

**2009 Legislative Bills
Of Importance To LLCHD
As of 5-22-09**

LB 106 (Harms) Eliminate the requirement that occupant protection system laws be enforced as a secondary action

Status: In Committee, hearing was 2-17-09

This bill would eliminate the requirement that occupant protection system laws be enforced as a secondary action. Eliminating this requirement would make enforcement of occupant protection laws a primary offense.

LB 200 (Janssen) Change motorcycle and moped helmet requirements

Status: Held in Committee by a 4:4 vote; Hearing was 3-3-09

LB 200 exempts motorcycle and moped operators and passengers who are at least 21 years of age from wearing a helmet. Those ages 16 – 21 would also be exempt with completion of a motorcycle safety course. The bill requires all operators and passengers to wear eye protection. LB 200 would also make enforcement of the helmet law for those not exempt a secondary violation.

LB 223 (Nantkes) Classify swimming pools and provide operator requirements

Status: In Committee, hearing was 2-27-09

LB 223 further defines training and requirements for a Certified Pool Operator (CPO). Lincoln Municipal Code currently requires LLCHD training and public swimming pools to be under the immediate supervision of a licensed pool operator at all times the pool is open. Bill also addresses Class B pool operations.

LB 252 (Cornett) Prohibit possession of animal fighting paraphernalia

Status: In Committee, hearing was 2-11-09

LB 252 prohibits possession of animal fighting paraphernalia and makes it a felony to possess certain animal fighting equipment.

**LB 355 (Lautenbaugh) Authorize cigar bars under the Nebraska Liquor Control Act and provide duties for owners of cigar bars
(Lautenbaugh Priority Bill)**

Status: Passed on 4-17-09 – Did not pass with the E-clause -Still includes preemption

LB 355 allows cigar bars to be exempt from the Nebraska Clean Indoor Air Act (set to take effect June 1, 2009). This would allow a number of establishments to be exempt by proving that at least ~~45%~~ 10% of their annual profit comes from the sale of cigars, ~~cigarettes~~, and other tobacco products or tobacco related products. This may include such establishments such as bars, ~~restaurants, bowling alleys~~, or any other establishment that holds a Class C Liquor license, does not sell food, has a walk-in humidior, doesn't permit cigarette smoking in the establishment. Also preempts local ordinances.

LB 369 (Nantkes) Appropriate funds for the Every Woman Matters Program

Status: In Committee, hearing was 3-23-09

LB 369 allows for funds to be appropriated from the General Fund for 2009 – 2011 to be used for the Every Woman Matters Program for reimbursement for such cancer-screening services as mammograms, breast exams, pap smears, colposcopy, and associated lab fees.

**LB 403 (Karpisek) Require verification of lawful presence in the U.S. to receive public benefits
(Judiciary Committee Priority Bill)**

Status: Passed on 4-3-09; but does not include exemption for public health services; amendment changing “health benefit” to “health payment or financial assistance benefit” was added

LB 403 requires proof of legal residency to receive certain public benefits from a state agency or a local political subdivision. LB 403 would exempt those services needed for treating emergency medical conditions and certain health services (immunizations and communicable disease).

LB 415 (Christensen) Prohibit tobacco sales from self-service displays

Status: Indefinitely Postponed (Killed)

LB 415 makes it illegal to sell tobacco products from self-service displays except those in tobacco specialty shops and those already permitted in Nebraska law.

**LB 494 (McCoy) Change provisions relating to dangerous dogs
(Speaker Priority Bill)**

Status: Passed on 5-18-09 – Sen Coash introduced an amendment at the request of City of Lincoln to further define “medical treatment”. His amendment was adopted on 4-28-09.

This bill adds a felony charge to the owner of dangerous dog that attacks and mutilates a victim.

LB 541 (Campbell) Exempt certain adult dental services from Medicaid limitations

Status: In Committee, hearing was 2-11-09

LB 541 exempts limitations that are in place against certain Medicaid adult dental services that impact the \$1000 cap in a calendar year.

LB 572 (Heidemann) Change Nebraska Tobacco Settlement Trust Fund provisions

Status: In Committee, hearing was 3-23-09

This bill would reduce the funds credited from the Nebraska Tobacco Settlement Trust Fund to the Tobacco Prevention and Control Cash Fund from 2.5 million to 1.5 million starting in fiscal year 2010. Could potentially cost LLCHD up to \$350,000 per year.

LB 600 (Karpisek) Authorize pool halls under the Nebraska Liquor Control and provide duties for owners of pool halls

Status: In Committee, hearing was 2-9-09

LB 600 exempts pool halls from the Nebraska Clean Indoor Air Act. This bill would remove protections for smoke-free air in licensed pool halls that meet certain conditions, including those that hold a Class C Liquor license, those that have at least 20 hourly fee pool tables and those that prohibit admittance to anyone under 18. The bill would require pool hall to post notices at all entrances that smoking is allowed inside the pool hall. Also preempts local ordinances.

LB 611 (Karpisek) Amend the Nebraska Clean Indoor Air Act to provide cities, villages, and counties the authority to regulate smoking

Status: Indefinitely Postponed (Killed)

This bill would amend the Nebraska Clean Indoor Air Act to allow cities, villages, and counties the authority to regulate smoking/ opt out of the law.

LB 656 (Harms) Adopt the Health Care Accessibility and Affordability Act

Status: In Committee, hearing was 2-11-09

LB 656 adopts the Health Care Accessibility and Affordability Act to assure health care coverage for all Nebraska residents not covered under Medicare. This bill would study how to provide health care coverage for Nebraska residents.