929	Ashford	Require schools to distribute certain information to parents of children with special hearing needs
LB930	Gloor	Change provisions relating to distribution of certain devices under the Pharmacy Practice Act
LB931	Langemeier	Change the Real Property Appraiser Act
LB932	Christensen	Change provisions relating to repayment of financial assistance by natural resources districts
LB933	Utter	Change the Motor Vehicle Certificate of Title Act with respect to manufactured homes and mobile homes
LB934	Haar	Include Nebraska Wing of the Civil Air Patrol members under the Volunteer Emergency Responders Job Protection Act
LR289CA	McCoy	Constitutional amendment to prohibit laws that restrict or interfere with choice of health care plans or direct payment for medical services
LR292	Fulton	Memorialize the United States Congress to adhere to the principles of federalism in accord with the Ninth and Tenth Amendments to the United States Constitution

## Jan. 14, 2010

<b>Bill</b>	<b>Introducer</b>	<b>One-line description</b>
LB935	Flood	Provide for deficit appropriations and change certain appropriations
LB936	Flood	Authorize court-ordered conditions for juvenile court dispositions
LB937	Fischer	Eliminate per diem payments for members of learning community coordinating councils
LB938	Stuthman	Provide for an amendment to the medicaid state plan relating to reimbursement of federally qualified health centers
LB939	Stuthman	Change support order enforcement provisions
LB940	Janssen	Amend the Welfare Reform Act to require drug screening for cash assistance benefits
LB941	Gay	Permit optometrists to dispense cosmetic and medicated contacts as prescribed
LB942	Gay	Provide for a special shipping permit for alcohol manufacturers
LB943	Harms	Provide for the merger of civil service commissions under the Civil Service Act
LB944	Harms	Provide for publication of certain items on school district web sites
LB945	Harms	Prohibit use of handheld wireless communication devices while driving
LB946	Hadley	Provide for court-ordered postsecondary education subsidy orders
LB947	Avery	Eliminate the Community Development Block Grant Program Advisory Committee
LB948	Avery	Change provisions relating to agency requisitions and competitive bidding
LB949	Gloor	Change provisions relating to state and local building codes
LB950	Retirement Committee	Change provisions relating to retirement
LB951	Avery	Change provisions relating to early voting at elections
LB952	White	Exempt certain public utility income for infrastructure replacement and sewer programs from sales tax
LB953	Coash	Provide a rate of payment for certain medical services in emergency protective custody situations
LB954	Giese	Establish a limit on refunds of local option taxes under the Nebraska Advantage Act
LB955	Giese	Adopt the Correctional Facility Reimbursement Act
LB956	Adams	Rename the Nebraska Scholarship Act and change award provisions
LB957	Adams	Provide for memoranda of understanding related to student information sharing
LB958	Giese	Exempt retirement benefits and social security benefits from income tax
LB959	Lathrop	Prohibit certain discriminatory acts or practices related to the business of insurance
LB960	Stuthman	Change provisions relating to net metering
LB961	Council	Provide for economic development training grants
LB962	Council	Require blood lead testing prior to school enrollment
LR293	McGill	Send condolences to the nation of Haiti and ask the citizens of Nebraska to send needed support to the country

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