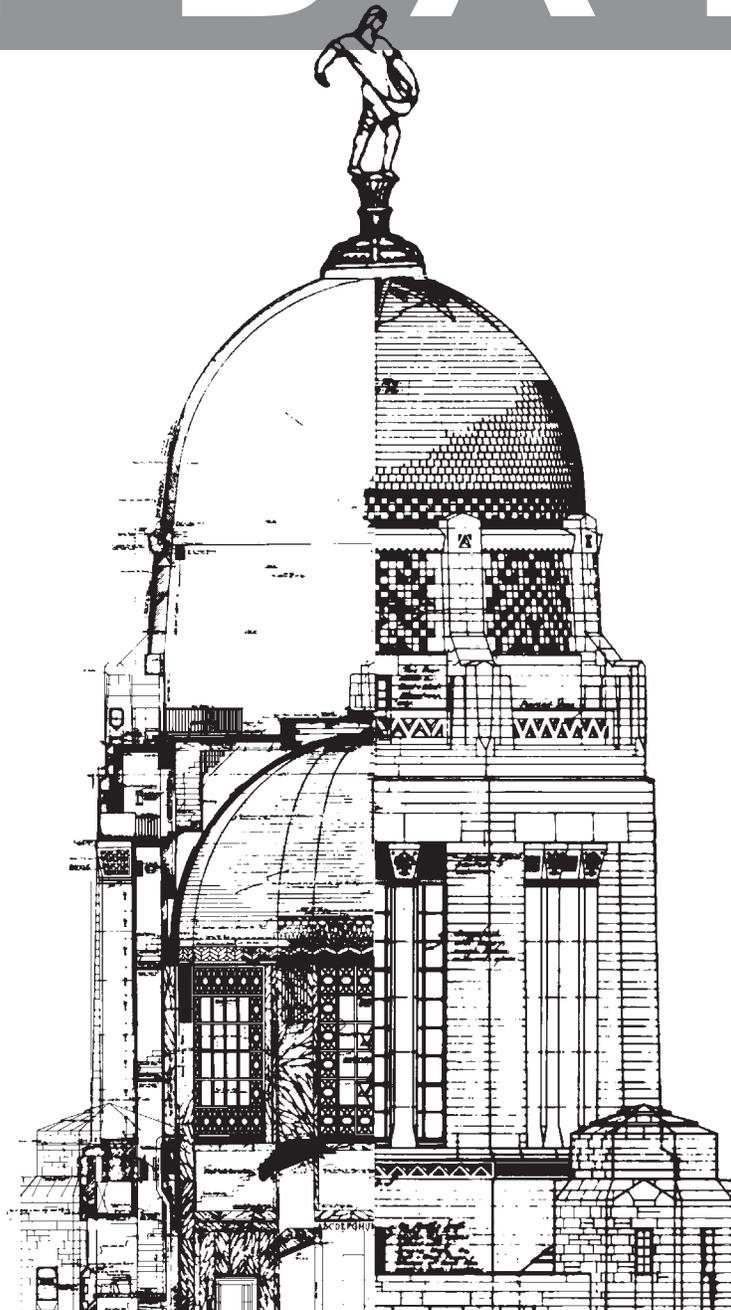


# 98<sup>th</sup> NEBRASKA LEGISLATURE

First Session

2003 Session Review

# UNICAMERAL UPDATE



# 98<sup>th</sup> NEBRASKA LEGISLATURE

**unicameral update**

**2003 session review**

## UNICAMERAL UPDATE

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## Agriculture

Of the issues affecting agriculture in 2003, the decision to allow counties to designate themselves as “livestock friendly” garnered the most scrutiny. Lawmakers also adopted several regulatory requirements intended to curb problems within the agriculture industry.

The goal of **LB 754**, introduced by Wahoo Sen. Curt Bromm, is to increase livestock production in Nebraska. The bill will allow the director of the state Department of Agriculture to designate a county as “livestock friendly” if, following a public hearing, the county formally expresses interest in expanding its livestock sector.

LB 754 also will allow those who apply for county conditional use permits or special exceptions related to livestock operations to request a final decision from the county planning commission. Those determinations must be made within a reasonable time frame.

Once the commission makes its decision, the county will not be able to withhold final approval unless it determines the applicant has not met the special requirements or has substantially changed the property’s proposed use.

LB 754 was passed 39-5.

**LB 158**, sponsored by Aurora Sen. Bob Kremer, aims to reduce sheep and goat scrapie in Nebraska. Scrapie belongs to a class of fatal, infectious neurological diseases, which includes chronic wasting disease.

The Department of Agriculture will oversee the testing of flocks for scrapie, the testing and surveillance of slaughterhouses and the cleaning of premises infected with the disease. The department also will control the transport of animals within and out of the state.

LB 158 was passed 46-0.

**LB 735**, sponsored by the Agriculture Committee, will give the Public Service Commission additional methods to monitor grain warehouse licensees’ financial situations.

The bill will grant security coverage to grain shipped directly to a warehouse customer, require warehouse licensees to submit verified financial information to the PSC and allow the commission to impose fines for violating the Grain Warehouse Act.

LB 735 was passed 46-0.

Two bills that would affect Nebraska’s ethanol industry remain on general file. **LB 374**, introduced by Decatur Sen. Matt Connealy, would eliminate labeling and disclosure requirements for ethanol-blended fuel.

**LB 479**, sponsored by Trenton Sen. Tom Baker, would increase the check-off for an ethanol production incentive program. The excise tax on corn would increase from one-half cent per bushel to one cent per bushel. The excise tax on grain sorghum would increase from one-half cent per hundredweight to one cent per hundredweight.

Currently, the revenue from these excise taxes is directed to the Ethanol Production Incentive Cash Fund and used to reimburse the state’s Highway Trust Fund for ethanol production credit incentives, which are offered to ethanol producers in the form of motor vehicle fuel tax credits.

**LB 233**, introduced by Lincoln Sen. Marian Price, requires animal control facilities and animal shelters to be licensed by the state Department of Agriculture. Previously, only commercial breeders and dealers and boarding kennels required licensing.

The licensing fee will increase from \$100 to \$150 and the department’s director is allowed to increase the fee up to \$200 without the Legislature’s approval as long as a public hearing is held.

The bill was passed 41-0.

**LB 634**, sponsored by Elm Creek Sen. Ed Schrock, would have empowered the Nebraska Brand Committee to license and regulate cattle feedlots holding at least 3,000 animals. Lawmakers voted to indefinitely postpone the bill.



Sen. Bob Kremer



Sen. Matt Connealy



Sen. Marian Price

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## Banking and Insurance

Among the banking and insurance legislation considered in 2003, senators voted to regulate the use of personal information by insurance companies, change processes related to construction liens and provide protection to customer records held by businesses and financial institutions.

**LB 487**, sponsored by Omaha Sen. Pam Redfield, regulates insurance companies' use of personal information, including the evaluation of an applicant's credit. The bill prohibits insurance providers from engaging in a number of activities including:

- denying the issuance or renewal of an insurance policy solely on the basis of an applicant's credit history;
- using an insurance score that is calculated on the basis of an applicant's income, gender, address, zip code, ethnic group, religion, marital status or nationality;
- taking an adverse action against an individual solely because he or she lacks a credit card account; and
- basing an individual's insurance renewal rates solely on his or her credit history.

The notification of consumers and the selling of consumer data also will be regulated. Insurance companies will be required to file the models they use to score a person's credit information with the state Department of Insurance. Those filings will be considered trade secrets and kept confidential.

Senators voted 40-0 to pass LB 487.

**LB 655**, introduced by Lincoln Sen. DiAnna Schimek, allows public power districts that contract for building repair or maintenance contracts exceeding \$200 million to require bonds covering two times the maximum monthly costs.

LB 655 also requires claimants of a construction lien to send a copy of a recorded lien to the property owner within 10 days of the lien's recording, a provision that was originally introduced by Kenesaw Sen. Carroll Burling in **LB 201**. Finally, the bill prohibits the addition of storage fees to liens for vehicle repair or alterations unless the vehicle owner has received advance notification of the fees, a provision that was originally introduced by Omaha Sen. Mark Quandahl in **LB 704**.

LB 655 was passed by a 46-0 vote.

**LB 156**, sponsored by Quandahl, provides that businesses and financial institutions are generally not required to disclose customer records or information unless the disclosure is otherwise required by law, court order, subpoena or the disclosure is requested by law enforcement or an appropriate regulatory agency.

LB 156 was passed 45-0.

**LB 214**, sponsored by Quandahl, would increase various fees for professional accountancy certification examinations, including the following:

The maximum fee the State Board of Public Accountancy may charge for initial examinations until Jan. 1, 2004, is \$300. In 2004, the fee returns to \$200.

The fee for reexaminations until 2004 will be \$75. In 2004, the fee will return to \$50.

The board will be permitted to charge an additional fee for examinations administered by a third party.

Finally, the bill clarifies that computer examinations are permitted.

LB 214 was passed 47-0.

**LB 85**, introduced by Sen. David Landis of Lincoln, gives current state bank and insurance examiners the option of becoming at-will employees. At-will employees are not subject to the policies of the state's personnel system and serve at the pleasure of the agency director. Under the bill, all examiners hired after the effective date of the bill will become at-will employees. Those becoming at-will employees will be eligible for higher levels of compensation. LB 85 was passed 42-4.



Sen. Pam Redfield



Sen. Mark Quandahl

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## Banking and Insurance

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**LB 125**, sponsored by Norfolk Sen. Gene Tyson, requires certain information on prescription drug insurance cards. That bill was amended into and passed as part of **LB 73**, a measure introduced by Sen. Doug Cunningham of Wausa.

**LB 215**, sponsored by Quandahl, would permit companies administering retail installment loans to assess a \$5 fee to consumers who request to have a payment processed in a manner other than through regular payment procedures.

LB 215 failed to advance to select file on an 18-17 vote. The bill remains on general file.

**LB 652**, introduced by Sen. Jeanne Combs of Friend, would generally require insurance coverage for colorectal cancer screenings on individuals age 50 or older. The bill remains under consideration by the Banking, Commerce and Insurance Committee.



Sen. Jeanne Combs

## Budget

Faced with a \$759 million fiscal shortfall caused by declining revenues when the 2003 session began, the Legislature enacted a plan consisting of spending cuts, tax changes and reductions in school aid to produce a balanced budget for the 2003-05 biennium.

The two-year spending package includes \$436 million in reductions, while the tax package is expected to raise \$344.7 million in revenue for the state.

### Spending reductions

The budget package makes spending cuts and reductions in growth rates for a number of state agencies and services. Legislators voted 37-11 to pass **LB 407**, which contains the state's mainline appropriations, and 37-11 to override the governor's veto of the bill.

Under the Legislature's budget, the University of Nebraska system will receive a \$57 million cut as compared to its fiscal year 2002-03 appropriation, although additional appropriations for salary and health insurance costs create a net change of \$29.7 million less than FY2002-03.

As compared to FY2002-03 appropriations, state aid to K-12 schools will be recertified, then reduced by about \$63 million across the biennium.

Plattsmouth Sen. Roger Wehrbein, chairperson of the Appropriations Committee, had said the committee decided against taking cuts in higher education and K-12 education as severe as those offered by the governor. He indicated that additional spending reductions likely would have come from higher education and K-12 aid because their appropriations are so substantial. Education-related expenses account for 51 percent of the state's budget.

Sen. Philip Erdman of Bayard offered an unsuccessful amendment to LB 407 that would have rewritten the mainline budget proposal. The Erdman proposal would have spent approximately \$177 million more than the governor's original budget recommendations but \$80 million less than the Appropriations Committee's budget plan as it was advanced from general file. The Erdman plan failed on a 15-24 vote.

Ultimately, senators voted 33-13 to adopt a compromise plan offered by Sen. Curt Bromm of Wahoo that reduced educational spending by an additional \$29 million over the committee's original

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Sen. Roger Wehrbein

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spending package. The amendment resulted in additional reductions of \$16 million in aid to K-12 schools, \$10.4 million to the University of Nebraska system and \$917,254 to state colleges.

Some areas of state spending will increase. Public assistance programs, which include Nebraska's foster care and welfare programs, will receive increases of 30.1 percent in FY2003-04 and 12.4 percent in FY2004-05.

The appropriation to the state Department of Correctional Services also will increase. However, senators voted 29-8 to adopt an amendment offered by Sen. Dwite Pedersen of Elkhorn that will close the Lincoln Correctional Center on Oct. 1, 2004. The move is estimated to save the state approximately \$7.3 million in FY2004-05.

The package had originally proposed the elimination of funding for the Mexican-American Commission and the Nebraska Commission on Indian Affairs. However, legislators voted 27-0 to adopt an amendment offered by Omaha Sen. Ernie Chambers restoring their funding. Funding for the Commission on the Status of Women, which also was eliminated in the committee's budget recommendations, was not restored.

Omaha Sen. Chip Maxwell asked legislators to eliminate K-12 aid funding in the second year of the biennium in an attempt to force a revision of the state's school aid formula. However, the proposal was rejected by an 11-27 vote.

Other bills in the budget package include the following:

**LB 411**, which is intended to reduce state Medicaid spending by changing some eligibility levels and reducing the program's coverage of certain services, was passed 44-3.

**LB 402**, which made \$22.1 million in general fund budget adjustments for FY2002-03, was passed 49-0. The adjustments included \$10 million in deficit funding for the state's child welfare program and \$8.43 million to the Department of Correctional Services for inmate medical costs.

**LB 406**, which appropriated \$39 million for new and continuing capital construction and renovation projects during the biennium, was passed 48-0. Most of the funding is for projects that have already been authorized, including \$5.87 million for continuing masonry and structural repair to the State Capitol.

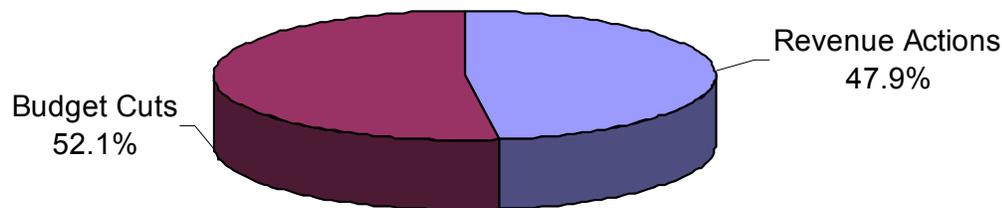


Sen. Dwite Pedersen

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### 2003 Actions to Balance the Budget

Approximately 52 percent of the Legislature's solution to balance the state's budget consisted of spending reductions, while 47 percent consisted of revenue actions.



Source: Legislative Fiscal Office

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**LB 798**, which made transfers from the state's cash reserve fund, was passed 48-0. The bill also provided that federal aid received due to national economic conditions would be placed in the cash reserve fund.

**LB 408**, which made various fund transfers, was passed 48-0.

**LB 403**, which established procedures for building a joint operations center at Lincoln's National Guard base, was passed 48-0. While most of the center's cost will be paid for by the federal government, the state's \$975,000 share of the facility's funding will come from the sale of military department real estate located in Lincoln.

**LB 410**, which suspends and later reduces the depreciation surcharge on state buildings assessed against state colleges, the university system and other state agencies, was passed 49-0.

**LB 424**, which provides some proceeds of investments overseen by the Nebraska Investment Council to the state treasurer's office to offset the office's need for general funds, was passed 46-0.

**LB 796**, which allows the Legislature to prorate aid for school breakfast programs in order to spread cuts in state aid to K-12 schools proportionally across each educational service unit or school district, was passed 49-0.

**LB 414**, which provides authority to the state Department of Health and Human Services to adjust rates paid to childcare providers who participate in the state's childcare assistance program, was passed 42-6.

**LB 415**, which eliminated general fund appropriations for health care facility and service licensing, was passed 48-0.

**LB 412**, which shifted \$5 million in funding from the Nebraska Health Care Cash Fund to the Children's Health Insurance Program, was passed 49-0.

## Revenue adjustments

Legislators voted 36-13 to pass **LB 759**, sponsored by Omaha Sen. Kermit Brashear, which is estimated to generate a total of \$344.7 million in additional revenue for the state during the 2003-05 biennium to help close the state's fiscal gap.

The governor vetoed LB 759, but the veto was overridden by a 37-12 vote.

LB 759 does the following:

The existing state sales tax rate of 5.5 percent enacted in 2002 will be extended indefinitely. Sales tax revenues from the sale of motor vehicles above the 5 percent rate level will be deposited in the state's general fund instead of the state's Highway Trust Fund.

The state's sales tax base is expanded to include recreational vehicle park charges, newspaper advertising supplements, detective services and animal specialty services. Some remodeling construction labor and repair labor also will be taxable. Repair labor on motor vehicles will be exempt.

The state's income tax rates were lowered in 1997, but 50 percent of that reduction was restored for one year during the 2002 legislative session. The income tax rates enacted last year will be extended indefinitely beginning in FY2004-05.

Beginning July 1, per gallon liquor taxes will be increased overall by about 25 percent according to the following adjustments: for beer, from 23 cents to 31 cents; for wine, from 75 cents to 95 cents; for fortified wine, from \$1.35 to 95 cents; for farm wine, from 5 cents to 6 cents; and for spirits, from \$3 to \$3.75.

During the 2002 legislative session, the Legislature increased the cigarette tax rate from 34 cents



Sen. Kermit Brashear

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to 64 cents per pack until Oct. 1, 2004. LB 759 leaves the cigarette tax rate at 64 cents per pack indefinitely and will direct 28 cents of the tax to the general fund beginning Oct. 1, 2004.

Beginning July 1, Nebraska will be allowed to retain its share of estate tax proceeds. Nebraska will receive about \$880,000 annually from the estate tax beginning in FY2004-05 that would otherwise flow to the U.S. Treasury.

The implementation of a tax credit program for companies that provide childcare to their employees is delayed until after the 2003-05 biennium, saving the state about \$3.5 million during that time.

### K-12 aid cuts

Senators voted 42-6 to pass **LB 540**, sponsored by Sen. Ron Raikes of Lincoln, which effectively reduces state aid to schools by \$63 million over the next two years. The governor's veto of the bill was overridden on a 44-4 vote.

School aid is subject to a temporary adjustment factor of 1.25 percent that was enacted during the 2002 legislative session. LB 540 maintains that temporary adjustment factor and makes various other changes to state school aid:

The maximum property tax levy for school systems will increase from \$1 per \$100 of valuation to \$1.05 for FY2003-04 and FY2004-05.

The base budget limitation rate for school systems is reduced from 2.5 percent to zero for FY2003-04 and FY2004-05. School boards are already allowed, by a supermajority vote, to increase allowable growth up to 1 percent. Low spending school systems, which are those systems that spend less than their calculated needs, also can increase allowable growth up to 2 percent. Under LB 540, low spending school systems can increase allowable growth up to 3 percent.

State aid and school budget authority for FY2003-04 that was certified earlier this year was voided and recertified.

The bill also permits school systems to fund life safety code, indoor air quality and mold abatement and prevention projects through an existing levy limit exception.

Finally, the bill limits the allowable growth rate for community colleges for FY2003-04 and FY2004-05 by the growth in student populations. Each area board, by a supermajority vote, is allowed to levy an additional amount in property taxes to make up for deficiencies in appropriations.

## Business and Labor

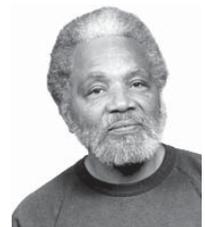
Lawmakers considered student athlete stipends, a workers' compensation exemption for ag labor and an increase in the minimum wage.

**LB 688**, introduced by Omaha Sen. Ernie Chambers, allows the University of Nebraska-Lincoln to pay stipends to student athletes.

The university is permitted to set the level of the stipend. The bill expresses a preference that the university place limits on the number of hours per week that a student can be required to spend on intercollegiate athletics. LB 688 will not take effect unless four other states with Big 12 Conference schools also approve similar legislation.

During debate, Chambers indicated that the goal of the legislation is to put pressure on the Na-

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Sen. Ernie Chambers

### Business and Labor

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tional Collegiate Athletics Association to loosen its restrictions on college athletes. LB 688 was passed by a 26-9 vote.

**LB 197**, introduced by the Business and Labor Committee, will provide authority for the state Department of Labor to expend \$6.8 million of Nebraska's \$48.3 million allotment to update technology related to the state's unemployment insurance program. In 2002, \$8 billion in federal funds became available for states to use in improving unemployment insurance and employment service operations in areas where grant funds have not been sufficient.

The remainder of the federal funds will be deposited into the Unemployment Insurance Trust Fund for use at a later date. LB 197 was passed 39-0.

**LB 210**, sponsored by Sen. Curt Bromm of Wahoo, will exempt certain agricultural labor from being covered under workers' compensation insurance.

Generally, agricultural employers will be exempt from providing workers' compensation coverage if their employees are related to the employer. Agricultural employers also will be exempt unless they employ 10 or more full-time employees, and exempt employers will have to provide employees with notice that coverage is not provided. Otherwise, they will be subject to providing the coverage.

LB 210 was passed by a 47-0 vote.

**LB 332**, sponsored by Malcolm Sen. Carol Hudkins, allows workers' compensation coverage for emergency responders from the moment they begin responding to a call through the moment at which they return to their original location or begin an activity beyond the scope of the performance of their duties. The bill was approved by a 44-0 vote.

**LB 435**, sponsored by Sen. Chris Beutler of Lincoln, would increase the hourly minimum wage in Nebraska from \$5.15 to \$5.45 beginning Oct. 1, and to \$5.75 beginning April 1, 2004. There are several existing exceptions to the state's minimum wage law, including employees working for government, agriculture or their own families.

As originally introduced, the bill would have increased the minimum wage to \$5.80 this year and to \$6.30 next year. However, senators compromised on the wage levels and voted 25-16 to advance the bill to select file, where it awaits second-round consideration.

**LB 226**, sponsored by Omaha Sen. Pam Redfield, would require non-union, private sector employees who choose to be represented by a union to reimburse the union for that representation services provided.

An attempt to indefinitely postpone the bill failed on a 17-26 vote. However, LB 226 failed to advance past general file on a 24-18 vote, falling one short of the 25 votes necessary. The bill remains on general file.

**LB 441**, sponsored by Chambers, would prohibit employers from discriminating on the basis of sexual orientation. Religious organizations and associations would be exempt from the bill, and quotas or other affirmative action programs relating to sexual orientation would be prohibited. The bill remains in the Business and Labor Committee.



Sen. Curt Bromm



Sen. Chris Beutler

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## Corrections and Law Enforcement

The Judiciary Committee's capstone bill, which is intended to place more non-violent offenders in community corrections programs instead of prisons, passed this year.

The purpose of **LB 46**, introduced by Omaha Sen. Kermit Brashear, is to reduce rising corrections costs and alleviate overcrowding in prisons. LB 46 will:

- allow the state parole board to consider whether an inmate's failure to complete part of a treatment program should affect his or her release date;
- permit Nebraska to join the Interstate Compact for Adult Supervision, which holds each member state responsible for tracking adult offenders who travel across state lines;
- require the director of the Department of Correctional Services to advise the governor of a facility overcrowding emergency within 30 days of when the state's prison population reaches 140 percent of capacity;
- grant probation officers authority, with permission from a chief probation officer, to impose administrative sanctions if probationers commit minor or technical violations of their sentences;
- restrict the administrative sanctions, such as curfews and additional drug testing, that offenders would incur if they commit minor or technical violations of their sentences; and
- require probation administrators to obtain permission from the Community Corrections Council to use funds generated from administrative fees paid by probationers and parolees.

LB 46 was passed 47-0.

**LB 43**, sponsored by Papillion Sen. Nancy Thompson, will allow city and county attorneys, with authorization from the local governing body, to create pretrial diversion programs for juveniles.

The bill also will make it a misdemeanor to knowingly cause someone to have contact with methamphetamine. A second offense would be a felony.

LB 43 was passed 48-0.

**LB 267**, sponsored by Norfolk Sen. Gene Tyson, will require applicants for liquor licenses or private detective licenses to submit fingerprints to the Federal Bureau of Investigation for a nationwide criminal history background check. The bill was passed 41-0.

**LB 304**, sponsored by Omaha Sen. John Synowiecki, would provide certain rights to peace officers under investigation for improper conduct.

The employer would be required to give officers access to tapes or transcripts of interrogations and allow the officers to respond to negative comments in their personnel files or evidence presented during the investigation.

LB 304 remains on general file.

**LB 139**, introduced by Kearney Sen. Joel Johnson, would require the state to store and maintain DNA records related to forensic casework and samples taken from violent or sexual offenders. The Nebraska State Patrol maintains the state's DNA database.

LB 139 remains on general file.

**LB 203**, sponsored by Omaha Sen. Patrick Bourne, would establish a Missing Persons Information Clearinghouse. The Nebraska State Patrol would collect and disseminate information about missing persons and maintain a web site and toll-free telephone number.

No action was taken on LB 203 this year.



*Sen. John Synowiecki*



*Sen. Patrick Bourne*

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## Courts

The Judiciary Committee considered a variety of bills that will affect Nebraska's court system. Bills addressing family law and court fees were passed, and lawmakers moved one step closer toward recognizing drug courts as part of the state's court system.

**LB 148**, sponsored by Lincoln Sen. David Landis, addresses situations in which family support issues cross state boundaries and jurisdictions. LB 148 makes four changes to the uniform family support laws:

Jurisdictional issues regarding efforts to modify existing support orders are clarified.

Guidance is given to state agencies that handle support orders regarding the redirection of support payments to the proper state agencies.

Reciprocity rules regarding the recognition of support orders from foreign jurisdictions are clarified.

Clarifications are made regarding the use of electronic communications, such as e-mail and faxes.

Child custody jurisdiction law is updated. LB 148 also includes a uniform law on interstate enforcement of domestic violence protection orders.

LB 148 was passed 41-0.

**LB 294**, sponsored by Lincoln Sen. Mike Foley, allows the parents of murdered unborn children to sue those responsible for the child's death.

Legislators passed a measure in 2002 that established criminal penalties for an individual accused of killing an unborn child. LB 294 brings Nebraska's civil statutes in line with its criminal laws by allowing parents to initiate a civil action against the offender in order to recover damages. The bill prohibits suits against the child's mother, a physician or other health care provider who intentionally ends the pregnancy with the appropriate consent or an individual who administers a drug intended to end the pregnancy.

The bill was passed 43-0.

**LB 320**, sponsored by Bradshaw Sen. Elaine Stuhr, modifies the state's retirement plan for judges.

Beginning in fiscal year 2003-04, members' contributions will increase to 8 percent of compensation for judges who have served less than 20 years and to 4 percent of compensation for judges who have served 20 or more years.

The portion of the court filing fee used to help fund the judges' retirement plan will increase from \$1 to \$5.

Judges who are the subject of a formal complaint will be prohibited from retiring and obtaining benefits from the state's judicial retirement plan until the Judicial Qualifications Commission or the Nebraska Supreme Court resolves the matter.

LB 320 was passed 43-0.

**LB 760**, sponsored by Omaha Sen. Kermit Brashear, also makes changes to court administration and fees. The bill will do the following:

A \$1 fee will be imposed on all court filings to help fund the training and education of judges and court staff.

A \$2.75 fee will be imposed on all court filings to support operations of the Commission of Public Advocacy.

An existing complete record fee of \$15 will be automatically waived unless otherwise agreed in all child support cases or cases filed by a pauper or the county attorney.

A 75 cent fee will be imposed on all court filings to support the Office of Dispute Resolution.

The chief justice of the Nebraska Supreme Court will be authorized to designate certain days as nonjudicial days, during which certain courts would be closed.



Sen. Mike Foley



Sen. Elaine Stuhr

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## Courts

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The bill also includes language that would increase a \$1 court filing fee to \$5 to help fund the judicial retirement plan. Other provisions relating to the judicial retirement plan are contained in LB 320.

**LB 255**, sponsored by Landis, will define the process for using mediation as a means of dispute resolution and outline duties of mediation participants.

As a general rule, mediation communications cannot be used as evidence in legal proceedings connected to the subject being mediated. This privilege will not apply to threats of bodily harm, abuse and neglect of children and vulnerable adults or the use of mediation as a pretext to commit a crime. A judge could admit mediation communication as evidence that a mediated agreement is valid.

Mediators will be required to disclose their qualifications and any potential conflicts of interest. The bill will not apply to arbitration involving labor unions, student peer mediations or judicial settlement efforts.

LB 255 was passed 47-0.

**LB 454**, sponsored by Grand Island Sen. Ray Aguilar, would give the Nebraska Supreme Court authority to oversee drug courts and develop rules and regulations. Drug courts are currently operated by district or juvenile courts in seven counties, and participation is voluntary.

LB 454 remains on select file.

**LB 316**, sponsored by Brashear, would require courts to consider granting joint legal custody of children in divorce cases before examining other custody options. The bill remains on general file.



Sen. Ray Aguilar

## Criminal Law

The Legislature considered weighty criminal law issues in 2003, including concealed weapons, cloning and fetal tissue research.

After many hours of debate, discussion on a bill that would allow Nebraskans to carry concealed handguns came to a halt.

**LB 265**, sponsored by Norfolk Sen. Gene Tyson, would require criminal background checks for conceal-carry permit applicants, and similar checks would be used to verify that applicants have not been mentally ill or dangerous within the past five years. The five year permit would cost \$100.

The bill remains on select file.

**LB 270**, sponsored by Omaha Sen. Kermit Brashear, would bring Nebraska's hate crime statutes in compliance with federal hate crime laws.

Under current law, the offender must be found guilty of the underlying criminal offense before being charged for a hate crime. If the judge decides the crime was motivated by hate or discrimination, the judge may elevate the offender's punishment to the next highest penalty for the original offense.

The bill would require a jury to hear the underlying offense and the discrimination-based charges. If also found guilty of discrimination, the offender could receive the additional punishment.

Recent U.S. Supreme Court decisions, *Apprendi v. New Jersey* and *Ring v. Arizona*, held that any factors that could result in a harsher punishment must be presented to a jury and proved beyond a reasonable doubt.



Sen. Gene Tyson

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### Criminal Law

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Sen. Ray Mossey



Sen. Mick Mines

The bill remains on general file.

**LB 111**, sponsored by Papillion Sen. Ray Mossey, increases the penalty for possessing child pornography from a Class II misdemeanor to a Class IV felony.

LB 111 was passed 39-0.

**LB 17**, sponsored by Brashear, makes it a crime to sexually abuse individuals in custody of the state Health and Human Services System.

Wards of the state, veterans' home residents and regional center residents are considered protected individuals. Consensual sexual activity will not be allowed as a defense.

LB 17 also includes provisions similar to eight other bills:

**LB 136**, introduced by Papillion Sen. Nancy Thompson, which bans the sale and distribution of liquid mercury thermometers;

**LB 632**, introduced by Lincoln Sen. Marian Price, which makes it a misdemeanor to sell a puppy or kitten under six weeks of age without its mother;

**LB 344**, introduced by Decatur Sen. Matt Connealy, which makes it a crime to reinstall an air bag not specifically designed for the vehicle;

**LB 427**, introduced by Omaha Sen. Mark Quandahl, which amends statutes pertaining to forgery;

**LB 260**, introduced by Wahoo Sen. Curt Bromm, which allows law enforcement officials to conduct chemical testing on persons operating motorboats, motor vehicles or aircrafts under the influence of drugs or alcohol, even if the incident occurs outside the officer's primary jurisdiction;

**LB 364**, introduced by Blair Sen. Mick Mines, which specifies that for the purpose of filing an appeal, a prosecuting attorney can be a city, county or other designated attorney;

**LB 179**, introduced by South Sioux City Sen. Pat Engel, which allows criminal justice agencies to charge fees for storing and maintaining criminal justice records; and

**LB 298**, introduced by Bellevue Sen. Paul Hartnett, which allows inmates to receive inpatient or outpatient treatment for alcohol or drug abuse.

LB 17 passed on a 46-0 vote.

**LB 602**, sponsored by Gering Sen. Adrian Smith, would ban the reproductive and therapeutic cloning of human embryos. The cloning of plants, animals or cells other than human embryos would not be affected. The bill would make it a felony to perform cloning, derive products from human cloning or implant a cloned embryo.

Lawmakers agreed to bracket, or delay, the bill until the 2004 session.

**LB 566**, sponsored by Lincoln Sen. Mike Foley, would make it illegal to conduct destructive research on human embryos; to purchase, sell or handle human embryos for destructive research; and to purchase, sell or handle human gametes that could be used to produce human embryos for research.

LB 566 remains on general file.

**LB 512**, sponsored by Elkhorn Sen. Dwite Pedersen, would prohibit the use of human fetal tissue obtained from an abortion.

State institutions, including the University of Nebraska Medical Center, would not be able to conduct research using human fetal tissue or receive grant money for that purpose. The bill also would make it a felony to acquire or transfer human fetal tissue.

LB 512 remains on general file.

The Judiciary Committee considered five bills that would examine the method and provisions of Nebraska's death penalty.

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## Criminal Law

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**LB 791**, sponsored by Omaha Sen. Ernie Chambers, would abolish the death penalty and substitute life imprisonment without parole as the maximum punishment for first-degree murder.

**LB 526**, sponsored by Bayard Sen. Philip Erdman at the governor's request, would change the state's method of execution from electrocution to lethal injection for those convicted of capital crimes that occur on or after the bill's effective date.

**LB 528**, sponsored by Trenton Sen. Tom Baker at the governor's request, would limit an inmate's ability to appeal a death penalty conviction. A death row inmate would be limited to one post-conviction proceeding and would be required to file a petition for a proceeding within two years of his or her sentencing date.

**LB 781**, introduced by Omaha Sen. Lowen Kruse, would allow offenders handed a death sentence to claim racial bias if they could prove race was a significant factor in the court's decision to seek the death penalty. The defendant would bear the burden of proof.

**LR 10CA**, sponsored by Lincoln Sen. Chris Beutler, would propose to amend the Nebraska Constitution to limit the Pardons Board's ability to pardon or commute the sentence of an inmate sentenced to life imprisonment without parole.

The Judiciary Committee took no action in 2003 on the death penalty measures.



Sen. Philip Erdman



Sen. Tom Baker

## Gaming and Liquor

Casino gaming was among the major issues of the 2003 session.

**LR 11CA**, sponsored by Sen. Ray Janssen of Nickerson, would propose a constitutional amendment to allow the Legislature to authorize, regulate and tax casino gaming at up to eight sites. Gaming also would be allowed on Native American reservations.

The measure was awaiting final reading. However, a proposal to reduce the number of authorized casinos from eight to six was rejected and resulted in LR 11CA returning to select file.

The six-casino proposal, offered by Omaha Sen. Kermit Brashear, would have permitted up to six casinos, with two along the riverfront in Omaha, two at horseracing tracks in the eastern part of the state, one at a central Nebraska horseracing track and one in the western part of the state. Proceeds from casino gaming would have been used exclusively for community improvement, including economic development.

Senators returned LR 11CA to select file so the Brashear amendment could be considered. However, the Brashear amendment was rejected on a 19-22 vote, and the motion to return LR 11CA to final reading failed 21-20, falling four votes short.

The measure remains on select file for further consideration next year. If ultimately adopted by the Legislature, LR 11CA would be placed on the November 2004 general election ballot. Thirty votes will be necessary to place the measure on the ballot.

Three other casino gaming alternatives were offered. **LR 14CA**, introduced by Lincoln Sen. DiAnna Schimek, would allow for casino gaming on Native American reservations and require the Legislature to authorize gaming at five sites in an interdiction zone. The interdiction zone would be a two-mile area near the state border adjoining states that allow casino gaming. LR 14CA remains on general file.

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Sen. Ray Janssen

### Gaming and Liquor

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**LR 6CA**, sponsored by Sen. Ed Schrock of Elm Creek, would have permitted up to eight casino gaming operations to locate within a six-mile interdiction zone around the state. Licensed horse racing operations also would have been allowed to conduct casino gaming activities. LR 6CA was indefinitely postponed by the General Affairs Committee.

**LR 23CA**, introduced by Ellsworth Sen. LeRoy Loudon, would have permitted casino gaming anywhere in the state, with licenses being granted by county boards. Proceeds from casino gaming would have been used to promote tourism. LR 23CA was indefinitely postponed by the General Affairs Committee.

**LB 367**, sponsored by Janssen, changes the minimum percentage of lottery proceeds to be distributed to the Education Innovation Fund, the Nebraska Environmental Trust Fund and the Compulsive Gamblers Assistance Fund.

Currently, at least 25 percent of the lottery proceeds are distributed to the funds. Under LB 367, the funds will be guaranteed the same level of funding that they received in fiscal year 2002-03 for five years. In 2008, the minimum level of funding will revert to 25 percent of lottery proceeds.

The bill also will transfer \$300,000 from a fund used to pay for leaky underground storage tank cleanup to continue a lead abatement program in Omaha.

LB 367 was passed by a 36-8 vote.

**LB 536**, sponsored by Malcolm Sen. Carol Hudkins, will allow wine sellers to ship up to 30,000 gallons of wine per year without using a wholesaler. Vinters are currently limited to shipping 15,000 gallons per year. The bill was passed 47-0.

**LB 606**, sponsored by Omaha Sen. Mike Friend, would allow the Liquor Control Commission to consider up to 10 years of a licensee's history when considering suspending a liquor license for a second offense. Under current law, the commission may only consider four years of a licensee's history since the first suspension. The bill was amended into **LB 525**, a measure sponsored by Omaha Sen. Lowen Kruse.



Sen. Mike Friend

### Government

Laws pertaining to government passed in 2003 include measures intended to increase accountability of state agencies by facilitating performance audits and providing oversight for state contracts.

Performance audits are intended to increase public accountability of agencies and organizations by verifying that the tasks and services performed by the agency meet certain substantive goals.

**LB 607**, sponsored by Lincoln Sen. DiAnna Schimek, permits the state auditor to undertake performance audits of particular agencies at the request of the Legislature. The state auditor currently undertakes financial audits of state institutions in which he or she verifies that tax dollars are spent in compliance with recognized financial practices.

LB 607 clarifies that the Legislature is already empowered to conduct performance audits through the Legislative Research Division's Program Evaluation Unit, which will be renamed the Legislative

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Sen. DiAnna Schimek

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## Government

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Performance Audit Section. New procedures are established for the committee's membership and auditing request process. The state auditor is required to report problems related to a program's effectiveness, efficiency or performance to the Legislature's Performance Audit Committee. These provisions are similar to those found in **LB 484**, sponsored by Lincoln Sen. Chris Beutler.

The bill also includes provisions from **LB 647**, sponsored by Bellevue Sen. Paul Hartnett, which allows the state auditor to perform financial audits of bridge commissions.

LB 607 was passed 45-0.

Another bill relating to the ability of the state auditor to undertake performance audits, **LB 115**, sponsored by Omaha Sen. Pam Redfield, was indefinitely postponed by the Government, Military and Veterans' Affairs Committee.

**LB 626**, sponsored by Omaha Sen. Don Preister, creates a process of bidding, selecting and tracking state government service contracts. Most state agencies will be required to document all contracts through the state accounting system. The bill sets financial tiers to identify which contract types and amounts must be let for competitive bid or receive pre-approval.

LB 626 was passed by a 47-0 vote.

Lawmakers passed three bills sponsored by the Government, Military and Veterans' Affairs Committee aimed at making adjustments in state election laws.

**LB 357**, passed 44-0, requires the secretary of state to develop and implement a centralized, computerized statewide voter registration system. The system will allow county election officials to enter voter registration information.

**LB 358**, passed 48-0, permits the use of electronic voting equipment.

**LB 359**, passed 42-0, requires individuals registering to vote by mail to include proof of identification with their registration or upon voting for the first time. Individuals not providing such proof of identification will be allowed to cast a provisional ballot.

**LB 430**, introduced by Sen. Don Pederson of North Platte, makes the secretary of state the state's chief protocol officer. The bill was passed 47-0.

**LB 598**, sponsored by Norfolk Sen. Gene Tyson, would propose to amend the constitution to repeal legislative term limits. In 2000, citizens approved an amendment to the Nebraska Constitution that would limit legislative service to two consecutive terms. The first election affected by legislative term limits will be in 2006. If approved by legislators, the proposed change would go before voters in the November 2004 general election.

Senators voted 30-8 to advance LB 598 to final reading, where it remains.

**LB 439**, sponsored by Sen. Carol Hudkins of Malcolm, would transfer the responsibility for security at the State Capitol, the governor's residence and other nearby state buildings from the state Department of Administrative Services to the State Patrol.

The bill also would transfer responsibilities for administration of the State Capitol building and grounds to a capitol administrator, who is answerable to the Nebraska Capitol Commission and the governor, and give the Legislature more authority in allocating space in the Capitol building.

LB 439 awaits final reading consideration.

**LB 762**, sponsored by Omaha Sen. Kermit Brashear, would essentially repeal Nebraska's campaign finance limitation law. Candidates for offices in Nebraska would still be required to report information about the campaign contributions they receive, but spending limits imposed on candidates requesting public funds for their campaigns would be lifted.

The bill awaits debate on general file.



Sen. Don Preister



Sen. Carol Hudkins

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Sen. Pam Brown

**LB 117**, introduced by Omaha Sen. Pam Brown, is intended to centralize state government's process of receiving and depositing funds paid by mail. The bill would authorize the state treasurer to create a demonstration project and implementation plan for a centralized system and report by Sept. 1, 2004, regarding its feasibility.

LB 117 failed to advance past the first round of consideration on a 24-8 vote, one vote short of the 25 votes needed.

**LB 124**, sponsored by Norfolk Sen. Gene Tyson, would have required the state treasurer to countersign contracts with financial auditors, advisors and consultants entered into by the State Investment Council. The bill also would have required the state investment officer to report all expenses on the state accounting system and required the state treasurer to submit an annual evaluation of Investment Council monitoring and compliance to the governor and the Legislature.

LB 124 was indefinitely postponed by the Retirement Systems Committee.

**LB 110**, sponsored by Sen. Doug Cunningham of Wausa, would remove a requirement that the governor declare a state holiday when the president declares a federal holiday. The governor could still declare a state holiday if a federal proclamation is issued. The bill remains on general file.

## Health Care

Measures intended to assist low-income cancer patients and patients who make medical malpractice claims were passed by legislators in 2003.

**LB 756**, sponsored by Rockville Sen. Vickie McDonald, is intended to help Nebraskans receive necessary cancer drugs at a low cost.

The bill allows any person or entity, including cancer drug manufacturers and health facilities, to donate unused, sealed cancer medications to physician's offices, pharmacies, hospitals and health clinics. The hospital or pharmacy can provide the drugs at low cost to Nebraska cancer patients or to other participating institutions for dispensing. The state Health and Human Services System will be responsible for overseeing the repository program, including establishing a handling fee that could be charged by facilities participating in the program.

Senators voted 44-0 to pass LB 756.

Under **LB 146**, sponsored by North Platte Sen. Don Pederson, Nebraskans will be allowed to recover more damages related to medical malpractice claims.

Insurance providers will be required to collect and remit an existing liability insurance surcharge to the state Department of Insurance within 30 days of receiving it. Judges will also be allowed to dismiss pending liability actions that have not been reviewed by a medical panel within six months of a liability proceeding.

LB 146 includes provisions from two other medical malpractice measures. The amount recoverable under the Nebraska Hospital-Medical Liability Act will be increased from \$1.25 million to \$1.75 million beginning Dec. 31. A similar provision is contained in **LB 23**, sponsored by Omaha Sen. Kermit Brashear.

The measure also provides immunity from civil liability to some medical practitioners that volun-

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Sen. Vickie McDonald

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## Health Care

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teer their services. The immunity provisions originated in **LB 162**, sponsored by Omaha Sen. Pam Brown.

LB 146 was passed 46-0.

**LB 724**, introduced by Omaha Sen. Jim Jensen, outlines the Legislature's agenda for reforming mental health and substance abuse services offered in the state. While the bill does not change the laws that regulate the state's behavioral health system, it identifies elements of the current system to be addressed in the future, including:

- the funding and administration of state mental hospitals and regional behavioral health systems;
- the lack of adequate community-based behavioral health services; and
- the manner in which appropriate treatments for behavioral health patients are determined.

The bill declares the Legislature's intent to reorganize and revise behavioral health laws, including changing the membership of regional governing boards, changing the funding of behavioral health services, reducing the growth of state expenditures for behavioral health services and reducing reliance on state-operated regional mental health institutions. Legislation regarding these issues is to be introduced in 2004.

LB 724 was passed 47-0.

**LB 73**, sponsored by Wausa Sen. Doug Cunningham, requires the ambulatory surgical centers and hospitals to report information to HHS, including surgical procedures performed and the primary payer for each patient.

The information will be utilized only for statistical purposes and public health planning in the state, including identifying harmful policies and practices. HHS will be responsible for publishing an annual report on the most frequently performed procedures and their costs.

The bill also contains provisions similar to **LB 125**, sponsored by Norfolk Sen. Gene Tyson, which requires certain information on prescription drug insurance cards.

LB 73 was passed by a 47-0 vote.

**LR 39**, sponsored by Decatur Sen. Matt Connealy, urges the president and Congress to enact an affordable prescription drug benefit plan for Medicare beneficiaries. The resolution was adopted 26-0.



Sen. Jim Jensen



Sen. Doug Cunningham

## Health Care Regulation

Two measures related to smoking regulations are among those considered in 2003.

**LB 45**, sponsored by Sen. Nancy Thompson of Papillion, allows local public health departments and the state Department of Health and Human Services Regulation and Licensure to seek court orders enforcing regulations related to smoking in nonsmoking public areas. Any interested party is permitted to report such violations to their local public health department.

LB 45 was passed by a 43-0 vote.

**LB 546**, sponsored by Thompson, would ban smoking in all restaurants. Current state law permits restaurants to have designated smoking areas. The bill remains on general file.

**LB 95**, sponsored by Sen. Chip Maxwell of Omaha, will allow parents of a miscarried child to direct the disposition of the child's remains.



Sen. Nancy Thompson

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### Health Care Regulation

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Sen. Chip Maxwell

Hospitals are required to maintain a written policy for the disposition of the remains of a stillborn child. The parents of a stillborn child will have the right to direct how the child's remains should be handled. The hospital will be allowed to dispose of the remains if the parents do not give directions to the hospital within 14 days. The bill will apply in cases involving a confirmed pregnancy and in which the child's remains are visible to the naked eye.

The bill also contains provisions for licensing crematoriums similar to those in **LB 59**, a bill introduced by Beatrice Sen. Dennis Byars. Crematoriums will be subject to licensure and regulation by the state Health and Human Services System. The legislation establishes a license application process, sets fees, provides for license sanctions and revocations and establishes regulatory standards.

LB 95 was passed by a 45-0 vote.

**LB 667**, sponsored by Omaha Sen. Jim Jensen, makes numerous changes to state health and human services laws. The bill provides access to public accommodations for dogs being trained to assist disabled persons and changes reporting requirements for individuals exposed to infectious diseases.

LB 667 also will incorporate provisions from the following legislative bills:

**LB 121**, sponsored by Omaha Sen. Pam Brown, which changes laws relating to mail order pharmacies;

**LB 221**, introduced by Byars, which changes laws relating to the selection of generic prescription drugs;

**LB 383**, sponsored by Omaha Sen. John Synowiecki, which allows certain felons convicted of drug-related offenses to be eligible for food stamps; and

**LB 666**, sponsored by Jensen, which requires owners of automated external defibrillators to notify their local emergency medical service of the defibrillator's existence.

Legislators voted 45-0 to pass LB 667.

**LB 467**, sponsored by Jensen, eliminates the Health and Human Services System Partnership Council and, beginning in 2007, allows the governor to designate the HHS policy secretary as the chief administrative officer for the system.

LB 467 was passed on a 46-0 vote.

### Higher Education

During the 2003 session, lawmakers consolidated postsecondary scholarship programs, provided for better health awareness among college students and discussed the direction of higher education.

**LB 574**, introduced by Lincoln Sen. Ron Raikes, merged three scholarship programs into one.

The state has been awarding postsecondary scholarships to needy Nebraska students through the Postsecondary Education Award Program (PEAP), the State Scholarship Award Program (SSAP) and the Scholarship Assistance Program (SAP). Scholarships through the PEAP program were only available to students who attend independent or private colleges and universities in Nebraska, while scholarships through the SSAP and SAP programs were available to students attending either public or

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Sen. Ron Raikes

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## Higher Education

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private colleges and universities. The programs were administered by the Coordinating Commission for Postsecondary Education.

LB 574 combines those three programs into the Nebraska Scholarship Program. Under the new combined program, needy students who wish to attend Nebraska public and private postsecondary institutions will be eligible to receive state scholarship aid.

Individual scholarship awards cannot exceed 25 percent of the cost for tuition and mandatory fees at the University of Nebraska-Lincoln. Students already receiving aid under the current program will be given a three-year transition period. The program is being funded with proceeds from the Nebraska State Lottery, which amounts to \$2 million in each of the next two fiscal years.

LB 574 was passed on a 46-0 vote.

**LB 513**, sponsored by Beatrice Sen. Dennis Byars, requires Nebraska's postsecondary educational institutions to provide information to their students on meningococcal meningitis, a bacterial disease that causes inflammation of membranes surrounding the brain and the spinal cord. Victims suffer from fever, headaches, stiff neck, rash, nausea, vomiting and lethargy.

The information is to include a recommendation that students be vaccinated against the disease and will tell how to obtain funding for the vaccination if needed.

LB 513 was passed by a 43-0 vote.

Sen. Roger Wehrbein of Plattsmouth introduced **LB 244** to discuss the university system's program priorities. Currently, the system's priorities are undergraduate instruction, research and public service, in that order. Under the bill, public service programs, which include extension programs, would have risen to become the institution's second priority. This action would have made research projects and programs the university's third priority.

LB 244 was indefinitely postponed by the Education Committee.

**LR 15CA**, introduced by Kearney Sen. Joel Johnson, would have proposed to amend the Nebraska Constitution to permit the creation of a nine-member Nebraska Higher Education Board of Regents. The new board would have overseen the activities of Nebraska's public university and state college systems and replaced three existing boards – the University of Nebraska Board of Regents, the State College Board of Trustees and the Coordinating Commission for Postsecondary Education.

The proposal was indefinitely postponed by the Education Committee. Johnson sponsored **LR 174** to study of the financing, structure and governance higher education in Nebraska.



Sen. Dennis Byars



Sen. Joel Johnson

## K-12 Education

The focus of K-12 education policy was on the \$63 million cut to state aid that was enacted under **LB 407** and **LB 540**. (See "Budget".) However, legislators also made changes in option enrollment and considered the structure of K-12 education.

**LB 249**, sponsored by Bradshaw Sen. Elaine Stuhr, was aimed at resolving issues related to option enrollment and eligibility for extracurricular activities. Option enrollment allows students to transfer from the school system in which they reside to another school system.

LB 249 allows students who apply for option enrollment before March 15 each year to do so with-

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### K-12 Education

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out the permission of both school systems. Students wishing to apply for option enrollment after March 15 each year may obtain permission from both participating school systems. With respect to eligibility for extracurricular activities, schools are required to treat option enrollment students the same as resident students and transfer students from private and other public schools.

The issue of extracurricular eligibility for option enrollment students has been the subject of litigation involving the Nebraska School Activities Association.

LB 249 was passed by a 47-0 vote.

**LB 685**, introduced by Lincoln Sen. Ron Raikes, requires private colleges and career schools to petition the Coordinating Commission for Postsecondary Education before extending their program offerings to include baccalaureate or higher degrees. Also, the bill streamlines the types of teaching certificates that are available and modifies the law relating to the termination of a certificate. The bill was passed by a 49-0 vote.

**LB 335**, sponsored by Sen. Bob Kremer of Aurora, would allow a student in a school district with an annexation agreement to participate in the option enrollment program. It also would allow school districts with territory involved in an annexation to negotiate as to which school district should serve the annexed territory.

If an agreement is not reached in 90 days, then the proposition to annex the territory would be submitted to the voters of both the annexing school district and the school district being annexed. Under current law, the annexed territory would transfer to the school district of the annexing city or village if an agreement was not reached in 90 days.

Finally, the bill would provide that when territory is merged into a Class IV school district, the merger would take effect on June 1 of the year following the first full school year after the merger.

LB 335 is still under consideration by the Education Committee.

**LB 172**, introduced by Lincoln Sen. Mike Foley, would remove a legal requirement that schools provide students with information on the judicial waiver process for bypassing the state's parental notification law with respect to abortion. The bill awaits general file consideration by the Legislature.

**LB 417**, introduced by Speaker Curt Bromm at the governor's request, would have eliminated a program that provides reimbursement to school systems, residential institutions and county detention programs for the costs of educating state wards. The educational costs for state wards would have been shifted to local school systems. The bill was indefinitely postponed by the Education Committee.

**LB 680**, introduced by Plattsmouth Sen. Roger Wehrbein, would create a Commission for Quality Education to study the best method of developing partnerships among small school districts to reduce cost and increase quality. The bill remains in the Education Committee.

**LB 597**, sponsored by Omaha Sen. John Synowiecki, would have authorized a study on the feasibility of consolidating Nebraska's public school districts into 93 countywide school districts. The bill was indefinitely postponed by the Education Committee. However, the committee introduced **LR 180** to study the structure of elementary and secondary education in the state.

**LB 672**, sponsored by Bayard Sen. Philip Erdman, would have required school districts to use filtering software or otherwise develop a policy to restrict students' access to obscene material, including child pornography. The bill was indefinitely postponed by the Education Committee.

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## Local Government

Measures relating to municipal aid, sanitary and improvement districts and the state's building code were among local government issues considered in 2003.

**LB 622**, sponsored by Sen. Ron Raikes of Lincoln, will redirect between \$4 million and \$5 million to the state's general fund from a fund used to equalize property tax burdens in cities.

The bill is not intended to affect funds previously committed to municipalities, only those funds that are in excess of that commitment. Cities that do not collect local sales tax will share in receiving \$300,000 of the excess revenue recaptured under the bill.

The bill also temporarily suspends, and later scales back, a program designed to provide state aid to counties based on the number of road miles maintained in their jurisdictions.

Senators ultimately voted 33-8 to pass LB 622.

**LB 643**, sponsored by Bellevue Sen. Paul Hartnett, will amend the state building code to include updated references to various international and uniform building codes. It passed by a 46-0 vote.

**LB 726**, sponsored by Ellsworth Sen. LeRoy Louden, will allow most counties to increase lodging taxes. Previously, counties with populations of more than 300,000 could levy an additional 2 percent lodging tax to improve tourist attractions and services within the county. Under LB 726, any county can impose such a tax. The bill was passed by a 27-11 vote.

**LB 721**, introduced by the Urban Affairs Committee, modifies the method in which county clerks assign identification numbers to proposed sanitary and improvement districts, allows smaller SIDs to maintain their own service fee funds and clarifies the existence of a particular SID.

The bill also makes changes related to the appointment of an initial board of trustees when an SID is being formed by a single owner of property.

LB 721 was passed by a 46-0 vote.

**LB 720**, sponsored by the Urban Affairs Committee, will make three primary changes to the state's transit authority laws:

In effect, the city of Omaha's transit authority will be allowed to extend its territorial boundaries to include areas, cities and villages in Douglas County as well as areas, cities and villages in adjacent counties.

The transit authority will be allowed to certify the property tax levy necessary for its operations in those newly acquired areas as well as within Omaha.

Membership on the transit authority governing board will be extended to residents from anywhere in the authority's jurisdiction, not just within the city of Omaha.

LB 720 was passed by a 48-0 vote.

**LB 500**, sponsored by Gering Sen. Adrian Smith, will create a new level of licensing for county highway superintendents and city street superintendents, called a Class A license. Incentive payments also will be doubled for cities and counties that employ street or highway superintendents holding Class A licenses.

The bill was passed 46-0.

**LB 385**, sponsored by Sen. Ray Janssen of Nickerson, will place limits on the amount of funding projects can receive under a program approved in 1999 to assist smaller cities and communities with developing cultural and convention facilities.

Lawmakers voted 33-0 to pass LB 385.

**LB 365**, sponsored by Blair Sen. Mick Mines, changes procedures related to the revision of ordinances in cities and villages. The bill was approved by a 47-0 vote.

**LB 32**, sponsored by the Natural Resources Committee, would allow cities and counties to create storm water utilities. Charges for use of storm water systems would be proportionate to a property's



Sen. Paul Hartnett



Sen. LeRoy Louden

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## Local Government

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storm water contribution due to runoff. The bill was bracketed, or delayed, until the 2004 session.

A bill that could allow individuals to solicit for charity on city roadways remains on general file. **LB 86**, sponsored by Elkhorn Sen. Dwite Pedersen, would permit municipalities in Nebraska to allow street solicitors to seek funds for charitable or community improvement purposes.

A motion to advance LB 86 from general file fell three votes short of the 25 needed.

**LB 323**, sponsored by Platte Center Sen. Arnie Stuthman, would remove a requirement that county boards meet on the second Tuesday in January. Boards would be empowered to meet on any day in January.

The bill awaits general file consideration.



Sen. Arnie Stuthman

## Natural Resources

Due to rising maintenance and service costs, the Legislature raised fees for various game and parks services. Water rights and recycling were other topics of interest during the 2003 session.

**LB 306**, sponsored by Bradshaw Sen. Elaine Stuhr, will increase the amounts the Nebraska Game and Parks Commission can charge for hunting and fishing permits and related activities. The maximum allowable fees had not been changed in state law since 1993.

The bill underwent several compromises before its adoption. Under an amendment introduced by Stuhr, the fee increases originally proposed were reduced by half. The second amendment, introduced by Elm Creek Sen. Ed Schrock, will delay the increases until July 1, 2004. Since the commission must hold public hearings prior to increasing fees, the amendment effectively delayed increases until 2005.

As amended, the fee increases in LB 306 include:

- an increase in the lifetime hunting fee from between \$200 and \$360 to between \$260 and \$299;
- an increase in the lifetime fishing fee from between \$230 and \$300 to between \$300 and \$345;
- an increase in the resident antelope hunting permit from between \$20 and \$25 to between \$25 and \$29;
- an increase in the taxidermy permit fee from between \$5 and \$7 to between \$7 and \$8.50;
- an increase in the license fee for a game breeding and controlled shooting area from between \$100 and \$130 to between \$130 and \$149.50; and
- an increase in the fee for the manufacture or sale of boats or personal watercraft from between \$30 and \$40 to between \$40 and \$46.

LB 306 was passed 35-8.

**LB 122**, sponsored by Schrock, will allow the Nebraska Game and Parks Commission to set its annual per-vehicle park entry fee between \$14 and \$20. The commission also will be empowered to raise the daily park entry fee from \$2.50 to \$3 and charge up to \$25 for an annual permit for vehicles from outside the state and up to \$5 for a daily permit.

LB 122 was passed 38-1.

Concern about Nebraska's groundwater rights was the basis for **LB 619**, sponsored

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Sen. Ed Schrock

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## Natural Resources

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by Eddyville Sen. Jim Jones.

The bill authorizes natural resources districts to regulate activities that contribute to groundwater depletion. The new law also declares that groundwater must be managed and preserved for the state's well-being.

LB 619 was passed 44-0.

**LB 143**, sponsored by Schrock, changes provisions relating to the treatment of solid waste.

The bill prohibits Nebraskans from storing more than 500 passenger tires without holding a solid waste permit. Individuals will be permitted to dispose of non-recyclable tires in landfills.

LB 143 was passed 47-0.

**LB 301**, sponsored by Omaha Sen. Don Preister, would create a statewide program to encourage the recycling of old electronic components, including televisions, computers and microwave ovens.

The bill would prohibit Nebraskans from knowingly disposing of electronic equipment in a landfill and impose a \$10 fee for state agencies and political subdivisions on each purchase of electronics equipment containing cathode ray tubes.

LB 301 remains on general file.

**LB 305**, sponsored by Schrock, prohibits the wounding or killing of pigs for sport and competition and establish processes for obtaining hunting permits, among other provisions.

LB 305 also:

- prohibits individuals from operating motorboats that are louder than 96 decibels. Decibels will be measured at least 100 feet away from the boat.
- prohibits those riding personal watercrafts from jumping wakes produced by a watercraft traveling less than 50 yards away;
- allows watercraft owners to register their vessels in any county;
- specifies that individuals age 14 and older may operate motorboats and personal watercrafts, but those under age 16 cannot tow individuals behind a watercraft; and
- requires individuals under 18 to complete a boating safety course before operating a motorboat or personal watercrafts.

LB 305 was passed 44-2.



Sen. Jim Jones

## Taxes

The major tax legislation of 2003 focused on the need to resolve the state's fiscal shortfall. This was partially accomplished through the passage of **LB 759**, which is estimated to generate \$344.7 million of the funding needed to make the 2003-05 budget balance. (See "Budget".)

Aside from LB 759, lawmakers considered several other pieces of revenue legislation, including bills that ratify an interstate sales tax collection agreement and revamp a rural economic development program.

**LB 282**, sponsored by Lincoln Sen. David Landis, allows Nebraska to participate in a national program aimed at streamlining sales tax collections across state borders.

Under the bill, Nebraska adopted definitions of taxable items and other rules that are generally consistent with those of the other states participating in the agreement. The state is required to give

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## Taxes

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retailers 60 days notice in advance of changes in state or local sales tax rates or bases. The agreement goes into effect after at least 10 states representing 20 percent of the nation's population ratify it.

A governing board will oversee the implementation of the streamlined sales tax agreement. Three individuals from Nebraska – the state tax commissioner and two legislative appointees – will represent the state in matters relating to the agreement.

Sales tax collection for companies as provided in the agreement will be voluntary. Software will be made available to allow companies to instantly and accurately calculate the sales tax to be remitted to various jurisdictions.

LB 282 was passed 37-3.

**LB 608**, sponsored by Landis, was originally introduced for the purpose of making changes to the state's highest profile tax incentive program. However, a select file amendment offered by Wahoo Sen. Curt Bromm converted the bill into a revision of a rural tax credit program.

In 1987, lawmakers passed LB 270 as a companion to the LB 775 tax credit program. The LB 270 program was aimed at providing tax incentives to smaller development projects, many of which were in rural areas of the state.

Under LB 608, the LB 270 program will be replaced with a new program aimed at providing tax credits to qualifying businesses in rural areas of the state. Specifically, the program provides tax credits to companies that generate at least five new jobs and \$250,000 of new investment in counties with populations of 25,000 or less. In order to qualify, the jobs created must pay at least \$8.25 per hour. The wage requirement will be indexed annually according to the average rural Nebraska weekly wage.

The amount of available tax credits is limited to \$2.5 million in fiscal year 2004-05 and \$3 million in FY2005-06.

LB 608 was passed by a 46-1 vote.

**LB 596**, introduced by the Revenue Committee, requires Nebraska taxpayers to add back to their federal adjusted taxable income capital expensing in excess of \$25,000 and accelerated depreciation allowed due to changes in the federal tax code made this year.

The standard deduction allowed on state income tax returns is modified to neutralize the revenue impact of federal changes in the standard deduction for married couples. The state standard deduction has been the same as the federal standard deduction. Under LB 596, the exact amount of the state standard deduction will be listed in state law. For tax year 2003, that amount will be the same as the federal deduction for 2003. Beginning in 2004, the state standard deduction will be adjusted annually in the same way the federal deduction is indexed.

LB 596 was passed on a 39-7 vote.

**LB 572**, sponsored by Omaha Sen. Jim Jensen, is intended to ensure that tobacco manufacturers not participating in a Master Settlement Agreement make required escrow payments. The bill also requires the state tax commissioner to maintain a directory of cigarette products permitted to be stamped and sold in Nebraska and prohibits the tax stamps from being placed on products not included in the directory.

Finally, the commission paid to cigarette wholesalers will be set at 1.85 percent of face value of the cigarette stamp tax beginning Sept. 1, 2004.

LB 572 was passed 47-0.

**LR 2CA**, sponsored by North Platte Sen. Don Pederson, proposes a constitutional amendment to allow the Legislature to provide a property tax exemption for increased value of historically significant property resulting from its improvement or preservation.

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Sen. David Landis



Sen. Don Pederson

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The proposed amendment will appear on the 2004 general election ballot. If passed by voters, legislators would need to enact state law allowing the exemption.

LR 2CA was referred to voters by a 44-3 vote.

**LB 72**, introduced by Sen. Floyd Vrtiska of Table Rock, will allow Nebraska taxpayers to donate to the Nebraska State Fair Foundation on their income tax forms. The funds collected through the income tax checkoff will be used to build public-private partnerships to enhance the fair.

LB 72 was passed by a 35-5 vote.

**LB 379**, sponsored by Bellevue Sen. Paul Hartnett, would change the state's individual income tax rates. The state's income tax rates were lowered in 1997, but 50 percent of that reduction was restored temporarily during the 2002 legislative session and made permanent in LB 759 this year.

LB 379 would return the state's individual income tax rates to their pre-1997 levels. The bill awaits select file consideration.

**LB 57**, introduced by Sen. Dennis Byars of Beatrice, would have applied the state's sales tax to snack foods, including pop, candy and gum. The bill was indefinitely postponed by the Revenue Committee.

**LB 368**, sponsored by Trenton Sen. Tom Baker, would subject food to the state's sales tax. The bill remains in the Revenue Committee.

**LB 420**, introduced by Speaker Curt Bromm on the governor's behalf, would increase the cigarette tax from 64 to 84 cents per pack with additional proceeds generated by the tax going to the state's general fund. The measure remains in the Revenue Committee.



Sen. Floyd Vrtiska

## Transportation and Telecommunications

Senators examined administrative license revocation procedures and a bill that would repeal Nebraska's motorcycle helmet law stalled on select file.

**LB 209**, sponsored by Wahoo Sen. Curt Bromm, will streamline the administrative process of revoking drivers' licenses.

Currently, the state Department of Motor Vehicles revokes the license of drivers ticketed for drunk driving, reckless driving or other offenses. The department then holds a hearing to determine whether to reinstate the license. If drivers appeal the decision, they are allowed to keep their licenses while the department's final decision is pending.

LB 209:

- transfers \$40,000 from the DMV's cash fund to a new cash fund to cover costs associated with administrative license revocation;
- requires the state attorney general's office to represent the DMV during appeals;
- allows the DMV to reinstate the license revocation period if DUI charges are refiled against an individual; and
- requires prosecutors to notify the DMV director if charges are not filed within 30 days of the driver's arrest so the department can dismiss the administrative license proceeding. The administra-

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### Transportation and Telecommunications

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Sen. Adrian Smith

tive proceeding also will be dismissed if the court finds the defendant not guilty.

LB 209 was passed 47-0.

**LB 303**, sponsored by Gering Sen. Adrian Smith, would allow individuals age 21 or older as of July 1, 2005, to choose whether or not to wear a helmet as long as they wear eye protection, carry proof of health insurance and complete a motorcycle safety course. The safety course requirement would not have applied to those holding motorcycle licenses as of June 1.

The measure also would increase the motorcycle registration fee to \$16.50 and set the fee for approving safety courses at \$50.

Under LB 303, riding without eye protection would be a primary offense, a violation for which law enforcement needs no other reason to cite an individual.

Late in the session with numerous amendments pending to LB 303, Smith moved to bracket the bill until the 2004 legislative session. LB 303 remains on select file.

**LB 743**, introduced by Smith, would allow residents who do not want to receive unsolicited phone calls to be placed on a statewide "do not call" list for at least three years. The state Public Service Commission would manage the list.

LB 743 remains on select file.

**LB 112**, sponsored by Papillion Sen. Ray Mossey, will allow the state to obtain telecommunications services from service providers registered with the PSC. Currently, the state can only obtain certain services, including landline telephone services, from providers certified by the PSC.

LB 112 was passed 41-0.

**LB 401**, introduced by Sen. Jim Jones of Eddyville, would lower the speed limit from 75 to 70 mph on Interstate 80 between the York interchange and the Douglas-Sarpy county line. **LB 502**, sponsored by Sen. Ed Schrock of Elm Creek, would double fines for speeding on interstate highways in the state.

The Transportation and Telecommunications Committee did not act on either bill.

**LB 501**, sponsored by Sen. Jim Cudaback of Riverdale, would prohibit the use of hand-held wireless phones while driving. However, the bill would not prohibit the use of hands-free wireless phones or the use of cell phones in emergency situations.

LB 501 remains in committee.

**LB 238**, sponsored by Lincoln Sen. Marian Price, will require the titling, registration and taxation of kit cars. The bill applies to motor vehicles assembled from a kit, home-built cars and street rods. Vehicles made from a kit also will be required to have stop signals and turn signal lights.

LB 238 was passed 43-0.

**LB 208**, sponsored by Omaha Sen. Lowen Kruse, would consolidate Nebraska's DUI laws into one area of state law, and was later amended to include stricter DUI penalties proposed in **LB 775**.

The bill also contains an amendment proposed by Lincoln Sen. Mike Foley. Drivers who cause an accident that results in an unborn child's death would lose their operator's license for at least one year, an increase from the current 60 days.

Because of some senators' concerns that LB 208 contained too many provisions, the Legislature voted to bracket the bill until the 2004 session.

**LB 333**, sponsored by Kenesaw Sen. Carroll Burling, will require new all-terrain vehicles and minibikes sold after Jan. 1, 2004, to be titled. The purposes of the title are to deter theft and provide

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Sen. Jim Cudaback



Sen. Lowen Kruse



Sen. Carroll Burling

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## Transportation and Telecommunications

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the owner with proof of ownership if theft occurs.

LB 333 was passed 44-0.

**LB 186**, sponsored by Trenton Sen. Tom Baker, will eliminate the state Department of Roads' responsibility for junkyard regulation along non-interstate highways.

Current law requires the department to regulate junkyards located along state and interstate highways. Federal laws require the state to regulate junkyards only along interstate highways.

LB 186 was passed 40-0.

Under **LB 178**, introduced by South Sioux City Sen. Pat Engel, the Department of Roads would have jurisdiction over the repair and maintenance of railroad crossings in incorporated villages or cities regardless of their location. Ultimately, LB 178 was amended into **LB 259**, a bill introduced by Bromm that changes duties of the Nebraska Railway Council.



Sen. Pat Engel

## Utilities

Senators passed three measures related to public utilities in 2003, including legislation that allows for state regulation of the natural gas industry, indemnifies companies hired to operate nuclear power plants and gives the state Power Review Board additional criteria to consider when licensing new electric generation plants.

Until now, Nebraska has been the only state without some form of state-operated natural gas regulation. Municipalities have been responsible for regulating natural gas rates.

**LB 790**, introduced by Lincoln Sen. David Landis, permits the state Public Service Commission to regulate rates and services of investor-owned natural gas companies. Generally, the bill does not apply to municipally owned providers and the Metropolitan Utilities District.

Municipalities are allowed to opt out of the state regulation system by negotiating terms directly with the natural gas provider. If the negotiation is unsuccessful after 60 days, the matter will come under state regulation.

The regulatory system will be financed by quarterly assessments against investor-owned providers. The costs of special investigations launched by the PSC will be borne by the utility.

Finally, the PSC will have flexibility to structure rates to serve the needs of large-scale natural gas users.

LB 790 was passed by a 45-1 vote.

**LB 165**, sponsored by the Natural Resources Committee, protects third-party operators of nuclear power plants from being liable for negligence. Senators voted 26-10 to pass LB 165.

**LB 65**, sponsored by Omaha Sen. Don Preister, allows the state's Power Review Board to look at factors other than convenience and cost effectiveness when granting applications for new electricity generation plants as long as the benefits outweigh any additional costs. The bill was passed 44-0.

**LB 657**, sponsored by Lincoln Sen. Chris Beutler, would establish a 3.5 percent surcharge on the monthly bills of all electricity subscribers in the state from 2004 through the end of 2008. Proceeds from the surcharge would be set aside for use in paying any settlement or judgment costs resulting from low-level waste site litigation against the state. The bill is still under consideration by the Revenue Committee.

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The following tables contain the status of all legislative bills and proposed constitutional amendments as of the end of the 2003 legislative session.

The "STATUS" column indicates a bill's current stage of consideration. All legislation not otherwise disposed of at the conclusion of the 2003 legislative session is eligible for consideration during the 2004 session. A "+" indicates bills from which language was taken and a "-" indicates bills language was amended into.

The "ISSUE #s" column indicates which issues of the *Unicameral Update* contain articles about individual legislative bills.

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
1	Executive Board	Revisor bill to repeal obsolete provisions governing the Teacher Salary Task Force	Signed	
2	Executive Board	Revisor bill to change internal references under the Nebraska Telecommunications Regulation Act	Signed	
3	Executive Board	Revisor bill to correct internal references relating to gaming	Signed	
4	Executive Board	Revisor bill to correct internal references relating to farm product security interests	Signed	
5	Executive Board	Revisor bill to correct internal references in the Cities Airport Authorities Act	Signed	
6	Executive Board	Revisor bill to correct references to federal law in insurance statutes	Signed	
7	Executive Board	Revisor bill to delete obsolete provisions governing postsecondary education	Signed	
8	Executive Board	Revisor bill to repeal obsolete provisions governing the Nebraska Commission on Local Government Innovation and Restructuring	Signed	
9	Executive Board	Revisor bill to delete obsolete provisions relating to budgets	Signed	
10	Executive Board	Revisor bill to repeal obsolete sections governing the Reorganized School Assistance Fund	Signed	
11	Executive Board	Revisor bill to repeal obsolete statutes governing the Accounting Division Cash Fund	Signed	
12	Executive Board	Revisor bill to repeal obsolete provisions governing the Education and Career Preparation Task Force	Signed	
13	Schimek	Change provisions for succession to the office of Governor	General File	
14	Schimek	Change the name and use of the Voter Registration Cash Fund	Signed	
15	Schimek	Provide for automatic nomination of candidates for community college boards of governors	Signed	
16	Brashear	Change filing requirements for professional services businesses	General File	
17	Brashear	Prohibit sexual abuse of a protected individual and change provisions relating to crimes and offenses as prescribed	Signed (+136, 179, 260, 298, 344, 364, 427, 632)	20, 21
18	Brashear	Change provisions relating to burglary	Committee	
19	Brashear	Change and eliminate provisions relating to security for costs, witnesses, jury commissioners, and juries	Signed (+171, 313, 329)	
20	Brashear	Change county court jurisdictional provisions	Select File	
21	Brashear	Change felony complaint procedures	Select File	
22	Brashear	Change penalty provisions for criminal attempt	Select File	
23	Brashear	Change amounts recoverable under the Nebraska Hospital-Medical Liability Act	IPP (-146)	
24	Brashear	Change state tort claim procedures	Committee	
25	Brashear	Limit access to inheritance tax records	Committee	
26	Preister	Change membership and classification duties of the Environmental Quality Council	Committee	
27	Preister	Change provisions relating to retail electricity suppliers and the Nebraska Power Review Board	Committee	
28	Preister	Provide for net metering with respect to electric utilities	Committee	
29	Schrock	Change provisions relating to the Municipal Cooperative Financing Act	IPP (-165)	
30	Schrock	Provide for enforcement of a cease and desist orders under the Nebraska Ground Water Management and Protection Act	Signed	
30A	Schrock	Appropriation Bill	Signed	
31	Schrock	Change provisions relating to water wells and public water systems	Signed	
31A	Schrock	Appropriation Bill	Signed	
32	Schrock	Authorize storm water management programs for certain political subdivisions as prescribed	General File	20
33	Schrock	Eliminate a termination date relating to disbursement of water well registration fees	IPP	
34	Schrock	Increase the application fee for a permit to construct a water well in a ground water management area	Signed	
35	Schrock	Change provisions relating to denial of a water well permit in a ground water management area	Signed	
36	Schrock	Create the offense of introducing contraband into a detention facility	Committee	
37	Price	Adopt the Wage Replacement Savings Plan Act which allows eligible employees to put away money into a trust to withdraw for future otherwise unpaid leaves of absence	General File	
37A	Price	Appropriation Bill	General File	
38	Price	Prohibit unauthorized access to a firearm by a minor	Committee	
39	Price	Adopt the One Day Rest in Seven Act	IPP	

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BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
40	Thompson	Change sheriff's office merit commission membership provisions	Signed	
41	Thompson	Change County Purchasing Act bidding requirements	Signed	
42	Thompson	Repeal the County Property Tax Relief Program	IPP (-622)	
43	Thompson	Authorize city and county juvenile pretrial diversion programs, create offenses relating to methamphetamine, and change juvenile temporary custody provisions	Signed (+133, 438)	20, 21
44	Thompson	Change distribution of the cigarette tax	IPP	
45	Thompson	Change enforcement of the Nebraska Clean Indoor Air Act	Signed	3, 10
46	Brashear	Change and adopt provisions relating to corrections, probation, and parole	Signed (+455, 522)	6, 12, 14, 20
46A	Brashear	Appropriation Bill	Signed	
47	Brashear	Change impeachment procedures	Select File	
48	Chambers	Revive the Rural Development Commission and change membership and funding provisions	Signed	21
49	Brashear	Correct a grammatical error in criminal law	Select File	
50	Brashear	Correct an internal reference in criminal procedure law	Select File	
51	D. Pederson	Increase the length limit for a towed disabled vehicle	IPP (-137)	
52	D. Pederson	Change municipal improvement project requirements	Signed	
53	Smith	Change provisions for educational service units core services funding	Signed	
54	Erdman	Provide for waiver of foster care training requirements	Signed	
54A	Erdman	Appropriation Bill	Signed	
55	Byars	Include public safety officials in disease exposure provisions	Signed	
56	Byars	Change organizational provisions, powers, and duties of the State Board of Health	Signed	
57	Byars	Collect sales tax on junk food items	IPP	7
58	Byars	Allow government employees to bring discrimination actions under the Federal Americans with Disabilities Act of 1990	Committee	3
59	Byars	Adopt the Cremation of Human Remains Act	IPP (-95)	
59A	Byars	Appropriation Bill	IPP	
60	Byars	Require criminal history checks for real estate salespeople and brokers	Signed	
61	Byars	Change regulatory provisions for retirement subdivisions and communities	Signed	
62	Connealy	Change provisions relating to the Commission on Public Advocacy	IPP (-760)	
63	Preister	Adopt the School Pesticide Notification Act	Committee	
64	Preister	Adopt the School Integrated Pest Management Act	Committee	
65	Preister	Provide criteria for consideration in the electric generation facility application process	Signed	20, 21
66	Raikes	Change disbursement provisions relating to the School Technology Fund	Signed	
66A	Raikes	Appropriation Bill	Signed	
67	Raikes	Change and eliminate provisions relating to education	Signed	
68	Raikes	Change and eliminate provisions relating to institutions governed by the Board of Regents of the University of Nebraska	Signed	
69	Smith	Transfer contracting duties from the Dept. of Aeronautics to the Military Department	Signed	
69A	Smith	Appropriation Bill	Signed	
70	Kremer	Change provisions relating to the master lien list	Signed	
71	Kremer	Change provisions relating to the Nebraska Installment Sales Act	Signed	
72	Vrtiska	Provide and change income tax checkoffs for the State Fair and campaign finance provisions	Signed	3, 5, 12
72A	Vrtiska	Appropriation Bill	Signed	
73	Cunningham	Adopt the Outpatient Surgical Procedures Data Act and provide for a uniform prescription card or other technology	Signed (+125)	20, 21
73A	Cunningham	Appropriation Bill	Signed	
74	Hudkins	Provide noise restrictions for motorboats	IPP (-305)	
75	Hudkins	Change eligibility requirements for county sheriff	General File	
76	Hartnett	Change facility board membership provisions for cities of the second class and villages	Signed	
77	Hartnett	Change fees charged by the State Fire Marshal and fireworks display requirements	IPP	
78	Hartnett	Change provisions for issuance of citations for code violations in cities of the second class and villages	General File	
79	Redfield	Authorize credit unions to receive deposits of funds of political subdivisions	IPP	
80	Hudkins	Change tax sale procedures	IPP	
81	Schimek	Permit the consumption of alcoholic beverages in vehicles operated as charter, limousine, or special party services	Committee	
82	Foley	Change provisions relating to school transportation vehicle inspection	IPP	
83	McDonald	Eliminate a county veterans service committee reporting requirement	Signed	
84	McDonald	Change provisions relating to the office of county attorney	Signed	
85	Landis	Reclassify bank and insurance examiners as at-will employees	Signed	5, 8

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BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
85A	Landis	Appropriation Bill	Signed	
86	Dw. Pedersen	Permit municipalities to allow solicitation of contributions on roadways	General File	3
87	Dw. Pedersen	Provide for closing the Secure Youth Confinement Facility	Committee	
88	McDonald	Provide a late permit and fee relating to open burning	IPP	
89	Burling	Change provisions relating to fish stocking by the Game and Parks Commission	IPP	
90	Bromm	Change the boundary between the counties of Butler and Colfax	Signed	
91	Bromm	Authorize cities and villages to regulate planned unit developments	IPP	
92	Stuhr	Eliminate the Rural Development Commission	Signed	
93	Schrock	Redefine best management practices under the Nebraska Ground Water Management and Protection Act	Signed	
94	Schrock	Adopt the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act	Signed	
94A	Schrock	Appropriation Bill	Signed	
95	Maxwell	Adopt the Cremation of Human Remains Act and change provisions relating to disposition of remains	Signed (+59)	20, 21
95A	Byars	Appropriation Bill	Signed	
96	Cunningham	Change hunting and fishing permit fee exemptions for veterans	IPP	
97	Hartnett	Authorize vacation of certain rights-of-way for metropolitan class cities	Signed	
98	Hartnett	Change employment requirements for business tax incentives	IPP	
99	Hartnett	Change provisions relating to the Nebraska Visitors Development Act	General File	
100	Baker	Provide for specialty license plates	Committee	
101	Baker	Change provisions relating to State Highway Commission meetings	Signed	
102	Baker	Authorize a motor vehicle inspection and processing fee	Signed	
102A	Baker	Appropriation Bill	Signed	
103	Baker	Change the agricultural floater-spreader implement speed limit	Signed	
104	Hudkins	Change tort claim provisions relating to innocent third parties and vehicular pursuits	Committee	
105	Beutler	Change University of Nebraska retirement contribution provisions	Withdrawn	
106	Beutler	Provide for inclusion of associate degree program students under the Minority Scholarship Program Act	Signed	
107	Jensen	Provide authority for the Nebraska Educational Finance Authority to make loans in anticipation of tuition as prescribed	Signed	
108	Jensen	Provide tax benefits for long-term care insurance premiums	IPP	
109	Hartnett	Change provisions of the Community Development Law	IPP	
110	Cunningham	Eliminate recognition of holiday proclamations by the President	General File	4
111	Mossey	Change penalty for possession of child pornography	Signed	3, 8, 13, 14
112	Mossey	Change a provision relating to purchase of telecommunications service by state government	Signed	12, 14, 16
113	Redfield	Change requirements for a consumer authorization of payment to a telemarketer	Committee	
114	Redfield	Provide electronic presentation of reports to the Legislature from public entities	Signed	
115	Redfield	Provide a duty for the Auditor of Public Accounts	IPP	6
116	Cunningham	State intent regarding redistricting of the Legislature	IPP	
117	Brown	Provide duties for the State Treasurer relating to receipt of funds and provide funding	General File	5, 12
118	Brown	Prohibit acts relating to published privacy policies	Signed	
119	Brown	Change provisions relating to genetic and metabolic disease testing	Signed	
120	Brown	Provide for deferred compensation payment and health insurance coverage for certain state employees	Committee	8
121	Brown	Change provisions relating to the Mail Service Prescription Drug Act	IPP (-667)	4, 12
122	Schrock	Change park entry permit fee provisions	Signed	3, 4, 5, 6
123	Schrock	Provide additional considerations relating to interstate transfers of ground water	IPP (-619)	4
124	Tyson	Change oversight of Nebraska Investment Council contracts, funds, and disbursements	IPP	6
125	Tyson	Require uniform prescription drug information cards	IPP (-73)	
126	Cudaback	Change and eliminate provisions of the State Electrical Act	Signed	
127	Quandahl	Eliminate a restriction on limited liability company business	Signed	
128	Quandahl	Change provisions relating to negotiable instruments	Signed	
129	Schimek	Provide a penalty for leaving a child unattended in a motor vehicle	Committee	
130	Landis	Adopt the Uniform Trust Code	Signed	
131	Landis	Eliminate references to industrial loan and investment companies	Signed	
132	Thompson	Adopt the Interstate Compact for Juveniles	Committee	
133	Thompson	Change temporary custody provisions in the juvenile code	IPP (-43)	
134	Thompson	Authorize cities of the first class to study the firefighter retirement system	IPP	
135	Thompson	Change the allocation of the Highway Trust Fund	IPP	

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BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
136	Thompson	Ban the distribution of mercury thermometers	IPP (-17)	
137	Schrock	Change towing restrictions for motor vehicles	Signed (+51)	
138	Schrock	Change anatomical gift eligibility and consent provisions	Signed	
139	Johnson	Change provisions relating to the State DNA Data base	General File	
140	Thompson	Change provisions relating to provisional operators' permits	IPP	6
141	Schrock	Provide for water storage structures and priority of certain water appropriations	IPP	
142	Schrock	Permit the Director of Environmental Quality to order access to certain property under the Integrated Solid Waste Management Act	Signed	
143	Schrock	Change and eliminate scrap tire and other solid waste disposal provisions	Signed (+144)	9, 18
143A	Schrock	Appropriation Bill	Signed	
144	Schrock	Change provisions relating to scrap tire disposal	IPP (-143)	
145	Schrock	Change provisions relating to water storage facilities and livestock waste control facilities	IPP (-619)	
146	D. Pederson	Change provisions of the Nebraska Hospital-Medical Liability Act and provide immunity for volunteer medical personnel	Signed (+23, 162)	15, 19, 20
147	D. Pederson	Change cancellation and ownership provisions for the Nebraska educational savings plan trust	Committee (-574)	
148	Landis	Adopt and change uniform acts regarding domestic relations	Signed (+628, 629)	10, 13, 16
149	Retirement Systems	Change provisions relating to the investment of state funds	Signed	
150	Stuhr	Change local housing agency reporting requirements	Signed	
151	Cunningham	Change portion of appropriations to be used for acquisition of art work	Committee	
152	Schimek	Change residency provisions relating to postsecondary education	Committee	
153	Schimek	Establish a Blue Ribbon Panel on Voter Education and Voter Turnout	IPP (-358)	
154	Schimek	Change the Secretary of State's authority to accept or refuse filing of initiative and referendum petitions	Committee	
155	Quandahl	Change provisions relating to real property leases	General File	
156	Quandahl	Change provisions relating to disclosure of confidential information	Signed	
157	Kremer	Change pesticide outdoor vector control provisions and funding for agricultural soil conditioner programs	Signed	
158	Kremer	Adopt the Scrapie Control and Eradication Act and change and eliminate provisions relating to pseudorabies	Signed (+159)	4, 6, 9, 10
159	Kremer	Change livestock pseudorabies control and eradication provisions	Committee (-158)	
160	Kremer	Change provisions relating to livestock health certificates, animal importation, and meat and poultry inspection	Signed (+180)	
161	Kremer	Change standards and fees in the Weights and Measures Act	Signed	
162	Brown	Provide immunity for volunteer physicians	IPP (-146)	
163	Raikes	Authorize educational service units to exceed the maximum tax levy as prescribed	IPP	
164	Schrock	Change the Wastewater Treatment Facilities Construction Assistance Act	Signed	
164A	Schrock	Appropriation Bill	Signed	
165	Natural Resources	Provide fees for shipment of radioactive and transuranic waste, change provisions of the Municipal Cooperative Financing Act, and provide for indemnification by power districts for negligence	Signed (+29, 254)	9, 10, 13, 14
165A	Schrock	Appropriation Bill	Signed	
166	Byars	Change provisions relating to enforcement of occupant protection system requirements and other motor vehicle laws	IPP	5
167	Janssen	Change the death benefit for volunteer fire companies	Signed	
168	Janssen	Provide reciprocal sales tax exemption	Signed	
169	Janssen	Prohibit predatory pricing of motor fuel	IPP	7
170	Vrtiska	Change the gallonage tax on beer	Withdrawn	
171	Foley	Provide for jury service postponement for nursing mothers	IPP (-19)	
172	Foley	Eliminate a requirement for school districts to provide abortion information	General File	
173	Foley	Provide continued medical assistance for children adopted by persons seventy years of age and older	Committee	
174	Byars	Require an eye examination prior to school entrance as prescribed	General File	
175	Jensen	Change provisions relating to the investment and deposit of certain public funds and authorize political subdivisions to sell bonds using the Internet	Signed (+247, 600)	
176	Cunningham	Change provisions relating to possession of marijuana	IPP	
177	Redfield	Change inheritance tax collection	IPP	
178	Engel	Provide jurisdiction for Dept. of Roads over railroad crossings	IPP (-259)	9
179	Engel	Authorize fees for criminal justice records	IPP (-17)	
180	Engel	Change provisions relating to the disposition of animal carcasses	IPP (-160)	

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BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
181	Stuhr	Provide for filling vacancies on the Board of Regents	Signed	
182	Transportation and Telecommunications	Change provisions relating to motor vehicle dealer franchises	Signed	
183	Natural Resources	Provide for a water transfer fee	Committee	4
184	Baker	Require parents to attend juvenile court hearings for their child and change who can file a petition for termination of parental rights	Committee	
185	Baker	Change motor vehicle accident reporting and security requirements	Signed	
186	Baker	Change provisions relating to junkyards along highways	Signed	6
187	Baker	Change provisions relating to highways and administrative procedure and provide fees, civil penalties, and surcharge hearings for certain common carriers	Signed (+321, 425, 530, 531)	
188	Bourne	Increase motor vehicle registration fees for enforcement of drug offenses and violent crimes	Committee	
189	Bourne	Change provisions relating to gift enterprises	General File	
190	Redfield	Change provisions relating to operating a motor vehicle to avoid arrest	Committee	3
191	Vrtiska	Change county tax levy provisions relating to correction of clerical errors	Signed	
192	Vrtiska	Change homestead exemption dates	Signed	
193	Vrtiska	Change the tax levy authority of community colleges	IPP	
194	Business and Labor	Change membership of the Nebraska Workforce Investment Board	Signed	
195	Business and Labor	Change unemployment compensation provisions relating to when the Dept. of Labor can charge fees	Signed	
196	Business and Labor	Provide requirements for workers' compensation coverage by employee services entities	Committee	
197	Business and Labor	Change unemployment compensation provisions relating to disposition of federal funds	Signed	4, 10, 15, 16
198	Business and Labor	Change administration provisions for the Nebraska Workers' Compensation Court	General File	
199	Business and Labor	Change unemployment compensation provisions relating to Indian tribes, election workers, and committed persons	Signed	
200	Aguilar	Redefine the term "manufacture" for purposes of the Uniform Controlled Substances Act	Signed	
201	Burling	Change construction lien notice provisions	IPP (-655)	
202	Cunningham	Require the Dept. of Health and Human Services to conduct a prescription drug survey	Committee	
203	Bourne	Establish the Missing Persons Information Clearinghouse	Committee	8
204	Bourne	Provide double fines for speeding in a residential district	Committee	
205	Janssen	Change liquor license provisions relating to sampling and penalties	Signed	
206	Kruse	Change provisions relating to theft	Committee	
207	Kruse	Change funding for public transportation	IPP	
208	Kruse	Change provisions and provide additional offenses and penalties relating to driving under the influence of alcohol or controlled substances	Select File (+775)	10, 12, 19
209	Bromm	Change administrative license revocation provisions	Signed	10, 11, 20, 21
209A	Bromm	Appropriation Bill	Signed	
210	Bromm	Change applicability of the Nebraska Workers' Compensation Act	Signed	13, 17, 20
211	Stuhr	Prohibit body piercing, tattooing, and branding of minors	Committee	
212	Kremer	Change and eliminate provisions relating to testing, review, and sale of current tractor models	General File	
213	Jensen	Change permissible activities of licensed practical nurses-certified	Signed	
214	Quandahl	Change provisions relating to accounting examinations and Nebraska State Board of Public Accountancy fees	Signed	3
215	Quandahl	Authorize certain installment sales and loan fees	General File	5
216	Banking, Commerce and Insurance	Change provisions relating to insurance	Signed	
217	Banking, Commerce and Insurance	Change provisions relating to banking and finance	Signed	
218	Banking, Commerce and Insurance	Change provisions relating to mortgage and installment loans	Signed	
219	Erdman	Change provisions relating to the Dry Bean Commission	Signed	
220	Redfield	Change income tax deductions and homestead provisions	IPP	
221	Byars	Change reciprocal pharmacist registration and drug product selection provisions	IPP (-667)	12
222	Bourne	Change provisions governing sheriff's office merit commission	Signed	
223	Wehrbein	Change tax protest procedures	Committee	
224	Wehrbein	Change and provide funding for business tax incentives	IPP	6
225	Synowiecki	Provide additional conditions of probation for sex offenders	Committee	
226	Redfield	Require a nonunion employee to reimburse a union for legal services requested by such employee	General File	8
227	Aguilar	Prohibit transportation of minors in portions of vehicles not intended for passengers	General File	
228	Government	Adopt the Address Confidentiality Act	Signed	
228A	Schimke	Appropriation Bill	Signed	

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BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
229	Tyson	Supplement the Industrial Relations Act for labor disputes involving municipalities	IPP	
230	Smith	Change tractor test requirements	Committee	
231	Smith	Change membership provisions of the Nebraska Police Standards Advisory Council	Committee	
232	Smith	Authorize a county records improvement filing fee	General File	
233	Price	Require licensure for animal control facilities and shelters	Signed	8, 13, 14
233A	Price	Appropriation Bill	Signed	
234	Maxwell	Provide for administrative disqualification hearings for certain public assistance programs	Signed	
234A	Maxwell	Appropriation Bill	Signed	
235	Maxwell	Change provisions relating to appeals of special assessments in metropolitan class cities	Signed	
236	Maxwell	Change provisions for withholding personal information on students in public records	General File	
237	Schrock	Require notice of installation of gas systems and provide immunity	General File	
238	Price	Provide for the titling, registration, and taxation of kit vehicles	Signed	10
239	Jensen	Provide means testing for certain benefits under the medical assistance program	Committee	
240	Jensen	Provide for notice of personal representative appointment and for a lien relating to the medical assistance program	Committee	
241	Jensen	Change fee provisions for modular housing units, manufactured homes, and recreational vehicles	Signed	
242	Jensen	Change credentialing and fee provisions for health professions and occupations	Signed	
243	Janssen	Change disposition of fines imposed on horseracing licensees	Signed	
244	Wehrbein	Change University of Nebraska priorities	IPP	4
245	Health and Human Services	Change provisions relating to health and human services	Signed	
246	Jensen	Provide for funding to correct schools' life safety code violations and make air quality improvements	IPP (-540)	
247	Redfield	Provide for Internet auction of political subdivision bonds	IPP(-175)	
248	Redfield	Provide for investment of state funds using Internet competitive bidding	General File	
249	Stuhr	Change provisions relating to the Public Elementary and Secondary Student Fee Authorization Act and extracurricular activities	Signed (+685)	8, 15, 16, 19, 20
250	Kremer	Change food safety code requirements	Signed	
251	Cunningham	Change eligibility requirements for unemployment compensation	Committee	
252	Quandahl	Change provisions relating to amending credit union articles of association	IPP	
253	Quandahl	Change method of selection and obligations of presidential electors	General File	
254	Landis	Provide fees for shipping of certain radioactive and transuranic waste	IPP (-165)	
255	Landis	Adopt the Uniform Mediation Act	Signed	14, 16, 18
256	Beutler	Require a minimum wage for state employees	IPP	
257	Bromm	Authorize grants to improve electronic access to public records	Signed	
258	Bromm	Change provisions relating to managers of accounting offices	Signed	
259	Bromm	Change loan provisions for the Nebraska Railway Council and provide railroad crossing jurisdiction for the Dept. of Roads	Signed (+178)	
260	Bromm	Change law enforcement officer's primary jurisdiction with respect to chemical testing procedures	IPP (-17)	
261	Foley	Change provisions relating to campaign finance	IPP (-349)	
262	Raikes	Change deadlines and provisions relating to treatment of students under the enrollment option program	IPP	8
263	Raikes	Permit excess budget authority requests for full-day kindergarten programs	IPP	
264	Raikes	Change and eliminate provisions relating to educators' certificates and permits	Committee (-685)	
265	Tyson	Adopt the Concealed Handgun Permit Act	Select File	5, 13, 15, 16, 17
265A	Tyson	Appropriation Bill	Select File	
266	Tyson	Prohibit sale of certain alcoholic beverages at locations where motor vehicle fuels are sold	IPP	
267	Tyson	Provide for a criminal history record check for certain licensure applicants	Signed	12, 15, 16
268	Tyson	Require payment of county and district court security costs by the Supreme Court	Committee	
269	Tyson	Adopt an educational loan forgiveness program for lawyers who provide public legal services	General File	
270	Brashear	Change provisions relating to allegations in an indictment or information	General File	20
271	Brashear	Change victim's rights provisions	General File	
272	Chambers	Require reporting of animal abuse by child and adult protective services workers	IPP (-273)	
273	Chambers	Require reporting of and change penalties relating to mistreatment of animals	Signed (+272, +300, -274)	
274	Chambers	Change and provide regulation under the Commercial Dog and Cat Operator Inspection Act	Signed (+273)	
275	Chambers	Require a bittering agent be included in engine coolant or antifreeze	Committee	
276	Chambers	Provide for the humane treatment of animals participating in rodeos	IPP	
277	Aguilar	Extend the potential maturity date of municipal bonds	IPP	

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278	Synowiecki	Change elevator safety and inspection provisions	General File	
279	Jones	Change provisions for the issuance of license plates and motor vehicle recordkeeping	General File	
280	Jones	Exempt residential cleaning and maintenance from sales tax	IPP	
281	Landis	Update references to the Internal Revenue Code	Signed	
282	Landis	Adopt the Streamlined Sales and Use Tax Agreement and harmonize Nebraska law	Signed	7, 18
283	Landis	Change provisions relating to alcohol taxes, estate taxes, and child care tax credits	Signed (+286, +580, -759)	18, 19, 21
284	Landis	Change income tax calculations for unitary businesses	IPP	
285	Landis	Redefine contractor for purposes of sales and use taxes	Signed	17, 18, 19
285A	Landis	Appropriate funds to the Dept. of Health and Human Services and the Dept. of Agriculture	Signed	21
286	Landis	Change income tax and sales tax rates	IPP (-283, 759)	
287	Landis	Provide for sales tax on certain repair services	Select File	18, 19
288	Price	Change provisions relating to acquisition and use of real property by school districts	IPP	
289	Price	Change provisions relating to payment of educational costs for state wards in residential settings	IPP	
290	Redfield	Provide for a property tax homestead exemption and change income tax deductability of residential property taxes	IPP	
291	Revenue	Change provisions relating to property taxation and the Tax Equalization and Review Commission	Signed	
292	Revenue	Change provisions relating to building permits, motor vehicle taxes, property taxes, the Tax Equalization and Review Commission, and school tax levies	Signed (+293, 564, 713, 803)	
293	Revenue	Eliminate notices to the Dept. of Property Assessment and Taxation	IPP (-292)	
294	Foley	Recognize an action for an unborn child in wrongful death cases	Signed	10, 13, 14
295	Baker	Change property taxation provisions	Signed	
296	Baker	Change railroad crossing safety provisions	General File	
297	Hartnett	Change provisions for receipt of specialized developmental disabilities services	Committee	
298	Hartnett	Change provisions relating to the privilege of leaving jail	IPP (-17)	
299	Price	Adopt the Equity in Prescription Insurance and Contraceptive Coverage Act	IPP	
300	Hartnett	Change a penalty for cruelty to animals	IPP (-273)	
301	Preister	Adopt the Electronic Equipment Recycling Act	General File	7
302	Raikes	Authorize community colleges to exceed levy limits for deficiencies in state aid	IPP (-540)	
303	Smith	Adopt the Motorcycle Safety and Training Act	Select File	5, 14, 19
303A	Smith	Appropriation Bill	General File	
304	Synowiecki	Adopt the Peace Officer Employer-Employee Relations Act	General File	
305	Schrock	Change miscellaneous provisions of the Game Law	Signed (+74, 348)	14, 17, 18
306	Stuhr	Change fee authorization for the Game and Parks Commission	Signed	4, 5, 6
307	Connealy	Change provisions relating to the employee suggestion system	Signed	
308	Connealy	Combine non-English-speaking workers labor protection provisions	Committee (-418)	
309	Boume	Change gambling provisions and authorize electronic pickle card devices and lottery equipment	Committee	
310	Connealy	Adopt the Public Facilities Construction and Finance Act	IPP	
311	Erdman	Adopt the Unfunded Mandates Reform Act	IPP	
312	Chambers	Prohibit lobbying activities by former state officers	Committee	
313	Brashear	Eliminate nonresident security for court costs requirement	IPP (-19)	
314	Brashear	Change limitation of action provisions relating to certain political subdivisions	Committee	
315	Brashear	Change provisions relating to notaries public	General File	
316	Brashear	Change child custody determination provisions	General File	4
317	Chambers	Provide for nonpartisan election of the Attorney General	Committee	
318	Chambers	Eliminate the Postsecondary Education Award Program Act	IPP	5
319	Smith	Change tax deed procedures	Signed	
320	Stuhr	Change judges retirement provisions and court fees	Signed (+679)	5, 18, 19, 20, 21
320A	Stuhr	Appropriation Bill	IPP	
321	Wehrbein	Change Public Service Commission fees	IPP (-187)	
322	Wehrbein	Authorize the resumption of property tax assessment duties in certain counties and restrict such duties to certain counties	Committee	3
323	Stuthman	Change meeting requirements for certain county boards	General File	
324	Schrock	Create a new ethanol production tax credit	IPP	
325	Preister	Prohibit sales of alcoholic liquor within certain unincorporated villages located near land held by or in trust for an Indian tribe	Withdrawn	
326	Hudkins	Prohibit rebates by risk management pools	IPP	
327	Bromm	Change fee provisions for records of the Secretary of State	IPP (-524)	
328	Schimke	Change competitive bidding provisions for county boards	IPP	

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329	Schimek	Change the designation of jury commissioner in certain counties	IPP (-19)	
330	Schimek	Change provisions for the county visitors committee	IPP (-726)	
331	Schimek	Authorize county boards to prepay for certain services	Signed	
332	Hudkins	Change workers' compensation provisions relating to volunteer firefighters, volunteer ambulance drivers and volunteer emergency care providers	Signed	10, 13, 16
333	Burling	Provide for certificates of title for all-terrain vehicles and minibikes	Signed	
333A	Burling	Appropriation Bill	Signed	
334	Kremer	Provide for prompt payment by health and accident insurers	Committee	
335	Kremer	Change annexation provisions relating to certain Class III school districts	Committee	
336	Thompson	Require juvenile court approval for out-of-state treatment placements for juveniles	Committee	
337	Thompson	Provide for a surtax on sales of alcoholic liquor	IPP	
338	Jensen	Change liquor tax provisions to provide funding for substance abuse treatment and programs	IPP	7
339	Bourne	Prohibit payments for the right to install natural gas distribution facilities	Committee	
340	Bourne	Provide for extended contract days and change certain programs and funding related to teaching	Committee	
341	Bourne	Adopt the Teacher Tuition Reimbursement Program Act	Committee	
342	Bourne	Change motor vehicle registration provisions relating to In Transit decals	IPP	
343	Connealy	Prohibit use of state funds to influence employees to join or leave a labor union	IPP	
344	Connealy	Prohibit the installation of certain objects in motor vehicle airbag systems	IPP (-17)	
345	Connealy	Prioritize the location of state offices and facilities in rural areas	IPP	4
346	Quandahl	Provide additional grounds for termination of parental rights	Committee	
347	Quandahl	Increase the statute of limitations under the Political Subdivisions Tort Claims Act	Committee	11
348	Erdman	Change funding, registration, and operation provisions under the State Boat Act	General File (-305)	
349	Redfield	Change provisions relating to certain statements and filings under the Nebraska Political Accountability and Disclosure Act	Signed (+261)	
350	Schimek	Provide for revocation of a legal separation decree	Committee	
351	Price	Adopt the Nursing Faculty Student Loan Act	Committee	
352	Vrtiska	Change and eliminate provisions relating to political parties and filing for office	General File	
353	Vrtiska	Provide for suspension of motor vehicle learner's permits	General File	
354	Revenue	Allows State Treasurer to assess charges for electronic payments not accepted	Signed	
355	Revenue	Change individual income tax provisions relating to corporate directors	Select File	
356	Stuhr	Change provisions relating to freeholder petitions	Committee	
357	Government, Military and Veterans Affairs	Change provisions for registration of voters and election board workers and provide for transfers of funds	Signed (+605)	3, 4
357A	Schimek	Appropriation Bill	Signed	
358	Government, Military and Veterans Affairs	Change and eliminate election provisions and create the Vote Nebraska Initiative	Signed (+153)	3, 4
359	Government, Military and Veterans Affairs	Change provisions relating to voting and voting registration	Signed	3, 4
360	Landis	Authorize free park entry permits for persons sixty-five years of age and older	IPP	
361	Mossey	Provide conditions under which a probationer, inmate, or parolee can act as an undercover agent or employee	Committee	
362	Hudkins	Change real estate closing agent trust account provisions	IPP	
363	Smith	Authorize counties to eradicate destructive rodents	Committee	
364	Mines	Change criminal procedure provisions relating to appeals by prosecutors	IPP (-17)	
365	Mines	Change provisions relating to enactment of second class city and village ordinances	Signed	
366	Mines	Change provisions and penalties relating to theft	Committee	
367	Janssen	Change provisions relating to transfers from the State Lottery Operation Trust Fund and the Petroleum Release Remedial Action Cash Fund	Signed	14, 16, 18
368	Baker	Eliminate the sales tax exemption for food	Committee	7
369	Baker	Redefine terms relating to estate taxes and generation-skipping transfer taxes	Committee	
370	Baker	Change provisions relating to school consolidation incentive payments	IPP	
371	Aguilar	Provide warranty obligations for new motor vehicle transmission, engine, or rear axle manufacturers	Signed	
372	Jones	Change requirements for financial examinations of certain Class I school districts	IPP	
373	Jones	Transfer property assessment function back to counties	IPP	3
374	Connealy	Eliminate labeling and disclosure requirements for motor fuel	General File	
375	Kremer	Change provisions relating to ethanol production credits	Committee (-479)	12
376	Kremer	Change provisions relating to ethanol production credits	Committee	12
377	Thompson	Change provisions relating to payment of county jail inmates' medical costs	Committee	

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378	Bromm	Provide immunity in actions against a person who provides a job reference	Committee	
379	Hartnett	Change income tax rates	Select File	18, 19
380	Jensen	Provide emergency service requirements for certain health care facilities	Committee	
381	Redfield	Change sales tax collection for rented and leased motor vehicles	Signed	
381A	Redfield	Appropriation Bill	Signed	
382	Synowiecki	Change lunch hour requirements for employees	General File	
383	Synowiecki	Provide for opting out of certain limitations on federal food stamp assistance as prescribed	IPP (-667)	12
384	Synowiecki	Eliminate motor vehicle and aircraft guest statutes	Committee	
385	Janssen	Change grant application and approval conditions relating to the Local Civic, Cultural, and Convention Center Financing Act	Signed	5
386	Hudkins	Change risk management pool provisions	Committee	
387	Louden	Provide a sales tax on food with proceeds to be distributed to school districts	IPP	
388	Louden	Terminate sales tax on certain services	IPP	
389	Johnson	Create the Nebraska Higher Education Board of Regents	Committee	4
390	Aguilar	Provide access to public accommodations for training dogs to aid disabled persons	IPP (-667)	
391	Erdman	Change minority from nineteen to eighteen in the juvenile code and general age of majority provision	Committee	4
392	Erdman	Provide for judicial emancipation of a minor	General File	
393	Hudkins	Change shipping license fees and redefine a term under the Nebraska Liquor Control Act	IPP (-536)	
394	McDonald	Permit Class VI school districts to offer grades six through twelve as prescribed	Signed	
395	Brown	Exclude political subdivisions as owners of recreational land for liability purposes	Committee	
396	Brown	Authorize interlocal agreements relating to the duties of county sheriffs and county engineers	IPP	
397	Redfield	Change the sales tax rate and tax certain services	Committee	
398	Redfield	Change the income tax rate and change the tax calculation	IPP	
399	Redfield	Change the income tax rate and calculations	IPP	
400	Connealy	Change tax credit gasoline provisions	Committee	
401	Jones	Reduce the interstate speed limit as prescribed	Committee	8
402	Bromm, req. of gov.	Provide for deficit appropriations and make certain transfers	Signed	8, 16, 17, 19, 20
403	Bromm, req. of gov.	Provide and change provisions for sale of state property and change the Governor's Emergency Program	Signed	8, 16, 17, 19, 20
403A	Wehrbein	Appropriation Bill	Signed	
404	Bromm, req. of gov.	Appropriate funds for salaries of constitutional officers	Signed	8, 16, 17, 19, 20
405	Bromm, req. of gov.	Provide appropriations for legislative salaries	Signed	8, 16, 17, 19, 20
406	Bromm, req. of gov.	Provide appropriations for capital construction	Signed	8, 16, 17, 19, 20
407	Bromm, req. of gov.	Appropriate funds for state government expenses	Veto Overridden	8, 16, 17, 19, 20, 21
408	Bromm, req. of gov.	Provide for transfers from various funds as prescribed	Signed	8, 16, 17, 19, 20
409	Bromm, req. of gov.	Create funds and authorize assessments by the Dept. of Administrative Services	Committee (-424)	8
410	Bromm, req. of gov.	Change provisions relating to state buildings and the Deferred Building Renewal Act	Signed (+627)	16, 17, 19, 20
411	Bromm, req. of gov.	Change coverage and eligibility under the medical assistance program	Signed	4, 16, 17, 19, 20
412	Bromm, req. of gov.	Change and eliminate provisions relating to public health departments and health care funding	Signed (+469)	6, 16, 17, 19, 20
413	Bromm, req. of gov.	Provide and eliminate provisions relating to human services regions	IPP	
414	Bromm, req. of gov.	Change provisions relating to child care reimbursement rates	Signed	16, 17, 19, 20
415	Bromm, req. of gov.	Change funding provisions for the Health Care Facility Licensure Act	Signed	16, 17, 19, 20
416	Bromm, req. of gov.	Provide an additional registration fee on apportionable vehicles	IPP	
417	Bromm, req. of gov.	Eliminate provisions relating to payment for wards' education	IPP	8
418	Bromm, req. of gov.	Name the Non-English-Speaking Workers Protection Act and combine workers protection provisions	Signed (+308)	
419	Bromm, req. of gov.	Transfer property assessment function back to the counties	IPP	3
420	Bromm, req. of gov.	Change provisions relating to tobacco taxes and tax stamps	Committee	7
421	Bromm, req. of gov.	Transfer the Nebraska Workers' Compensation Court to the Supreme Court for administrative and budgetary purposes	Committee	
422	Bromm, req. of gov.	Change provisions relating to presentence investigations	Committee	
423	Bromm, req. of gov.	Provide probation programming fees and create a fund	Committee	
424	Bromm, req. of gov.	Create, charge, assess, and transfer funds and change certain unclaimed property provisions	Signed (+409)	16, 17, 19, 20
425	Engel	Provide civil penalties for violations of the Enhanced Wireless 911 Services Act	IPP (-187)	
426	Preister	Prohibit sales of alcoholic liquor near land held by or in trust for an Indian tribe	Committee	10
427	Quandahl	Change provisions relating to forgery and possession of a forged instrument	IPP (-17)	
428	Quandahl	Change Nebraska Probate Code provisions on renunciation and rights of retainer	Committee	

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429	Hartnett	Authorize the use of bingo card monitoring devices	Signed	
430	D. Pederson	Require the Secretary of State to act as chief protocol officer	Signed	20, 21
431	Schrock	Provide for fees to help fund Dept. of Environmental Quality emergency planning costs	IPP	
432	Stuhr	Change abatement of nuisances provisions for first and second class cities and villages	Committee	
433	Maxwell	Change provisions relating to statements of financial interest under the Nebraska Political Accountability and Disclosure Act	IPP	
434	Landis	Change provisions relating to payment of sales tax on motor vehicles and motorboats	IPP	
435	Beutler	Increase the minimum wage	Select File	9, 15
436	Beutler	Provide for enforcement of the Abstracters Act	IPP	
437	Beutler	Change lobbyist registration fees	General File	
438	Beutler	Create the offense of endangerment of a child or vulnerable adult	IPP (-43)	
439	Hudkins	Change powers and duties relating to state buildings and grounds	Final Reading (+470, 755)	12, 20
439A	Hudkins	Appropriation Bill	Final Reading	
440	Thompson	Change cigarette tax allocations to the Municipal Infrastructure Redevelopment Fund and change state aid provisions for municipalities	Signed	11, 17, 19
441	Chambers	Rename the Nebraska Fair Employment Practice Act and prohibit employment discrimination based on sexual orientation	Committee	6
442	Erdman	Change death benefit provisions under the School Employees Retirement Act	Committee	
443	Erdman	Change provisions relating to county assessor certificates	Signed	
444	Erdman	Change election petition provisions	Signed	
445	Stuhr	Change provisions relating to surety bond support contracts under the Business Development Partnership Act	IPP	
446	Stuhr	Provide notice for sickness and accident insurance premium increases	IPP	
447	Raikes	Change provisions relating to exemptions from sales and use tax	General File	
448	Raikes	Change the protest filing date with the county board of equalization	Committee	
449	Schrock	Change air pollution fees	General File	
449A	Schrock	Appropriation Bill	General File	
450	Byars	Adopt the Medicaid Patients Open Access for Mental Health Treatments Act	Committee	
451	Retirement Systems	Change retirement provisions	Signed	
452	Smith	Change penalties and provide late fees for failure to register a motor vehicle	General File	
452A	Smith	Appropriation Bill	General File	
453	Aguilar	Impose sales tax on engineering, architectural, legal, and accounting services	Committee	
454	Aguilar	Provide for rules for administration of drug court programs	Select File	15
455	Dw. Pedersen	Change provisions relating to parole board membership and parole requirements	IPP (-46)	
456	Dw. Pedersen	Change provisions relating to the Landlord and Tenant Act	Committee	
457	Dw. Pedersen	Provide guidelines for juvenile support orders	Committee	
458	Dw. Pedersen	Require the Dept. of Correctional Services to establish an electronic surveillance device program	Committee	
459	Synowiecki	Authorize a licensee under the Nebraska Liquor Control Act to detain a minor trying to violate the act	Committee	
460	Synowiecki	Require the Dept. of Correctional Services to collect health care service copayments	Committee	8
461	Janssen	Change election provisions for township officers	Signed	
462	Johnson	Redefine allowable growth for budget purposes	IPP	
463	Bromm	Provide for vacancies resulting from unexcused absences on county boards	IPP (-529)	
464	Bromm	Change provisions relating to naming business entities	Signed	
465	Wehrbein	Change provisions relating to sheriff's fees	Committee	
466	D. Pederson	Change provisions relating to educational savings plans	Committee (-574)	
467	Jensen	Name the Nebraska Health and Human Services System and eliminate obsolete transfer provisions	Signed	20, 21
468	Jensen	Provide appropriations from the Nebraska Health Care Cash Fund	Committee	6
469	Jensen	Change and eliminate provisions relating to health care funding	Committee (-412)	
470	Chambers	Change provisions relating to allocation of space in state buildings	General File (-439)	
471	Janssen	Eliminate a liquor law beer exception	IPP	
472	Schrock	Change provisions relating to election of county supervisors and filling vacancies	IPP	
473	Jensen	Provide for fluoridation of drinking water in certain cities and villages as prescribed	General File	
474	Kruse	Provide a penalty for driving under the influence with a child passenger	Committee	
475	Connealy	Exclude certain materials used in the manufacture of steel or cement from sales tax	Committee	
476	Connealy	Change provisions relating to sales of real and personal property by second class cities and villages	Signed	
477	Connealy	Provide duties for contractors transporting individuals on behalf of certain governmental entities	Committee	

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478	Kremer	Change provisions relating to grain warehousemen, grain dealers, and grain moisture measuring devices	Withdrawn	
479	Baker	Change an excise tax on corn and grain sorghum	General File (+375)	12
480	Baker	Update federal safety and hazardous materials regulations and change a reference to the Federal Highway Administration	Signed	
481	Baker	Change provisions relating to state weighing stations or portable scales operated by State Patrol officers	Signed	
482	Redfield	Adopt the In the Line of Duty Dependent Education Act	Committee	
483	D. Pederson	Require patient's waiver for medical records in workers' compensation cases	General File	
484	Legislative Program Evaluation	Rename and change the Legislative Program Evaluation Act	General File (-607)	10
485	General Affairs	Change and eliminate licenses under the Nebraska Liquor Control Act	General File	
486	Price	Change allowable growth rate provisions for school building operation and maintenance costs	IPP	
487	Redfield	Adopt the Model Act Regarding Use of Credit Information in Personal Insurance	Signed	6, 8, 13, 14
488	Redfield	Change provisions relating to motor vehicle certificates of title and registration	IPP	
489	Cudaback	Change provisions relating to waivers of certain district court fees	IPP (-760)	
490	Tyson	Create a fund and impose a surcharge on insurance policies under the Emergency Management Act	IPP	
491	Tyson	Provide for firearm range and owner liability and immunity as prescribed	Committee	
492	Tyson	Provide for community colleges and state colleges under the Nebraska Schools Construction Alternatives Act	Committee	
493	Tyson	Redefine recreational purposes relating to recreational liability	Committee	
494	Quandahl	Change provisions relating to secured transaction filing	Signed	
495	Quandahl	Prohibit nonconsensual common-law liens	IPP (-655)	
496	Raikes, req. of gov.	Change provisions for property tax assessment	General File	4
497	Raikes	Change provisions relating to the issuance of size, weight, and load permits	Committee	
498	Dw. Pedersen	Provide for a motor vehicle dealer's agent license	Signed	
499	Hartnett	Change provisions relating to terms of appointed officers of first class cities	General File	
500	Smith	Adopt the County Highway and City Street Superintendents Act	Signed	12, 14, 18
501	Cudaback	Restrict the use of a mobile telephone by motor vehicle operators	Committee	9
502	Schrock	Provide double fines for speeding on the interstate	Committee	8
503	Schimek	Provide for restoration of voting rights upon completion of felony sentence	General File	
504	Jensen	Require licenses for purchases of cigarettes over the Internet	IPP	
505	Raikes	Change the income tax rates	Committee	
506	Raikes	Change income tax rates and provide a long-term care insurance credit	Committee	
507	Raikes	Change inheritance tax distribution	Committee	
508	Raikes	Change inheritance tax collection and distribution	IPP	
509	Raikes	Change inheritance tax collection and distribution	IPP	
510	Hudkins	Change membership provisions for the Executive Board of the Legislative Council	Signed	
511	Bromm	Change provisions of the Political Subdivisions Self-Funding Benefits Act	General File	
512	Dw. Pedersen	Restrict or prohibit the use of human fetal tissue as prescribed	General File	7
513	Byars	Require postsecondary educational institutions to provide information relating to meningococcal disease	Signed	14, 17, 19, 20
514	Stuhr	Change contribution provisions under the Nebraska State Patrol Retirement Act	Committee	9
515	Synowiecki	Change enforcement of victim restitution orders	Committee	
516	Synowiecki	Provide a homestead exemption for disabled veterans	Committee	
517	Synowiecki	Require provision of health care benefits for business tax incentives	IPP	
518	Synowiecki	Adopt the Citizen Oversight Committee Act relating to wastewater treatment plants in cities of the metropolitan class	Committee	
519	Janssen	Change levy limits for cities of the second class and villages	IPP	
520	Janssen	Change budget limitations for political subdivisions	IPP	
521	Schimek	Change provisions relating to special elections	Signed	
522	Dw. Pedersen	Adopt the Interstate Compact for Adult Offender Supervision	IPP (-46)	
523	Connealy	Change and eliminate provisions of the State-Tribal Cooperative Agreements Act	General File	
524	Mines	Change corporation occupation tax provisions and Secretary of State fees	Signed (+327)	
525	Kruse	Provide and change penalties for liquor licensees' and minors' violations	General File	
526	Erdman, req. of gov.	Change the mode of inflicting the death penalty	Committee	10
527	Louden	Provide for a water transfer fee	Committee	4
528	Baker, req. of gov.	Change provisions relating to postconviction proceedings	Committee	10

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BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
529	Baker	Change residency requirements for county commissioners and filing requirements	General File (+463)	
530	Baker	Change surcharge hearings under the Telecommunications Relay System Act	IPP (-187)	
531	Baker	Change Public Service Commission appeal procedures	IPP (-187)	
532	Baker	Require passenger carrier licenses for motor vehicle operators transporting passengers	General File	
533	Janssen	Require a bond for special designated licenses under the Nebraska Liquor Control Act	IPP	
534	Erdman	Provide for public school participation and part-time enrollment for certain students	IPP	
535	Thompson	Change pretrial diversion driver's safety training program requirements	Committee	
536	Hudkins	Change provisions relating to farm wineries	Signed (+393)	20, 21
537	Schimek	Change provisions for paying filing fees for elective office	Signed	
538	Schimek	Change provisions for tribal-state gaming compacts	Committee	
539	Raikes	Change the assessment definition of agricultural and horticultural land	General File	
540	Raikes	Change and eliminate provisions for education tax levy, budget authority, and state aid	Veto Overridden (+246, 302)	10, 14, 16, 18, 19, 20, 21
541	Dw. Pedersen	Change competitive bidding requirements for school districts	IPP	
542	Dw. Pedersen	Change inmate disciplinary provisions relating to community custody	General File	
543	Landis	Authorize the Dept. of Revenue to impose a collection fee and create a fund	IPP	
544	Stuhr	Change the employee contribution rate under the School Employees Retirement Act	Committee	
545	Schrock	Impose a local option income tax to support schools	IPP	
546	Thompson	Prohibit smoking in indoor restaurants	General File	5
547	Wehrbein	Change enforcement of restitution orders and sanctions for disobedience	Committee	
548	Aguilar	Prohibit certain acts by employers of election workers and by election officials	Signed	
549	Hartnett	Change provisions relating to actions to contest annexation	General File	
550	Hartnett	Provide for transfer of ownership of interstate bridges	IPP	
551	Hartnett	Provide for transfer of ownership of interstate bridges	IPP	
552	Hartnett	Change provisions relating to the Highway Cash Fund and road bonds	IPP	
553	Beutler	Prohibit certain telephone solicitations and provide notice of objection as prescribed	IPP	
554	Beutler	Change provisions of the Campaign Finance Limitation Act	IPP	
555	Beutler	Increase fuel taxes	IPP	
556	Beutler	Create and provide duties for the School Structure Task Force	IPP	
557	Beutler	Authorize transfers of earned interest from the Cash Reserve Fund to the Building Renewal Allocation Fund	Committee	
558	Beutler	Provide coordination of workers' compensation claims and benefits under laws of different jurisdictions	General File	
559	Baker	Change the Motor Vehicle Operator's License Act	General File	
559A	Baker	Appropriation Bill	General File	
560	Baker	Change miscellaneous provisions regulated by the Dept. of Motor Vehicles	General File	
560A	Baker	Appropriation Bill	General File	
561	Baker	Provide for sanctions against motor carrier registration certificates for federal violations	Signed	
562	Baker	Change provisions relating to the Motor Vehicle Operator's License Act	Signed	
562A	Baker	Appropriation Bill	Signed	
563	Baker	Adopt the International Registration Plan Act for registration of apportionable vehicles	Signed	
564	Brown	Provide for assessment of property rented to low-income persons	IPP (-292)	
565	Brown	Authorize interlocal agreements relating to duties of county and municipal officials	General File	
566	Foley	Create the offense of destructive research on a human embryo	General File	7
567	Foley	Authorize counties to enact ordinances	IPP	
568	Hartnett	Change provisions relating to the state veteran cemetery system	Committee	
569	Schrock	Appropriate funds for the Research and Extension Center at Clay Center	Committee	
570	Schrock	State legislative intent to maintain the General Fund allocation for the University of Nebraska Institute of Agriculture and Natural Resources	Committee	
571	Jensen	Change provisions relating to cigarette excise tax stamps, escrow funds, and the Master Settlement Agreement	IPP	
572	Jensen	Change provisions relating to cigarette tax stamps and the Master Settlement Agreement	Signed	20, 21
573	Raikes	Adopt the Nebraska Scholarship Act and repeal three scholarship programs	IPP	5
574	Raikes	Adopt and repeal postsecondary scholarship programs, change provisions relating to the Nebr. educational savings plan trust, and eliminate quality education incentive payments	Signed (+147, 466, 658)	5, 17, 19, 21
574A	Raikes	Appropriation Bill	Signed	
575	Raikes	Provide for tuition waivers and repeal three scholarship programs	IPP	
576	Landis	Change and eliminate business incentive tax laws	IPP	6

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577	Landis	Change investment and employment requirements under the Employment and Investment Growth Act	IPP	
578	Landis	Change application approval procedures under the Employment and Investment Growth Act	IPP	
579	Landis	Impose a surcharge on depreciation	Committee	
580	Landis	Change the child care services tax credit	IPP (-283, 759)	
581	Bourne	Change sales tax provisions relating to services and exemptions	Committee	
582	Bourne	Provide for expiration and extension of administrative rules and regulations	IPP	
583	Bourne	Change provisions relating to notice and objections to proposed rules and regulations	Committee	
584	Bourne	Provide for expedited repeal of administrative rules and regulations	IPP	
585	Bourne	Require an itemized statement of deductions on paychecks	IPP	
586	Bourne	Redefine accident for workers' compensation law	IPP	
587	Bourne	Change sales tax provisions relating to services	Committee	
588	Kruse	Change provisions relating to insurance coverage for mental health conditions	IPP	
589	Landis	Authorize costs and attorney's fees for certain residential real property actions	Committee	
590	Schrock	Change motor fuel tax and ethanol production incentives	IPP	
591	Quandahl	Provide an attorney's fee in contract actions	Committee	
592	Stuhr	Change effective date for taxation purposes of political subdivision annexation and mergers	IPP	
593	Jensen	Provide medical liens for chiropractors and to except certain liens	General File	
594	Jensen	Change provisions relating to health care facilities	Committee	
595	Janssen	Authorize a county income tax	Committee	
596	Revenue	Change income tax treatment of changes in federal law	Signed (-608A)	20, 21
597	Synowiecki	Provide for a study of countywide school districts	IPP	8
598	Tyson	Constitutional amendment to repeal term limits for state legislators	Final Reading	5, 18, 20
599	Tyson	Change and eliminate requirements for use of engineers and architects	Committee	
600	Tyson	Change provisions relating to second class city and village depositories	IPP (-175)	
601	Tyson	Change community college tax levy limits	IPP	
602	Smith	Adopt the Human Cloning Prohibition Act	General File	7, 18, 20
603	Smith	Require voters to present proof of identity	IPP	
604	Friend	Change provisions relating to possession of alcohol by a minor	Committee	
605	Smith	Change provisions relating to election workers on receiving boards	IPP (-357)	
606	Friend	Change provisions relating to retail liquor license suspensions for second violation	Committee	
607	Schimiek	Provide powers and duties for bridge commissions, and the Auditor of Public Accounts, eliminate program evaluations, and provide for performance audits	Signed (+484, 647)	6, 10, 13, 14
608	Landis	Change provisions relating to tax incentives	Signed (+758)	6, 11, 12, 20, 21
608A	Landis	Appropriation Bill	Signed (+596)	
609	Transportation and Telecommunications	Authorize undercover license plates and operator's licenses to federal law enforcement agencies	General File	
610	Chambers	Change provisions relating to appointment of counsel for indigent defendants	Signed	
611	Tyson	Eliminate the Commission for the Blind and Visually Impaired	IPP	
612	Bourne	Change factors considered in developing the state road plan	Committee	
613	Bourne	Provide for confidential communications in cases of domestic violence and sexual assault	General File	
614	Bourne	Require electronic recording of custodial interrogations	Committee	
615	Bourne	Authorize the enforcement of housing codes	IPP	
616	Redfield	Change provisions relating to claims of creditors with respect to insurance	General File	
617	Synowiecki	Change provisions relating to appearance bonds and restitution	Committee	
618	Jones	Provide for net metering systems	General File	
619	Jones	Provide for water use payments, nondelivery of water, changes to water storage facility and livestock waste control facility provisions, and extension of the Biopower Steering Committee termination date	Signed (+123, 145, 637, 692, 739)	10, 13, 14
620	Jones	Authorize a school income tax	IPP	
621	Jones	Impose a school income tax	IPP	
622	Raikes	Change provisions relating to county property tax relief and state aid to municipalities	Signed (+42)	17, 19, 20, 21
623	Stuthman	Change provisions relating to comparable sales for taxation purposes	IPP	
624	Brown	Establish requirements relating to free disposal of general household solid waste	Committee	
625	Brown	Change complaint procedure and information for housing discrimination claims	General File	
626	Preister	Provide and change requirements for contracts for services, materials, supplies, and equipment	Signed	13, 16, 21
626A	Preister	Appropriation Bill	Signed	
627	Thompson	Change allocations of building renewal funds	Committee (-410)	
628	Landis	Adopt the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act	IPP (-148)	

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629	Landis	Adopt the Uniform Child Custody Jurisdiction and Enforcement Act and repeal the Nebraska Child Custody Jurisdiction Act	IPP (-148)	
630	Brown	Change provisions relating to uninsured access policies and contracts	Committee	
631	Maxwell	Adopt the Professional Employer Organization Registration Act	Committee	
632	Price	Prohibit the sale of dogs or cats under eight weeks	IPP (-17)	
633	Schrock	Change livestock waste management fees	Committee	
634	Schrock	Adopt the Cattle Feedlot Licensing Act	IPP	8
635	Schrock	Exempt agricultural personal property from property tax and change school levy provisions	IPP	
636	Schrock	Change provisions relating to grain warehousemen, grain dealers, and grain moisture measuring devices	IPP	
637	Schrock	Provide for payments to reduce consumptive use of water	IPP (-619)	
638	Schrock	State intent relating to funding for studies of ground water and surface water	Committee	
639	Schrock	Transfer funds from the Highway Trust Fund to the Nebraska Environmental Trust Fund	Committee	10
640	Schrock	Transfer funds from the Highway Trust Fund to the Nebraska Resources Development Fund	Committee	
641	Schrock	Change fee and inspection provisions of the Livestock Waste Management Act	IPP	
642	Schrock	Change levy and budget limits for natural resources districts	IPP	
643	Hartnett	Change provisions relating to building codes	Signed	20, 21
644	Hartnett	Require reports by county assessors relating to property tax	General File	
645	Hartnett	Create a preferred purchasing status for governmental units for calcium-enriched products	IPP	
646	Hartnett	Provide powers and duties for the Auditor of Public Accounts	IPP	
647	Hartnett	Provide powers and duties for bridge commissions and the Auditor of Public Accounts	IPP (-607)	10
648	Hartnett	Increase the maximum school tax levy	IPP	
649	Hartnett	Authorize additional tax levy authority for school buildings	IPP	
650	Hartnett	Change provisions relating to the Municipal Natural Gas Regulation Revolving Loan Fund	General File	
651	Hartnett	Disallow certain sales and use tax refunds under the Employment and Investment Growth Act	Committee	6
652	Combs	Require insurance coverage of colorectal cancer screenings	Committee	
653	Raikes	Change provisions relating to tuition of wards in foster care	IPP	
654	Connealy	Authorize village incorporation within tribal reservation boundaries	Committee	
655	Schimek	Change provisions relating to liens	Signed (+201, 495, 704)	20, 21
656	Aguilar	Change provisions relating to contracts by county boards of corrections	General File	
657	Beutler	Provide for an electricity surcharge	Committee	11
658	Beutler	Adopt the Community Scholarship Foundation Program Act	Committee (-574)	
659	Maxwell	Change provisions relating to allocations under certain scholarship programs	IPP	
660	Maxwell	Prohibit unfunded mandates relating to elementary and secondary education	Committee	
661	Raikes	Change provisions relating to zoning by county boards and highway nonfarm buildings on farmsteads used as residences	IPP	
662	Beutler	Authorize fingerprints and DNA samples of convicted felons	General File	
663	Beutler	Change membership on the Executive Board of the Legislative Council	IPP	
664	Beutler	Change and provide limits on tort claims against the state and political subdivisions	Committee	11
665	Mossey	Authorize counties to enact ordinances	IPP	
666	Jensen	Provide duties for owners of automated external defibrillators	IPP (-667)	12
667	Jensen	Change health and human services provisions	Signed (+121, 221, 383, 390, 666)	12, 15, 18
667A	Jensen	Appropriation Bill	Signed	
668	Thompson	Change employment requirements under the Employment and Investment Growth Act	IPP	
669	Thompson	Change provisions relating to the criminal possession of anhydrous ammonia, ephedrine, pseudoephedrine, and phenylpropanolamine	IPP	
670	Thompson	Prohibit criminal use of a computer as prescribed	Committee	
671	Thompson	Provide powers for domestic partners relating to anatomical gifts and disposition of human remains	Committee	
672	Erdman	Require filtering technology on school computers having Internet access	IPP	9
673	Erdman	Change sales tax requirements for auction sales of agricultural machinery and equipment	IPP	
674	Erdman	Create the offense of child endangerment	Committee	
675	Erdman	Change provisions relating to eminent domain by railroads	Committee	
676	Jensen	Impose a fee on tax-exempt motor vehicles	IPP	
677	Landis	Create the Tax Incentive Sunset Review Commission	IPP	
678	Beutler	Create the Office of Homeland Security	General File	

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BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
679	Stuhr	Change retirement provisions for judges relating to age and benefits	Committee (-320)	5
680	Wehrbein	Create and provide duties for the Nebraska Commission for Quality Education	Committee	
681	Aguilar	Adopt the Security Services Act	Committee	
682	Kremer	Change provisions relating to reimbursement for special education costs	IPP	
683	Raikes	Change provisions relating to nonpublic colleges and career schools	IPP (-685)	
684	Raikes	Change provisions relating to the Private Postsecondary Career School Act	IPP (-685)	
685	Raikes	Change provisions relating to public and private elementary, secondary, and postsecondary education	Signed (+264, +683, +684, -249)	17, 19, 20
686	Raikes	Change provisions relating to disbursement of administrative fines	Committee	
687	Beutler	Provide requirements for certain escrow arrangements	Committee	
688	Chambers	Provide for paying student athletes or limiting hours of participation in intercollegiate athletics	Signed	6, 10, 13, 14
689	Redfield	Require valuation of tax-exempt property by tax-exempt organizations	General File	
690	Redfield	Adopt the State Natural Gas Regulation Act	IPP	6
691	Preister	Provide for law enforcement, state-tribal agreements, and sales tax distribution	Committee	
692	Preister	Change a termination date for the Biopower Steering Committee	Select File (-619)	
693	Preister	Prohibit insurance discrimination based upon credit history	IPP	
694	Preister	Change provisions relating to dispensing cigarettes and tobacco	Committee	
695	Preister	Prohibit sales of tobacco by vending machine or self-service merchandising	Committee	
696	Thompson	Change the collection commission for motor fuel taxes	Committee	
697	Beutler	Provide for an excise tax and change funding provisions for the Public Service Commission	Committee	
698	Education	Change calculation of state aid pursuant to the Tax Equity and Educational Opportunities Support Act	Committee	6
699	Landis	Provide a dispute resolution fee in addition to other assessed court costs	IPP (-760)	
700	Landis	Provide for operation of ATV's on certain highways	IPP	
701	Landis	Change provisions relating to Equal Opportunity Commission hearings	Signed	
702	Landis	Change provisions relating to the practice of midwives	IPP	
703	Quandahl	Change membership provisions for the Executive Board of the Legislative Council	IPP	
704	Quandahl	Provide for storage fees for property subject to artisan's liens	IPP (-655)	
705	Cunningham	Change personal property tax assessment date provisions	IPP	
706	Johnson	Authorize ex officio members for the State Highway Commission	IPP	
707	Quandahl	Change restrictions for eligibility for elective office for election commissioners	Signed	
708	Quandahl	Provide duties for the State Treasurer and state investment officer with respect to investment of state funds	IPP	
709	Maxwell	Provide duties relating to health care mandates	Committee	
710	Jensen	Revise the Nebraska Mental Health Commitment Act	Committee	
711	Thompson	Change provisions relating to medical liens	Committee	
712	Johnson	Change provisions relating to advertising signs along highways	Withdrawn	
713	Stuthman	Change provisions for tax receipts issued by the county treasurer	IPP (-292)	
714	Bromm	Provide for refusal of infant metabolic disease screening testing	General File	
715	Bromm	Authorize insurance coverage for regional library systems under the state plan	IPP	
716	Urban Affairs	Change provisions relating to sanitary and improvement district ownership interests	Committee	
717	Urban Affairs	Provide procedures for villages relating to population decreases	Committee	
718	Urban Affairs	Change provisions relating to the incorporation of villages	Committee	
719	Urban Affairs	Change handicapped parking provisions	General File	
720	Urban Affairs	Change provisions relating to transit authority jurisdiction and board membership	Signed	20, 21
721	Urban Affairs	Change provisions relating to sanitary and improvement districts	Signed	20, 21
722	Landis	Change provisions relating to court fees	Committee	
723	Jensen	Adopt the Nebraska Medicaid Reform Act	Withdrawn	
724	Jensen	Adopt the Nebraska Behavioral Health Reform Act and change release provisions for committed persons	Signed	13, 17, 18
725	Vrtiska	Change workers' compensation provisions relating to selection of medical services and physicians	IPP	
726	Louden	Change provisions of the Nebraska Visitors Development Act	Signed (+330)	10, 13, 14
727	Connealy	Change provisions for absentee voting and registering and voting by overseas citizens	Committee	
728	Connealy	Adopt the Nebraska Film Enhancement Rebate Act	IPP	
729	Connealy	Provide a penalty for failure to stop and render aid at an accident	IPP	
730	Connealy	Create the Nebraska Film Production Jobs Program	IPP	

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731	Connealy	Establish wage and health benefit requirements under the Employment and Investment Growth Act	IPP	
732	Connealy	Provide restrictions and requirements on construction contracts	General File	
733	Vrtiska	Change workers' compensation provisions of action relating to third-party claims, lump-sum settlements, and cause dismissal	IPP	
734	Bourne	Provide renewable energy sales and use tax credit and exemption and grants for eligible entities	IPP	
735	Kremer	Change provisions relating to grain warehousemen, dealers, and moisture measuring devices and the Public Service Commission	Signed	14, 16, 18
735A	Kremer	Appropriation Bill	Signed	
736	Kremer	Extend Employment and Investment Growth Act benefits to certain cooperatives	Committee	
737	Synowiecki	Require insurance for treatment of inherited metabolic disease	Committee	
738	Baker	Require determination of ownership interests under the Wellhead Protection Area Act	Committee	
739	Baker	Provide for nondelivery of irrigation water under certain circumstances	IPP (-619)	
740	Baker	Change provisions relating to rental prices on motor vehicles	General File	
741	Baker	Provide for cancellation of motor vehicle certificates of title and registration certificates	Committee	
742	Smith	Change requirements relating to ethanol production credits	IPP	
743	Smith	Adopt the Telephone Solicitation Regulation Act	Select File	9, 14, 20, 21
743A	Smith	Appropriation Bill	Select File	
744	Bromm	Change provisions relating to sales and use tax for the retail sale of property annexed to real estate	Committee	
745	Connealy	Adopt a policy toward newcomers to the state	General File	
746	Landis	Change provisions relating to housing discrimination	Committee	
747	Beutler	Change provisions relating to title insurance and escrow	General File	
748	Beutler	Require financial assurance of livestock waste control facility permittees	IPP	
749	Beutler	Require payment of a living wage to project employees to receive tax credits under the Invest Nebraska Act	IPP	
750	Beutler	Adopt the Rural Wages Enhancement Act	IPP	
751	Beutler	Change provisions and funding of court clerks and employees and magistrates	Committee	
752	Vrtiska	Change workers' compensation appeal provisions and court authority	IPP	
753	Thompson	Change provisions relating to school permits	IPP	6
754	Bromm	Provide for designation of livestock friendly counties and change provisions relating to zoning	Signed	14, 17, 18, 19, 20
755	Beutler	Create the position of State Capitol Administrator and office of the Nebraska Capitol Commission	General File (-439)	
756	McDonald	Adopt the Cancer Drug Repository Program Act	Signed	6, 10, 13, 14
756A	McDonald	Appropriation Bill	Signed	
757	Brown	Redefine telecommunications company under the Nebr. Telecommunications Universal Service Fund Act	Committee	
758	Brashear, req. of gov.	Change investment, employment, and reporting requirements under the Employment and Investment Growth Act	IPP (-608)	6
759	Brashear	Change alcohol, cigarette, tobacco products, income and sales and use tax provisions	Veto Overridden (+283, 286, 580)	9, 13, 16, 18, 19, 20, 21
759A	Brashear	Appropriation Bill	Veto Overridden	
760	Brashear	Provide for additional judicial branch training and education, fees, and nonjudicial days	Signed (+62, 489, 699, 808)	19, 20
760A	Brashear	Appropriation Bill	Signed	
761	Brashear	Change judges' salary provisions	General File	
762	Brashear	Repeal the Campaign Finance Limitation Act	General File	
763	Brashear	Provide a preference for Nebraska products, businesses, and taxpayers in certain bidding procedures	Committee	
764	Brashear	Provide for confidentiality for prescribing physicians with regard to certain pharmacy information	Committee	
765	Bourne	Require legislative approval of road projects	Committee	
766	Bourne	Require acknowledgement of matching requirement for road projects	IPP	
767	Bourne	Require licensing of home inspectors	Committee	
768	Aguilar	Provide for medical services copayment by county jail inmates	Committee	8
769	Hartnett	Exempt expenditures for school resource officers from levy expenditure limits	IPP	
770	Legislative Program Evaluation	Change provisions for public contracts for personal services	IPP	
771	Synowiecki	Change calculation of state aid under the Tax Equity and Educational Opportunities Support Act	Committee	
772	Quandahl	Authorize recovery of costs and fees as part of a settlement	Committee	
773	Bourne	Require Nebraska-based investment advisers for retirement system asset management	Committee	
774	Kruse	Eliminate budget and tax levy limits	IPP	

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775	Kruse	Change penalties, create an offense, and provide for motor vehicle forfeiture relating to driving under the influence	IPP (-208)	12
776	Connealy	Adopt the Main Street Business Development Law and provide a tax credit	Committee	
777	Beutler	Adopt the Higher Education Opportunities Act	IPP	
778	Beutler	Change provisions relating to statewide student assessments and academic standards	IPP	
779	Beutler	Provide for a water conservation fee and its use	IPP	
780	Beutler	Transfer funds from the Highway Cash Fund to the General Fund	Committee	
781	Kruse	Prohibit application of the death penalty based upon race	Committee	10
782	Janssen	Change provisions relating to lotteries and raffles	IPP	
783	Janssen	Adopt the Master Settlement Agreement Protection Act	Committee	
784	Janssen	Adopt the Public Facilities Construction and Finance Act	General File	
785	Hartnett	State intent relating to school district grade offerings and state aid	IPP	
786	Hartnett	Provide for receipt by school districts of property annexed by certain cities as prescribed	IPP	
787	Janssen	Change Nebraska Liquor Control Act provisions relating to licenses and hours of sale	Committee	
788	Quandahl	Change provisions relating to execution of judgments	Committee	
789	Synowiecki	Change provisions relating to probation officers' salaries	Committee	
790	Landis	Adopt the State Natural Gas Regulation Act and repeal the Municipal Natural Gas Regulation Act	Signed	6, 12, 20, 21
790A	Landis	Appropriation Bill	Signed	
791	Chambers	Abolish the death penalty	Committee	10
792	Landis	Adopt the Nebraska Natural Gas Regulation Act and repeal the Municipal Natural Gas Regulation Act	Committee	6
793	Bromm	Authorize political subdivisions to provide telecommunications service	Committee	
794	Appropriations	Change corporation reporting, occupation tax, and fee provisions	Committee	
795	Appropriations	Provide for pro rata distribution of core services funding for educational service units	IPP	10
796	Appropriations	Provide for pro rata reimbursement for school breakfast programs	Signed	10, 16, 17, 19, 20
797	Appropriations	Eliminate certain reimbursement provisions for transportation of enrollment option students	IPP	10
798	Appropriations	Transfer money with respect to the Cash Reserve Fund as prescribed	Signed	16, 17, 19, 20
799	Appropriations	Redefine veteran of the Vietnam War	Signed	17, 19, 20
800	Appropriations	Provide for pro rata distribution of funds for programs for learners with high ability	IPP	10
801	Appropriations	Provide for biennial renewal of retail liquor licenses	IPP	
802	Appropriations	Authorize transfers from the Job Training Cash Fund	Committee	
803	Appropriations	Change mileage and living expense provisions relating to commissioners of the Tax Equalization and Review Commission	IPP (-292)	
804	Appropriations	Change provisions relating to the position of State Recreational Trails Coordinator	Signed	17, 19, 20
805	Appropriations	Eliminate the Equal Opportunity Commission	Withdrawn	10
806	Business and Labor	Appropriate funds for payment of certain claims against the state	Signed	
807	Business and Labor	Disapprove certain claims against the state	IPP	
808	Appropriations	Authorize the Chief Justice to close courts on certain days	IPP (-760)	11
809	Appropriations	Impose an occupation tax on accountants, architects, engineers, and attorneys	IPP	11
1CA	Schimek	Constitutional amendment to change from a unicameral to a bicameral legislature	IPP	5
2CA	D. Pederson	Constitutional amendment to authorize property tax exemption for historically significant real property	Referred to Voters	6, 7, 12
3CA	Beutler	Constitutional amendment creating an Ethics and Compensation Review Commission for the Legislature	General File	
4CA	Schrock	Constitutional amendment to preserve the right to fish, trap, and hunt	General File	
6CA	Schrock	Constitutional amendment to authorize gaming in an interdiction gaming zone and within licensed racetrack enclosures	IPP	6
7CA	Schrock	Change term limit provisions	IPP	5
8CA	Schimek	Constitutional amendment to change legislator's salaries to twenty thousand dollars	Committee	
9CA	Schimek	Change the salary of members of the Legislature	IPP	
10CA	Beutler	Constitutional amendment to restrict pardon powers for sentences of life imprisonment without parole	Committee	
11CA	Janssen	Constitutional amendment to authorize gaming	Select File	6, 7, 8, 9, 13, 21
13CA	Smith	Constitutional amendment to add appointed members to the Board of Regents of the University of Nebraska	IPP	
14CA	Schimek	Provide for gaming on Indian lands and an interdiction gaming zone	General File	6, 7, 8
15CA	Johnson	Constitutional amendment to create the Nebraska Higher Education Board of Regents	IPP	4
16CA	McDonald	Constitutional amendment to exclude certain political subdivision employees from being considered executive officers	General File	

# 98<sup>th</sup> NEBRASKA LEGISLATURE

**unicameral update**

**2003 session review**

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS	ISSUE #s
17CA	Schrock	Constitutional amendment to permit the Legislature to annually appropriate ten percent of the principal of the permanent school fund	Committee	
18CA	Redfield	Authorize an exemption from part of a levy on a homestead	General File	
19CA	Schimek	Constitutional amendment to restore voting rights upon completion of felony sentence	IPP	8
20CA	Beutler	Constitutional amendment to eliminate the requirement that there be a county court in and for each county	Committee	
21CA	Stuhr	Constitutional amendment to define and classify persons pertaining to future retirement benefits	Committee	10
22CA	Stuhr	Constitutional amendment to change legislative session requirements	IPP	
23CA	Louden	Constitutional amendment to authorize games of chance to be conducted in casinos licensed by county boards	IPP	6
24CA	Smith	Constitutional amendment to authorize municipalities and counties to exercise greater powers and eliminate home rule charters	Committee	

## Nebraska by the numbers

Read the figures below to learn about some key Nebraska numbers:

Lowest temperature recorded in Nebraska (degrees F).....	-47
Number of U.S. presidents born in Nebraska.....	1
Number of special sessions held in 2002.....	2
Number of years in a single legislative term.....	4
Number of national football championships for UNL.....	5
Number of Nebraska votes in Electoral College (out of 538 total).....	5
Number of female senators currently in Legislature.....	9
Number of standing legislative committees.....	14
Minimum age to serve in the Nebraska Legislature.....	21
Number of Nebraskans per square mile (2000 census).....	22.3
Age of youngest member of 2003 Unicameral.....	26
Years since <i>Unicameral Update</i> was introduced.....	26
Average number of tornadoes per year in Nebraska.....	37
Number of legislators in the Nebraska Unicameral.....	49
Number of legislative session days, even-numbered years.....	60
Number of years the Legislature has been a unicameral.....	66
Number of Nebraskans awarded Medal of Honor.....	70
Age of oldest member of 2003 Unicameral.....	76
Number of legislative session days, odd-numbered years.....	90
Number of counties in Nebraska.....	93
Highest temperature recorded in Nebraska (degrees F).....	118
Number of bills passed in 1935 (last year of the bicameral).....	133
Number of bills passed in 1937 (first year of the Unicameral).....	192
Number of bills introduced in 2002 .....	456
Number of bills introduced in 2003 .....	809
Number of bills introduced in 2001 .....	856
Number of Special Olympics volunteers in Nebraska.....	5,000
Average number of people in a single legislative district.....	34,924
Approx. number of people in Nebraska (2001 estimate).....	1,713,375
Total acres of Nebraska farmland.....	45,525,414
Total acres of land in Nebraska.....	49,213,828
Bushels of corn produced annually in Nebraska (approx.).....	1,139,250,000

Sources include the Nebraska Blue Book, the web site of the Nebraska Legislature and the U.S. Census Bureau.

# 98<sup>th</sup> NEBRASKA LEGISLATURE

2003 session review

unicameral update

## Members of the 2003 Nebraska Legislature

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**Sen. Tom Baker**  
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HC 2 Box 140  
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471-2633 (Capitol)  
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**Sen. Patrick Bourne**  
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471-2722 (Capitol)  
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Omaha, NE 68104

**Sen. Kermit Brashear**  
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**Sen. Curt Bromm**  
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