

# O'Hara, Lindsay & Associates, Inc.

## Bill Summary Friday, March 20, 2009

*Bill/Sponsor/Committee*

*Synopsis/Background*

*Status*

### Critical Bills

<a href="#">LB 227</a>	<b>INTERIOR DESIGNERS CERTIFICATION ACT:</b> Would create the Board of Interior Designers. The board would be authorized to certify interior designers. The bill lists the authority of the board which includes administering the act, adopting a code of ethics, establishing requirements for examination, education and training of applicants, adopting rules and regulations to carry out the act, establishing fees for certification, establishing standards and requirements of continuing education, maintaining a roster of all certified interior designers and maintaining records of the board's proceedings. It sets forth the criteria which must be met for an interior designer to obtain certification and prohibits use of the term certified interior designer without such certification. Finally, the act sets forth the reasons for revocation or suspension of the certification.	Indefinitely Postponed
Rogert		
Govt		
Military & Vet. Affrs		
Hearing Date: 2/5/2009	<b>Oppose</b>	
<a href="#">LB 385</a>	<b>REPEAL OF SALES TAX EXEMPTIONS:</b> Similar to LB 386, this bill would repeal most exemptions allowed for sales tax including food; meals; prescription drugs; manufacturing machinery and equipment; molds, dies and patterns; motor vehicle fuels; electricity and other fuels used in irrigation; aircraft fuel; purchases by political subdivisions; natural gas; railroad rolling stock; leases between related companies; agricultural machinery; manufacturing inputs or component parts; industrial machinery; telecommunications services; cable and Internet service; medical records; containers; garage sale items; and other exemptions. The difference between this bill and LB 386 is LB 386 would reduce the sales tax rate from 5.5% to 4.73%, and would eliminate property taxes and corporate income tax and most motor vehicle taxes. This bill does not.	
Priority: Senator 3/12/2009		
Pahls		
Revenue	<b>Oppose</b>	
Hearing Date: 3/20/2009		
<a href="#">LB 386</a>	<b>REPEAL OF SALES TAX EXEMPTIONS:</b> Would reduce the sales tax rate from 5.5% to 4.73%, would eliminate property taxes and corporate income tax and most motor vehicle taxes. These would be funded by repealing most exemptions allowed for sales tax including food; meals; prescription drugs; manufacturing machinery and equipment; molds, dies and patterns; motor vehicle fuels; electricity and other fuels used in irrigation; aircraft fuel; purchases by political subdivisions; natural gas; railroad rolling stock; leases between related companies; agricultural machinery; manufacturing inputs or component parts; industrial machinery; telecommunications services; cable and Internet service; medical records; containers; garage sale items; and other exemptions.	
Pahls		
Revenue		
Hearing Date: 3/20/2009	<b>Oppose</b>	
<a href="#">LB 583</a>	<b>SALES TAX ON SERVICES:</b> Would impose a sales tax on all services except medical services. It would also impose a sales tax on food except food purchased with food coupons issued by the USDA. It would adopt a food sales tax credit for persons making less than \$14,000 a year. The bill would also eliminate the local option sales tax. Additional revenue generated would be utilized to eliminate the property tax authority of community colleges, transfer responsibility for compensation of all school district, ESU and learning community employees to the state and away from property taxes, and require the state to assume responsibility for all transportation provided by school districts, ESU's, and learning communities.	Held in Committee
Dierks		
Revenue		
Hearing		

Date:  
2/11/2009

[LB 632](#)      **NEBRASKA GREEN BUILDING ADVANTAGE:** Would provide a refund of a portion of sales tax paid related to the construction or retrofitting of a commercial building that complies with the Leadership in Energy and Environmental Design . The refund would range from 10% to 50%, depending on the LEED standards met.      Held in Committee

Mello,  
Dierks,  
Dubas, Et\_al

**Support**

Revenue

Hearing Date:  
3/5/2009

### Bills of Significant Interest

[LB 14](#)      **ENERGY CONSERVATION:** Would require the State Energy Office to develop standards for new capital construction by the state, University of Nebraska, community colleges and school districts. It would also require that state buildings, university buildings and community college buildings achieve energy reductions of 10% by 2014 and 15% by 2017.      Held in Committee

White

Natural Resources

**Support concept, but monitor**

Hearing Date:  
1/22/2009

[LB 16](#)      **TAXPAYER TRANSPARENCY ACT:** Would require that the Legislature provide a single, searchable website accessible by the public to provide detailed information regarding each expenditure of state funds. It would require that the State Treasurer, Tax Commissioner and all state agencies provide necessary information to the Legislature. The information would include tax refunds, including refunds and credits under the various economic development programs..      General File

Priority: Committee  
3/12/2009

White      **Monitor**

Executive Board

Hearing Date:  
2/20/2009

Amendments Offered      3/12/2009      [AM 692](#)      Committee

[LB 95](#)      **NEBRASKA ADVANTAGE ACT:** Would require that an application under the act include a certification by the president or managing officer of the applicant that the applicant has not knowingly violated federal immigration law by employing illegal immigrants. If it was found that the applicant did knowingly employ illegal immigrants, all incentives under the act would be recaptured or disallowed.      Indefinitely Postponed

Howard

Revenue

Hearing

Date:  
2/6/2009

[LB 107](#)      **STATED REASON FOR EMPLOYMENT TERMINATION:** Would require that any employer who terminates an employee from employment provide the employee with a specific reason for the termination and provide the employee a meaningful opportunity to present the employee's position in response to the stated reason for the termination .      General File

Haar

Business &  
Labor      **Oppose**

Hearing Date:  
1/26/2009

Amendments  
Offered      3/12/2009      [AM 490](#)      Committee

[LB 117](#)      **RETAIL BUSINESS TAX CREDIT:** Would allow a retail business taxpayer a refundable income tax credit of 2% of the net taxable sales up to a maximum of \$10,000. The retail business taxpayer would be defined to mean a retailer in a city or village with a population of 2500 persons or fewer.      Indefinitely Postponed

Fischer

Revenue      **Monitor**

Hearing  
Date:  
2/5/2009

[LB 140](#)      **DIVESTMENT IN SUDAN:** Would require the state investment officer to scrutinize companies in which the state has investments to determine whether such companies have business relationships in Sudan. It would require that any such businesses be notified of the state's policy not to invest in such companies. If the company continued its business relationships, the bill requires that the state divest itself of any investment.      Held in Committee

Avery,  
Nantkes,  
Nordquist

Nebraska  
Retirement  
Systems

Hearing Date:  
3/4/2009

[LB 161](#)      **BUSINESS PROVIDED SALES TAX HOLIDAY:** Would authorize retailers to elect to not collect sales tax from a consumer and to advertise to the public that such sales are tax-free sales. The business would remain responsible for the sales tax. The retailer could make the election only for the first Friday, Saturday and Sunday in August.      Held in Committee

Pahls

Revenue

Hearing Date:  
3/11/2009

[LB 164](#)      **ECONOMIC DEVELOPMENT TAX INCENTIVE CHANGES:** Would make changes to the various economic development tax incentives statutes, including extending the Agricultural Opportunities and Value      **Select File**

Priority: Added Partnerships Act to 2015 from 2011; cap the total number of credits under the Nebraska Advantage  
Committee Rural Development Act at \$4 million per year; allow employees who work at military installations in Nebraska  
3/11/2009 to be considered employed at the project; include the sale of tangible personal property as a qualified business if  
at least 75% of the sales are located outside the state; allow modification of Nebraska Advantage Act  
Cornett agreements in certain cases; remove the sunset provision on Tier 3 projects; exclude compensation in excess of  
\$1 million to any one employee from the calculation of tax credits; change the calculation of the amount of  
recapture; and exclude interest on any taxes refunded under the act.

Revenue

**Monitor**

Hearing Date:  
1/21/2009

Amendments  
Offered

2/9/2009

[AM 234](#)

Committee

**Amendment Adopted**

[LB 186](#) **SALES TAX COLLECTIONS FEES:** Would provide that collectors of sales tax deduct from the **Held in**  
amount of taxes collected any applicable credit card transaction fee. **Committee**

Karpisek, Fulton

Revenue

Hearing Date:  
3/18/2009

[LB 191](#) **SMALL BUSINESS PENALTIES:** Would prohibit the state or a political subdivision from imposing a fine **Held in**  
or penalty on a small business for violating an information collection requirement unless the failure to **Committee**  
impose a fine or penalty would interfere with a criminal investigation, or the violation infringes upon a  
statute concerning the assessment or collection of tax or revenue, or the violation was not corrected within  
Fulton, Avery, Coash, Et\_al six months after written notice.

Govt  
Military &  
Vet. Affrs

Hearing  
Date:  
2/5/2009

[LB 248](#) **EARNED INCOME CREDIT:** Would increase the state earned income credit to 25% of the federal **Held in**  
credit. It would also increase the state child and dependent care credit from 10% of the federal credit to **Committee**  
Dubas, Cornett 13%.

Revenue

Hearing Date:  
2/4/2009

[LB 249](#) **SALES TAX COLLECTION FEE:** Would increase from 2 1/2% to 3 1/2% the collection fee **Held in**  
allowed to retailers for collecting sales tax. **Committee**

Fulton, Karpisek

Revenue

Hearing Date:  
3/18/2009

[LB 279](#)      **NOTIFICATION OF MILITARY INSTALLATIONS:** Would require a city to provide notification to a military installation located within the city or adjacent to the city's territorial zoning jurisdiction regarding any development of property which may affect the installation. The notification would include the name of the property owner, the name of the developer, the location of the development and a description of the type of development under consideration.      Held in Committee

Avery,  
Cornett,  
Price, Et\_al  
**Support**  
Govt Military & Vet. Affrs

Hearing Date:  
2/12/2009

[LB 377](#)      **NEBRASKA GOVERNMENTAL UNIT CREDIT FACILITY ACT:** Would authorize, and provide a mechanism for, political subdivisions to access federal credit support for bonds issued by political subdivisions. The bill would authorize the use of credit facilities providing guarantees or other direct or indirect assurance of payment by a United States Government enterprise such as, letter of credit, contracted guarantee, contract of insurance, standby purchase contract or other credit facility.      **Final Reading**

Pankonin  
Banking  
Commerce & Insurance  
**Support**

Hearing Date:  
2/2/2009

[LB 446](#)      **ENGINEERS AND ARCHITECTS REGULATION FUND:** Would authorize repayment of qualified educational debt owed by an eligible graduate from the Engineers and Architects Regulation Fund. An eligible recipient would be a graduate of a Nebraska architecture program accredited by the National Architectural Accrediting Board or a Nebraska engineering program accredited by ABET      General File

Fulton  
Health & Human Services  
**Support**

Hearing Date:  
2/27/2009

Amendments Offered      3/11/2009      [AM 528](#)      Committee

[LB 450](#)      **NEBRASKA STATE CAPITOL ENVIRONS DISTRICT:** Would extend height restrictions within the Nebraska State Capitol Environs District by moving the western boundary from 10th St. to 5th St.      General File

Campbell  
**Support**  
Govt Military & Vet. Affrs

Hearing Date:  
2/12/2009

[LB 552](#) **NEBRASKA CONSTRUCTION PROMPT PAY ACT:** Would require a contractor who has performed work in accordance with the contract to be paid by the owner within 30 days after request. It would require that a subcontractor be paid within 10 days after receipt of each periodic or final payment. The bill specifies conditions under which an owner may withhold payment. If payment is not made within the time period specified, interest would be allowed at the rate of 1% per month. The bill would not apply to residential construction if the residents consists of no more than four residential units. Held in Committee

White

Business & Labor

Hearing **Monitor**

Date:  
3/2/2009

[LB 554](#) **REQUIRED PAID LEAVE:** Would prohibit any employer with more than 50 employees to require that an employee use paid leave of any kind when such employee has qualified for unpaid leave. Held in Committee

White

Business & Labor

Hearing Date:  
2/2/2009

[LB 557](#) **"FAIR SHARE" PAYMENTS BY NONUNION GOVERNMENT EMPLOYEES:** Would require that an employee who is not a member of a union, but was represented in collective bargaining by the union, pay a proportionate share for the services of the union in providing the collective bargaining services. The provision is applicable to employees of cities, school districts, utilities, and all public and quasi-public corporations. Held in Committee

Nantkes

Business & Labor

Hearing Date:  
3/9/2009

[LB 563](#) **CONTRACTOR EMPLOYEE CLASSIFICATION ACT:** Would provide that an individual performing services is an employee of a contractor, rather than an independent contractor, unless the individual is free from control or direction over the performance of the service; the individual is engaged in an independently established trade, occupation, profession or business; the individual makes performance of the service available to the general public; the individual furnishes the tools and equipment necessary to provide service; and the contractor does not represent the individual as an employee to customers. An individual who has registered as a contractor pursuant to the contractor registration and has been assigned a combined tax rate is presumed to be an independent contractor. The bill provides a number of remedies available to the Department of Labor and the Department of Revenue for a violation of the act. Held in Committee

Lathrop

Business & Labor

Hearing Date:  
3/2/2009

**Support**

[LB 564](#) **CONTRACTOR REGISTRATION ACT:** Would require contractors to be licensed by the Department of Labor. It would require a qualifying person be designated by the contractor. That person would be required to satisfactorily complete a written examination testing appropriate knowledge of technical terms commonly used in the knowledge of reference materials and code books to be used for technical information and understanding of the general principles of business management and other pertinent state laws.

Lathrop

Business & Labor

**Support**

Hearing Date:  
3/23/2009

[LB 573](#) **CONVEYANCE SAFETY ACT:** Would include platform lifts and stair chairs within the devices covered by the Conveyance Safety Act. It would provide that the act applies to conveyances in private residences in any county. Current law limits application of the act to conveyances in private residences located in counties having a population of more than 100,000 people. Held in Committee

Nordquist

Business &  
Labor

**Monitor**

Hearing

Date:

2/2/2009

[LB 640](#) **NEBRASKA ADVANTAGE ACT-LOCAL OPTION:** Would allow a municipality the option to determine whether sales taxes under the Local Option Revenue Act are refundable under the Nebraska Advantage Act. The option will be available to applications filed after the effective date of the act. Held in Committee

Schilz, Harms

Revenue

Hearing Date:

3/18/2009

### General Interest Bills

[LB 13](#) **PROPERTY TAX RELIEF ACT:** Under current law, the state provides \$105 million to the counties to provide a property tax credit on all property. LB 13 would shift that state aid to the homestead program, resulting in the credit applying only to residential property. Held in Committee

White, Mello

Revenue

Hearing Date:

2/20/2009

[LB 51](#) **WORKERS' COMPENSATION: CONFIDENTIALITY OF COURT RECORDS:** Would provide that any Nebraska Workers' Compensation Court document or information regarding an employee be confidential and not open to public inspection except by the employee or his or her agent; by the employer, insurance carrier, or third-party administrator that is a party to the case; if the information is used for a state or federal investigation or by the state or federal government to compile statistical information; if the document is a pleading, exhibit or final order of the court; or the information identifies statistical information only and does not reveal the identity, medical condition or disability of an employee. Indefinitely Postponed

Fulton

Business &  
Labor

Hearing

Date:

2/9/2009

[LB 153](#) **TOURISM LIABILITY ACT:** Would convert the recreational liability statutes into the Tourism Liability Act. Purpose of the act is to encourage tourism activities by protecting any owner of land who allows persons, with or without a fee, to use their property for recreation or tourism activities. Owners would be liable only for intentional conduct, gross negligence, or willful or malicious failure to guard or warn against a dangerous condition. With respect to a small tourism business, defined as a business averaging less than \$5 million a year in income, liability for gross negligence is limited to \$500,000 per. Held in Committee

Lautenbaugh,  
Schilz, Flood,  
Et\_al

Judiciary	person or \$1 million per occurrence.	
	<b>Monitor</b>	
Hearing Date:		
3/4/2009		
<a href="#">LB 171</a>	<b>RESEARCH AND DEVELOPMENT TAX CREDIT:</b> Would double the research tax credit from 15% of the federal credit allowed to 30% of the federal credit allowed.	Indefinitely Postponed
Nantkes		
	<b>Support</b>	
Revenue		
Hearing Date:		
2/18/2009		
<a href="#">LB 208</a>	<b>MISCLASSIFICATION OF EMPLOYEES FOR WORKERS' COMPENSATION:</b> Would make it a fraudulent insurance act to knowingly and with intent to defraud provide false, incomplete or misleading information to an insurance company concerning the number, location or classification of employees for the purpose of lessening or reducing the premium otherwise chargeable for workers' compensation insurance coverage.	General File
Lautenbaugh		
Judiciary		
Hearing Date:	<b>Monitor</b>	
2/26/2009		
<a href="#">LB 243</a>	<b>WORKERS' COMPENSATION: COST-OF-LIVING ADJUSTMENTS:</b> Would provide that any total disability award be adjusted annually in the future by the percentage increase in the average weekly wage for that year.	Held in Committee
Nantkes		
Business & Labor	<b>Monitor</b>	
Hearing Date:		
2/9/2009		
<a href="#">LB 309</a>	<b>CAPITAL GAINS EXCLUSION:</b> Would exclude from adjusted gross income any net long-term capital gain from the sale of real property or business assets used in the business in which the taxpayer has materially participated for 10 years.	Indefinitely Postponed
Schilz, Carlson, Christensen, Et_al		
Revenue	<b>Monitor</b>	
Hearing Date:		
2/5/2009		
<a href="#">LB 320</a>	<b>GAS TAX CHANGE:</b> Would set the motor fuels tax at 26 cents per gallon, repeal the variable fuel tax, and distribute fuel tax revenues as follows: 73 percent to the state program, 13.5 percent for the county share of the Allocation Fund, and 13.5 percent for the cities' share of the Allocation Fund. Under that formula, the local share would decrease from its present level.	Indefinitely Postponed
Friend		
Transportation		
Hearing Date:		

2/23/2009

[LB 335](#)      **TAX INCENTIVE ACTS-EMPLOYMENT VERIFICATION:** Would require an entity claiming credits under the Nebraska Advantage Rural Development Act, Nebraska Advantage Act, or the Nebraska Advantage Research and Development Act to electronically verify the legal presence of all employees employed in Nebraska.      General File

Friend  
Revenue      **Monitor**

Hearing  
Date:  
2/6/2009

[LB 401](#)      **HIGH PRIORITY SURFACE TRANSPORTATION DEVELOPMENT ACT AND SURFACE TRANSPORTATION REVOLVING FUND ACT:** Would create a council to rate applications for high priority transportation projects that would be funded through the issuance of state highway bonds and local matches. It would also create a revolving fund from which cities and counties could receive low interest loans for transportation projects.      Held in Committee

Friend, McCoy,  
Pankonin  
Transportation

Hearing Date:  
2/23/2009

[LB 436](#)      **NET METERING:** Would provide for net metering of electricity. It would require that the customer-generator be credited at the full retail rate for each kilowatt-hour up to 125 kw hours used by the customer-generator during an annual period, without review by the Power Review Board. Electrical suppliers could not charge an additional fee for net metering above any minimum monthly fee charged all customers. Standards for interconnection would be based on the National Electrical Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, or the American National Standards Institute.      **General File**

Priority:  
Committee  
3/12/2009  
Haar      **Monitor**

Natural  
Resources

Hearing Date:  
2/11/2009

Amendments  
Offered      3/18/2009      [AM 708](#)      Committee

[LB 505](#)      **ECONOMIC DEVELOPMENT COMMITTEE:** Would create the Economic Development Committee as a select committee of the Legislature. The committee would engage in strategic planning with respect to economic development, develop a consistent and priority-based approach to economic development, and assess the performance of previously enacted economic development measures.      Indefinitely Postponed

Pirsch  
Executive  
Board      **Monitor**

Hearing  
Date:  
2/12/2009

<p><a href="#">LB 514</a></p> <p>Lautenbaugh</p> <p>Business &amp; Labor</p>	<p><b>WORKERS' COMPENSATION: SOCIAL SECURITY BENEFITS:</b> Would terminate workers' compensation payments at the later of the date the employee qualifies for retirement benefits under the Social Security Act or two years after the date of injury.</p> <p><b>Monitor</b></p>	<p>Held in Committee</p>
<p>Hearing Date: 2/23/2009</p>		
<p><a href="#">LB 528</a></p> <p>Fulton</p> <p>Banking Commerce &amp; Insurance</p>	<p><b>NEBRASKA BUSINESS CORPORATION ACT:</b> Would change the Nebraska Business Corporation Act to allow required notices by corporations to be given by any method of delivery used in conventional commercial practice. It would authorize notice given by electronic transmission as written notice. It would allow written notices required to be given to a shareholder to be electronically transmitted to the shareholder in a manner authorized by the shareholder. The bill would also allow proxies to be executed by electronic means.</p>	<p>General File</p>
<p>Hearing Date: 2/3/2009</p>		
<p>Amendments Offered</p>	<p>2/23/2009</p> <p style="text-align: center;"><a href="#">AM 247</a></p>	<p>Committee</p>
<p><a href="#">LB 551</a></p> <p>Priority: Senator 3/11/2009</p> <p>White</p> <p>Banking Commerce &amp; Insurance</p>	<p><b>EXTENSION OF DEPENDENT COVERAGE:</b> Would require health insurance policies to cover unmarried dependent children through age 29. It would require the employee to pay both the employer's and employee's contribution to health insurance for the dependent child from age 23 through age 29.</p> <p><b>Monitor</b></p>	<p><b>General File</b></p>
<p>Hearing Date: 2/10/2009</p>		
<p><a href="#">LB 555</a></p> <p>Priority: Senator 3/11/2009</p> <p>White, Mello</p> <p>Revenue</p>	<p><b>RESEARCH TAX CREDITS:</b> Would allow a tax credit equal to 35% of the federal credit for any business firm which makes expenditures in research and experimental activities on the campus of a college or university in the state. The credit could be claimed for a total of five years.</p> <p><b>Support</b></p>	<p>General File</p>
<p>Hearing Date: 2/18/2009</p>		
<p>Amendments Offered</p>	<p>3/9/2009</p> <p style="text-align: center;"><a href="#">AM 367</a></p>	<p>Committee</p>

[LB 556](#) **WORKERS COMPENSATION: THIRD PARTY CLAIMS:** Would provide that, in an employee's claim against a third person, the issue of the employer's negligence could not be asserted. The bill would not affect the employer's protection from lawsuits for claims covered by workers' compensation. Held in Committee

White

Business & Labor **Monitor**

Hearing Date:  
2/23/2009

[LB 606](#) **MICROENTERPRISE DEVELOPMENT ACT:** Would increase the number of employees a business could have and qualify under the act from five employees to 10. It would also increase the amount of a micro-loan from \$35,000 to \$100,000. The bill would also state the intent of the Legislature to appropriate \$2.5 million to the Micro-Enterprise Development Cash Fund. Indefinitely Postponed

Karpisek

Banking  
Commerce & Insurance

Hearing Date:  
3/2/2009

[LB 613](#) **ECONOMIC DEVELOPMENT ACTS:** Current law provides that all employees of an acquired business during the year prior to acquisition would be considered base-year employees under the Employment and Investment Growth Act, the Rural Economic Opportunities Act, Invest Nebraska Act, Quality Jobs Act, and Nebraska Advantage Act. LB 613 would repeal the provision. Held in Committee

Dierks

Revenue

Hearing Date:  
2/12/2009

[LB 622](#) **WORKERS' COMPENSATION: LATE MEDICAL PAYMENT PENALTY:** Current law provides a 50% waiting penalty if disability payments are delinquent. LB 622 would provide a 50% waiting penalty if medical payments are delinquent. Held in Committee

Priority:  
Committee  
3/12/2009

**Monitor**

Nordquist

Business & Labor

Hearing Date:  
2/23/2009

[LB 624](#) **ENERGY EFFICIENCY LOANS:** Would create the Public Building Energy Efficiency Fund to provide loans to political subdivisions for energy efficiency projects. The State Energy Office would be authorized to consider applications for loans and to approve or deny the application. Held in Committee

Haar

Natural Resources

Hearing Date:

2/4/2009

[LB 630](#) **WORKERS' COMPENSATION:** Would make various changes to the workers' compensation statute as proposed by the court, including not requiring the court to maintain its office at the State Capitol, changes to the informal dispute resolution process, eliminating the requirement that duplicate originals of an application for approval of lump-sum settlement be filed, and authorizing payment of compensation to be paid by direct deposit, debit card, prepaid card or similar electronic payment system. Held in Committee

Priority:  
Committee  
3/12/2009

Business &  
Labor **Monitor**

Business &  
Labor

Hearing Date:  
2/9/2009

[LB 637](#) **CLAIMS HISTORY DISCLOSURE:** Would require a health carrier issuing coverages to a group of 51 or more covered employees to provide to the group policyholder, contract holder, or sponsor of the group health benefit plan, upon request, the total amount of actual claims identified as paid or incurred and paid by month, including claims experience for medical, dental, and pharmacy benefits. The information provided would also include the total number of covered employees on a monthly basis by coverage tier, the total number of covered employees that have reached deductible by tier, the major categories of expenses, and the total premium paid by month. Held in Committee

Mello

Banking  
Commerce &  
Insurance

Hearing Date: **Monitor**  
3/2/2009

[LB 644](#) **ELECTRONICS RECYCLING ACT:** Would require manufacturers of electronic devices to report to the state the number of electronic devices sold in the state for the purpose of determining the amount of registration fee to be paid by the manufacturer. The fee would be reduced in proportion to the number of electronic devices recycled by the manufacturer. It would require that the manufacturer provide, at no cost to the consumer, a method of returning an electronic device to the manufacturer and would prohibit a manufacturer from imposing a fee or other charge for the collection, transportation, handling, recycling, or reuse of electronic devices. Held in Committee

Mello, Haar

Natural  
Resources

Hearing  
Date:  
3/11/2009

[LB 656](#) **HEALTH CARE ACCESSIBILITY AND AFFORDABILITY ACT:** Would create the Health Care Plan Advisory Council to develop recommendations concerning a comprehensive plan for affordable health care. The bill specifies 14 areas to be considered by the Council, including a requirement that all Nebraskans not covered by Medicare have a basic health insurance plan and a requirement that insurers adopt community-rated premiums. The council would consist of 12 members appointed by the chairpersons of the Legislature's Health and Human Services Committee and Banking Commerce and Insurance Committee. Held in Committee

Harms,  
Avery, Haar,  
Et\_al

Health &  
Human  
Services **Monitor**

Hearing Date:  
2/11/2009

<a href="#">LB 663</a>	<p><b>NET METERING ACT:</b> Would adopt the Net Metering Act for the purpose of encouraging cogeneration and small power production consistent with protection of ratepayers and the public. It would require public power districts to annually file a cogeneration and small power production tariff with extensive information as set forth in the bill. It would require a utility to purchase energy and capacity from any qualifying facility which offers to sell energy to the utility and agrees to certain conditions. It would prohibit requiring the execution of an indemnity or hold harmless clause. The bill would require that a qualifying facility which negotiates a contract under the act be entitled to the full avoided energy costs of the utility, adjusted as appropriate to reflect line losses. It would require a utility to interconnect with a qualifying facility that offers to make energy or capacity available to the utility if the qualifying facility has submitted an interconnection plan. The bill also sets forth a number of filing requirements on utilities and on qualifying facilities. Finally, the bill sets forth a uniform statewide contract.</p>	Held in Committee
Janssen		
Natural Resources		
Hearing		
Date:		
2/11/2009		
	<p><b>Monitor</b></p>	