

THE NEBRASKA LEGISLATURE'S  
WEEKLY PUBLICATION

## UPDATE

# Legislature passes state smoking ban

**S**en. Joel Johnson of Kearney was able to head off further attempts to amend his smoking ban bill Feb. 22. Lawmakers passed **LB395**, which bans smoking in indoor public places statewide beginning June 1, 2009.

The ban allows the following exemptions:

- private residences, unless being used as child care facilities;
- guest rooms and suites that are rented and designated as smoking;
- areas used for research on the health effects of smoking; and
- retail stores selling only tobacco and products directly related to tobacco.

The bill specifies that products directly related to tobacco do not include alcohol, coffee, soft drinks, candy, groceries or gasoline.

Violators of the law will be charged with a Class V misdemeanor for the first offense and a Class IV misdemeanor for the second and subsequent offenses. A person charged with such a violation may voluntarily enroll, at his or her own expense, in a smoking cessation program approved by the state Department of Health and Human Services. Upon successful completion of the program, the charge would be dismissed.

Several senators made attempts to send the bill back to select file for consideration of amendments that would have added exceptions to the ban.

A proposal by Bayard Sen. Philip Erdman that would have reinstated the ability of local communities to opt out of the ban failed to gain enough support.

A second Erdman amendment would have stated in law that the

provisions of the bill preempt any ordinance of a political subdivision.

Johnson told the Legislature that the bill already would preempt local laws, making the amendment unnecessary. The second amendment, too, did not receive enough support from senators to send the bill back to select file.

A third amendment by Wilber Sen. Russ Karpisek that would have allowed smoking where food is not being served also failed to gain support.

The amendment would have provided some local decision making, he said, and would "put control back in the hands of the person who is paying the bills."

Johnson said those opposing the bill should keep in mind how well the nonsmoking ordinance has worked for Lincoln.

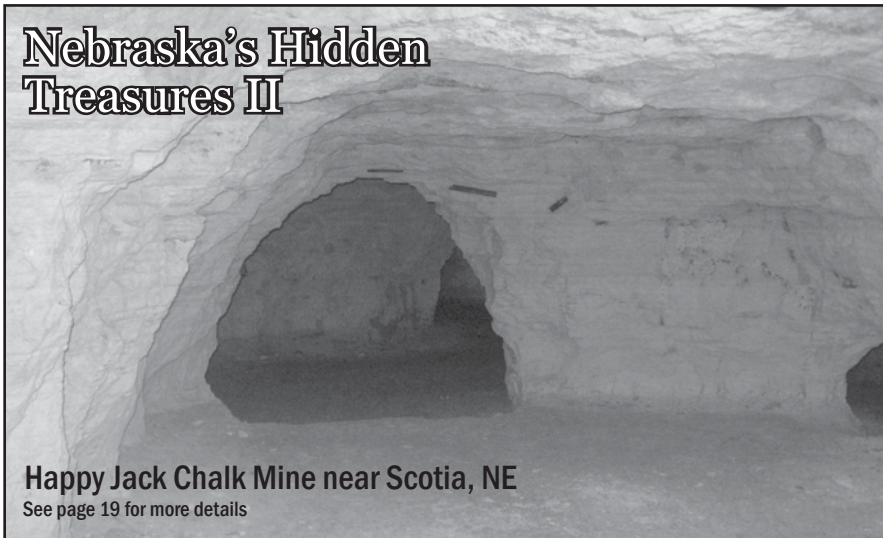
"We have gone from a place where Lincoln bar owners testified, adamantly opposing the ban....," Johnson said. "Then they came back and have said 'Boy, were we wrong. Yes, there may have been a downturn in business for a short time, but it has come back.'"

"If they can make the bars in Dublin nonsmoking, we can do it here," Johnson added.

Another amendment to exempt cigar bars had been filed by Omaha Sen. Scott Lautenbaugh, but it was passed over when lawmakers voted 37-11 to invoke cloture, or cease debate.

LB395 was passed 34-14 and sent to the governor for his consideration.

## Nebraska's Hidden Treasures II



Happy Jack Chalk Mine near Scotia, NE

See page 19 for more details

## INSIDE:

• Committee hears support for expressway plan • Senators override governor's veto on petition circulators bill •

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## Banking, Commerce and Insurance

### Banking cleanup bill advanced

Lawmakers advanced a bill Feb. 20 containing several changes related to the banking industry.

**LB851** contains provisions of the following bills:

**LB113**, introduced by Omaha Sen. Rich Pahls, would clarify that restrictions in the Interstate Branching by Merger Act of 1997 apply to a broad range of financial institutions, including industrial loan companies.



*Sen. Rich Pahls*

**LB116**, introduced by Pahls, would clarify provisions regarding a conflicting purchase-money security interest and security interest in the same livestock.

**LB716**, introduced by Pahls, would provide that a financing statement with minor errors or omissions is not seriously misleading if a search of the debtor's correct last name in the filing office records would disclose the financing statement. This section of the law generally provides that a financing statement substantially satisfying the requirements of the code is effective unless errors or omissions make the financing statement seriously misleading.

**LB717**, introduced by Pahls, would:

- replace certified mail notice requirements in several sections of law with first-class mail notice requirements;
- clarify that a state-chartered bank may exclude a licensed executive officer from the definition of executive officer for purposes of insider lending restrictions if such officer is not authorized to participate in major policymaking functions of the bank and does not actually participate in such functions;
- extend from 20 to 30 years the period of time in which a cause of action for the foreclosure of a mortgage or deed of trust accrues with respect to the rights of subsequent purchasers and encumbrancers for value; and
- allow employees and agents of a bank to take acknowledgments of third parties to any written instrument given to the bank and to administer oaths for any other stockholder, director, officer, employee or agent of the bank.

**LB851**, as originally introduced by the Banking, Commerce and Insurance Committee, would update laws relating to bank charter applications, trust company and trust department reports and publications and provide for the annual re-enactment of the

wild-card statutes for state-chartered banks, building and loan associations and credit unions.

**LB852**, also introduced by the committee, would update laws relating to mortgage bankers, delayed deposit services licensees and installment loan licensees.

**LB918**, introduced by Pahls, would provide that the holding company deposit cap of 22 percent of total bank and savings and loan deposits in Nebraska does not apply to segregated deposits from nonresidents of Nebraska in an owned or controlled bank.

Committee amendments were adopted 27-0 and the bill advanced to select file 29-0.

### Insurance regulation measure advanced

Senators advanced **LB855** Feb. 21, a bill housing several bills advanced from the Banking, Commerce and Insurance Committee.

The proposal contains provisions from the following bills that were introduced by the committee.

**LB853** would update and clarify several insurance statutes. Committee amendments would authorize the director of the state Department of Insurance to develop regulations to establish standards protecting



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members of the U.S. Armed Forces from dishonest and predatory sales practices. The amendments also would authorize the director to develop regulations allowing insurers to submit to the department's jurisdiction for the purpose of financial conglomerate supervision.

**LB854** would amend laws regarding insurance fraud.

**LB779**, introduced by Omaha Sen. Pete Pirsch, would streamline and clarify compliance requirements for the Multiple Employer Welfare Arrangement Act.

Finally, the bill would update and conform Nebraska's group life insurance statutes to the terms of the National Association of Insurance Commissioners model.

The committee amendments were adopted 27-0 and LB855 advanced to select file 29-0.



Sen. Pete Pirsch

## Government, Military and Veterans Affairs

Senators override veto of petition circulator restrictions

Lawmakers voted Feb. 19 to override the governor's veto of a measure that puts new restrictions on petition circulators.

**LB39**, sponsored by Lincoln Sen. DiAnna Schimek, requires circulators to be paid per hour rather than per signature and qualified to be electors in Nebraska. The bill also includes additional reporting requirements

for circulators.

According to Schimek, an elector is an individual who meets the requirements for being eligible to vote, but who may or may not be registered to vote. She said similar requirements have withstood challenges in other states.

Lawmakers passed LB39 Feb. 6 by a 31-14 vote. The measure was subsequently vetoed by Gov. Dave Heineman.

In his veto message, the governor said that the proposed restrictions in LB39, when combined with existing signature threshold requirements, "would unfairly inhibit the ability of citizens to petition their government."

Schimek disagreed that her bill makes the petition process more difficult, noting that LB39 does not address the number of signatures required on petitions. She added that the bill only enacts what has been done in several other states with petition processes. Those provisions have generally been upheld by the courts, she said.

Schimek said Nebraska has come to be viewed as "an easy mark" for outside groups with financial resources to launch ballot measures.

Nebraska residents want the petition process to be trustworthy, she said. The state's founders did not envision the circumstances facing the petition process today, she said.

"They wanted the petition process to be for Nebraskans," Schimek said.

Sen. Pat Engel of South Sioux City said the citizens should have recourse when they don't like what the Legislature has done. However, the process



Sen. DiAnna Schimek

has become too open to out-of-state groups, he said.

"Grassroots should be grassroots. Grassroots means you live and reside in the state of Nebraska," Engel said.

Omaha Sen. Scott Lautenbaugh said LB39 adds an additional burden on people who participate in the petition process.

The bill effectively limits the pool of available petition circulators, he said. It is not impossible, Lautenbaugh said, that a homegrown petition effort might need to hire people from outside Nebraska in order to be successful.

Ewing Sen. Cap Dierks supported the governor's veto, saying that the Legislature has made gradual changes to the petition process over the years.

"Every time we tinker with it, we make the petition process a little more difficult," he said.

Dierks suggested the Legislature should focus less on changing the process and more on honoring the outcomes produced by the existing process.

Sen. Greg Adams of York countered arguments from opponents of the legislation that the new restrictions make the petition process too difficult and undermine the people's role as Nebraska's "second house." LB39, he said, actually protects "the integrity of the second house."

"There is nothing about democracy that doesn't require effort," Adams said.

Senators voted 30-17 to pass LB39 over the governor's veto.



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## Health and Human Services

Child abuse disclosure rules amended, advanced

Senators gave second-round approval Feb. 20 to a bill that would expand the state's ability to release information in child abuse and neglect cases.

**LB782**, introduced by Omaha Sen. Gwen Howard at the request of the governor, would permit the Nebraska HHS Director of Children and Family Services or the department's CEO to release information in child abuse cases under limited circumstances.

Among the situations when disclosure would be allowed are those involving the death or near death of a child, when a child is missing from an HHS placement or when information related to a case has already been made public by sources outside of HHS.

In high-profile cases the ability to correct damaging and inaccurate information in the media may be in the best interests of the child, Howard said.

A Howard amendment stipulating that any disclosure made shall not impede an ongoing criminal investigation passed 26-0.

Omaha Sen. Ernie Chambers offered and later withdrew an amendment that would have removed provisions from an unrelated state law allowing judicial reprimands to be made public.

Chambers said the amendment was in response to the killing of LB474, his bill that would have allowed disclosure of certain cases of

police disciplinary action. He asked lawmakers to be consistent in their application.

If disclosure is a bad idea for police officers, it should be a bad idea for judges, Chambers said, but if transparency is good in one instance, it should be good in all.

"I'm going to push for the standard of transparency and disclosure," Chambers said, adding that he fully supported the underlying bill.

LB782 advanced to final reading on a voice vote.

Bill would create brain injury assistance program for veterans

The Health and Human Services Committee heard testimony Feb. 20 on a bill that would pay for treatment for some Nebraska veterans not covered by federal programs.

**LB1169**, sponsored by Omaha Sen. Tom White, is intended to cover Nebraska veterans of Operation Enduring Freedom and Operation Iraqi Freedom who are in need of post-acute brain injury services that are not reimbursable under the federal TRICARE program or the Veterans Administration. White said the legislation would provide comprehensive care for Nebraska National Guard members and reservists who suffer from closed head injuries.

"I hope it will correct a shameful omission," White said.

White explained that closed head injuries – those resulting from the brain shaking violently inside the skull but not involving cuts or separation of the skull – are becoming more common as a result of improvised explosive devices used by insurgents

in the Iraq and Afghanistan conflicts. The results are often devastating, he said, including personality changes, explosive tempers and the inability to organize tasks or sustain relationships.

Matt Clough, vice president of Quality Living in Omaha, echoed White's concerns while testifying in support of the bill.

The federal TRICARE system does an excellent job with physical rehabilitation, he said, but the cognitive component of closed head injury treatment is not addressed.

"It's those services that this bill is designed to focus on," Clough said.

Funding for the bill's proposed program would come from the state's general fund, with an estimated average cost per patient of \$70,440. The estimate is based on the Medicaid reimbursement rate of \$587 a day for 120 days.

White said the cost "is not too much, considering their sacrifice."

Papillion Sen. Tim Gay said he has concerns about the program's screening process, eligibility determination and funding but said he agreed with the underlying intent of the bill.

"If you're risking your life, you should get the services; that's not in dispute," Gay said.

There was no opposition testimony to LB1169.

The committee took no immediate action on the bill.



Sen. Gwen Howard



Sen. Tom White

## Judiciary

Penalties for fleeing arrest amended

A bill relating to penalties for fleeing arrest was amended and advanced Feb. 20.

**LB624**, sponsored by Omaha Sen. Pete Pirsch, would adjust the penalty

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provisions for the offense of operating a motor vehicle to avoid arrest so that the punishment reflects the danger caused by the pursuit.

Currently, whether the crime of operating a motor vehicle to avoid arrest is a misdemeanor or a felony is determined by the initial reason for the attempted stop by law enforcement.

If the initial reason an officer attempts to stop a vehicle is based upon a felony, then any operation of a motor vehicle to avoid arrest that follows is automatically a felony. Conversely, if the initial attempt to stop a vehicle is based upon a misdemeanor, then any operation of a motor vehicle to avoid arrest that follows is considered a misdemeanor.

The penalties ignore the danger created to the public and to law enforcement by the offender's flight itself, Pirsch said.

LB624 would make the offense of flight to avoid arrest a misdemeanor unless one of the following three factors is present:

- the flight results in the death or injury of any person;
- the flight includes the willful reckless operation of a motor vehicle; or
- it is a repeat violation of the law.
- If any of the three factors is present, the penalty for the offense would be a Class IV felony.

The bill also would adjust the penalty of loss of operating privileges to reflect the severity of the flight.

Currently, a judge must impose a two-year loss of license for every violation, whether it is a felony or a mis-

demeanor. LB624 would allow judges the discretion to decide whether to impose a maximum one-year loss of license for a misdemeanor offense.

Omaha Sen. Ernie Chambers had offered an amendment earlier on general file that would have made the person fleeing arrest liable only for any injury or death caused by the vehicle he or she was driving. Chambers said that current law unfairly holds the person being pursued responsible for the actions of the officer.

Pirsch reintroduced the amendment, which senators adopted 25-0 and the bill advanced to final reading by voice vote.



Sen. Pete Pirsch

## Scrap metal regulation bill advanced

A bill aimed at preventing the theft of recyclable metals was advanced to select file Feb. 21.

Citing a need to address the dramatic rise in metal thefts locally and nationwide, Bellevue Sen. Abbie Cornett introduced **LB766**, which she said would help deter theft and aid law enforcement in the prosecution of individuals who sell stolen metals.

LB766 would require recycling businesses to record information that identifies sellers of recyclable metals.

Under the bill, businesses would record:

- the seller's name, address, government ID and fingerprint;
- a photo and description of the metal being purchased;
- the payment amount;
- the name, signature and address of the vendor; and
- the transaction date and time.



Sen. Abbie Cornett

Businesses failing to comply with these provisions would be guilty of a Class II misdemeanor.

Recycled items exempted from the bill include food and beverage cans, items collected through community recycling programs and items collected from businesses that generate or sell scrap metals in the ordinary course of business.

With a vote of 13-27, senators defeated an amendment introduced by Platte Center Sen. Arnie Stuthman that would have removed the fingerprinting requirement from the bill. Stuthman said the provision would be burdensome to businesses and would not be effective in prosecuting thefts.

Lincoln Sen. Tony Fulton pointed out that fingerprints are currently required for other transactions such as gun sales.

Cornett said a fingerprint is the only way to definitively prove one's identity and it takes less time than signing one's signature.

Also defeated was an amendment introduced by Fulton that would have required a 72-hour delay in payment for regulated metal. The amendment was defeated 13-20.

LB766 was advanced on a vote of 32-2.

## Sentencing of violent juveniles discussed

The Judiciary Committee heard testimony Feb. 20 on a proposal to change the sentencing of certain minors who commit violent crimes.

Currently, persons convicted of Class I felonies are sentenced to death unless they were under 18 at the time the crime was committed. Those convicted of Class IA felonies are sentenced to life without parole. **LB843**, sponsored by Elkhorn Sen.

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Dwite Pedersen, would change the law so that any person convicted of a Class I or Class IA felony who was between 16 and 18 years old at the time of the crime would be sentenced to 50 years to life in prison. If the person were under 16 at the time of the crime, the sentence would be 40 years to life in prison.

The bill also would change sentencing for any person under 18 who is convicted of a Class IB felony to not exceed 40 years. The purpose of this provision would be to make such individuals eligible for parole in 20 years and to ensure that the penalty for those convicted of second-degree murder would not be a longer sentence than for those convicted of first-degree murder.

Pedersen said the bill was intended to require the courts to take into consideration the lack of maturity and physical and mental development of persons under 18 and to prevent the courts from sentencing such persons to life in prison without possibility of parole.

Pedersen said the bill would make parole a future possibility only for those who change their ways. The bill would not guarantee parole for anyone, he said.

Existing law does not always give young people convicted of such felonies an incentive to turn their lives around, he said.

"I do not believe we should ever give up on anyone. This is especially true of our young people," Pedersen said.

Mel Beckman of Omaha said LB843 is about society's attitude toward children who commit crimes.



*Sen. Dwite Pedersen*

"Are we willing to give them a second chance if they have done something really bad?" he asked.

Beckman called condemning boys and girls to prison "incomprehensible."

According to Peggy Adair of the League of Women Voters, more than 2,000 individuals under 18 are sentenced to life without parole in the United States, compared to an estimate of 15 such incarcerations elsewhere in the world.

"Either the rest of the world is wrongheaded, or we are," she said.

Douglas County Deputy County Attorney Jeff Lux said LB843 could create the unintended consequence of giving gangs an incentive to use their younger members to carry out their most violent crimes.

Younger individuals are already being used by gangs as drug mules and to carry out other crimes, he said.

"To add homicide to that list is concerning," Lux said.

Cass County resident Curt Drake told the committee he has had family members murdered. While he recognized the needs of young people entering the corrections system, he said lawmakers also need to recognize the needs of law-abiding citizens.

LB843, Drake said, assumes that these younger inmates will be rehabilitated.

"Rehab is like tomorrow," he said. "It is granted to no one."

The committee took no immediate action on LB843.

**Bill would protect gun rights**

The Judiciary Committee heard a bill Feb. 21 that would protect the rights of gun owners during times of emergency, disaster or civil defense.

**LB1076** would prohibit state and

local governments from applying additional restrictions on the lawful possession, sale, transportation or use of firearms during a state of emergency.

Citing concerns sparked by Hurricane Katrina and a tornado disaster in Kansas, Tekamah Sen. Kent Rogert said he introduced the bill to prevent state and local government from confiscating firearms from law-abiding citizens for the purpose of ensuring the public's safety.

Rogert cited a 2005 announcement by New Orleans Mayor Ray Nagin that the city would collect firearms in an effort to prevent citizens from "taking the law into their own hands" and escalating violence within the city.

Jordan Auswitin with the National Rifle Association related

that police officers in Greensburg, Kansas collected firearms from homes of evacuated citizens after a tornado disaster. Austin said the NRA considers this kind of confiscation a violation of citizens' second amendment rights. He said most of the guns were returned to their owners but he has heard some residents still have not recovered their property.

No one testified against the bill.

The committee took no immediate action.

**Judiciary Committee considers retrocession for Omaha Tribe**

The Judiciary Committee discussed a proposal Feb. 20 that would retrocede certain jurisdictional authority over the Omaha Indian Reservation.



*Sen. Kent Rogert*

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The sponsor of **LR234**, Omaha Sen. Ernie Chambers, said the resolution is intended to simplify criminal and civil jurisdictional determinations within the Omaha Reservation. The reservation overlaps portions of Burt, Cuming and Thurston counties.

In 1986, the state retroceded its criminal jurisdiction over the Winnebago Reservation to the federal government. In 2001, the state retroceded its criminal and civil jurisdiction over the Santee

Sioux Reservation to the federal government.

Today, the Omaha Reservation is the only reservation in Nebraska where the state continues to assert traffic jurisdiction.

If LR234 is approved by the Legislature, the federal government would reassume its jurisdiction within the exterior boundaries of the Omaha Reservation. The state would continue to have exclusive criminal jurisdiction over matters involving only non-Native Americans. When a Native American is involved as a defendant or a victim, the federal government will have jurisdiction, with tribal courts having concurrent jurisdiction over minor offenses committed by Native Americans.

Currently, non-Native Americans cannot be prosecuted in tribal court for any criminal offense. LR234 would not change that.

On the civil side, state courts would retain exclusive jurisdiction over actions on the Omaha Reservation when both parties are non-Native Americans and the interests of the tribal government are not implicated. Federal courts would have civil jurisdiction over actions where

either party is a Native American. The Omaha Tribe would have exclusive jurisdiction over civil actions on the Omaha Reservation affecting the health, safety and welfare of its members.

The U.S. Bureau of Indian Affairs would have primary responsibility for enforcement of federal laws, although it could delegate that authority to tribal or state law enforcement officers.

The committee took no immediate action on LR234.



Sen. Ernie Chambers

## Retirement Systems

Bill seeks divestment from Sudan

The Nebraska Retirement Systems Committee heard testimony Feb. 19 on a bill that would direct the Nebraska Investment Council to divest from Sudanese companies or companies doing substantial business in Sudan.

According to the bill's sponsor, Lincoln Sen. Bill Avery, **LB992** carefully targets companies that do business directly with the Sudanese government, allowing it to finance genocide against non-Muslims in the Darfur region.

Avery said the Sudanese government is responsible for 400,000 deaths and displacing as many as 2.5 million people since 2003. The goal of the bill, he said, is to deny the government the means of continuing the genocide. Noting that the U.S. government and 22 states have passed

similar bills, Avery said the threshold for divestment should be high and that active genocide reaches that threshold.

"The key question for us is to consider whether this is how Nebraska wants to earn income on its investments," Avery said.

Supporters of the bill focused on Nebraska's past role as a leader on divestment issues and on the cumulative impact of divestment.

Sarah Beringer of Divest Nebraska reminded the committee that Nebraska was the first state to pass legislation requiring divestment from South Africa during the apartheid era. The state has the ability to make a similar impact in Darfur, she said.

Divest Nebraska co-chair Stephanie Sutton agreed, testifying that Nebraskans are not exempted from acting simply because atrocities are occurring 7,000 miles away.

"We hold global citizenship in this world," she said.

Adam Omer of Darfur said that divestment is one tool that can be used to pressure the Sudanese government into curbing the kind of attacks that killed his aunt.

Omer said that recent waves of attacks in Darfur have caused neighboring states to stop accepting displaced people, worsening the situation for those who survive.

"My family still lives there," he said.

Several senators questioned how significant an impact Nebraska divestment would have on Sudan.

Daniel Millenson of the Washington-based Sudan Divestment Task Force said that, on average, less than .03 percent of the investment portfolios of states and institutions that have engaged in similar efforts have been affected. However, when those states, institutions and other



Sen. Bill Avery



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countries combine to pressure the Sudanese government, the impact adds up, Millenson said.

The goal is to engage with companies and pressure them into changing their practices, he said.

"The threat of divestment is what gets them to do that," he said.

Testifying in a neutral capacity, state investment officer David Bomberger said an additional full-time staff person would be required for the first 15 months after the bill becomes law. The fiscal note also includes mid-range estimates for legal work and services that would screen portfolios, he said. The estimate on these services ranges from \$273,500 to \$620,000 for fiscal year 2008-09.

Avery said he believes the fiscal note is unrealistically high and that his concerns were confirmed by a statement attached to the fiscal note disagreeing with the estimates.

Bomberger also said he has concerns that mandatory divestment conflicts with the investment council's fiduciary duty to its beneficiaries, and that limiting investment options increases risk and lowers returns. He is, however, willing to work with the committee on the bill, he said.

There was no testimony in opposition to LB992.

The committee took no immediate action on the bill.

## Revenue

### Retirement income exemptions considered

The Revenue Committee held a hearing Feb. 21 on three proposals to exclude retirement income from state income tax.

**LB714**, sponsored by Omaha Sen. Rich Pahls, would exempt income

received from Social Security benefits when determining state individual income tax liability. This provision would apply to income earned in 2008 and thereafter.

Beginning in 2009, the bill also would exempt Social Security income from the calculations used to determine eligibility for a homestead exemption. This would have the effect of lowering the property tax liability on homesteads for persons who receive Social Security.

The Legislative Fiscal Office estimates the bill would result in state revenue reductions of \$53.1 million in fiscal year 2008-09 and \$56 million in FY2009-10, coupled with an increase in expenditures of \$40.3 million beginning in FY2009-10.

**LB770**, introduced by Bellevue Sen. Abbie Cornett, would exempt military retirement benefits from state income tax. Beginning with the current tax year, an eligible individual would be able to exclude \$24,000 of annual benefits received from a military retirement. If both spouses received military retirement benefits, then the amount of the annual exemption could not exceed \$48,000.

It is estimated that the bill would result in revenue reductions of \$10 million in FY2008-09 and \$10.3 million in FY2009-10.

**LB1140**, sponsored by Sen. Dwite Pedersen of Elkhorn, would gradually implement an exclusion of public pension benefits from state in-



Sen. Rich Pahls

come tax.

Under the bill, the exemption would apply to participants in state-operated public employee retirement systems, the U.S. Civil Service Retirement System, the U.S. Military Retirement System and individuals receiving Social Security benefits. The exemption would be phased in over five years, increasing each year to a maximum exemption of \$75,000 annually.

Estimated revenue reductions under LB1140 would be \$69.1 million in FY2008-09 and \$72.8 million in FY2009-10.

The committee took no immediate action on any of the three measures.

### Endowment credit revisions discussed

The Revenue Committee heard testimony Feb. 21 on a bill that would update a tax credit program for planned giving.

**LB983**, sponsored by Sen. Abbie Cornett of Bellevue, would make numerous changes to tax credits for irrevocable planned gifts to Nebraska permanent endowments.

For resident individuals and S corporations, the planned gift credit would be increased from 15 percent to 50 percent with the maximum credit increased from \$5,000 to \$10,000 and a new 25 percent credit provided for direct gifts up to \$5,000.

For non-subchapter S corporations the credit would be increased from 10 percent to 50 percent and the maximum credit increased from \$5,000 to \$10,000.



Sen. Abbie Cornett



Sen. Dwite Pedersen



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The total amount of credits that could be approved annually would be limited to \$5 million.

In addition to the increase in credit percents and maximums, the credits would be allowed to be carried forward up to five years rather than required to be used in one year. The program's termination date would be extended from 2010 until 2016.

The Legislative Fiscal Office estimates the bill would reduce state revenues by \$1 million in fiscal year 2008-09 and \$3.5 million in FY2009-10.

Cornett said the intent of the bill is to stimulate more contributions to planned giving. In 2006, the first year of the program's implementation, \$3.3 million in contributions were generated, but only \$102,000 in credits were awarded, she said.

Several testifiers appeared before the committee emphasizing the value of planned giving to Nebraska-based endowments.

Former Lt. Gov. Maxine Moul, who serves as a coordinator for Endow Nebraska, testified that full investment of the credits available under LB983 could generate \$20 million in new endowments each year and as much as \$160 million by the program's end in 2016.

The committee took no immediate action on the bill.

## Urban Affairs

Municipal annexation bills reflect opposing views

The Urban Affairs Committee heard two bills Feb. 19 that would change the annexation authority of metropolitan cities. One bill would

limit annexation authority, the other would expand it.

**LB971**, introduced by Elkhorn Sen. Dwite Pedersen, would prohibit the annexation of any city or village unless approved by a majority vote of the adjoining village. Saying Elkhorn has not been the same since being annexed to the city of Omaha last year, Pedersen brought the measure with the hope of preventing municipalities from being annexed against the will of residents.

"A vote would allow the people affected by the annexation to voice their opinions," he said.

Although LB971 would offer no remedy for the former city of Elkhorn, several local residents testified in favor of the bill. Residents expressed frustration that they were denied a voice in the annexation.

Don Eikmeier, former Elkhorn city administrator, noted an increase in burglaries and complaints about city services such as snow removal since being annexed.

"Nebraska is the only state that allows the takeover of one municipality by another without a vote," he said.

Omaha Sen. John Nelson took a different approach with **LB1166**, which would permit the annexation of municipalities in bordering counties by a city of the metropolitan class.

Nelson said the purpose of the bill is to allow Omaha to grow and not be restricted by county lines. He indicated un-



Sen. Dwite Pedersen

incorporated areas in the Millard School District could be candidates for annexation under the bill.

"Annexation can be a positive tool for economic growth," Nelson said.

Papillion Mayor James Blinn disagreed.

"Residents cost more in taxes than they make up in services, thus a city benefits by having a commuting workforce," Blinn said, referring to residents who commute from surrounding communities to work in Omaha.

The city of Omaha and Sarpy County also opposed the bill.

The committee voted to indefinitely postpone LB1166 but took no action on LB971.

## COMMITTEE HEARINGS OPEN TO PUBLIC

Public hearings offer people the opportunity to make their views known on proposed legislation and have them incorporated into the official legislative record. In Nebraska, most bills, with the exception of a few technical bills, receive a public hearing before a legislative committee.

A weekly schedule of committee hearings is available in the Clerk's Office, the Legislative Bill Room and the Legislature's web site ([www.nebraskalegislature.gov](http://www.nebraskalegislature.gov)). The schedule also can be found in the *Unicameral Update*, the *Sunday Lincoln Journal-Star* and the *Sunday Omaha World-Herald*.

To testify before a committee, attend and fill out the sign-in sheet at the witness table, orally identify yourself and spell your last name for the record and state who, if anyone, you represent as you begin your testimony. Be prepared to answer questions. Please note that addressing committee members or witnesses from the audience, public demonstrations and applause are prohibited.



Sen. John E. Nelson

## A CLOSER **LOOK**.....

### Measures would prioritize expressway plan



*Sen. Mike Flood testifies before the Transportation and Telecommunications Committee.*

**T**he Transportation and Telecommunications Committee heard testimony Feb. 19 regarding the state Department of Roads' long-range state highway system plan.

Currently, the department is required to design an annual plan to meet the state highway system needs and to prioritize those needs. In establishing these priorities, the department is to consider a variety of factors, including current and projected traffic volume, safety requirements, economic development needs, current and projected demographic trends and maintenance and enhancement of the quality of life for all Nebraska citizens.

**LB1129**, introduced by Norfolk Sen. Mike Flood, would add two factors to the list of factors that the department must consider:

- the ability of residents of cities of 15,000 inhabitants

or more to access the Interstate highway system through a completed expressway; and

- the impact of uncompleted portions of the expressway system on the economic development of cities along the expressway system.

**LR232**, also sponsored by Flood, would require the Transportation and Telecommunications Committee to:

- hold a public hearing or hearings about and address the importance of prioritizing the uncompleted segments of the 1988 expressway plan;
- request that the department advise the committee of its plans to prioritize these uncompleted segments; and
- address the importance of economic development as a factor more urgent than traffic volume in the completion of the 1988 expressway plan.

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# A CLOSER LOOK.....

(continued from previous page)

LR232 also calls for the committee to submit to the Legislature any legislation needed to effectuate the purposes of the resolution.

Flood said the failure to complete the expressway plan has left too many communities without four-lane road access to an Interstate, resulting in lost economic development opportunities.

What people are asking for is not different or special, he said, but merely completing a plan already in place. Without a commitment to completing the plan, he said, communities off the Interstate will continue to wither up.

"We are patient, but right now we are not even on the list," Flood said.

Former Gov. Charles Thone, who participated in the plan's development while in office, testified that an 11 percent increase in construction material costs has caused the state's roads program to be sorely underfunded.

"It's purely and simply been a lack of funding over which the department has no final control," he said. "It's imperative that Nebraska road users and Nebraska policy-makers fully understand the dire funding fix we're in."

Mayors, city administrators, chamber of commerce members and economic development advocates from across the state attended the hearing to support the measures, many of them from communities they say are directly affected by the lack of a four-lane road connecting them to an Interstate.

Rawnda Pierce, Scottsbluff city finance director, said her community recently lost a potential employer of 400 people with a combined payroll of \$9.2 million.

"We were down to the final participants, and they said if we were farther along in the expressway it would be different," she said.

Scottsbluff has a great airport and great rail service, she said.

"What we're lacking is the last three miles of that Interstate," she said.

Dan Mauk, president of the Norfolk Area Chamber of Commerce, said his community supports a number of trucking businesses and businesses that rely on raw materials to build their products.

He gave an example of a business that had investigated locating in the Norfolk area.

"We could come up with the land, the work force, the water they needed...but not the transportation, so we lost it," he said, adding that the opportunity would have brought 200 high-paying jobs to the area.

Limited growth, he continued, contributes to the inability of rural communities to retain young people.

"Each day in rural Nebraska young men and women leave their homes looking for opportunity elsewhere," he said. "We really need to make this a priority. We're really talking about survival in outstate Nebraska."

No one testified in opposition to the measures.

John Craig, director of the state Department of Roads, provided neutral testimony, explaining that two 1988 bills resulted in the department conducting a needs study for roads in the state. The department then developed a 20-year plan which included, among other projects, the completion of the 600-mile expressway system by fiscal year 2003-04.

"The department presumed that funding would be available to accomplish all these needs," he said.

The original 600-mile plan was based on a strategy to incrementally increase the fuel tax up to 36.3 cents per gallon. Five years later, Craig said, the tax was raised only to 24 cents per gallon and the Legislature lost the political will to continue the increase.

Later, in 1997, 25 percent of roads funding was to be used for completion of the expressway, but with rising costs for roads building, this project "became the bill payer," he said.

The committee took no immediate action on either measure.

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# A CLOSER LOOK.....

## Veterinary drug distribution provision proposed

**T**he Health and Human Services Committee heard testimony Feb. 22 on a bill that would create the Veterinary Drug Distribution Licensing Act.

**LB1022**, introduced by North Platte Sen. Tom Hansen, would regulate the sale or distribution of veterinary legend drugs in Nebraska by anyone other than a pharmacist or veterinarian. A veterinary legend drug is one required to bear a label indicating that federal law restricts the drug to use by or on the order of a



Sen. Tom Hansen

licensed veterinarian.

The bill would create a new class of license exclusive to those who handle only veterinary legend drugs. A \$50 base fee and additional fees up to \$500 would be charged for the license. Oversight, licensure and inspection would be performed by the state Department of Health and Human Services.

Hansen said the bill is necessary because previous statutory revisions unintentionally resulted in the deregulation of legend drug distributors.

Nebraska needs as stringent a law for food animal health as it does for human health, Hansen said.

Testifying in support of the bill

were the Nebraska Cattlemen, veterinarian Ryan Loseke, Creighton University pharmacy professor Elaine Lust and Larry Williams of the Nebraska Veterinary Medical Association.

Joni Cover of the Nebraska Pharmacists Association took a neutral position on the proposal. She said that while pharmacists are always concerned about non-pharmacists distributing drugs, her association supports regulation and licensure of everyone engaged in distributing veterinary legend drugs.

There was no testimony in opposition to LB1022.

The committee took on immediate action on the bill.

## Forecasting board revises revenue projections downward

**T**he Nebraska Economic Forecasting Advisory Board downgraded state revenue estimates by \$126 million for the current fiscal biennium during its Feb. 22 meeting.

The forecasting board meets at least twice annually to review revenue projections. The projections are significant because they impact the state's overall budget status. The state is generally required to adopt a budget that is within revenue projections.

To develop their projections, the forecasting board looks at various economic models and information provided by the Legislative Fiscal Office and the state Department of

Revenue. The board then adopts projections for each fiscal year in four categories of revenue: sales and use tax, individual income tax, corporate income tax and miscellaneous taxes. The totals from those four categories are the basis for the total revenue projection for each fiscal year.

The board voted to set revenue projections for the current fiscal year at \$3.407 billion, a reduction of \$51 million or 1.47 percent from their October 2007 projection. For FY2008-09, the board set revenue projections at \$3.514 billion, a reduction of \$75 million or 2.13 percent.

Senators will consider proposed adjustments to the biennial budget prior to the end of the current legis-

lative session. Based on the Appropriations Committee's preliminary budget report, current general fund spending levels would be \$3.306 billion in the current fiscal year and \$3.546 billion in FY2008-09.

In briefing the forecasting board, staff said that national economic models noted reduced income levels and projected declines across all categories of revenue.

The next forecasting board meeting is slated for Oct. 31.

# COMMITTEE HEARINGS

## Monday Feb. 25, 2008

Business and Labor  
Room 1524 - 1:30 PM

**LB1019** (*Business and Labor Committee*) Provide for payment of claims against the state

**LB1073** (*Pahls*) Adopt the Nebraska Construction Prompt Pay Act

**LB1020** (*Business and Labor Committee*) Disapprove certain claims against the state

**LB1086** (*Lautenbaugh*) Change workers' compensation provisions relating to third-party claims, subrogation, and settlement

**LB1105** (*Fulton*) Provide for confidentiality of certain workers' compensation court documents and information

Education  
Room 1525 - 1:30 PM

**LB1125** (*Adams*) Change provisions relating to early childhood education endowment funds

**LB1135** (*Rogert*) Prohibit certain regulatory actions against student-athletes

**LB719** (*Schimek*) Change qualification provisions for membership on the State Board of Education

**LB1021** (*Raikes*) Change provisions relating to the enrollment option program

**LB1151** (*Raikes*) Change provisions relating to distance education and telecommunications

General Affairs  
Room 1510 - 1:30 PM

**Appointment** Thomas, Patrick J. - Nebraska Liquor Control Commission

**LB993** (*McDonald*) Change

expenditure provisions relating to the Nebraska Liquor Control Commission Rule and Regulation Cash Fund

**LB1103** (*Karpisek*) Change provisions relating to sale of farm winery wines

**LB955** (*Dierks*) Change provisions under the Nebraska Liquor Control Act relating to manufacturers' interest in wholesalers

Transportation and Telecommunications  
Room 1113 - 1:30 PM

**LB1068** (*Louden*) Create the road classification of remote residential road

**LB1091** (*Gay*) Provide for private entrances and exits on expressways

**LB908** (*Pirsch*) Provide for issuance of certain veterans license plates for multiple vehicles

**LB941** (*Stuthman*) Provide for use of historical license plates on historical vehicles registered for general purposes

**LB1064** (*Kopplin*) Provide for Legion of Merit license plates

## Tuesday Feb. 26, 2008

Agriculture  
Room 1525 - 1:30 PM

**LB861** (*Agriculture Committee*) Change state fair provisions

**Appointment** Allan, Tamas - State Fair Board

**LB1044** (*Raikes*) Create and provide duties for the State Fair Future Commission

**LB1116** (*Erdman*) Change state fair and Nebraska State Fair board provisions

**LB1114** (*Erdman*) Require a vote of the people to approve county fairground bonds

**LB1115** (*Erdman*) Change Nebraska State Fair Board membership

Education  
Room 1524 - 1:30 PM

**LB731** (*Kopplin*) Authorize issuance of a teaching certificate to a military spouse

**LB1155** (*Raikes*) Change provisions relating to teacher certification

**LB1141** (*Schimek*) Provide for evaluation of students attending schools which elect not to meet state accreditation or approval requirements

**LB1157** (*Raikes*) Change provisions relating to the statewide system for assessment and reporting of student learning

Transportation and Telecommunications  
Room 1113 - 1:30 PM

**Appointment** Neneman, Roy - Motor Vehicle Industry Licensing Board

**Appointment** Meuret, Patrick - Nebraska Railway Council

**LB786** (*Howard*) Regulate traffic approaching or passing a stopped authorized emergency vehicle

**LB1069** (*Dubas*) Change provisions governing railroad companies blocking certain railroad crossings

## Wednesday Feb. 27, 2008

Health and Human Services  
Room 1510 - 1:30 PM

**LB742** (*Johnson*) Change licensure provisions relating to engineers

# COMMITTEE HEARINGS

**LB1120** (Johnson) Change exemption provisions under the Nebraska Health Care Certificate of Need Act

**LB1173** (Dierks) Provide for certification of animal therapists

**LB1163** (Lautenbaugh) Require tanning facilities to post warning signs and obtain and maintain consumers' signatures

Judiciary  
Room 1113 - 1:30 PM

**LR224** (Fulton) Encourage law enforcement agencies in Nebraska to enter into a Memoranda of Agreement with the Secretary of Homeland Security to perform immigration law enforcement functions

**LB1170** (White) Create a cause of action against employers of illegal immigrants

**LB963** (Friend) Require verification of lawful presence in the United States to receive public benefits

**LR233CA** (Christensen) Constitutional amendment to prohibit discrimination or preferential treat-

ment by the state, state agencies, and political subdivisions

Revenue  
Room 1524 - 1:30 PM

**LB1071** (Karpisek) Impose an excise tax on wire transfers

**LB931** (Cornett) Change provisions relating to taxation of air carriers

**LB922** (Dubas) Adopt the Cellulosic Biomass Renewable Energy Initiative and impose and change taxes

## Thursday Feb. 28, 2008

Health and Human Services  
Room 1510 - 1:30 PM

**LB951** (Kopplin) Provide for umbilical cord blood banking

**LB1003** (Pahls) Adopt the Saving the Cure Act and provide for an accredited laboratory

Revenue  
Room 1524 - 1:30 PM

**LB944** (Synowiecki) Exempt certain purchases by museums from sales and use taxes

**LB1037** (Janssen) Change income and sales and use tax rates

**LB1038** (Janssen) Change an income tax adjustment relating to interest and dividends

## Thursday Mar. 6, 2008

Education  
Room 1525 - 8:00 AM

**Appointment** Suarez, Michelle  
- Board of Trustees of the Nebraska State Colleges

**Appointment** Hodges, Timothy  
- Coordinating Commission for Post-secondary Education

**Appointment** Lauritzen, Mary  
- Coordinating Commission for Post-secondary Education

**Appointment** Uhing, Richard  
- Coordinating Commission for Post-secondary Education

## Legislative information available to the public

The Unicameral Information Office produces several informational brochures and booklets about the Nebraska Legislature. Call (402) 471-2788 to order free copies.

### A Look at Your Unicameral

Booklet that includes a history of the Unicameral, the steps of how a bill becomes law, photos and addresses of state senators, a list of the duties of a state senator, descriptions of legislative support offices, a description of the legislative chamber and a glossary of legislative terms.

### 2008 Nebraska Legislature: Unicameral Membership and Committees

Brochure listing all senators by district, their home addresses and phone numbers, and their Capitol room numbers and phone numbers. Also lists the members of all legislative committees and indicates when and where the committees regularly meet.

### The Lines of Government

Booklet of Nebraska maps showing the boundaries of legislative dis-

tricts, Public Service Commission districts, State Board of Education and Board of Regents districts, and U.S. congressional districts.

### Public Hearing Testimony in the Nebraska Legislature

Brochure outlining the procedures for testifying at a public hearing on legislation being considered by committees.

### The Nebraska Unicameral: A Citizen's Legislature

Brochure exploring the nation's only unicameral legislature. Also identifies ways that citizens can become involved in the process.

### A Student Guide to the Nebraska Legislature

Booklet targeted to grade-school students that provides information about the Legislature and incorporates puzzles and questions to test students' knowledge. Includes photos of state senators, a description of how a bill becomes law, maps of legislative districts and a glossary of legislative terms.



# WEEKLY REVIEW

## Agriculture

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB200	Burling	Change the definition of tractor for purposes of tractor testing	Indefinitely postponed
LB273	Kopplin	Change the definition of tractor for purposes of tractor testing	Indefinitely postponed
LB789	Erdman	Change grant requirements under the Agricultural Opportunities and Value-Added Partnerships Act	Placed on General File with AM1928
LB790	Erdman	Change buffer strip reimbursement provisions	Placed on Final Reading
LB791	Erdman	Provide for rules for certified seed potatoes	Placed on Final Reading with ST9069
LB860	Burling	Remove fingerprinting requirement for license for grain dealer or grain warehouse	Indefinitely postponed
LB925	Fischer	Provide liability for damage by estrays	Placed on Final Reading

## Banking, Commerce and Insurance

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB715	Pahls	Change provisions relating to nonresident real estate licensees	Placed on Final Reading
LB851	Banking, Commerce and Insurance Committee	Change provisions relating to banking and finance	Placed on Select File with ER8165
LB855	Banking, Commerce and Insurance Committee	Change group life insurance provisions	Advanced to Enrollment and Review Initial
LB953	Nelson	Change lien provisions relating to mobile homes and manufactured homes	Placed on General File with AM1941

## Business and Labor

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB500	White	Change Employment Security Law provisions governing the experience account of employers	Placed on Final Reading
LB609	Carlson	Provide additional purposes for the Building Entrepreneurial Communities Act	Placed on Final Reading with ST9068

## Education

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB977	Raikes	Provide for freeholders' petitions relating to school districts which exceed certain levy limitations	Placed on General File with AM1830

## Government, Military and Veterans Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB268	McGill	Change election provisions for county board members	Placed on Final Reading
LB39	Schimek	Provide restrictions relating to petition circulation and change campaign reporting provisions	Veto Overridden
LB744	Aguilar	Permit leasing of state property to the federal government or political subdivisions	Placed on Final Reading
LB747	Aguilar	Change provisions relating to energy financing contracts	Placed on Final Reading

# WEEKLY REVIEW

## Government, Military and Veterans Affairs

LB747	Aguilar	Change provisions relating to energy financing contracts	Placed on Final Reading
LB750	Aguilar	Designate the Secretary of State's Office as a voter registration agency	Placed on Final Reading
LB752	Flood	Change membership provisions of the Nebraska Capitol Commission	Placed on Final Reading
LB856	Lautenbaugh	Provide for special congressional elections in case of multiple vacancies	Placed on Final Reading
LB857	Lautenbaugh	Change certification provisions for candidates for President and Vice President	Placed on Final Reading
LB870	Avery	Prohibit certain former officeholders from being lobbyists	Indefinitely postponed
LB904	Lautenbaugh	Change provisions relating to applications for veterans aid	Placed on General File
LB962	Preister	Change public body meeting provisions of the Open Meetings Act	Placed on General File

## Health and Human Services

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB395	Johnson	Adopt a new Nebraska Clean Indoor Air Act	Presented to Governor February 22, 2008
LB713	Pahls	Prohibit physicians from administering certain fat-dissolving substances	Indefinitely postponed
LB749	Stuthman	Provide for electronic application submission and a civil penalty for manufactured homes	Placed on General File with AM1541
LB782	Howard	Allow disclosure of child abuse and neglect information	Placed on Final Reading
LB818	Avery	Change eligibility provisions for medical assistance	Indefinitely postponed
LB835	Preister	Prohibit transfer of certain lead-containing items	Indefinitely postponed
LB836	Howard	Prohibit smoking in a vehicle when minors are present	Indefinitely postponed
LB885	Johnson	Redefine prescription relating to the practice of pharmacy	Indefinitely postponed
LB892	Pedersen	Change modular housing and manufactured home provisions relating to the Public Service Commission	Placed on General File
LB906	Pankonin	Change provisions relating to laboratories regulated by the Department of Health and Human Services	Placed on General File

## Judiciary

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB1014	Ashford	Change provisions relating to judicial vacancies and judicial resources	Placed on General File with AM2006
LB1055	McDonald	Change provisions relating to dangerous dogs and dogs running at large	Placed on General File with AM1876
LB280	Stuthman	Provide for jurisdiction over custody proceedings of juveniles as prescribed	Placed on Final Reading
LB623	Pirsch	Change provisions relating to speedy trial	Placed on Final Reading
LB624	Pirsch	Change provisions relating to operating a motor vehicle to avoid arrest	Placed on Final Reading with ST9067
LB668	Hudkins	Eliminate provisions relating to gift cards and gift certificates	Placed on Final Reading
LB700	Christensen	Adopt the Human Cloning Prohibition Act	Indefinitely postponed

# WEEKLY REVIEW

## Judiciary

LB764	Cornett	Prohibit certain treatment of bovines and equines	Placed on General File with AM1592
LB766	Cornett	Regulate scrap metal recycling	Advanced to Enrollment and Review Initial
LB769	Cornett	Change provisions relating to offenses against animals	Placed on General File
LB902	Pankonin	Change provisions relating to controlled substances schedules and inventory	Placed on General File
LR4CA	Avery	Constitutional amendment to provide grounds for impeachment	Placed on General File

## Natural Resources

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB1131	Christensen	Authorize a collection fee for collection of a natural resources district occupation tax	Placed on General File with AM1895
LB581	Preister	Adopt the Energy Conservation and Self-Reliance Act	Indefinitely postponed
LB798	Louden	Change provisions relating to irrigation water reuse pits	Placed on General File with AM1894
LB880	Kopplin	Provide for watershed enhancement bonds	Placed on General File with AM1787
LB945	Pedersen	Change authority of natural resources districts	Indefinitely postponed

## Revenue

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB1012	Gay	Allow an income tax credit for certain long-term care insurance policy premiums	Indefinitely postponed
LB1026	Rogert	Change tax-exempt status of housing agency property	Indefinitely postponed
LB1040	Louden	Impose a tax on ethanol production, terminate an excise tax, and change funding for the Water Resources Cash Fund	Indefinitely postponed
LB1149	Johnson	Provide funding for behavioral health workforce development	Bill withdrawn
LB732	Kopplin	Exempt first twenty-five thousand dollars of residential property values from taxation	Indefinitely postponed
LB733	Kopplin	Create a homestead exemption	Indefinitely postponed
LB737	Fulton	Provide income tax credits for returns filed claiming dependents eligible for assistance	Indefinitely postponed
LB757	Hudkins	Adopt the Volunteer Emergency Responders Incentive Act	Indefinitely postponed
LB881	Stuthman	Impose an excise tax on production of ethanol	Indefinitely postponed
LB896	Janssen	Update references to the Internal Revenue Code	Placed on Final Reading
LB898	Janssen	Change provisions of the Unfair Cigarette Sales Act	Advanced to Enrollment and Review for Engrossment
LB912	Avery	Redefine terms for purposes of the Convention Center Facility Financing Assistance Act	Advanced to Enrollment and Review Initial
LB913	Wightman	Change inheritance tax provisions	Indefinitely postponed
LB915	Revenue Committee	Change income tax provisions, tax information disclosure prohibitions, and research tax credits	Placed on Final Reading
LB946	Burling	Impose an excise tax on ethanol production	Indefinitely postponed
LB974	Gay	Provides an income tax credit for health insurance or care expenses of certain employers	Indefinitely postponed
LR220CA	Kopplin	Constitutional amendment to authorize different property tax treatment of residential property	Indefinitely postponed
LR230CA	Pedersen	Constitutional amendment to permit exemption of the increased value of a homestead from taxation	Indefinitely postponed



# WEEKLY REVIEW

## Transportation and Telecommunications

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB1087	Dierks	Change proof of ownership requirements pending motor vehicle registration	Indefinitely postponed
LB279	Stuthman	Change provisions relating to driver training schools	Placed on Final Reading
LB712	Pahls	Provide for daytime running lights on motor vehicles	Indefinitely postponed
LB755	Transportation and Telecommunications Committee	Change Public Service Commission powers and duties	Placed on Select File with ER8164
LB756	Transportation and Telecommunications Committee	Change provisions relating to motor carriers	Advanced to Enrollment and Review Initial
LB823	Legislative Performance Audit Committee	Change and eliminate provisions relating to governmental information technology	Placed on Final Reading with ST9066
LB827	Fischer	Change the retention period for motor vehicle registration records	Indefinitely postponed
LB834	Fischer	Change procedures for notation of liens on certificates of title	Indefinitely postponed
LB841	Fischer	Change motor vehicle certificate of title provisions	Indefinitely postponed
LB874	Adams	Allow certain self-propelled specialized mobile equipment to be transported on highways	Indefinitely postponed
LB917	Fischer	Provide an exception to vehicle weight limits for idle reduction technology	Indefinitely postponed
LB919	Fischer	Change the Motor Vehicle Registration Act	Indefinitely postponed

## Urban Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
LB1056	Erdman	Adopt the First-Class City Merger Act	Placed on General File

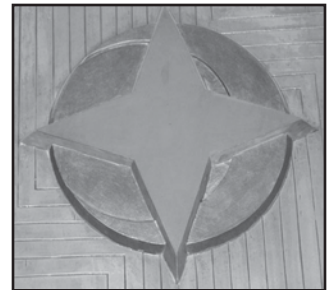
## THE CAPITOL'S HIDDEN TREASURES



**Q:** *This architectural detail can be found somewhere in the State Capitol Building. Do you know where it is?*

*Check next week's issue to learn where to find this hidden treasure.*

**A:** *The detail featured in last week's issue is a carving on the door of the Warner Chamber.*



## FROM THE COVER

**Editor's Note:** During the 2008 session, each week's cover of the Unicameral Update will feature a "Hidden Treasure of Nebraska II." Hidden treasures are sites and events throughout Nebraska that may not be widely known or publicized and reflect the state's culture, heritage and diversity. This series picks up where the 2004 series left off.

Happy Jack Peak & Chalk Mine site is a historical, recreational and scenic area in the distinctive North Loup Valley.

The "chalk" was discovered in the 1850s by army explorers. By 1877, local residents had begun to mine the strange lightweight rock. Originally the chalk was used as structural stone in buildings and one chalk building still

survives in Scotia.

In the 20th Century the rock was mined for other purposes, such as a filler in paints. Located near Scotia, the mine features hiking trails, picnic areas, scenic views, bird watching and over 150 varieties of native plant life. For information about public tours visit [happyjackchalkmine.com](http://happyjackchalkmine.com).

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